

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Darlene Compton

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[The Legislature sat at 1:03 p.m.]

[Hon. D. Compton in the chair]

Matters of Privilege and Recognition of
Guests

Speaker: The hon. Premier.

Hon. D. King: Good afternoon, Madam Speaker, and welcome back to you and to all of our colleagues for another day in the provincial Legislature.

I wanted to say hi to all of those who are tuned in at home and to those who are attending in the public gallery, our lone soldier today, John te Raa. It's good to see you, John, and welcome. I hope you enjoy today's proceedings.

I wanted to begin my remarks by recognizing a really difficult situation that turned into something positive on the weekend. There was a report of a young woman falling off the dock at the end of Queen Street in Charlottetown. Charlottetown Police and a lot of first responders were dispatched and they were called to the scene. The young woman was in the water and couldn't hold on much longer, and one of our Charlottetown police officers, Tim Keizer, jumped in and actually saved her.

Tim's been a good friend of ours. Of course, he's been a candidate for our party a couple of different times, but just as good and solid of a person as you'd ever meet; very community-minded and very selfless. Tim wouldn't want this recognition because it's just all in the line of duty, what he does each and every day along with our first responders, but I just wanted to say thanks to Tim and congratulations. I'm glad a very difficult and serious situation was handled the way it was, and I hope that everybody involved is doing well.

[1:05 p.m.]

The Minister of Health and Wellness and I had a meeting this morning with the Mental Health Commission of Canada CEO Michel Rodrigue and Colton Profitt, the senior policy advisor; a great discussion about a lot of the wonderful initiatives that are taking

place here in Prince Edward Island when it comes to mental health. PEI is one of the leading places where we're seeing lots of investment and development of mental health initiatives here.

Also talked to the commission about what we could be working on in the future when it comes to mental health and improving some of the conditions, specifically in our workplaces and in our school systems. I'm sure you'll be hearing in the days and weeks ahead that our continued partnership with groups like the Mental Health Commission of Canada will continue through funding partnerships down the road.

I wanted to say that the Tourism Industry Association of Prince Edward Island started their annual meeting today down at the Delta. Our Minister of Fisheries, Tourism, Sport and Culture was there; I understand got a standing ovation. The support in the room was palpable. I think that's only fitting when you consider in our five short years of governing that the three best years of tourism we ever had were 2019, 2023 and '24, record years in tourism. And, of course, the only two we missed, a little thing called a pandemic was in the middle of it. I think we would have went five for five. But it validates our commitment to the industry and the partnerships that we've been working on together.

I congratulate the minister and previous ministers who have worked so hard, and all of those in our tourism sector who are innovating and doing all of the wonderful work to make sure we draw visitors here and give them a good experience when they're here.

Finally, also down at the Delta, the MSX Science Summit is taking place. This is cohosted by the Province with the federal government, trying to bring industry, researchers, academia, levels of government, and other partners together to share knowledge and form collaborations on MSX research and help inform the short-, medium-, and long-term strategies that we need to put in place to reduce the impacts of MSX, which is not only here on PEI but is also in the region and many other places.

We continue to support our industry and ensure that our oysters remain not only top

of mind but at the top of market. We have the best product here in the world. We're in a bit of a situation here right now, but we'll do everything we can, in partnership with the industry, federal government, and all others, to make sure our oyster industry remains the jewel of the world.

With that, I say thank you very much and enjoy the proceedings today.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

It's a pleasure to rise today and welcome all those who are watching online and those who are joining us in the gallery today. Welcome back, John; nice to see you here again.

Last evening driving home, the road conditions were not great due to the weather. It was really, really dark out. It was raining hard. It was snowing part of the way. I just want to encourage people – I mentioned last week to get your winter tires on because we never know this time of the year when snow will hit the pavement. I can tell you, you'd be really happy to have them on your vehicle at that time. Again, just a reminder to get those winter tires out and put them on your vehicle.

Yesterday, we had the executive from the Mental Health Commission of Canada in here. Tonight at 5 p.m. at the Confederation Centre, they are hosting a get-together for all the MLAs and other leaders in the community. I would encourage all MLAs, if they can make it, to please attend.

Also, this is National Nurse Practitioner Week. I would like to extend my sincere appreciation for all the nurse practitioners on Prince Edward Island who step up and help alleviate some of the pressures that Islanders are facing right now within the health care system. We need to do more to encourage nurses to move up – RNs to move up to nurse practitioner – by giving them the support that they need.

Also, we welcome them into the communities. I would really like to have them in the community of Tignish to help

alleviate some of the pressures that we have ever since our permanent doctor, Dr. Sethi, left, who was there for over 40 years. Since then, we haven't had secure health care coverage in our community. It really, really would mean a lot for this government to provide more supports to my particular area and other communities across Prince Edward Island who find themselves in a similar situation as that.

While I'm on my feet, Christmas is coming up. The Co-op member relations committee has put forward a cookbook with recipes from all the board of directors and the staff. All proceeds from sales will go to local groups within the community, as they do; member relations basically puts money back into the community. It's a great Christmas idea, and you're also supporting local.

Thank you, Madam Speaker.

[1:10 p.m.]

Speaker: The hon. Leader of the Third Party.

K. Bernard: Thank you, Madam Speaker.

Good afternoon to my colleagues, staff, and Pages in here today, everybody tuning in from Charlottetown-Victoria Park and all over the Island, and John joining us in the gallery. It's a bit of a feast or famine in the gallery these days, so it's nice to have you here.

This morning, they mentioned on CBC Radio that it's World Kindness Day: a day to encourage individuals to practice kindness in all that they do in daily life; to highlight the importance of empathy, understanding, and cooperation; and to create a harmonious and caring world. So, I'd just put that out there.

The Immigrant and Refugee Services Association recently announced that their scholarships for newcomer students at UPEI and Holland College are going to be increased to \$1,000 each and will be renamed the Craig Mackie Newcomer Scholarship after the former executive director of the association.

Of course, Craig served as executive director for 11 years, between 2010 and

2021. During his time there, he more than doubled their staff and programming, increased services to the newcomer community, and turned DiverseCity from a one-day street fair to a major series of events held across the province each summer. These scholarships are a very fitting tribute to Craig's memory, so congratulations to them and to all the recipients of these scholarships.

Of course, as was mentioned, this week is Nurse Practitioner Week, and I'd like to thank nurse practitioners for stepping up and stepping in, in these troubling times for Islanders. I would love to see government celebrate by increasing their wages.

With that, I will wish everyone a happy World Kindness Day.

Thank you, Madam Speaker.

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

Hon. J. Redmond: Thank you, Madam Speaker.

It is a pleasure to rise today and welcome my colleagues, our gallery guest, and all those tuning in from District 5 Mermaid-Stratford back to the House.

I would like to take a moment to recognize that November is Diabetes Awareness Month. As most everyone in here knows, this is a cause very near and dear to my heart. Our daughter was diagnosed with type 1 diabetes almost four years ago.

We are grateful every day for the investments this government has made in supporting those who are navigating life every day while living with diabetes; investments such as our diabetes drug program, which helps supply funds for the supplies that are needed to live every day healthily, and the insulin pump program that is now available to all Islanders living with type 1.

I encourage everyone to make time during Diabetes Awareness Month to support those living with diabetes by educating ourselves and our communities about this condition. Let's learn, advocate, and support those that live every day with diabetes.

Thank you, Madam Speaker.

Speaker: The hon. Minister of Agriculture.

Hon. B. Thompson: Thank you, Madam Speaker.

I'm happy to hear that it's World Kindness Day. That's fantastic to hear.

As Minister of Agriculture, I want to give a little update on the 102nd Royal Agricultural Winter Fair in Toronto. We had a lot of Island participants up there this year. The 4-H dairy team and beef team did very well; they participated and had a great time. A couple friends of mine – good, close friends of mine – Blair Weeks was the official judge of the Holstein show, and Bruce Wood was his associate judge. It's a world-class show, arguably the best show in the world, and they did a tremendous job.

Also, there have been six Island-bred or Island-owned cows that have been Grand Champions at the Royal Winter Fair, and now we have to make that seven. A little Jersey cow by the name of Delphie was Grand Champion at the Jersey show at the Royal Winter Fair, owned by Jamie Weeks and Blair Weeks, as well as owners California, Australia, and Nova Scotia. So, congratulations to them on Delphie's big win.

Thank you.

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

N. Jameson: Thank you, Madam Speaker.

It's certainly a pleasure to rise today. Welcome back to all my colleagues. Hello to everyone tuning in online.

It's great to hear it's World Kindness Day. I'm reminded; I drop my kids off to school every morning and as they're leaving, I always say, "Now, what does Mom expect from you today?" and they both look at me and they say, "Be kind," and then they're off on their way. So, kids, be kind. All of us, we can all learn from that.

[1:15 p.m.]

I was speaking to my good friend Buddy Longaphie this morning. I know probably many in the House here know Buddy for his fiddling, his music. Anyway, I told him I'd say a big shout-out to him here today in the House, and to all those living at the Emily, which is an apartment complex in East Royalty. It's just such a warm, welcoming community there, and I'm always so happy when I get invited to speak and meet with the residents there. So, to all those living at the Emily, just hello and thank you for being you.

Thank you, Madam Speaker.

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

Hon. S. Myers: Thank you, Madam Speaker.

I want to welcome everybody to the House today; John.

I'll also give a shout-out today to Buddy Longaphie. Buddy Longaphie has been known by the party for many, many years. I hear he's going around speaking well about the hon. member and says that she's going to beat Sean Casey, which is true.

I was up early this morning, as I am every morning with four-year-olds. I got them to their daycare a little bit earlier than I normally do because I had to go grocery shopping because we had gotten behind at home. I was walking through the grocery store and I could hear someone calling my name, so I stopped. I didn't recognize the gentleman at first, but when he got closer to me, I did. It was my old political science teacher from high school, David MacLure.

David and I had a great conversation in the hallway. He said, "We were watching you on the news last night and my wife made a comment. She said, 'Isn't it great? He stands up for what he believes in.'" You know, hearing that from somebody like David MacLure, who I hold in high regard.... He was a great teacher of mine. He's one of those teachers that you look back fondly on. So, I want to say hi to David MacLure; it was great to see you today.

Thank you, Madam Speaker.

Statements by Members

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

Accountability in Health Care

G. McNeilly: Thank you, Madam Speaker.

For years now, we have heard this government deflect accountability onto former staff and even Islanders for serious issues they refuse to deal with or take accountability for.

Despite the Minister of Health's repeated talking points, Islanders know the truth: health care delivery on this Island has never been worse. Yesterday, we found out that even though they have known for some time we will be short a hematologist oncologist, we don't have an agreement with other health authorities to treat Islanders off-Island.

The Minister of Health seems to think he is not accountable for the challenges identified within his portfolio. He says many times that they're the responsibility of his agency. Yes, they have responsibility, but he is the elected official that is accountable to Islanders in this Chamber.

Strangely, we know that Health PEI has not released their annual report, and for most organizations, this wouldn't be a concern, but Health PEI is a billion-dollar authority charged with managing our health care continuum – a report card on government's highest priorities for Islanders – a portfolio that is responsible for the delivery and reporting of health services in a timely manner.

A few questions: Why is government muzzling the Health PEI CEO and only allowing her to say positive things? Why are health care staff constantly pressured to just suck it up with no end in sight? Why did Health PEI executives get huge raises when others got lavender seeds? Why were long-term-care residents barred from returning to their homes after being in hospital in my area?

There is no doubt we are worse off now than five years ago, yet this government has chosen to bury the shovels in the ground

along with those napkins that they scribbled on a few years ago, on the back of those napkins, and muzzled the voices of health care workers. Where do you start? The only way to truly improve is to acknowledge the problem.

Thank you, Madam Speaker.

Speaker: The hon. Leader of the Opposition.

Community Outreach Centre

Hon. H. Perry: Madam Speaker, when it comes to the Charlottetown outreach centre, I've never seen such a chaotic and unplanned administration as this one.

Last year, the former Minister of Housing went to incredible lengths to avoid responsibility and public scrutiny. The minister even made excuses about open drug use on the former property of the outreach centre. All the way through that debate, this Conservative government tried to do everything in its power to avoid the need for community consultation and input.

Now, this chaotic and unplanned government has graduated to a new stage of ignoring the public. Yesterday, the current minister basically said that any public input to the City of Charlottetown is completely beside the point. He has his plans, and the people who live in the area? Well, the people who live in the area are completely beside the point.

It's sad that a government can grow so out of touch, so arrogant. They are affecting the lives of many, many lifelong residents in that area of Charlottetown. Do you want to know what all this noise and bluster really means? It means that this government really has no plan or direction.

Thank you, Madam Speaker.

[1:20 p.m.]

Speaker: The hon. Member from Tyne Valley-Sherbrooke.

Upgrades to Tyne Valley Rink

H. MacLennan: Thank you, Madam Speaker.

I rise today to highlight the significant upgrades at the Tyne Valley community rink.

Recently, the Cavendish Farms Community Events Centre in Tyne Valley received \$345,000 in upgrades through the Province's community renewable energy generation fund to help reduce the community's energy costs, but also enhance the rink's energy efficiency. The centre now features a new 99-kilowatt solar installation on its roof, which will significantly cut energy expenses. Additionally, the installation of eight new heat pumps installed throughout the facility, including six in the dressing rooms, will further boost energy efficiency.

This solar project marks the first one funded through the CREG fund, which supports community-driven projects aimed at generating cleaner, greener energy. This fund encourages a variety of renewable energy sources including biomass, wind, and solar, as well as dual fuel generators in the efforts to enhance energy efficiency at the community level.

The funding through the CREG also allows Tyne Valley to complete a feasibility study and energy efficiency audit, essential tools for guiding the rink toward its net zero target.

Reducing energy costs will have a lasting positive impact on our community, allowing the Tyne Valley rink to reinvest those savings in the vital programs and services for residents. Overall, we anticipate that these improvements will lower the energy expenses by about a third, significantly enhancing affordability for everyone who uses the rink.

I want to express my gratitude to the board and the Tyne Valley Village Council for their innovative thinking, and to the Province for supporting this important initiative.

Responses to Questions Taken as Notice

Questions by Members

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

My question today is to the Premier. Over the last number of days, we have watched the Minister of Tourism engage in a lot of noise and bluster as he attempts to defend the multi-million-dollar contract with the NHL.

Now, I know why the minister is so defensive. His real mission is to defend the Premier and to hide the Premier's role in this terrible deal. He should know that his job is not to defend the Premier. His job is to defend the taxpayers – Islanders.

Tourism contract with NHL (further)

My question to the Premier: Was it you and your office who were the driving force behind this sweetheart deal with the NHL?

Speaker: The hon. Premier.

Hon. D. King: Thank you, Madam Speaker. I thank the hon. member for the question.

As I said many, many times, we're a very collaborative government. I give the ministers lots of room to do the work. Our ministers are dispatched to work with the industries and groups that they represent to come up with the best policy for government. That's what happened in this case. As I said in my greetings coming up, we'll take a backseat to no one when it comes to the growth in tourism in this province. The three best years we've ever had in tourism have been under this government, and we're just getting started...

[Interjections]

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

In late 2022, the Premier and his staff arranged to drive down to the NHL Winter Classic, which was held in Boston. Now, it was an expensive trip for three people to take. The Premier was asked about that trip last spring, which included some really good hockey entertainment for the Premier and his staff. Here is what he said:

“On January 1st, after the Premier's Levee at the Confederation Centre, we drove down to Boston to meet with officials from the NHL, who happened to be in Boston for the Winter Classic. We talked with officials about the potential of working together on a long-term program...”

Premier, is this where the waste of taxpayers' dollars began? At a hockey game in Boston?

Speaker: The hon. Premier.

Hon. D. King: Madam Speaker, I would say we take the expenditure of tax dollars very, very seriously, and once again, I'd say we take a backseat to no one when it comes to tourism. We're making the investments that we need to make to bring people to the province and to have them have a good experience when they get here. We work with many different partners through tourism. We've done a great job, and we'll continue to do that. As I say, we're just getting started.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you, Madam Speaker.

This meeting in Boston – a very expensive meeting in Boston – was great for the Premier, who really likes hockey. This meeting in Boston – was there anyone there from the Department of Tourism, Premier, or was it just a road trip for three people from your office?

Speaker: The hon. Premier.

Hon. D. King: Madam Speaker, of course the industry was represented there, and so, too, was our department.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

[1:25 p.m.]

Question to the Premier: Who paid for the tickets for you and your staff to attend the

Winter Classic? Were Island taxpayers on the hook for these tickets, or were they given to you as gifts from the NHL?

Speaker: The hon. Premier.

Hon. D. King: Madam Speaker, that's something I wouldn't know. I would have to go back and find out exactly how that all took place, but as I say, we were down there to do some business, made a good connection with the NHL, and we have a really good deal that is growing the industry from it. Very proud of it.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

So, obviously, he didn't pay for his ticket.

We also know the Premier and his two staffers were also in Nashville during the NHL Awards banquet.

Premier: Did you attend the banquet, and who paid for the tickets?

Speaker: The hon. Premier.

Hon. D. King: Again, Madam Speaker, we discussed this in the last session of the Legislature. We were in Nashville for a number of different purposes. We were down because we're exploring and working on a "Music City PEI" initiative to grow our gig industry here in Prince Edward Island and to grow our tourism.

We talked to some officials again, down at the NHL, and who paid for the tickets, I'd have to get back and find out for that.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: (Indistinct) same place as these NHL events, Madam Speaker.

That trip to Nashville – and the same two employees from the Premier's office went with him – again, was very expensive. So, when asked about that trip to Nashville back in the summer of 2023, the Premier said the following: "We also had discussions with

the NHL, which was part of the deal that ended up being signed."

So, my question to the Premier: What role did you have during these discussions that ended up costing Islanders millions of dollars?

Speaker: The hon. Premier.

Hon. D. King: Madam Speaker, again, I'd say I don't understand why this party is so against tourism growth in Prince Edward Island. We make investments in tourism to bring people to the province, to have good experiences here, to spend tax dollars here so we can collect it and reinvest it into programs all across Prince Edward Island. That's the job that we're supposed to do.

As Premier, I have an opportunity to sit down with many different people across many different departments to talk about the initiatives of why they should come to PEI. If he wants me to apologize for selling PEI as the best place to work, live, raise a family, do business, and visit, he's barking up the wrong tree, Madam Speaker.

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

This has nothing to do with bringing tourism to PEI, this is about accountability and transparency to the taxpayers of Prince Edward Island.

Now, it's pretty clear: the Premier and his staff enjoyed travelling around North America, I made it very clear. They enjoyed it, taking in fancy events and hanging out with NHL executives.

There's a lot of hockey fans right across Prince Edward Island who would love to have the opportunity to go to the Winter Classic, to Nashville, or to the NHL Awards. In the days ahead, there will be more information about the Premier's efforts to enjoy hockey and spend tax dollars in his pursuit of some quality time with NHL officials.

Question to the Premier: Premier, since you seem to be running the show, what would

the cost be for this contract with the NHL, and what happens if you guys decide to cancel this terrible deal?

Speaker: The hon. Premier.

Hon. D. King: Madam Speaker, I would encourage the Leader of the Opposition to go down to the Delta during the meetings of TIAPEI this week at their AGM and ask them if they think investing in tourism is a waste of money. I would say he would not just get laughed out of the building, they would probably chase him up the street and send him back up the street. (Indistinct) downright embarrassing.

[Interjections]

Hon. D. King: Again, I am in charge. I am the Premier. That's the job. I am out there selling Prince Edward Island. Part of my duties require me to travel to promote PEI to do the business on behalf of all Islanders. I do that very, very well, and again, take a backseat to no one. If he wants to keep barking up this tree, I'd say come along. I'll even take you down to the AGM tomorrow when I'm there and just see what the response you'll get from the industry down there...

[Interjections]

Speaker: The hon. Leader of the Opposition.

[Interjections]

Speaker: The hon. Member from O'Leary-Inverness.

R. Henderson: Thanks, Madam Speaker.

As you know I've been questioning the hon. Minister of Fisheries, Tourism and Sport for over a week now on the NHL licensing contract with Tourism PEI and he refuses to provide any straight answers on any taxpayers' money that is a risk for this agreement. So, I'm going to try a little different line of questioning on this agreement.

Tourism contract with NHL (further)

Minister, to confirm whether PEI is in year 2 of this agreement or not, will you table the

letter to the NHL where PEI has terminated this agreement, as to terminate the agreement, it had to be sent by October 1st, 2024, along with a cheque for the termination of this agreement.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. Z. Bell: Thank you, Madam Speaker.

[1:30 p.m.]

Again, to reiterate what the Premier said, spending a great deal of time down at the Tourism Industry Association of PEI annual general meeting this morning was great; to hear from industry directly, to hear what their strengths are, to hear what their weaknesses are, and of course, to hear what their threats are.

With regards specifically to the question, the question has been asked a few times, not only by the hon. member but also by the media. The contract expires on December 31st, 2024.

Thank you, Madam Speaker.

Speaker: The hon. Member from O'Leary-Inverness.

R. Henderson: That would tell me that you must have sent a letter, then, to say that it was going to expire by that date. Will you table that letter, minister? That's the ultimate question. I want to know about this. If you didn't write the letter, then you missed the deadline. It's going to have to go into '25-26 before you can do that.

Will you table this letter of termination of that contract on October 1st?

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. Z. Bell: Thank you, Madam Speaker.

I'm not really sure what letter the hon. member is talking about.

Thank you.

Speaker: The hon. Member from O'Leary-Inverness.

R. Henderson: Minister, you tabled the redacted version of the contract. In there, it says if you want to terminate this agreement, you had to send a letter to the NHL by October 1st, 2024. That date has passed. If you're saying that this contract is ending by the end of December 2024, that means you must have sent the letter to identify that. Otherwise, you're in it for another year.

Minister, will you actually table the unredacted copy of this contract so we can see what the actual facts are on this particular deal? Come on. Let's find out what it is.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. Z. Bell: Thank you, Madam Speaker.

I continue to say that I'm continuing to review this contract. Tourism numbers are up, as the Premier indicated, in 2019, 2023, and 2024. One of the big parts of what tourism operators on PEI faced in the last two years was a global pandemic which almost decimated their entire industry, and also, follow that up with some of the highest interest rates and cost of living challenges known to date.

The tourism industry needs some love, and this government is giving the tourism industry some love.

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

G. McNeilly: You know who else struggled during that time? Health care workers. We'll try another minister to see if we can get some transparency there.

Madam Speaker, Islanders expect that once we debate and pass the budget, this government will follow through on its commitment to the priorities that we agree upon, but instead, we see millions left unspent and shifted around in ways that lack transparency.

Health care budget

To the Minister of Health: Was every dollar allocated for primary care spent on delivering the essential services in the 2023-24 blue books?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

Some of our inability to spend is related to vacancies, there's no doubt. I think that's been quite clear in the budget debate. I will point out that with regards to primary care, we have added 12 family physicians in the calendar year to our primary care team.

Thank you, Madam Speaker.

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

G. McNeilly: Minister, public accounts show that primary care was underspent by almost \$1.4 million in '23-24. Why was this critical funding not fully used? Where did the money go?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

Again, they were related to vacancies. With a \$1 billion budget, a \$1 million shortfall in any particular category represents about a 0.001 percent of an unspent. Again, it's related to vacancies. We want to spend that money; absolutely, we want to spend that money. We'll continue to do so.

Thank you, Madam Speaker.

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

G. McNeilly: It's hard for me to say that to people when all they want is primary care and access. That's all people want.

Minister, yesterday you praised the importance of community mental health. Were all the funds allocated to the community mental health spent on this priority area?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

Again, the addition of a new psychiatrist, I think, was really good news yesterday. They are extremely hard to find in the health care workforce. We're pleased that a new psychiatrist will join our team on December 15th. We're very happy for them to join us to support community mental health on PEI. We'll continue to invest.

The campus represents the second biggest investment behind the Confederation Bridge in terms of money on PEI, so I think we're investing in mental health, Madam Speaker.

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

G. McNeilly: According to the figures that we have, you underspent in community mental health by \$763,000 in '23-24. That is a major area for Islanders.

[1:35 p.m.]

Madam Speaker, this government realized it was sitting on \$2.8 million of unspent health funding at year-end, so they quickly shuffled it around with no clear tracking. We see half a million redirected to corporate functions; perhaps towards the executive salaries that recently came to light.

Minister, Islanders are tired of this lack of transparency. Why did your government shuffle unspent funds to corporate services, delay annual reports, and hide these budgetary failures?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

I know the member continually refers to the annual report, so I just want to ensure that I clarify the timeline for the production of the annual report. It is at Health PEI this week. It will be presented to the board on November 18th and will take about a week or so to review it. Then it goes to the printer and approved by our office, so it will be public around the first week of December.

Thank you, Madam Speaker.

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

G. McNeilly: That's good to hear, but that's what accountability is for. We're pressing for that information so Islanders can see it. It's still late, and it's still out of line with what needed to happen, minister.

Access to health care (further)

Now onto ER closures, a pressing concern in Prince Edward Island. The ER at Kings County Memorial and Western hospitals are often closed on weekends and increasingly during the week.

What's the immediate plan to curb this trend, minister?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

We do recognize the challenges of maintaining the service at KCMH. We've had some physician shortages there. We have increased locum rates in order to encourage other physicians to work in our rural ERs; they're very, very attractive. I do know in November – I think we have three of five Saturdays covered, was my last update.

Again, we'll continue to work on staffing those ERs. Hiring 35-plus physicians certainly helps. We're going in the right direction.

Thank you, Madam Speaker.

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

G. McNeilly: Minister, your new CEO announced that she will hire five ER doctors for KCMH. When will these doctors be on the job and practicing?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

I had a nice conversation with Heather Mullen, who is on the Canadian Association of Family Physicians. That's her position, I believe. She was in Vancouver last

weekend. There was a lot of buzz about our new physician services agreement at that event.

I think we tell a compelling story with one electronic health record, a medical school, a learning environment, some of the strongest compensation in the country, and again, back to Prince Edward Island, the best place to live. So, I think we have a compelling story. I don't think in the 13 years of Liberal government that they put 35 physicians on the board.

Thank you, Madam Speaker.

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

G. McNeilly: In five years, you've historically shut down rural ERs more often than any other government in the history of this province.

Minister, in February, after the ER at KCMH had been closed on weekends for eight months, it reopened for just five hours on Saturday mornings. Islanders were promised that it would fully reopen on weekends by October 2023. That timeline was missed by a mile, and now the ER is regularly closed.

Minister, what exactly are you doing? You mentioned a few different dates and Saturdays. Can you guarantee that that ER will not shut down again this year?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

Back to some of our hiring processes, I do want to update the House today. I knew I couldn't keep this under wraps. As of yesterday, we signed a medical oncologist, and we signed an internal medicine doctor that will start in September of 2025.

[Interjections]

Speaker: Members, settle down please.

The hon. Member from Charlottetown-West Royalty.

G. McNeilly: Thank you, Madam Speaker.

Well, we'll talk about that.

We know through the CIHI reports that the wait times in our ERs are double that of the Canadian average.

What are you doing to fix this now, not sometime in the distant future? Because I can tell you that the staff at the QEH and Islanders who are trying to access care are not getting it and people are getting stressed out right here at our main hospital. What are you doing to support those doctors, minister?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

I love how the opposition selectively pulls out pieces of the CIHI report. I don't know what page number it is, but back to the annual rate of net new nurse practitioners, net new nurses, and net new physicians, we are in the top three in every single category.

Thank you, Madam Speaker.

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

[1:40 p.m.]

G. McNeilly: As people wait in Prince Edward Island, as people wait for the services that they need that they can't get, like my constituent in my community waiting for a biopsy – can't get it and was run around for every loophole in Prince Edward Island, and she still can't get it.

Minister, where are the gaps in the health care system? Why can't my constituents get simple access to health care and simple access to specialists? What are you doing to fix that?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

Back to 13 years of a Liberal government, we have expanded our nursing program. We've created a medical school. We have an IEN pathway. We've signed an agreement with McMaster University to sign hospitalists. What else can we talk about that we've done? Thirteen years of nothing, and we're starting to do something. We're starting to see CIHI starting to represent those stats that we're moving in the right direction, and we're going to keep doing it, Madam Speaker.

Speaker: The hon. Leader of the Third Party.

K. Bernard: Islanders have been waiting with anticipation for an increase to the bottle refund.

Back in the spring, the then Minister of Environment proudly stood in the House and announced that our bottle refund deposit would increase threefold, and it would be done by the end of summer. Unfortunately, the minister announced this while not understanding the impacts of that statement, and what that process actually means to make the change.

Bottle refund amounts

Question to the new Minister of Environment: Can you please give us an update on when Islanders can expect this increase?

Speaker: The hon. Minister of Environment, Energy and Climate Action.

Hon. G. Arsenault: Thank you, Madam Speaker, and thank you, hon. member, for the question.

We do know that Islanders are certainly passionate about our bottle refund program. I'm digging into it. We're making a determination and monitoring the system they implemented in New Brunswick at this time. I can guarantee you that the refund amount will be increasing, and we will do it in a timely fashion after we have more information coming forward.

We will make sure that Islanders will get more money to keep in their pockets when they return their bottles.

Speaker: The hon. Leader of the Third Party.

K. Bernard: Monitoring? This was supposed to be done in August, and I –

[Interjections]

K. Bernard: The amount of cans being held in garages around this province is incredible. The former minister's –

[Interjections]

Speaker: The member has the floor.

K. Bernard: The former minister's outburst inspired many people. Children, for example, saw a real opportunity here and started little businesses with their friends, collecting recyclables from neighbours, sports teams often do bottle drives to fundraise for their fees and equipment, and many more are anxiously –

[Interjections]

K. Bernard: And many more are anxiously awaiting for this change to be implemented. Unfortunately, summer came and went, and so did the former minister, and still nothing.

Question to the minister: I assume the former minister –

[Interjections]

Speaker: Members.

K. Bernard: I assume the former minister – who is no longer the minister, I will remind him – made extensive plans with his department before making this announcement.

Can you at least table the policy and specific plan that you'll be implementing?

Speaker: The hon. Minister of Environment, Energy and Climate Action.

Hon. G. Arsenault: Thank you again for the question, hon. member.

I think it's a good idea to raise the funds. We will continue to do the same pathway. We're looking into the EPR model that they have in New Brunswick; that's a fabulous

model that I'm monitoring at this stage. We're looking with staff to make sure that the children that you reference get more money to keep in their pockets. I'm aware of many of those children. I have garages full of bottles in certain areas of my district, and when they're saving and working.... With their patience, they're going to be making a lot more money as well, and we will be making that investment in the children.

Speaker: The hon. Leader of the Third Party.

K. Bernard: If (Indistinct) cannot get this simple thing out the door, Islanders are in big trouble.

The former minister really –

[Interjections]

K. Bernard: The former minister really should have thought of the consequences of this announcement before he made it. He may feel, with his comfortable salary, that bottle deposits don't really matter, but to many Islanders –

[Interjections]

K. Bernard: Are you finished?

[Interjections]

Speaker: Members, it's only Wednesday. Let's try and calm down a little bit on both sides of the floor.

[Interjections]

Speaker: It's Kindness Day, yeah. Let's not forget that. The hon. Leader of the Third Party has the floor.

K. Bernard: Thank you. I'm going to start again.

The former minister really should have thought of the consequences of his announcement before he made it. He may feel, with his comfortable salary, that bottle deposits don't really matter, but to many Islanders, this announcement gave them some hope for financial relief.

I wish it wasn't the case, but PEI has the highest rate of food insecurity among

children. Many of our families are living paycheque to paycheque, and many of our seniors can't make ends meet. This was a little light in that dark tunnel.

Question to the minister: Do you understand that this increase requires a legislative change, and will you be tabling that amendment this fall?

[1:45 p.m.]

Speaker: The hon. Minister of Environment, Energy and Climate Action.

Hon. G. Arsenault: Thank you, Madam Speaker, and thank you to the hon. member.

Like I said, we had great conversation, great feedback, not only from Islanders but from the people in the industry as well. I want to have that opportunity to meet with them, as well, to have more information on this. We will be moving something forward.

We will assure Islanders that the price will be going up. We will be doing the proper steps to make sure that this happens. We're going to make sure that everybody that's involved in this process is talked to and we are able to move this forward.

Madam Speaker, I thank you very much for this opportunity.

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you so much, Madam Speaker.

Last week, our caucus asked the Minister of Health a direct question which he chose not to answer. Islanders tell us that they are not okay with the \$2 million that's spent by Health PEI on a sole-source contract to a consulting firm. Islanders would like to know if this government has renewed or extended that contract, and if so, at what additional cost?

A question to the Premier. The Premier said earlier this afternoon: "I'm in charge. I am the Premier." Your Health minister, Premier, refuses to answer whether Health PEI has extended the KPMG contract, so I'm going to you, the leader, the man in charge, to get a straight answer to a straight question.

Transparency in government (further)

Yes or no, Premier: Has Health PEI extended the KPMG contract, and if so, what is the cost to Islanders?

Speaker: The hon. Premier.

Hon. D. King: Madam Speaker, I don't know the former leader used to run his caucus, but the way we run our caucus is that the minister is in charge, so I'll let the minister answer the question.

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you. I guess there's no opportunity for a part B to an answer.

The problem, Premier, is that we have asked the minister repeatedly the same question; we're not getting an answer. So, I'm going to his boss to ask for a straight answer to a simple question.

Similarly, the Leader of the Third Party asked the Minister of Fisheries, Tourism, Sport and Culture – it has been asked today, again – if the NHL contract has been extended. It seems pretty clear that we are already four months into the second year of the secretive deal, although the minister confused things even further by saying that it's going to end in December, which is in the middle of the second year. None of this makes any sense.

But like the Minister of Health, this minister has repeatedly refused to tell Islanders if he has signed up, and if so, how much of their money has been spent.

Again, a question to the Premier, the man in charge. Again, a straight question that your minister continues to dodge even today, and for which I'd like a straight answer: Did your government extend the NHL contract, and if so, what is the cost to Island taxpayers?

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Hon. Z. Bell: Thank you, Madam Speaker.

I think what is really being lost in here is that the official opposition and the official

third party coalition is not wanting to support tourism on PEI, which I am finding very frustrating as the minister responsible.

I told the TIAPEI AGM this morning that as minister, I will continue to stand up for that industry because they have taken it very hard the last couple of years. I will continue to stand up and make the investments that the Minister of Health talked about earlier – in the growth and helping to grow health care – because tourism brings in over \$80 million in tax revenue every year, which helps with all the services across PEI.

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Once again, Madam Speaker, I am thoroughly confused. If you've ended the deal in December, why would you do that if it's such a great deal? Why are you ending it in the middle of the second year? None of this makes sense.

This government that claims to be so transparent and so open has forgotten who they work for. They've forgotten whose money it is that they're spending. These two ministers, who refuse to come clean with Islanders, are, of course, just the tip of the iceberg. Trying to get freedom of information requests on basic information now takes now way longer than it ever did. More and more Islanders' money is being spent through special warrants hidden from the scrutiny of this House.

This government is about as transparent as a block of Island sandstone. This government is as open as the long overdue mental health campus.

A question to the Premier: When will you and your ministers stop hiding behind so-called legal opinions, dodging transparency, and treat Islanders' right to information like something more than an inconvenience?

Speaker: The hon. Premier.

[1:50 p.m.]

Hon. D. King: Madam Speaker, I hope some Islanders are watching and listening to this line of questioning and listening to one of the deans of our Legislature talk about

our rules in this province and our laws as inconvenient; hiding behind the rules.

My job is to follow the rules, and I follow the rules. We are very proud to follow the rules because they're made in here. If you don't want to follow the rules in here, why don't you go back out the door and go somewhere else? We're going to follow them here, Madam Speaker.

Speaker: The hon. Member from Tyne Valley-Sherbrooke.

H. MacLennan: Thank you, Madam Speaker.

As I have said in my member statement, the Cavendish Farms Community Centre in Tyne Valley has a 99-kilowatt solar energy system which will help reduce the community's energy costs. Tyne Valley received financial support from the community renewable energy generation fund in the amount of \$345,000 to complete this project.

Community renewable energy generation fund

To the Minister of Environment, Energy and Climate Action: How does the community renewable energy generation fund function, and how are you promoting it?

Speaker: The hon. Minister of Environment, Energy and Climate Action.

Hon. G. Arsenault: Thank you, Madam Speaker, and thank you to the hon. member for bringing this to the forefront of the Legislature.

Environment is a very important file, and it falls into this lovely portfolio of mine. So, I'm very proud to be able to get up today and say all the different venues that we've taken as a very bold and creative approach, as a government, and thank, also, our previous minister who has worked in this file previously and did a fabulous job in promoting this fund here that we have for organizations and groups.

We have a \$3.5 million fund over a three-year period. So, I encourage people throughout the province to apply to the fund. We are online, so you can go to the website

and to our department. We can always do a better job of promoting it, and we're continuing to promote that funding. We're encouraging all Islanders to apply to the CREG fund for innovative ideas in energy-efficient projects.

Thank you, Madam Speaker.

Speaker: The hon. Member from Tyne Valley-Sherbrooke, your first supplementary.

H. MacLennan: We have heard in committee that 82 percent of our province's energy supply is carbon-free, but only 0.8 percent comes from PEI net metering. The net metering agreements are, in this case, between Maritime Electric and the Tyne Valley rink. The Tyne Valley rink is currently limited to producing 99 kilowatts of electricity before they hit the energy limit. It is important that this program helps address our energy grid capacity issues.

Question to the Minister of Environment, Energy and Climate Action: Will you allow non-profit organizations such as fire departments and community rinks to be exempt from the maximum energy limits so they can contribute to limiting the overall dependency of carbon in the province, and more importantly, take any possible pressures off the province's energy grid?

Speaker: The hon. Minister of Environment, Energy and Climate Action.

Hon. G. Arsenault: Thank you, Madam Speaker.

Yes, it's true. Like the hon. member is mentioning, we can't install more than 99 kilowatts of solar at your particular rink here in Tyne Valley. It meets and it does address some of the issues. It's not a fix-all. We'd like to do even more, but it's also a balancing act between what we need to do to balance out and have a sustainable grid. So, we're working on that. We're working on different projects here to make sure that we can allow organizations like the one you've mentioned to have more capacity at that level.

The limit is under our own *Renewable Energy Act*, but it's a limit we've been reviewing for some time now. We'll

continue to revise that and come back to this House with more information as soon as we can.

Thank you, Madam Speaker.

Speaker: The hon. Member from Tyne Valley-Sherbrooke, your second supplementary.

H. MacLennan: Thank you.

The Tyne Valley rink and community members have been doing their part to support the net zero goals. The funding through CERG promotes energy efficiency tools and encourages publicly owned buildings to do this work in an effort to further their own energy affordability. It is vital that we continue to work towards our net zero targets in collaboration with municipalities, communities, and non-profit organizations to ensure that these energy improvements are accessible.

Question to the Minister of Environment, Energy and Climate Action: Will you, as minister, commit to ensuring there is a comprehensive evaluation of the community renewable energy generation fund to ensure it is identifying opportunities for widespread solar energy adoption, and increase funding to help support our net zero goals?

Speaker: The hon. Minister of Environment, Energy and Climate Action.

Hon. G. Arsenault: Thank you, Madam Speaker.

[1:55 p.m.]

It's a big job ahead to get our province to net zero, and we get that. We never said it was going to be easy to do that, but we are willing to take the steps to move into that direction. Every small step that we can take to work in that direction, we will take. We will revise the program.

Just one piece of information in terms of the amount of litres that we've saved, the five million litres of home heating oil: we've been saving, right now, 3.7 million in home heating oil alone. That's going in the right direction.

We will definitely keep monitoring the program and do what's best for Islanders.

Thank you, Madam Speaker.

Speaker: The hon. Member from Charlottetown-Belvedere.

S. Dillon: Thank you, Madam Speaker.

Around 2018, the Department of Health and Wellness began discussions on how best to implement a mobile mental health unit in our province. In every other jurisdiction across Canada, trained mental professionals work side by side with law enforcement to provide mental health services as well as safety to all those involved.

Although, when the mental health mobile unit was launched, it was decided that police would not be involved in these calls. Therefore, a standalone mental health crisis response program was created. This has resulted in the mobile mental health unit being asked to do what no other similar unit in Canada has done: adapt a low-risk operating model to both low-risk and high-risk situations.

Mobile mental health unit

Question to the Minister of Health: What strategies has the Department of Health and Wellness put in place to support the mobile mental health unit to accomplish the goal of supporting individuals in our province receive mental health services for both low-risk and, most importantly, high-risk calls?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker, and thank the hon. member for the question.

I think even at our meeting this morning with the Canadian Mental Health Commission, we spent a lot of time talking about the stigma of asking for help for mental health, and all the programs that they've done in order to be upstream in dealing with mental health issues before they become a crisis.

The mobile mental health units, again, are designed to support those mental health

people within our community, such as places at their home and where they're most comfortable. We will continue....

One thing I think is important to note is we have a referral program for all of our clinicians. We don't talk about this enough. Sometimes, we talk about mobile mental health, and we talk about a very severe crisis situation, but I think it's important to talk about how we dispatch mobile mental health after someone may lose a child at the hospital; getting a life-changing diagnosis would be another example.

There are a lot of other services that this mobile mental health provides Islanders. I think we should be proud of the service and the work that they do. The volumes are high, and I think that indicates that the service is well needed on PEI.

Thank you, Madam Speaker.

Speaker: The hon. Charlottetown-Belvedere, your first supplementary.

S. Dillon: Thank you, Madam Speaker.

During the Standing Committee on Health and Social Development, we heard from the three largest policing agencies in PEI: the RCMP and both Charlottetown and Summerside city police.

In 2023, calls for both mental health services and wellbeing checks in Charlottetown were 2,550, while RCMP reported 1,781, and Summerside – with only the mental health service calls being reported – had 611 calls for service. All spoke that mental health calls are on the rise and are expected to exceed last year's numbers.

Question to the Minister of Health: What are the call volumes seen by our mobile mental health unit across PEI? Is it more challenging to seek these services in specific regions?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

Yes, the volumes are extremely high on the mobile mental health. I believe it exceeded

about 6,000 from January to September of this year. I think it's important to note that the units themselves were dispatched about 980 times of those 6,000 calls; 197 of those calls would actually be redirected to 911, which would, again, require a police presence for a 911 call. And then, about 200 of all those total calls would have actual referral to the new emergency mental health department that we have at the QEH.

Again, a really good service that we continue to look on how to improve. I think there have been discussions about a hybrid model and when we engage our police forces. The volumes are extremely high. We need to support those Islanders who need this help.

Thank you, Madam Speaker.

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

S. Dillon: Thank you, Madam Speaker.

[2:00 p.m.]

We've heard from policing agencies who support a police and crisis team approach called PACT to respond to mental health calls on PEI. This team approach provides law enforcement for safety and mental health professionals to support the needs of individuals, as well as connecting vulnerable people in our communities to appropriate services.

As noted in the report *Joining Forces*, in order for the current proposed hybrid model to succeed, it is critical that both the mobile mental health unit and law enforcement work together to develop clear and detailed operational procedures.

Question to the Minister of Health: What considerations are being addressed by the Department of Health in collaboration with Medavie and Island law enforcement to address the communication and operational challenges with the mobile mental health unit?

Speaker: The hon. Minister of Health and Wellness.

Hon. M. McLane: Thank you, Madam Speaker.

Currently, as we know, police are not included in the mobile mental health response units. There are times when a mobile mental health unit may call police to respond in a situation together, and also vice versa; mobile mental health may actually request police support when they do that.

We have engaged a third-party consultant in order to evaluate the policies and how they would routinely collaborate on their response. I think there needs to be some consistency and understanding about the availability of both units in order to respond. So, our team is working on that. I know we meet with our police forces on a quarterly basis, and I believe our staff met last Friday to continue that discussion.

Thank you, Madam Speaker.

Speaker: The hon. Leader of the Opposition, final question.

Hon. H. Perry: Thank you, Madam Speaker.

Tourism contract with NHL (further)

My final question is to the Premier: Premier, did you attend the 2023 New York Rangers game at Madison Square Garden?

Speaker: The hon. Premier.

Hon. D. King: Madam Speaker, I can stand here today with authority and tell this Legislature and this province that I've never set foot in Madison Square Garden in my life, but it's on my bucket list.

Speaker: End of Question Period.

Statements by Ministers

Speaker: The hon. Minister of Health and Wellness.

Enhancing Health Care Access with New Providers

Hon. M. McLane: Madam Speaker, it is my pleasure to share positive news about the expansion of our province's health care workforce.

For the first time ever, we are welcoming associate physicians and physician assistants into our provincial health care system. These new health care providers will significantly enhance access to care for Islanders.

Here are the placements across various specialties and locations in PEI:

- Two associate physicians in family medicine will be practicing in Summerside late this year.
- One associate physician in psychiatry will be working in Charlottetown and Montague early next year.
- One associate physician in internal medicine, progressive care, will be based in Charlottetown starting in early 2025.
- One physician assistant in family medicine has already started working in Alberton.

These additions to our health care team will improve access to primary care and specialized services, particularly in areas where demand has been high.

You may have noticed I had a bit of jump in my step on my way into the Chamber today, because just this morning I got an update from our recruitment team, and just today, we signed two new specialists to our growing roster of physicians joining our team.

I know the opposition loves stats, but that makes 37 new hires signed in this calendar year. One more medical oncologist and an additional internal medicine physician, both joining our team at the QEH.

2024 is a record-breaking year for recruitment of physicians on PEI. While those across the aisle want to rip down the efforts of our recruitment team, I can say with certainty that they are more motivated than ever and are working hard to grow our health care team to help provide better access for Islanders.

Thank you, Madam Speaker.

Speaker: The hon. Member from Charlottetown-West Royalty, responding to the minister's statement.

G. McNeilly: Thank you, Madam Speaker.

I'd like to welcome those new associate physicians to Prince Edward Island. That's good, positive news.

The minister just said at the end that we want to rip down efforts. We've been sitting on this side for a very long time, trusting you throughout different things about recruitment, and we haven't gotten very many results on this side.

When you talk about new specialists, you've got to take care of the doctors that you have. My question is: How many have left during that time? Right now, they're telling me that they're under a lot of stress, so I'm just very concerned that they have a lot of options throughout the country – there are thousands of openings across Canada – and I want to make sure they stay and feel valued. So, that's something that we have to work on, and it's something serious.

[Interjections]

G. McNeilly: It's something serious, Mr. Premier.

[Interjections]

G. McNeilly: You gave them a record contract, but there are going to be gaps in that. There are going to be gaps in that, and there are gaps in that. That's what they're coming to me and telling me about, so make sure you're well aware that we could lose some people in the future on this as we get going.

[2:05 p.m.]

But this is good. Another problem, minister, that you have is space. Absolutely. Space in Prince Edward Island in our facilities is in a dire, dire position, and you've got to make sure that you look at the space concerns. I mean, you've given \$10 million back; Health PEI consistently gives money back on their capital budget every year. You've got to get building space so that we can get more doctors in, and they have a good place to work.

Thank you, Madam Speaker.

Speaker: The hon. Member from Borden-Kinkora.

M. MacFarlane: Thank you, Madam Speaker.

I'd also like to extend a welcome to the new specialists that are coming on board. That's great news, minister. Thank you for sharing that.

Let's not forget about the nurse practitioners in this whole scheme of things, waiting for a new contract. They're looking to have their salaries adjusted commensurately with the work that they are doing and providing to Islanders; very important work. They're also calling for a bridging program to get more registered nurses up into the nurse practitioner program. So, we look forward to seeing that announcement.

I guess the announcement that I'm really looking forward to hearing from this minister – we seem to be getting daily statements and updates from the minister – is when the Prince County Hospital intensive care unit is going to reopen. That will really catch my attention.

Speaker: The hon. Minister of Fisheries, Tourism, Sport and Culture.

Supporting Innovation and Safety in the Seafood Sector

Hon. Z. Bell: Thank you, Madam Speaker.

Earlier today, federal and provincial funding of over \$50 million was announced to support the continued innovation and safety of our seafood sector. While I was unable to attend the announcement because I was taking in the MSX Science Summit, as well as the TIAPEI AGM, I wanted to stand in the Legislative Assembly today to recognize this investment.

Through the Atlantic Fisheries Fund, or AFF, 39 Island companies received a total contribution of over \$7.6 million to support innovation and infrastructure improvements in the provincial fish and seafood sector. Recipients are adopting new technologies and improving product quality, labour productivity, and processing techniques. Over the last seven years, the Atlantic Fisheries Fund has been an important

program helping to transform and drive innovation in the fish and seafood sector across PEI and Atlantic Canada.

In PEI, industry uptake has been excellent with 146 projects valued at nearly \$89 million, dedicated to supporting initiatives to move the industry forward. The full subscription of Prince Edward Island's allocation shows the commitment of both levels of government and industry. We need to maintain our momentum by continuing to invest in projects to support the sustainable development and growth of the seafood industry in the region. That is why the Atlantic provinces have continued to call on the federal government to work with us in developing a second iteration of the Atlantic Fisheries Fund, or AFF 2.0.

I'm also pleased to announce over \$8 million for a provincial landing site at Keir Shore to support the mussel industry. The Government of Canada is contributing \$3.25 million, with an industry commitment of \$250,000. This investment will enable the mussel sector to load and offload products at Keir Shore, allowing them to navigate the channel into Malpeque Harbour empty, reducing the risks of accidents.

While this project is a good solution for our mussel industry, we continue to be concerned about the inability of the seafood sector to conduct normal business due to the unsafe conditions accessing Malpeque Harbour. The continued accumulation of sand in the channel requires a long-term solution. The mandate of DFO's small craft harbours program is to provide the infrastructure required for safe and economical operations. We need the federal government to step up and work with us to ensure safety on the water.

The seafood sector is a vital economic driver for our province, and I want to take this opportunity to recognize their great work. The Province of Prince Edward Island will continue to stand shoulder to shoulder with our primary industries to ensure their long-term sustainability, safety, and success.

Thank you, Madam Speaker.

Speaker: The hon. Member from O'Leary-Inverness.

R. Henderson: Thanks, Madam Speaker.

I do commend the minister on the extension of that Atlantic Fisheries Fund. In fact, actually, I was the minister responsible for signing the Atlantic Fisheries Fund and negotiating that with the then minister, Dominic LeBlanc, who was the Minister of Fisheries. I knew Dominic for some time. It was great to get this.

One advantage of that particular program – I'm assuming this is the same – is that the federal government was contributing 80 percent of the funding. Maybe this time they didn't get as good of a deal as I got, but anyway, that's fine.

The reality is that it's made a significant impact, this fund, over the years – and will continue – to the quality of product that's landed on our shores. One of the things that we did was many fishermen applied for ice coolers on their boats as well as canopies over the boats to keep the sunlight from having any impact and extending the life of the lobster once it reaches the shore.

[2:10 p.m.]

I also commend the minister on the Keir Shore issue. That's been a longstanding issue in trying to deal with our mussel harvesters getting in and out of Malpeque Harbour. I will commend the minister; even in my own district, there was a little bit of beach access work done on Bannerman Road in the Bideford area. I was told the other day that there is a significant amount of fishers actually now using that now that it's back open and safe to use.

So, I commend the minister and look forward to future announcements.

Thanks, Madam Speaker.

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you, Madam Speaker.

I, too, would like to commend the minister for this announcement. Our fishers have gone through some pretty rough times recently, and particularly, I'm thinking of shellfishers here. So, the notice that you just

gave regarding supports for the mussel industry is really helpful. Different people, of course, for the most part, but having access on the Keir Shore is wonderful.

And of course, the longstanding problems in Malpeque Harbour – I mean, I had so many conversations with Wayne Easter when he was the federal representative for Malpeque, and with your predecessor – two predecessors ago, actually, in this file – on what could be done to improve the situation there. I know it's complicated. I know it's going to take a lot of money and federal help in order to do that, but I'm glad that you're working on that, minister. I think that collaboration with the federal government to improve the situation in Malpeque Harbour, perhaps ultimately to move that somewhere else so that the fishers who operate in that area have a safe harbour that they can rely on for many years to come....

Finally, the Atlantic Fisheries Fund: yeah, that's been – as O'Leary-Inverness just said – a real godsend to a lot of fishers; 146, I think you said, projects over the years. I hope that the deal is as good as the one that the previous minister had. You're a tough act to follow, but I hope that's the case, and maybe we'll actually see this deal, minister, when....

[Interjections]

P. Bevan-Baker: Anyway, thank you very much, Madam Speaker.

Speaker: The hon. Minister of Agriculture.

Future of Farming Conference

Hon. B. Thompson: Madam Speaker, I'm pleased to rise today to remind everyone of a great initiative happening this week. In two days from now, Friday, November 15th, the Department of Agriculture will be hosting our province's first ever Future of Farming conference. This is something that I am very proud of.

We all know the challenges and difficulties that our youth face in entering new industries, and the agriculture industry is certainly no exception. We also know how important agriculture is to our province. Billions of dollars annually through the potato, dairy, beef, livestock, grains, fruits,

and vegetables sectors help drive our provincial economy.

We need to be looking towards the future and to the next generation who will lead our province. That's what this conference is all about. My staff have been working incredibly hard to pull together a free, beneficial experience for our young farmers to address barriers and hear from our industry on what we can do next. We are excited to have specialists participating from the fields of succession planning, farming financials, new growth opportunities, and proactive mental health measures.

I am pleased to say that we have over 120 young farmers and members of our agriculture community signed up to participate. I want to thank every single commodity group in our industry for encouraging young farmers and new entrants to participate.

I also want to thank the new PEI Young Farmers Association. I was happy to host a meeting with this new group during our planning process, and they certainly helped make this a reality. I can't wait to see the outcomes from this day, and I look forward to fueling the next generation of PEI farmers.

Thank you, Madam Speaker.

Speaker: The hon. Member from O'Leary-Inverness.

R. Henderson: Thanks, Madam Speaker.

I commend the minister on this. One of the biggest things that we have to really deal with in agriculture is the whole concept of succession planning and getting new entrants into agriculture. It's really a concern for me as a former Minister of Agriculture that we aren't seeing.... The average age of a farmer tends to continue to go up and we're just not getting new people into it.

But I do think that I'll give the minister some credit here, too, in fulfilling the livestock strategy that I started. He did get it finished, and I think that's good to try to get more livestock into our soils and on our farms in Prince Edward Island. In fact, I had attended a conference that was put on by the

Federation of Agriculture on regenerative agriculture, where they brought in Greg Judy, who's a renowned grazer for livestock. It was really informative, it was well attended, and I think we need to do more of that to provide more options because I think one of the easiest things for new entrants to get into agriculture is actually livestock. You can get a small herd and learn how to graze, renting farmland and stuff.

[2:15 p.m.]

So, I encourage the minister to continue along that line, and I'll do anything I can do to support him in that direction.

Thanks, Madam Speaker.

Speaker: The hon. Member from Borden-Kinkora.

M. MacFarlane: Thank you, Madam Speaker.

I'd also like to commend the minister for the statement and for the conference in general. It is an important conference. Getting young farmers into the industry is challenging, as we're all aware. Succession planning on the agenda is very important. Succession planning in the farming context is complicated and expensive, to do succession planning correctly in the farming industry.

Just as I was sitting here listening, maybe that would be something that the government might want to consider doing: incentivizing and subsidizing some of the costs associated with professional fees surrounding succession planning, because it is often prohibitive for senior farmers to engage in that.

I also was encouraged to see on the agenda the mental health aspect of it, which is often not given enough attention in the farming world.

I don't think we can talk about getting young farmers into farming without talking about the issues associated with land and how hard it is to get land to get started as a young farmer. I know different parties in here, including our own, have talked about a land bank and maybe a rent-to-own sort of program to make it a little easier for young farmers to get into the industry.

Finally, I'd just like to recognize one of the guest speakers at the conference is a young farming constituent of mine, Robert Larsen, who is a leading young farmer on the Island. I'm sure he'll have a lot to contribute to the conference.

Thank you, Madam Speaker.

Presenting and Receiving Petitions

Tabling of Documents

Speaker: The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

By leave of the House, I beg leave to table page 2721 of *Hansard*, where the Premier details his trip to Boston on New Year's Day for meetings with the NHL, and I move, seconded by the hon. Member from Charlottetown-West Royalty, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Leader of the Opposition.

Hon. H. Perry: Thank you very much, Madam Speaker.

By leave of the House, I beg leave to table page 3250 of the *Hansard*, where the Premier details his travel to Nashville to meet with the NHL representatives, and I move, seconded by the hon. Member from Charlottetown-West Royalty, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Leader of the Opposition.

Hon. H. Perry: Madam Speaker, by leave of the House, I beg leave to table the Premier's expense report from October 2023, highlighting expenses associated with the travel to Nashville to attend the NHL Awards ceremony banquet, and I move, seconded by the hon. Member from Charlottetown-West Royalty, that the said

document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Leader of the Opposition.

Hon. H. Perry: Madam Speaker, by leave of the House, I beg leave to table the Premier's expense report from April of 2023, highlighting expenses associated with the travel to Boston to attend the 2023 Winter Classic, and I move, seconded by the hon. Member from Charlottetown-West Royalty, 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.

K. Bernard: Thank you, Madam Speaker.

By leave of the House, I beg leave to table an excerpt from *Hansard* on Question Period from February 29th, 2024, where the former Minister of Environment said that the bottle deposit date would start August 2024, and I move, seconded by the hon. Member from Borden-Kinkora, 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.

K. Bernard: Thank you, Madam Speaker.

By leave of the House, I beg leave to table another excerpt from *Hansard* from April 11th, 2024. It was during budget debate where the same minister said, again, that the bottle deposit would be in place by August 2024, and that indeed, he said it was not a legislation change but a regulation change. I move, seconded by the hon. Member from New Haven-Rocky Point, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Member from Borden-Kinkora.

M. MacFarlane: Thank you, Madam Speaker.

By leave of the House, I beg leave to table a position statement from the Canadian Association of Emergency Physicians which calls for a ban on sick notes, and I move, seconded by the hon. Leader of the Third Party, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Member from Borden-Kinkora.

M. MacFarlane: Madam Speaker, by leave of the House, I beg leave to table a press release of the Canadian Medical Association dated October 28th, 2024, in which it calls for the elimination of sick notes for short-term, minor illnesses, and I move, seconded by the hon. Leader of the Third Party, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

[2:20 p.m.]

Reports by Committees

Introduction of Government Bills

Motions Other Than Government

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

G. McNeilly: Thank you, Madam Speaker.

At this time, I call Motion No. 109 back to the floor.

Speaker: Shall it carry? Carried.

Clerk: Madam Speaker, Motion 109 is currently under debate. Debate was adjourned by the mover, who was closing debate.

Point of Order

Speaker: The hon. Member from Morell-Donagh, with a point of order.

S. MacEwen: Thank you, Madam Speaker.

I rise on a point of order concerning this motion, Motion 109. I'm going to cite a rule from the *House of Commons Procedure and Practice*: "Per the principles and practices of

parliamentary procedure, a motion should be actionable and relevant to current parliamentary business.”

So, I’m basically wondering if this motion is in order. I think this motion is going to pass unanimously, so I don’t think it’s very controversial, but I’m curious to clarify this rule going forward. When I read the motion, it looks like both operative clauses within Motion 109 have already been satisfied, thereby rendering this motion redundant and consequently irregular.

In this case, there is no actionable item as per the rule, as they’ve already been fulfilled. In other words, can we still debate a motion that’s already been done?

I’m just a stickler for details and I just would appreciate your consideration on this matter, Madam Speaker.

Speaker: Thank you, member.

Member, we’ll take it under advisement. I’ll do my homework, and I will get back to you.

Motions Other Than Government (continued)

Speaker: The hon. Leader of the Third Party to close debate.

Hon. H. Perry: Thank you very much, Madam Speaker.

Where was I? Maybe I’ll just go back and start all over again.

I was speaking yesterday, closing, and I did thank all of those members of this House who took the opportunity to stand up and speak on the taxpayers’ dollars that are being spent on a document that we and Islanders know absolutely nothing about, and that’s what we’ve been asking. We’ve been asking for an unredacted copy of the agreement so that Islanders could actually see –

[Interjections]

Hon. H. Perry: – Islanders could actually see where their taxpayers’ dollars are being spent. Instead, what do we get? We get a document that has multiple – and I mean

more than multiple. What was the number, again, on one page?

G. McNeilly: Forty-three.

Hon. H. Perry: Forty-three on one page, blacked out. Forty-three blackouts on one page. We would like to know what is actually being blacked out in these contracts.

Again, during Question Period today, there was no clarity into whether this contract is being renewed, whether it’s not being renewed, when it’s supposed to be ending, what the cost is if it’s not renewed.... We haven’t had any clear response from this government yet, and that just leads us to believe that there’s more in this contract that we need to know. There’s information that they’re not providing to us, and we wonder why.

You can’t hide behind all these other agreements that you made with the NHL. It’s clear: it’s taxpayers’ money of Prince Edward Island and they have the right to know how their taxpayers’ dollars are being spent.

I’m going to go back to what I talked about. We have the worst health care outcomes in this country. Now, all of this should be enough for this government to focus its resources on helping people, not on marketing gimmicks with a sports league. The minister will stand up here, and the Premier stood up today, and they talked about tourism. They’re saying that we’re against tourism on Prince Edward Island. Absolutely not. These numbers that they talked about today were all prior to any NHL agreement, but they’re trying to say that the hard work that the tourism people of Prince Edward Island did, whether it’s the associations or the individual tourism operators of Prince Edward Island, they’re saying that their work did nothing to bring tourists here. It was the NHL contract that put the tourism numbers up here.

How could those numbers go up before this agreement was even signed? So, obviously, there’s something that’s being hidden here, and the test year they get – we know there’s more to it than what they’re telling us. Islanders deserve to have that right to know.

[2:25 p.m.]

The minister and the Premier may argue that this partnership has marketing value, but Islanders can't pay their bills with abstract concepts. Islanders need real solutions, not a \$2.5 million advertising campaign for the NHL. Islanders deserve – and I've said this multiple times – Islanders deserve transparency, not a blacked-out contract that only raises more and more questions every day.

So, here we are, asking the government to table the contract in full. We haven't seen that. We have not seen that. That's all we're asking for: an unredacted contract so that Islanders can actually see what is happening, to show Islanders exactly where their money is going, to demonstrate that they are accountable and that they understand who they work for. They work for Islanders; they don't work for the NHL. That's something that they're forgetting over there.

For every dollar this government has invested in this secretive partnership, we could be using that money to help Islanders directly. Imagine the difference that that could make on housing, on food security, and on energy affordability. Imagine what that money could do for those individuals who I talked about yesterday, who lay their head on the pillow at night and can't sleep, wondering how they're going to make ends meet, how they're going to pay the electricity bill at the end of the month, how they're going to give their children food for the following week.

This should not be the way it is. This should not be the way the government manages the taxpayers' dollars of Prince Edward Island. Islanders deserve a government that puts their needs first, not a government that prioritizes cozy deals with professional sport leagues.

[S. MacEwen in the chair]

The government's handling of this issue is beyond irresponsible. They make promises about transparency, yet Islanders had to wait for the opposition to request a freedom of information report just to see what was partially in the contract. This government would have kept them in the dark indefinitely if it was not for the pressures of us. Even then, they only tabled a redacted

contract because they knew that we've already seen it.

We're not asking for the moon here. We're asking for transparency. We're asking this government to show Islanders exactly where their taxpayer dollars are going. That's all we're asking for. Islanders deserve that respect. It's their money. It's their hard-earned tax dollars.

This government has raked in unbelievable tax dollars last year. Record-breaking numbers have come in revenue in tax dollars. Islanders deserve to know where that money is going. They deserve to have a government that is accountable and transparent. They deserve to have a government that works for them, not for an NHL league. Islanders deserve to know that their hard-earned money is being invested in things that actually benefit them, that are actually going to help them, that are actually going to help those individuals and families on Prince Edward Island who are struggling to make ends meet at the moment, instead of these VIP tickets and ads that are during the NHL games.

Islanders should not be kept in the dark, and they deserve a government that will protect their interests, not squander their resources. If government thinks their job is to sell PEI to the NHL, they are not serving Islanders. You know what they're serving? They're serving themselves. In this Legislature, our duty is to the people who elect us, not the highest bidder. Not the most glamorous marketing opportunity.

Islanders are asking us: Who matters more to this government? The NHL or the people of Prince Edward Island? Right now, the answer is not clear.

[Hon. D. Compton in the chair]

What I'd like to know, over there: Who is calling the shots? Who's calling the shots over there? Does the Legislature answer to the government, or is government held accountable by this Assembly?

[2:30 p.m.]

If government is held accountable by the Legislature, why does government feel it's appropriate to deny the Assembly their

request that was put through the committee – a standing committee’s request which was an extension of the Assembly itself? These committees were made up fairly, of two representatives from each party. They all unanimously agreed to ask for this. It was asked for. The letter was sent.

It is so disrespectful to us as MLAs and it’s so disrespectful to Islanders that the request of the standing committee – made up, like I said, of equal members of all parties; that was something that the Premier had championed at that time, he said, to make it fair. So, all members of that committee asked for this, and what did they get? Nothing. They did not get what they asked for. That is so disrespectful to the MLAs who sit on that committee. It’s so disrespectful to this Legislature.

Who’s calling the shots? We don’t know, and we’re seeing this more and more from this government, where there’s total disrespect for the process, totally disrespecting Islanders. No communication with Islanders whatsoever. It’s the government’s way, and that’s the way they seem to be doing it right now.

The word “collaboration” was used again today. We haven’t heard that word since this government had a majority. Prior to that, “collaboration” was said about 500 times a day in here, but no, we don’t see it anymore. Now that they have their opportunity to have a majority and control everything that happens in this House, they bully their way through, and we’ve seen this recently.

We’ve seen this, actually, yesterday in this House where no respect has been given to municipalities on decisions that they haven’t even made yet. The government is making decisions for them without any consultation with them whatsoever. No consultation with any of the residents of Prince Edward Island about decisions that are going to impact them and their families, impact businesses that are in those areas; absolutely not. Just bully right over it, because why? The government knows better. They’re going to do what they want to do, where they want to do it, and when they want to do it.

I’m going to go back to this again because I don’t understand why other members didn’t stand up to talk about the disrespect that the

MLAs have received from sending that request in and not having their ask respected in this House. I don’t understand why. I don’t understand how this government can do that, and it goes back to, again, do they think they’re above this Legislature? Because that’s what it seems to be like in here. That’s what I’m hearing out in the street.

This government thinks that they’re in full control. Now they can do what they want, when they want, and how they want. That’s unfortunate for Islanders because this government is missing an opportunity to do some great things for Islanders. They’re doing absolutely nothing to help those Islanders who are feeling the pain of inflation. The cost of living, the cost of fuel, the cost of clothing – everything has gone up, and this government is spending their time in negotiations with an NHL agreement to basically get themselves an opportunity to get front-row seats or maybe a box seat or maybe a lobster and steak dinner somewhere, without any, any, any thought into how Islanders, who are paying for this....

[Interjections]

Hon. H. Perry: Yes, they should be in the penalty box is right, and you know what? It goes back to what I said earlier: once this government got a majority, everything else – it didn’t matter. Islanders do not matter to this government. It’s all about themselves. All about themselves.

[2:35 p.m.]

Health care – you’ve got the Minister of Health and Wellness who stands up and brags every day about how many new physicians they hired and how many new health care workers they hired, but what he doesn’t tell us is how many have left because of this government and their inability to even produce a plan to give Islanders and health care workers a little bit of hope that the future of health care on Prince Edward Island will get better?

We have the worst health care crisis of any province in Canada. Standing up and patting yourself on the back and sticking your chest out about all the great things that you think

you're doing does not resonate well out in communities across Prince Edward Island. The reality is that these hard-earned tax dollars that this government has taken in at a record level are not going to where Islanders deserve it to go to: improving health care, improving access to health care, improving primary access to health care across Prince Edward Island.

They talked about an internist, again, that they hired today. The Prince County Hospital ICU is still not open. To me, that's a slap in the face to anybody in Prince County or in the western part of Queens County who relied on Prince County Hospital for services. The ICU is very important to the people in my area that I represent. We are one hour away from the Prince County Hospital. They do not have an ICU now available at the Prince County Hospital. Where do we have to go? Two hours away, to Charlottetown. This government promised that they would open that ICU, but did they have a plan? Absolutely not. Can they give us a timeline? Absolutely not. Why? Because they're doing absolutely nothing to solve that problem. Nothing.

Now, I'm going to go on about even in my own district. The CEO of Health PEI recently said there needs to be more community health care centres across Prince Edward Island. Well, in Tignish, we have one that was built in the early 1970s. It was the first collaborative health care centre on Prince Edward Island. It is co-operatively owned, a not-for-profit centre that provided health care services to not only the people of Tignish but people in West Prince for many, many years.

We had a doctor in there who was there for 40 years, who loved the community. The people of Tignish went out of their way. The chair of the council in Tignish gave his house up so that the doctor and their family could move into Tignish. That was what they did. They did it themselves. Now they're asking this government for help. They're not seeing it. We do not have a doctor at the health care centre in Tignish, but yet the CEO of Health PEI says we need more health care centres.

We need the support at the Tignish Co-operative Health Centre, and this

government is not doing anything to help the people in that area. Doctors are being announced and they're going to other areas of Prince Edward Island. We see nothing, no incentive, no direction given from this government at all, period, that there will be a doctor in Tignish to help serve Islanders.

People in West Prince, we're Islanders, too. Don't forget that. It doesn't stop in Summerside. There's a lot of communities beyond Summerside. I think this minister needs to get out and come up west, visit some of these communities, and get a better understanding of what the needs are of these Islanders. Taxpayers' dollars – they deserve to have something in return.

Now, if tourism numbers go up because of an NHL deal, great for that, but how would we know? The secretive deal that they made with the NHL leaves many Islanders wondering – and leaves us wondering – what could possibly be in there that they are hiding. Day after day, question after question, request after request, they do not answer or comply with the standing committee's ask to produce a document that shows the accountability and the transparency that Islanders deserve, to know where their taxpayers' dollars are going. Nothing from this government, and that's a sad, sad day.

I'm not even going to go on again about the disrespect for who's running the show in this Legislature. We've seen that displayed time and time again since collaboration went out the door.

I talked about Islanders who are grappling with the relentless rise in the cost of living. We see a government that seems more focused on flashy ad campaigns that will land – again, the minister, the Premier, whoever – flashy, front-row seats at the NHL games.

[2:40 p.m.]

We talked about rents. Rents continue to climb and climb on Prince Edward Island with absolutely no relief in sight. No relief to Islanders in sight. Food prices have jumped higher in this province than almost anywhere else in this country. Energy costs and Maritime Electric rates continue to increase while this government sits on their

hands. Instead of addressing these challenges, instead of putting forward solutions to these challenges, and instead of demonstrating any sort of leadership, government chose to make this boondoggle of a deal their priority ahead of helping Islanders with the cost of living.

One of the other issues that we're hearing now – and I touched on it; I'm going to elaborate on it a little bit more – is cell phone coverage on Prince Edward Island.

[Interjections]

Hon. H. Perry: It's 2024 – and I will get into that in the next motion. It's a serious, serious situation across Prince Edward Island when we do not have reliable cell phone coverage in the communities across Prince Edward Island. But where are the priorities with this government? An NHL contract. Front-row seats at a game. Receptions. All this expense at Islanders – who did not request this; Islanders who do not have that transparency of knowing where their dollars are going and what they're getting in return. We haven't seen that.

I talked about food prices. Between 2022 and 2023, food prices grew during that time alone by 7.5 percent. Shelter costs grew by 5.6 percent during that time. The consumer price index for our province has surged to 17.7 percent since – and I'll say it again – this lackluster PC government came into power in 2019.

Now, these statistics are not just numbers that I pulled from the air, despite what the Premier might say, despite what this minister might say. They would like you to believe that we just plucked them out of the air. But these numbers represent real families; real families who are going through difficult times day in and day out. They have to make difficult choices every day.

Imagine struggling – again, like I said – to afford groceries, worrying about heating your home as winter approaches, and struggling to access quality health care in Prince Edward Island, yet knowing that government has chosen to spend millions of dollars on a deal that Islanders had no input on. Islanders had no input on this deal

whatsoever, and now no clear understanding of, and they're asking for that. They're asking: Why? What was in this contract that's so secretive that this government is doing everything that they possibly can to hide? That just makes Islanders more conspicuous of what is going on. How are their dollars being spent?

So, what sort of government could prioritize a cozier relationship with the NHL ahead of the everyday needs of the people that it is supposed to be working for? Working for the people of Prince Edward Island. Working for the people who you knocked on the door for and said, "Give me your support. I will work for you. I will sit in that Legislature. I will be your voice. I will make sure that your hard-earned dollars are accounted for, and that any decisions made are transparent. Why? Because we respect you." That went out the door. That's out the door. Islanders deserve it, they're asking for it, and they're not seeing it.

I can tell you what's clear though: Islanders are worse off now than they were five years ago. That's clear. This isn't some sort of political slogan or some sort of wishful thinking. It's a demonstrable fact that we're asking. Since this government was elected in 2019, life has gotten a lot worse for Islanders. It has gotten a lot worse for almost every single Islander, and I think that's going to be, as I said the other day, just a taste of things to come from this government.

The average income on this Island rose by 13 percent in 2019 to 2022, but over that exact same period of time, provincial tax increased by a whopping 23 percent.

[2:45 p.m.]

Then we look at how inflation is here on PEI. We are among the worst in the nation. Basic expenses like food – mentioned earlier – jumped 27 percent in four years. Shelter costs in four years – 24 percent increase. Energy – crucial for our homes, especially this time of the year in our climate – rose by nearly 40 percent in that time.

Yet in the face of these challenges, this government has decided that their priority is that \$2.5 million – taxpayer dollars, taxpayers of Prince Edward Island – deal

with NHL, and a deal that they won't fully share with Islanders.

The government may claim that this partnership has already generated significant marketing value. We heard that. I said it a while ago: we've heard that over and over. Any question that I've asked today about expenses for this, meetings with this, what the costs were, none of them were answered. Everything was deflected. They talked about the great tourism dollars that are coming to Prince Edward Island. They talked about the numbers and how great they are for the last several years. Again, all of this was prior to even the ink being signed on this agreement.

They're trying to take credit that this agreement, this \$2.5 million NHL agreement with this government, is the reason why our tourism numbers are up. That's a slap in the face to the tourism industry on Prince Edward Island, those hardworking individuals who have these operations right across Prince Edward Island, those tourism operations who are doing everything that they possibly can to market their product to bring Islanders here. They work hard for it, and they deserve the respect from this government and they're not getting it. What they're getting is a government that's hiding behind confidentiality agreements; they can't speak out. Why would you sign it? Why would you sign it? It's taxpayers' dollars.

You are accountable to Islanders. You are in charge of their dollars, and that should be the first thing in your mind when you go into any room to negotiate any deal on behalf of Islanders and their hard-earned dollars, but that was left at the door. They went in and they saw the stars. This was an opportunity for them to get to those front-row seats. This was an opportunity to sit next to these NHL stars, or the opportunity to go speak to some of their millionaire new friends. So, they were out networking for themselves because of maybe their childhood dreams or what have you.

But anyway, these fantasies and these dreams that this government has are really impacting the lives of Islanders who are struggling. We were all put in these seats to represent the people of Prince Edward Island. That was forgotten by this government when they signed a deal and

allowed the NHL on their part to control the agreement, to forget about the Islanders and the responsibility that they have to represent our Island, Islanders, and their dollars.

Let's be clear: what Islanders need right now is not an abstract calculation of marketing value. They don't need more middle managers explaining to them that some sort of swanky advertising campaign will pay dividends down the road. What Islanders need right now is concrete relief from the soaring expenses. They need to see the cost of food, fuel, and shelter being addressed in a very practical and meaningful way. Islanders deserve to know that the government is investing in solutions that will impact them directly, not in a deal where the actual return on investment is questionable.

[2:50 p.m.]

Adding to the frustration is the secrecy that is surrounding this agreement. Now, we're told it's because of a non-disclosure agreement, and because of that, Islanders cannot know the full details of where their tax dollars are going. I've said it, and I'll say it again: You are responsible. They trusted you when you knocked on the door and asked: "Allow me to represent you and your needs." That was gone soon after they were elected. They forgot where they came from and they forgot how they got there, but you know what? You know who's not going to forget? Islanders won't forget, the next time they come knocking on their door. Islanders will not forget.

Public money is being spent, but the public has been kept in the dark by this government. And when questioned about this, officials simply say this was part of the NHL's requirement, that similar agreements were made with other marketing partners.

I'd like to know what conversations they had with them in saying, "No, no, no, no, no. We don't want that. We represent the taxpayers of Prince Edward Island. This is not our money, this is the taxpayers of Prince Edward Island's money, and we have to be accountable for it and we have to be transparent for it. We are not going to sign that." But what did they do? They grabbed that pen as quickly as they possibly could,

and they signed it to try to get the autograph of an NHL superstar too, I'm sure.

So, imagine that: public money is being spent, but the public is being kept in the dark. Islanders know this. Islanders deserve better. Islanders deserve representation who are going to support their needs, understand their needs, not put themselves first, ahead of Islanders. That's what we're seeing over here.

They say this is business as usual, but this is not business as usual. Islanders deserve transparency, especially when they – Islanders – are footing the bill.

I mentioned it the other day and I'm going to talk about it again, because I do think it needs to be addressed again: the government's argument that this partnership brings value in the forms of Island-centric advertising, and that all happens during NHL games and events that supposedly draw people and money to our province, money that they say is drawing people to PEI. It's because of this agreement that people are coming to PEI. It's because of this agreement, this \$2.5 million that they signed in an agreement with the NHL, that is why we have the top tourism numbers that we've ever seen before in Prince Edward Island.

It makes absolutely no sense. They're taking credit for any tourism marketing operation, any tourism business on Prince Edward Island; they're taking credit for that themselves. It was because of this NHL agreement. They say that that's why tourism has increased. That's why the numbers have increased in Prince Edward Island. Absolutely nothing to do with this. And why are they doing this? To deflect from the truth: that they made a mistake. They made a mistake. They don't want to be accountable. They don't want to be accountable for taxpayers' dollars. That's why they're doing it.

We've seen an incredible increase in tax revenue on this Island. Taxpayers of Prince Edward Island are not seeing any relief from that. They're not seeing anything to help them even with their basic needs on Prince Edward Island.

We've heard all the stories of families who are cutting back on food, or seniors who are struggling to keep their homes and also keep their homes warm – those who have it – because of heating oil costs. Meanwhile, gasoline prices have jumped from \$1.15 per litre in 2019 when this government took control, to \$1.67, let's say, per litre. And heating oil today: heating oil was just under \$1.00 in 2019, to \$1.42 today. So, this government...

[Interjections]

Hon. H. Perry: Oh, of course it's more money. The government is having a great time taking in these tax dollars. Yeah.

[2:55 p.m.]

There are all kinds of tax dollars coming in, and what are they seeing? They're seeing absolutely nothing from this government. Absolutely nothing from this government. This government's ministers and Premier are quick to jump up and down in this House, banging their fists on the table, and they're patting each other on the back, and they're insisting that somehow myself, my colleagues, and those in the opposition should do something about the carbon tax, all while they sit there just hoping that no one points out the obvious. You know what that obvious is?

[Interjections]

Hon. H. Perry: I'm going to tell you because you don't know the obvious. There's nothing stopping this government from providing relief at the pumps by cutting the provincial gas tax. There's nothing stopping this government from doing that, but you know what's stopping them? They stop themselves. They don't want to even think about this. No, they would prefer to blame others. It's the way with this government: Blame others and do nothing. We've seen this over the past five years over and over again. So, if they really want to do something in the immediate, this is something that I'm providing to them because obviously, they can't see it, or they deny wanting to see it.

So, what they can do to give immediate relief to Islanders who are struggling at this time: give them some relief at the pumps.

You have the power to do it, and you can do it by the end of the year. I'm giving you that option to do it. I will have second reading of a bill in this House that's going to ask for a reduction at the pumps. That's going to help all Islanders; give them a little bit of relief because this government refuses to do that. This government prefers to take hard-earned tax dollars and go on these fancy little trips, have an opportunity to go to these NHL hockey games to mix and have conversation with their stars.

They need to take those blinders off – or maybe, actually, put blinders on and start focusing on Islanders. That might be a thing to do: start focusing on Islanders. Start focusing on the people who actually elected you and put you in that seat that you're sitting in. This government is happier to sit back and demonstrate to others that they would prefer to deflect, bang on the tables, and pat each other on the backs for all these announcements that really, at the end of the day, are not helping Islanders.

What they do is simply just take the money, taxpayers' dollars from Prince Edward Island, and I said it the other day, they take the money, they roll it into a ball, and they send it, express post, to Gary Bettman at the NHL. That's what they do. They see stars. That's all they see in their eyes: stars. They may see stars the next time they knock on some of the doors. That's when they might see some stars. Islanders are mad. Islanders are mad. They put you in this House to represent their needs.

So, for every dollar put into this NHL partnership, Islanders are left to wonder: Why isn't that dollar being used to provide some sort of relief? Why are they not doing anything to put some money into the pocket of Islanders instead of taking the money out of the pocket of Islanders and bragging about the record number of revenue that they're taking in, but doing nothing to help those that they take that money from? That's what we're seeing over there. I'm not sure if that's laziness or not, but they have to – this is five years. They're into their second term.

[3:00 p.m.]

Maybe they think – this is what I hear, anyways – “Oh, they've got their pension now. They don't care about us anymore;

they've got their pension now.” They worked at the door telling people, “Oh, we will be your voice. We will do everything for you.” But now that they've got what they wanted: nothing.

It's really disheartening to see the government's focus on marketing partnerships while costs rise on every front for Islanders from tip to tip.

I'm going to go back again to 2019 to 2023. Transportation expenses here in Prince Edward Island went up 24 percent. Personal expenditures for transportation rose from \$267 million to \$396 million. Even the costs of basics such as fuel and shelter are now out of reach for too many. I have –

[Interjections]

Hon. H. Perry: You have an opportunity. You and your government have an opportunity to do something about that, and I'm glad you're going to support that bill when it comes forward.

[Interjections]

Hon. H. Perry: Yes, you'll have an opportunity whenever my bill hits the floor, because this government has done nothing, has put nothing forward, not even a plan, to show Islanders that they care for them. So, we're giving them a gift. We're giving this government an opportunity to say, “You know what? We're going to provide immediate relief to those Islanders who are struggling.” So, I would certainly hope when that bill hits the floor that this government – each member in this House – remembers how they got to that seat and who put them there, because if they don't support an immediate relief to these Islanders who are struggling in record-high times of revenue across Prince Edward Island, they're going to have to answer at the door the next time they go knocking.

Sales tax revenues on Prince Edward Island went up 35 percent over the past few years, with personal income tax revenues increasing by 36 percent, all out of the pockets of hardworking Islanders. Yet, the return on this investment with the NHL is unclear.

Would anybody in here, with their own money, put money into something and not know what that return, or potential of that return, would be? They wouldn't. But when this government is using somebody else's money – the taxpayers of Prince Edward Island – that care is gone. They're just going to sign everything away.

All we're asking for is transparency and accountability. What was in this deal? Islanders deserve to know. They deserve to know what was in this deal. You have an opportunity, minister, to stand up in this House and say, "You know what? Islanders deserve that transparency and I'm going to provide them with this." You weren't part of that deal, we know that. You were not part of that deal. Well, actually, we don't know. You could've been.

But it was the previous minister and the Premier who we believe were the primary debaters in this agreement which we don't know whether they did a good job or a bad job with. We're starting to think, yeah, we may have been snookered here because if it was all happy faces on it, we would see the full agreement. But we don't see that. No, we don't see that. What we see over there is sad faces. Sad faces because you know you've been caught. You know you've been caught, and that's what we see over there.

[Interjections]

Hon. H. Perry: Yeah, they got caught with their hand in the cookie jar and now they're doing everything possible to deflect, to not answer the questions, and to keep hidden these secretive deals that they made with the NHL, with the taxpayers' dollars of Prince Edward Island.

I'm going to close here, and I'm going to urge all members of this House to support this motion. Show the people who elected you; the people who put their trust in you, the people that they wanted to represent them in this House. Let's see you support this motion.

[3:05 p.m.]

The standing committee also requested the same; a standing committee that members made up, two from each party – and there were four, actually, from one party;

government party – that sit on these committees that asked for this report also.

Respect the Legislature. Respect the process. Respect us as MLAs. Respect Islanders. That's all we're asking for. Show your support for this motion.

Madam Speaker, I will close debate with that and ask for the question.

Speaker: Hon. members, the question –

Hon. H. Perry: Standing vote.

Speaker: A recorded division has been requested.

Assistant Sergeant-at-Arms, please ring the bell.

[The bells were rung]

R. Henderson: Opposition members are ready for the vote, Madam Speaker.

M. MacFarlane: Third party members are ready for the vote, Madam Speaker.

B. Trivers: Government is ready for the vote.

Speaker: Hon. members, all those voting against the motion, please stand.

All those voting in favour of the motion, please stand.

[The Clerk calls the roll]

YEAS

Arsenault
Bell
Bernard
Bevan-Baker
Burridge
Croucher
Deagle
DesRoches
Dillon
Henderson
Hudson
Jameson
King
Lantz
MacEwen
MacFarlane

MacKay
MacLennan
McLane
McNeilly
Myers
Perry
Ramsay
Redmond
Trivers

Speaker: Hon. members, the motion has passed, and it is unanimous.

Orders Other Than Government

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you so much, Madam Speaker.

I move, seconded by the hon. Leader of the Third Party, that the 27th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 27, *An Act to Amend the Freedom of Information and Protection of Privacy Act*, Bill No. 120, ordered for second reading.

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you, Madam Speaker.

I move, seconded by the hon. Leader of the Third Party, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: Bill No. 120, *An Act to Amend the Freedom of Information and Protection of Privacy Act*, read a second time.

[3:10 p.m.]

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you, Madam Speaker.

I move, seconded by the hon. Leader of the Third Party, 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 Morell-Donagh, please chair Committee of the Whole House.

[S. MacEwen in the chair]

Chair: The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *An Act to Amend the Freedom of Information and Protection of Privacy Act*.

Hon. member, would you like to make a motion to bring a stranger to the floor?

M. MacFarlane: I would so move.

Chair: Shall it carry? Carried.

Welcome back, Michelle. Could you introduce yourself and your title for Hansard?

Michelle Patterson: Michelle Patterson, director of policy and research for the third party.

Chair: Thank you.

Hon. member, do you have any opening remarks before we dive into the bill?

M. MacFarlane: I do, and perhaps at the outset, permission to recognize a guest in the gallery?

Chair: Of course.

M. MacFarlane: Thank you, Chair.

I'd like to recognize and welcome into the gallery Doug Campbell, past president of District 1 Region I of the National Farmers Union, a position I believe he's held for seven years.

I would have some introductory remarks, if I might, which I think would help with the understanding and maybe make the debate a little bit more efficient if that's okay.

Chair: Yeah, go ahead.

M. MacFarlane: Thank you.

First, at the outset, I would like to recognize some recent comments by the new Minister of Land, who has got on the record and made some comments in the media recently about the importance of land in Prince Edward Island. I'm encouraged by the minister's approach in his position and his portfolio since taking the position. I think the bill before the Legislature complements some of what I'm hearing from the new minister, so I appreciate that.

The bill is a simple bill, insofar as it requires legislative amendment only, in a couple of small areas. However, those simple changes to two sections of the *Freedom of Information and Protection of Privacy Act* are standalone changes, but they do have repercussions on the *Lands Protection Act, P.E.I.* So, the intended outcome is simply achieved by the necessary changes to the *Freedom of Information and Protection of Privacy Act*.

The intended outcome I would indicate is to allow Islanders the opportunity to see recommendations from IRAC regarding land transactions where the *Lands Protection Act, P.E.I.* applies. Presently, section 8 of *Lands Protection Act, P.E.I.* sees IRAC recommending to Executive Council or Cabinet whether a purchase is allowed to proceed or not.

[3:15 p.m.]

Section 8, in summary, empowers IRAC to receive all applications from intended purchasers, reviews the applications, IRAC then is empowered to obtain the information necessary to the application to review and consider the application, and then IRAC recommends to Cabinet on the approval or on the denial of the application.

Section 8(2) of the *Lands Protection Act, P.E.I.* confirms that IRAC has to consider certain criteria when it's making its recommendations. Those criteria include an assessment of the best use of the land, IRAC looks at the most effective manner of ensuring the best use of the land, and such other matters in relation to the economic and cultural needs of the people of the province as may be specified by policy.

So, it's clear that the heavy lifting of reviewing, considering, and analyzing the

application falls to IRAC, not to Executive Council, and IRAC's recommendation therefore should be given great deference, given its role in receiving and adjudicating on these applications.

But ultimately all that the public sees is an order issued from Executive Council that either approves or denies the land purchase. There are no reasons provided either way, and there's no indication if IRAC's well considered recommendation was either accepted, and if not, why not? This lack of transparency imposed by laws passed by this Legislature does not contribute to public trust in our lands protection.

I'd like to just draw perhaps an analogy that could be helpful here:

The *Employment Standards Act* sets out that the Employment Standards Board makes recommendations to Cabinet with respect to the minimum wage. Those, at one time, were confidential and in secret. In the last number of years, the Employment Standards Board is now free to publish those recommendations with respect to minimum wage.

What we've seen from that transparency, from that disclosure, is uptake from stakeholders increasing, with respect to that consultation process on the minimum wage. Board reports have become an important part of the review of the *Employment Standards Act*, which we're doing right now in this Legislature. I would submit that we should seek to obtain this level of transparency and public trust with our *Lands Protection Act, P.E.I.*, which can be achieved by the bill that's before the Legislature.

Land and its use is incredibly important. We're seeing lots of it in the news. As I mentioned earlier, the new Minister of Land has spoken publicly and has taken actions with respect to increasing the level of transparency. We need to know as a public if the role of IRAC, its legislated function, is being honoured or if it's being overruled when it gets to that position of the Executive Council.

Quickly, some interesting background I'd add:

IRAC originally did have decision-making authority with respect to land acquisition up until the early 1990s and issued orders directly on land applications. Government at the time then decided to take over this function. Around 1994 through to about 2008, IRAC voluntarily disclosed applicant information and recommendations to anyone in the public who would ask for it. The only thing withheld was the purchase price of the land being conveyed.

When the internet came along, information became searchable by the parcel number to anyone. That was all done voluntarily. There was no FOIPP, nothing being hidden by FOIPP, and even after FOIPP came along, which I think was around 2002, IRAC continued to voluntarily disclose information to the public. So, a lot of what we're dealing with now has evolved – or I should say devolved – in the last number of years from the transparency that did previously exist in that process.

Unfortunately, successive governments have made those steps to eliminate our transparency, so that's what I am trying to do with this bill, is to bring some of that back. Unfortunately, the public has gotten used to the current way of doing things, which hasn't always been the way of doing things.

Land transactions on PEI should be made pursuant to the *Lands Protection Act, P.E.I.* and other established and public regulations, guidelines, policies, best practices, and best land uses. IRAC has to operate within the legislative framework provided to it by the Legislative Assembly. If the Legislative Assembly requires secrecy in land transactions, IRAC is compelled to comply. If you want to restore public confidence in the work of IRAC, a first step is freeing them to show their work. Land transactions should not be made in secret.

In closing, the bill will give comfort to the public that IRAC is doing its job and that our land laws are being followed. It will return transparency to a process that has become anything but.

[3:20 p.m.]

Chair: Thank you, member, for your opening comments.

I'll open the floor for questions on the bill.

The hon. Minister of Housing, Land and Communities.

Hon. S. Myers: Thank you, Chair.

Just by when you ended there, do you not think IRAC is doing their job or is there somebody in the public who doesn't? I'm just wondering if you could clarify your statement on how IRAC is doing in public opinion.

M. MacFarlane: I guess that's the reason for the bill, is we don't know. We don't know what IRAC is making by way of recommendations. We know that section 8 of the *Lands Protection Act, P.E.I.* sets out some criteria for IRAC to consider when receiving and reviewing an application to acquire land, but what we don't know is if it's looking at that criteria, and if that criteria is being passed along to Executive Council, to Cabinet.

Hon. S. Myers: You are accusing IRAC of not necessarily following the law?

M. MacFarlane: No, certainly not. If anything, the question becomes: Is Executive Council following IRAC's recommendations? The issue is not with IRAC.

Hon. S. Myers: But you made it sound like it was IRAC because what you said was that you could give confidence to Islanders that IRAC was doing its job. Do you think IRAC's doing their job?

M. MacFarlane: I would like to see that IRAC is looking at the legislative framework under which it operates, and I would like to see that Cabinet is honouring the work that IRAC is doing when it does follow the legislative framework. So, the question is not with respect to whether IRAC is doing its job, the question is are Islanders and the public going to be able to return to the day of when we could see what IRAC was doing and whether the Executive Council is recognizing that work that IRAC is doing.

Hon. S. Myers: Chair, I don't think my question was answered. I'm going to ask it

again. Do you think that IRAC is not doing their job?

M. MacFarlane: I'll answer the question this way. I have no reason to believe that IRAC is not doing its job. I would like to have all the reason in the world to believe that it is. I would like to have all the reason in the world to believe that the government is accepting IRAC's recommendations, and that's why the bill is before the House today.

Hon. S. Myers: Who asked you for this?

M. MacFarlane: Since being elected and before elected, I've been asked by a lot of people, the public, about whether or not certain land acquisitions are following the rule of law and wanting more transparency. Ultimately, that's what this bill is about; the bill is about transparency. That's why I'm bringing it. As the minister would know from his role in lands at the current time, he would know that there is a strong desire in the public for transparency around land transactions in Prince Edward Island.

Hon. S. Myers: I obviously live in a rural part of Prince Edward Island and land has always been an issue in the rural parts of Prince Edward Island, especially. Quite honestly, I've never heard anybody ask about whether the Cabinet followed the recommendations for an American to buy land. It seems like a lawyer thing, but I'll get back to that in a minute.

What I hear about most often is the monks because I live in that area. I hear stuff about people surmising that Cavendish Farms may not be following the rules, and other entities as well. I am trying to deal with that, but this certainly wouldn't deal with that.

I guess what I'll ask is: Have you consulted a constitutional lawyer on this change, and if so, what did they tell you?

M. MacFarlane: We have consulted with legal counsel on the matter, and I brought my own knowledge of the law to the matter. Perhaps the minister might clarify exactly what his question might be with respect to constitutional law.

Hon. S. Myers: Did you consult anybody who was an expert in the Westminster

system and what impacts it might have on the Westminster system?

M. MacFarlane: The answer is no to that.

Hon. S. Myers: Okay. You didn't consult a constitutional lawyer.

[3:25 p.m.]

Do you think Islanders would be better served if IRAC made the decision alone and took all the heat for it? As it stands right now, it's a Cabinet decision. Whether a recommendation should be followed or not, it all gets posted as a Cabinet decision. As it stands today, land is a Cabinet decision. Do you think Islanders would be better served if it were an IRAC decision and they released it to the public?

M. MacFarlane: I think what's posted today, minister, is an order that says that the applicant was approved to purchase the land or denied. That's all that's posted today, and then executive order comes from Executive Council. So, we don't know what the recommendation was, and that's what the bill intends to do.

Hon. S. Myers: Again, that wasn't my question. My question was: Do you think that Islanders would be better served for IRAC to make the decision alone and for it to never come to Cabinet?

M. MacFarlane: I think that, whenever you have elected officials involved in determining something as fundamental as land transactions, I think there is always going to be reason for skepticism and suspicion. The reason for this bill, in response to the minister's question, is to remove some of that skepticism and suspicion so we see what IRAC's recommendation is. So, by making IRAC's recommendation public, if Executive Council doesn't go along with it and chooses to ignore it, well, Islanders will get to see that and will be entitled to ask why.

What is the function of IRAC, who is empowered with adjudicating land transactions, if, in fact, Executive Council has been not following the recommendations? If Executive Council's been following the recommendations and

has nothing to hide, then there shouldn't be any reason to support this legislation.

Hon. S. Myers: That was a pretty political statement for a pretty simple question as to if he thought that Islanders would be better served by IRAC alone.

I will say this, because he brings up the point where Islanders could be skeptical over Cabinet's decision, but at the same time, in the news, in the Legislature, and just recently as his introductory statement, he has moved towards casting aspersions on IRAC himself to say perhaps they're not doing their job or that Islanders don't trust them. So, if he's going to build a system of distrusting all components of this, I'd have to wonder what his actual motive is.

I guess my question would be: Based on all the things running around in my head, have you gone to the conflict of interest commissioner and asked her advice on you bringing this forward as a lawyer who's currently practicing?

M. MacFarlane: I'm not certain why the conflict of interest commissioner would have a part to play in this. We've consulted the privacy commissioner, who did not have a concern, and we've consulted with a number of stakeholders as well. So, perhaps the minister could clarify his question.

Hon. S. Myers: Sounds like a no. I'm good.

Chair: Are there any other questions on the bill?

Shall the bill carry?

[Interjections]

Chair: Can I see a show of hands?

M. MacFarlane: Recorded division?

Chair: Not yet. When we report progress.

Shall the bill carry?

[Interjections]

Chair: Okay, the no's have it.

You can request a recorded division once we report progress.

Thank you, member.

M. MacFarlane: Mr. Chair, I move the Speaker take the chair and that the Chair report the bill not recommended.

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having had under consideration a bill to be intituled *An Act to Amend the Freedom of Information and Protection of Privacy Act*, I beg leave to report that committee has gone through the said bill and does not recommend same to the Legislative Assembly. I move that the report of the committee be adopted.

Speaker: Shall it carry?

Recorded division has been requested.

Assistant Sergeant-at-Arms, please ring the bell.

[The bells were rung]

[3:30 p.m.]

R. Henderson: Opposition is ready for the vote, Madam Speaker.

M. MacFarlane: Third party is ready for the vote, Madam Speaker.

B. Trivers: Government is ready for the vote.

Speaker: Thank you.

Members, all those voting against the report of the committee, please stand.

[The Clerk calls the roll]

NAYS

Bernard
Bevan-Baker
Henderson
MacFarlane
McNeilly
Perry

Speaker: Members, all those in favour of the report of the committee, please stand.

[The Clerk calls the roll]

YEAS

Arsenault
Bell
Burrige
Croucher
Deagle
DesRoches
Dillon
Hudson
Jameson
King
Lantz
MacEwen
MacKay
MacLennan
McLane
Myers
Ramsay
Redmond
Thompson
Trivers

Speaker: Thank you, members. The report of the committee shall pass.

Motions Other Than Government

Speaker: The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you, Madam Speaker.

I move that Motion No. 114 be now read.

Speaker: Shall it carry? Carried.

Committee Clerk (Lilley): Motion No. 114: Including Islanders experiencing cancer and palliative care in the At Home Caregiver Benefit.

The hon. Member from Borden-Kinkora moves, seconded by the hon. Member from New Haven-Rocky Point, the following motion:

WHEREAS the current provincial government promised in the last general election a Primary Caregiver Grant (renamed the At Home Caregiver Benefit) of up to \$1500 a month to support families who

choose to provide care for their loved ones at home;

AND WHEREAS a budget of over \$5 million was approved in both the 2023-2024 and 2024-2025 budget estimates to support such a program;

AND WHEREAS total spending on the program to the end of September 2024 amounted to \$1.1 million;

AND WHEREAS although no timeline has been attached to a potential expansion, department officials have indicated that further phases of this program will widen the eligibility criteria;

AND WHEREAS caregivers provide upwards of 75 per cent of care to people receiving home care in Canada, usually do not get compensated for the labour they do to care for their loved one, and often incur additional expenses as a result of their duties;

AND WHEREAS it is estimated that unpaid caregivers save the Canadian healthcare system upwards of \$26 billion every year in unpaid labour;

AND WHEREAS large numbers of Islanders receive home care supports by family members during treatment and recovery from cancer, and whilst in palliative care;

AND WHEREAS that care is currently not eligible for the At Home Caregiver Benefit due to the program's existing parameters;

THEREFORE BE IT RESOLVED that this Legislative Assembly urge government to expedite the expansion of the At Home Caregiver Benefit, and that such expansion of the program include those who provide at-home care to patients experiencing serious and life-threatening illnesses, and those receiving palliative care at home, regardless of their age.

Speaker: Moving the motion, the hon. Member from Borden-Kinkora.

M. MacFarlane: Thank you, Madam Speaker.

[3:35 p.m.]

I'm pleased to rise and speak to the motion before the Assembly this afternoon. It's an important motion, and I note that the opposition has also tabled in the Legislature a similar motion which, again, speaks to how prevalent the issue is on the minds of Islanders when it's coming from both opposition parties.

The concept and the idea of an at-home caregiver benefit was discussed long before I got elected in February, and in the spring sitting of the Legislature, it was a popular discussion point because it had been promised for a long time and had not yet been delivered.

But as the course of the deliberations went in the spring sitting and as questions were being asked by opposition members to government and the minister with respect to where this caregiver benefit is, what it's going to look like when it does get here, why the hold-up – and we heard reasons for that; we heard that it was to do with examining CRA issues as far as claiming the expense or the funding of it. So, there are lots of excuses as to the delay in bringing this very important legislation to the Legislature for approval for the benefit of Islanders.

I think it became evident to many of us as the debate continued on this that the ultimate version of the legislation, of the benefit/program for Islanders, was going to be watered down from what the government had heralded and proclaimed that it would look like when the concept was first discussed.

Unfortunately, those fears were realized: the at-home caregiver benefit did not live up to what we were hoping that it would be and deliver to Prince Edward Islanders, given the wait that we had for this, and given the promises that we heard from government about how good of a program this would be.

Ultimately, the economical and societal cost – if we were to put it into strict numbers – of people who provide care for their loved ones at home is a large number. I think if government recognizes the cost to our society and the savings to our government, we would see the program actually work a little bit better for Islanders and receive the necessary expansion that we would call for,

and that we have called for, and that we were hoping for and expecting to see in the first iteration – the version 1.0 – of this particular program.

So, what we're calling for is to move from the version 1.0 to the version 2.0 on an expedited basis, because what we're seeing is people falling through the cracks. We're seeing the current iteration, the 1.0 version of this particular program, not meeting the needs of the people for whom it was intended and for what this program was proclaimed to do.

Now, I am a little encouraged in committees. Over the course of the committee meetings, we did have representatives from the department attend and give us an update and a briefing on how the program is doing. It provided an opportunity for members of the committee to share experiences, because I think many of us – I know I have – have heard from the public, from our constituents, about how their particular situation and their particular loved one is not having their needs met by the program in its current iteration.

So, the attendance of the departmental representatives to give us an update on this provided some answers and provided an opportunity to put our questions from our constituents to the departmental officials. I think it's fair to say that the responses that we received from the departmental officials were – and this was sort of repeated by those who were presenting to the committee – that this was the first version, and they were evaluating and constantly re-evaluating the program as it was being rolled out.

[3:40 p.m.]

There was reference made that there would be an expansion, that further phases of this program would widen the eligibility criteria. That came as welcome news to those of us in the committee who were then able to report back to our constituents and say, "Wait, there's going to be some expansion to this program." But unfortunately, as we know, not all government initiatives move at the speed of light, and that's the reason for the motion before the Legislature.

The operative clause urges government to expedite the expansion of the at-home

caregiver benefit, and that such expansion of the program include those who provide at-home care to patients experiencing serious and life-threatening illnesses and those receiving palliative care at home, regardless of their age, because what we're finding and what we're seeing is that the current eligibility parameters simply do not meet the needs of so many Islanders, especially if we're looking at younger Islanders: Islanders who may not be readying themselves for placement in a facility or a manor; Islanders who, at any age, might be receiving palliative care at home.

I think it's very hard for any of us in this Legislative Assembly to argue that a young adult receiving palliative care at home by a family caregiver should not be eligible. I think that would be very difficult to argue that the program should not be expanded to include people/family members in those particular situations.

As the motion indicates, caregivers provide upwards of 75 percent of care to people receiving home care in Canada who do not get compensated for the time that they expend caring for their loved ones and for the work that they do. These are people who often have to leave permanent full-time employment in order to provide the care for their loved ones at home, uncompensated. Some are now, with the particular program in place. The program needs to be expanded in the manner that the motion calls for.

I'm really hoping that there are a number of members in the Assembly here today who either have sat in on the committee's deliberations and heard from the departmental officials. Those members in the Assembly who are not on the committee and who did not get the opportunity to hear that update, I hope we hear them speak to the motion. I hope that this motion has unanimous consent when it gets time to put the vote on the floor.

I'm not going to take time today to continue being as I do want to hear from other members who would have the opportunity at this time to speak to the motion and share, perhaps, their perspectives, their personal experiences, and how they've heard from constituents about how the current iteration – the version 1.0 – of this program is not

fully meeting the needs of Islanders, for whom it was intended to serve.

Thank you.

Speaker: Seconding the motion, the hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you very much, Madam Speaker.

I want to first thank the hon. member for his remarks and for bringing forward this motion.

There's one other person I would like to thank, and that's Heather Mulligan, known to, I'm sure, many in this House. A wonderful advocate for the health community, works with the Canadian Cancer Society, and is somebody who is really helpful, regardless of which corner of the House you sit in, when it comes to providing information, data, and evidence to support policy positions. I want to specifically thank Heather for tuning in this afternoon and for the help that she has given our caucus over the years and specifically with this motion.

[3:45 p.m.]

The issue at hand, what was originally called the primary caregiver grant, and now the at-home caregiver benefit, is an idea whose time had clearly come. All three major parties had reference to some form of caregiver grant in their platforms in the last election of less than two years ago. That tells me that this is something that we were hearing from Islanders, and I always appreciate it when the concerns of constituents get expressed through the work that we do in this Legislature. I think this is an example of that.

Thousands of Islanders, in their own way.... When government won the election, formed their majority, I think thousands of Islanders looked at their own life situation and looked forward to an opportunity for the at-home caregiver benefit to help them.

Each situation was unique, but the foundational commonality was that a family looked to itself, looked within its own members, to look after somebody who was in need of care. It was an option to formal

paid home care, and it was also an option other than community care or nursing care. I think many, many Islanders have been disappointed that the program is so restrictive that it does not allow for the vast majority of Island families, who are the primary caregivers for a loved one, to access it. That's a real disappointment.

My hon. colleague talked about some of the reasons why there was huge delay in getting the program up and running. I'm not going to till that ground again, but I think it is worth noting that in the first budget that we passed here back in the spring of last year, a line item for over \$5 million was dedicated to this program, and we all got excited. I presume I speak on behalf of many members of this House: we were contacted by Islanders who wanted to know more about the program and when they could apply for it.

As the months ticked by and the program did not appear, people started to lose heart. In fact, we went through an entire budgetary cycle when this year's operational budget was presented, with another \$5 million dedicated to this program and not a nickel had been spent. Not a nickel had gone out to Island families who had put their trust in this government, that when they put something in a platform and this House sanctioned a spending line of over \$5 million.... Great disappointment that that did not come to fruition.

The criteria, of course, are very tight: criteria for the person requiring the care, criteria for the caregiver themselves. I understand that. It's a means-tested program. I also understand that. We need to have guardrails around stuff like this and we need to be able to monitor it and make sure that the program is being used for its intended purposes.

But here, I think this government has got the balance way, way off. We're faced with a situation where so many Islanders who, I believe, should have access to financial supports because they are the primary caregiver for a loved one, just cannot do that.

Our motion calls for an expansion – as my colleague calls it, at-home caregiver benefit 2.0 – so that some of those families who are

watching the debate, perhaps, today, and who had faith that this would actually be something that could help their situation – that we will expand this. That's what the operative clause of this motion calls for: specifically that we expand it to include those caregivers who are providing in-home care for somebody with a life-threatening or serious illness – cancer, of course, is one of them, but there are others as well – and also those who are receiving palliative care at home, regardless of their age.

[3:50 p.m.]

This is a big change and a big expansion to the current restrictions that are attached to this program. I think it's a very reasonable expansion. Not all people who require help or care from their immediate family are elderly. Not all illnesses happen in a straight line. Sometimes it can be episodic, sometimes it can be unexpected, and it can hit at any age. I think that we need to have a program that recognizes that and provides the same ability of financial support to a family who is desperate to look after their loved one in a variety of circumstances, and I think that this motion very clearly outlines the ability of this government to make some changes to this.

Yes, we've got it up and running. That's great. It took a while. But let's improve it; let's make sure that it captures far more Islanders who deserve to have some financial support, who are saving the system \$26 billion across this country a year. That translates – presuming there's a per capita amount which is relevant here on Prince Edward Island – to \$150 million of saving to government for the unpaid voluntary work that is done by primary caregivers here.

So, this is about using resources that we have at our disposal – in other words, loving family members – and recognizing and giving financial support to those folks. It's about making good policy at a very personal, human level. It's also about good policy for families and communities, and I think, ultimately, good financial policy for the Government of Prince Edward Island.

So, I encourage you all to support this motion. I look forward to hearing from the minister and anybody else who wishes to speak to it.

Thank you, Madam Speaker.

Speaker: Next speaking to the motion, the hon. Member from Charlottetown-West Royalty.

G. McNeilly: Thank you, Madam Speaker.

It's a pleasure to rise in support of this motion and I appreciate the member bringing it forward. It is a very important one. Again, it was one that was in a lot of different platforms as we got ready for the last election. Even though this was delayed a little bit, and we got through that, it is something that's essential for Prince Edward Island.

The problems are, with new programs, you're just trying to find that right balance of how much funding is there. I'll tell you this right now: \$5 million is not enough. It's nowhere near enough, and I look at this and say we're spending that much money, but the cost to keep somebody and to get into long-term care is enormous. It's so much more expensive to have them in long-term care.

We have to do everything we can to allow people the comforts to stay home, and recognize the caregivers on Prince Edward Island who do this out of love, who would do this for nothing, would do this just to help their family members. But there are different situations that arise with that. This program was good for the people who received it, and really not so good, and demoralizing, for the Islanders who didn't receive it.

I've got two people in their 90s, and the assessment process for them wasn't that smooth; they got rejected, and it's heartbreaking. She worked for this Island for so many years, 45 years at the same job. She gave her heart and soul to what she did and now she's taking care of her husband. She said to me that he had a good day the day the assessment was coming in. She's 92, he's 93, and they got rejected. I mean, she gave everything she had.

There should be exceptions made for my constituent, or my constituent whose wife got Alzheimer's and dementia at a young age. I went to visit them. He can't qualify

for this, but it doesn't matter. He's going to keep doing it out of the basis of love.

[3:55 p.m.]

It's one of these things where when you apply, somebody says you should apply for that and you don't get it, you not only have to deal with not receiving that, but it's crushing. It takes that little bit of energy that you had out of you. So, we have to make sure that we look at this.

When the guests were here in the standing committee, they talked about the money that's already been spent, and it's quite a bit after a \$5 million budget. We need to instantly – instantly – put a great deal more money on the table, and that was one of the questions I had asked, because the people that have to go into long-term care – it is their home, but everybody wants to stay at home, and we want to make sure that people get supported.

But I also have a constituent who managed to get the benefit, and it changed their life. So, there is some good news in there. There is some good news. We just have to figure this out.

It's a thing where, when we hear yesterday that we're losing hematologist oncologists, we have to have this as a benefit for the families to make sure that we're saying that we understand that we've got some losses, but here are some programs that will support them.

Cancer, palliative care, younger people.... In my district, PE Home – the staff at PE Home are absolutely amazing. They do so much for other people. It comprises younger people in society that might have struggled but can't take care of themselves for whatever reason; they're in there. An incredible, incredible group of people in there, but they're young and their caregivers at home couldn't take care of them to the best of their abilities. That's where people have to go, is PE Home. It's full. PE Home is full.

So, what happens to everybody else that faces that? What does our province rely on? Because there are no beds at PE Home. The dementia beds have grown at PE Home. We don't have restorative care at the Prince

Edward Home anymore. Our structure, our systems are wedged, so we have no other choice but to say we have to figure out a program to keep people home for as long as we possibly can.

These are serious concerns which the minister knows about. We need more beds, and we need more people to stay (Indistinct) because Prince Edward Island has an aging population. Your own population plan data confirms it. We have more deaths in PEI every year than we do births. So, there's not enough people to help with the caregiving aspect.

There are some programs in; the minister was talking about recruiting, going overseas to internationally recruit nurses and bring nurses in. Well, they start as RCWs. They start as RCWs in Prince Edward Island. Why didn't we take the people here, who lived here, and increase our RCW programs? They were already here. But we didn't do that. This government has made other choices, and now there's nobody to work those jobs right now. So, little things like that.

Planning: we have to plan now for our long-term care, for our home care, and for the other things that will go along. This program, when the expansion starts to go, it should play a bigger role, but we don't have time in the budget cycles, necessarily, to wait to expand that. And you have the money. The Premier said you have the money. This is a program that we need to spend it on.

The cost of this program will be much greater. In four years' time, the cost of this program will be 10 times as much. It could easily be 10 times as much. But we can't afford not to do this because our long-term care system is not ready. We haven't increased the amount of beds, so something has got to give. We're going to be in an employment crisis here in the next little while.

But we didn't have to recreate this. There are other models. The government could have gone to Veterans Affairs Canada. There's a caregiver recognition benefit that's there, and it's been there for a long time. Maybe we consulted with them, but it's a great program. The head office of

Veterans Affairs is right here, and a lot of employees work there from the community, so there's that.

[4:00 p.m.]

There are different things.... I think I'm almost done.

Speaker: Hon. member...

G. McNeilly: I think I have to adjourn, yeah.

Speaker: ...you have exhausted the time. Could you please adjourn debate with a seconder?

G. McNeilly: Yes, I'll adjourn debate with New Haven-Rocky Point.

Speaker: Thank you.

Government Motions

Orders of the Day (Government)

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

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Workforce, Advanced Learning and Population, that the 20th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 20, *Employment Standards Act*, Bill No. 76, in committee.

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

Hon. B. Thompson: Madam Speaker, I move, seconded by the hon. Minister of Workforce, Advanced Learning and Population, 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 Morell-Donagh to chair the Committee of the Whole House.

[S. MacEwen in the chair]

Chair: The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Employment Standards Act*.

Welcome back, minister. Would you like to make a motion to bring a stranger to the floor?

Hon. J. Redmond: Yes, I would.

Chair: Shall it carry? Carried.

Welcome back, Patricia. Could you introduce yourself again for Hansard?

Patricia McPhail: Patricia McPhail, director of labour and industrial relations.

Chair: Alright, members, we are currently on page 19. We are in section 38, and I have the floor open for questions.

Shall this section carry? Carried.

Minister, would you like to make some comments before we move onto the next section?

Hon. J. Redmond: Yes, please. We do have some takebacks from yesterday.

Patricia McPhail: I have the answer to a couple of questions that were asked yesterday regarding section 26 and the manager participating in the tip-pooling policy. So, whether or not a manager can participate in the tip-pooling policy will be dependent on the function of the manager. If they are acting as an employee, they could participate because they'd be captured by the employee term. If they're acting as an employer, then they would be prohibited from participating in the tip-pooling policy.

So, this actually is a little bit more flexible than our current provisions are, which will be beneficial in most situations. Based on the feedback and the questions we receive in the office, this should work a little bit better for most workplaces, and we can provide some clarification on that in the guidebook to clarify for folks.

The other question was related to the priorities in the act and specifically on vacation pay, and there are additional priorities listed in section 79. Debts under

the *Employment Standards Act* apply over other provincial enactments. We can't override federal jurisdiction, but we can override other provincial enactments. So, employment standards debts are a priority based on our legislation.

Chair: Thank you, minister and Patricia.

Shall section 39 carry? Carried.

Okay, we're in part 5, "Leave of Absence."

Shall section 40 carry? Carried.

41. General rights

Shall section 41 carry? Carried.

42. Membership and benefit plan

Shall this section carry? Carried.

43. Sick leave

Shall section 43 carry?

[4:05 p.m.]

The hon. Leader of the Opposition.

Hon. H. Perry: Could I have you just read 43(2), please? That clause?

Chair: Is that okay with the members?

An Hon. Member: Yes.

Chair: Okay.

43(2) Paid sick leave

An employee who has been employed by the same employer for a continuous period of at least one year is entitled to paid sick leave from that employment for illness or injury as follows:

(a) one day of paid sick leave in the second year of employment;

(b) two days of paid sick leave in the third year of employment;

(c) three days of paid sick leave in the fourth year of employment and in each year of employment thereafter.

Questions? The hon. Leader of the Opposition.

Hon. H. Perry: Last session, I put forward an amendment regarding paid sick days and, of course, it was amended by government. I did say that it was not what we wanted, not what I had wanted, promoting that bill. However, it was a step forward in the right direction in that we'd take a little water in the wine, so to speak, I said at that time, but it's a step in the right direction in that there are always future considerations to make changes in that.

So, I would like, right now, to propose an amendment.

I move, seconded by the hon. Member from Charlottetown-West Royalty, that:

Subsection 43(2) of Bill 76 is deleted and the following substitute it:

(2) An employee who has been employed by the same employer for a continuous period of at least one year is entitled to three days of paid sick leave from that employment per year for illness of injury.

Chair: Alright, members, there's been an amendment on the floor. I believe we're handing out copies right now. I will open up the floor for questions on the amendment, understanding that it's going to take a second to get them distributed.

The hon. Leader of the Opposition.

Hon. H. Perry: I can just give a brief, one-sentence reason why I brought this forward. This motion changes the entitlement to paid sick leave to three days per year after one year of continuous employment with the same employer.

Chair: Shall the amendment carry?

The hon. Member from Rustico-Emerald.

B. Trivers: So, I know you had talked about this at length on the floor when you had your bill, but can you just outline, again, why you believe this amendment is needed and who you consulted with that has you really pushing hard for it?

Chair: The hon. Leader of the Opposition, do you want to make a comment on that?

B. Trivers: This is to the promoter of the amendment.

Hon. H. Perry: Sure, I'll make a comment on it. I'm not on the floor defending the bill, but I will.

I brought this amendment forward for the same reasons why I brought that bill forward in the spring. Consultation was with every chamber on Prince Edward Island that represents business owners right across Prince Edward Island. Consultation was with business owners who are not part of any chamber on Prince Edward Island, and consultation was done, basically, with Islanders who are asking for paid sick days.

Now, I did bring a bill forward asking for more than this, actually. It was five sick days. An amendment was put forward that you supported, which is what is in the bill that the minister has brought forward today. I'll make an amendment because I said at that time that I have to accept it, obviously, because my bill was defeated and I will take that water with the wine, but I will take this as an opportunity to move forward with what I originally had planned in the future. This is the future, and this is the time to do it. It's a brand-new act.

This whole act that's on the floor now, if passed by this House, will repeal the old *Employment Standards Act*. Going forward, I think we should have it representing the needs of all Islanders.

[4:10 p.m.]

So, this was the ask. It was five days put forward; it was amended to one. Now, I'm asking, after several months – again, with feedback from Islanders – for three days per year after one continuous year of employment. So, after the one year of continuous employment, you automatically get three days. It doesn't go through the process which was in this act, which would take three years to get to that point.

Chair: The hon. Member from Rustico-Emerald.

B. Trivers: A question to the promoter of Bill 76: Is this consistent with the consultation that you have done for Bill 76? That is the amendment. In Bill 76, you've got one paid day of sick leave after two years; two after three years, and three days after four years, and the amendment wants to make three days after one, and then ongoing. Is that consistent with the consultations that you did?

Patricia McPhail: The department's consultation on the proposed new act was done through the comprehensive review panel. Their recommendation was actually less than what this current legislation reads, and I'd have to go back to the recommendation itself. When the amendments were made last fall, and came into force just on October 1st, they were a little bit better than what the comprehensive review panel had recommended. I can go back to the recommendation if you want to know exactly what it was.

B. Trivers: Maybe just to clarify, in Bill 76, those represent better than what the consultation brought forward, and in fact, the amendment would be making that even more aggressive than what the bill is obviously, but even more aggressive than the consultation bore out.

Patricia McPhail: That would be correct, yes.

B. Trivers: Thank you. That's all, Chair.

Chair: The hon. Leader of the Opposition.

Hon. H. Perry: So, basically, it's not changing the amount of days. It's just changing the time that people can accumulate sick days. So, instead of waiting for four years to accumulate three sick days, we're asking them that after one continuous year of employment, they would then be eligible for three sick days. That's all we're asking for.

The consultation process that we did was we actually went out. We went out across the Island and talked to people.

A question to the minister, and this is very important: Public consultation ended on November 1st, yet this particular brand-new act was tabled on the 5th. So, did you really

take into consideration the public's input into paid sick days in this new bill?

Hon. J. Redmond: There has been consultation done on this, and I can appreciate that you also did consultations on this. We did have a letter come in from our small business representatives regarding a little bit of this and how this gets going and the impacts it has on them. Yes, we do want to help Islanders. In doing that, there are lots of stakeholders in here that we have to keep moving forward. That would be small businesses as well, and what the implication is for them, and how we help everyone.

I feel like what was presented in the last session are the steps forward to help. We do need to start somewhere, and it is a step forward. We have to consider everyone that's involved as a part of this.

So, every time we make a change in additional supports, and there are lots around that are very important assets, but it does have implications on businesses as well, and what does that look like for them? How do they adjust? It could be around the cost of what they're presenting. So, how do we help everybody at a good pace to move forward?

Hon. H. Perry: So, the bill that I brought forward, the amendment – you talked about implications about the transition for this – there was a clause in there asking the government to financially support these businesses who may struggle through that transition period, and you guys voted against it. So, where is that support that they have been asking for in this bill?

[4:15 p.m.]

Patricia McPhail: Just with respect to what Employment Standards does, we do not provide any financial benefits to employers. It's really focused on regulating minimum standards in employment, so it wouldn't be appropriate to put something like that into this particular bill. It doesn't fit within the structure and function of this legislation.

Hon. H. Perry: Basically, all I'm asking in this amendment is for – it's not changing the amount of paid sick days, it's just asking that this would be implemented after... An employee would be eligible after one year of

continuous employment. They would be eligible then for three sick days.

I really don't think that's a stretch or asking for a lot. It's not changing the amount of days that you guys have in your new legislation, it's just giving Islanders that little bit of comfort of knowing that this is there for them, that they don't have to make choices of going to work sick because they need that paycheque. They can stay home instead of spreading that sickness to other people or what have you.

So, this is why we think after one year, three days kick in, and that's all we're asking for.

Chair: The hon. Member from Borden-Kinkora.

M. MacFarlane: Just to clarify, I don't have questions on this particular amendment if that's what we're debating.

Chair: Oh, okay. That's what I thought you had flagged. That's okay, we can come back to you later.

The hon. Member from New Haven-Rocky Point.

P. Bevan-Baker: Thank you, Chair.

I do have a couple of questions on this.

I just want to set some context here. The panel that did the extensive review that took a long time – years – put a huge amount of work and effort into this and I'm not sure that we've publicly appreciated or thanked them enough for that, and also, all of the other Islanders who came forward with input.

The ESA is a really enormous and very impactful bill for every Islander, really, in some way or another. It's a bill, also, that gets amended on a regular basis between times, but this is one of those rare moments – probably, it will be decades before we do another comprehensive review of the bill. That's the way things tend to work on PEI. So, I wanted to thank them and also thank this House for the time that we're taking to go through this bill carefully, because it is such a critical bill for all Islanders.

I'm going to pick up on the conversation that was had earlier regarding the recommendation of the panel on sick days because, I stand to be corrected, but I'm pretty sure that this was one of, if not the only place, where they did not make a recommendation because they could not come to consensus on this. So, I'd really like to have clarification on that, that the panel didn't actually make any clear recommendations on the number of sick days nor the timeframe through which they should be accumulated.

Patricia McPhail: For the recommendation, if anybody has a copy of the report, it's recommendation 69 that references this: "...the panel was not able to reach consensus on the recommended minimum standard or the qualifying period for one day of paid sick leave – this was the only subsection where the Panel was unable to reach a consensus recommendation." But they did agree that "...if there was a recommendation to increase the paid sick leave benefit...there should be consideration given to some form of corresponding funding...."

"After weighing all of these considerations and in an effort to make a balanced and measured proposal, the majority of the Panel recommends moving the qualifying period from five years to one year for one day of paid sick leave and adding two additional paid sick leave days after five years."

What was put in, ultimately, was the same amount of paid days as was recommended, but did speed up the process in which it was earned, so rather than one day after one year and two more after five years, it is one, two, and three.

P. Bevan-Baker: I really appreciate you finding that, Patricia. I did not have it in front of me, but I remember from our discussions in the spring session that this was an area where they could not reach consensus. So, I understand that, based on that – I don't even know if I want to make it a recommendation because they'd say at the very beginning of that bit you read out that it was the only place that they could not come to consensus and make a recommendation.

[4:20 p.m.]

I'm speaking here in support of the amendment brought forward by the hon. Leader of the Opposition. I do feel that, given that there is no consensus recommendation from the panel that reviewed the bill, that this timeframe for accumulation of days really reflects more of the government's political values than it does something that came forward from the panel, despite what you've just said, Patricia. So, I would absolutely support this amendment.

Thank you, Chair, for giving the time.

Chair: Thank you, member.

The hon. Member from Summerside-Wilmot.

T. DesRoches: Thank you, Chair.

Just one question to the mover of the amendment.

Chair: Hon. member, you kind of have to direct your questions to the table. If the mover of the amendment wishes to comment, he can ask for an intervention.

T. DesRoches: Thank you, Chair. My question was on the amendment and the process of it, so I'll just leave it be.

Chair: Okay. Shall the amendment carry?

[Interjections]

Chair: Can I see a show of hands, hon. members?

All those voting against the amendment, can you please raise your hand?

And all those voting for the amendment, please raise your hand?

Okay, hon. members, the amendment has been voted down.

The hon. Leader of the Opposition.

Hon. H. Perry: I'm not sure. Are we able to do a recorded division within Committee of the Whole?

Chair: We are not, unfortunately.

Hon. H. Perry: Okay, I have to wait for the Speaker to come back and ask if it was, at the end of the day, (Indistinct) bill to pass or not. Okay.

Chair: That's correct.

Alright, hon. members.

The hon. Member from Borden-Kinkora.

M. MacFarlane: Yes, thank you, Chair.

Looking at – we're still on 43(2). I know that we had a pretty fulsome debate there on the Leader of the Opposition's amendment, which ultimately failed. I hope I'm not retreading the ground, but when it comes to subsection (2) on the paid sick leave, of the provinces that do provide the paid sick leave, do you know how many days the employees are entitled, and after? Again, some of this might have come up in your answers to the amendment.

Patricia McPhail: I do not have that information with me, and I believe that the information contained in the comprehensive review report is not up to date, so I would have to bring that back.

M. MacFarlane: Okay.

Chair: Did you have a comment, minister?

Hon. J. Redmond: I guess I would say I truly appreciate the questions, for sure. I know that there was a lot of passionate conversation about this in the last sitting, and I always appreciate that. I think that we're all here to advocate for Islanders, so I appreciate the questions and the conversation that's happening around this.

There was immense consultation. There was consultation that was done when paid sick leave was coming around. We did debate it here, and we did vote on it in here, but I'm glad that those that are still passionate about that are sharing that here.

Chair: Thank you, minister.

The hon. Member from Borden-Kinkora.

M. MacFarlane: What about seasonal workers under the act and their entitlement to paid sick leave?

Patricia McPhail: If they are not continuously employed, they wouldn't be entitled to the accumulation, so it would be dependent on whether or not they are fully laid off or terminated at the end of each season or whether there's some transition into part-time work in the off seasons. So, it depends on the industry.

Employers are always free to offer up more than the minimum standards, and sometimes do.

M. MacFarlane: So, on that point, how the seasonal worker departs his or her position of employment at the end of the season of employment would determine eligibility for sick leave, pursuant to the section? If they're laid off, it would be different than if they were terminated and then started again?

Patricia McPhail: For the layoff, it would be likely more akin to a termination. This comes back to that definition of "layoff," "termination." The layoff, if less than six days, is deemed not to be a termination, but anything above that threshold, the termination provisions in the legislation apply.

[4:25 p.m.]

That being said, the employer and employee can come to an understanding that they consider it continuous employment, and we are aware of some instances where they have had policies like that because they've consulted with our office about how this new sick leave applies in those circumstances. But for the most part, if they are – I'm using "layoff" in more the common understanding of what layoff is, so if they're laid off and go off on EI, that's likely going to be considered a disruption in employment and won't be considered continuous employment.

M. MacFarlane: I guess, on that: Our Island is comprised of so many seasonal workers. What consideration was given to that particular segment of the workforce, and was there specific consultation that would have spoken to this?

Patricia McPhail: I couldn't speak to the specifics of it, but I believe it was a question that was put to the comprehensive review

panel. But I don't believe they made any recommendations specific to that.

M. MacFarlane: Statistics Canada says full-time workers on PEI missed an average of 8.3 days of work. We're still on the sick leave section, so was there consideration of that when we're talking about the three days? I know the amendment didn't increase that, but there has been talk before about more than that.

So, if we're looking at an average of 8.3 days, was that considered in this? Because as the Member from New Haven-Rocky Point has indicated, this is an important piece of legislation that's probably not going to be brought back for review for some time, so I just want to make sure that that was considered.

Patricia McPhail: I don't know if that specific number would have been considered, but the comprehensive review panel did review substantial amounts of Statistics Canada data, and this is probably the area where they delved into the most data-driven measures for their consideration. So, I'd have to go back to the comprehensive review report to see exactly what they pinpointed and what they did look at.

M. MacFarlane: Thank you for that. With respect to who can use and for what purposes of sick leave, is it the government's interpretation that an employee can use sick leave for sicknesses of dependents? If a child is sick, can they use that sick day to care for their child or is there another leave that's available? An unpaid leave, for example? Unpaid family leave?

Patricia McPhail: It would be considered unpaid family leave in those instances unless the employer's policy is to broaden the sick leave to apply in situations where employees can use it for dependents. There are some – in particular in collective agreements, I believe – that have broadened what the use can be for.

M. MacFarlane: Section 43(6): Confirmation of illness or injury. I know I raised this during our briefing, and I appreciated that, but I'm going to ask again

if you could interpret that section for me, practically, how it applies to employees.

So, “Where an employee requests sick leave for five or more consecutive days, the employer may require the employee to provide the employer with written confirmation...”

I guess my question would be: Under five days, what’s the intent of the provision?

Patricia McPhail: If there are less than five continuous days, the employer wouldn’t be permitted to request a medical certificate based on the reading of the language in the legislation now.

M. MacFarlane: So, five or more consecutive days, the employer may require the employee to provide written confirmation. You’re saying under five days – is it discretionary that the employer can request that confirmation? Because the use of the term is “the employer may require.”

Patricia McPhail: It’s only permissive after five continuous days. Before that point, there’s no permission to request a sick note, but after five days, the employer may request it after that point in time. They’re not mandated to ask for sick notes after five days, but before that point, there’s no permission given under the act for an employer to ask for a sick note.

M. MacFarlane: What happens if an employer does ask for a sick note?

[4:30 p.m.]

Patricia McPhail: If an employer is requesting one in contravention of the act, an employee can file a complaint, or if we come across information that an employer has a policy that contravenes the act, we can investigate and issue a decision, possibly even including an administrative penalty if they are in contravention of the legislation.

M. MacFarlane: What did the comprehensive review panel do, and what did it consider, and what was within the document that led government to land on this particular arrangement?

Patricia McPhail: The comprehensive review panel had recommended making the

period four days as opposed to – the current legislation provides that medical notes can be requested after three. The review panel suggested moving that up to four to reduce the impact on health care providers.

When Nova Scotia introduced its amendments to its employment standards, its labour act, they made it five days, so we have aligned this one with Nova Scotia’s rather than going with the comprehensive review panel recommendation. We have increased it by one day.

M. MacFarlane: In the spring sitting, I had a bill which called for the removal of sick notes from the legislation. How I arrived to bring that particular bill was based on the information that was being communicated to me by the medical community, which had called for the elimination of medical certificates – which we refer to as sick notes – across the board. Those calls remain from the medical community.

We have the Canadian Medical Association, which released an updated statement, because they’ve previously released statements and position papers on this, calling for the removal of medical certificates. The statement references 53 percent of physicians feeling highly burned out, with the administrative burden being part of it, and that calling for sick notes could prevent as many as 12.5 million unnecessary health care interactions in a single year. Now, that’s the Canadian Medical Association calling for legislative change to restrict the requirement for sick notes and promote alternatives, such as self-certification and flexible leave policies.

I guess I’ll ask the question on that point as to whether there was consideration given to including alternatives such as self-certification and flexible leave policies.

Patricia McPhail: I don’t believe the comprehensive review panel received information suggesting that as an alternative at the time that they were consulting. What I can note is that we did receive feedback from the draft legislation from the Prince Edward Island Medical Society. They did reiterate what was spoken to from the national – about what you just referred to – but they did appreciate the step forward that this current legislation does propose. They

were supportive of the progress, although would like to see it go further.

I would also note that if we removed the sick note provision entirely, we would no longer have any enforcement ability if an employer was asking for notes after one day, two days; we wouldn't have an enforcement if it's not in the legislation. By having this in the legislation, we do have some enforcement capabilities at restricting employers who are contravening the legislation.

M. MacFarlane: To that point, there could be a provision under the enforcement section which would give the ability to enforce against an employer who was calling for sick notes if there were no sick notes allowed for within the legislation.

Patricia McPhail: If it were prohibited, perhaps, yes, we could do that, but it would have to be rewritten to envision that.

[4:35 p.m.]

I would also note that in addition to expanding the number of days before which an employer can ask for a note, we've also expanded the qualifying practitioner provisions so that it's not just doctors who can issue notes. It can be nurse practitioners, pharmacists, physiotherapists, dentists, and the list will go on depending on how we define it in the regulations, the idea being that if somebody is going for a dental procedure that's going to put them out of commission for a period of days, or experiences a physical injury that requires physiotherapy for a few days and they can't work, those treating health care providers can provide the note rather than requiring them to go to a doctor to obtain a note.

M. MacFarlane: How far along are those regulations that expand the definition of health care provider, if I've heard you correctly?

Patricia McPhail: We are continuing to do some background research on that, but we haven't started drafting regulations. We were waiting for the legislation to be passed before we're able to really draft regulations because we need to have a solid base on which to base the regulations. If there are changes to the legislation, that would change

how we draft the regulations, so we've been waiting.

M. MacFarlane: I referenced the Canadian Medical Association and their position statement, and you mentioned, Patricia, the PEI Medical Society and their wish, which sort of aligns; they're appreciative of the step being taken, but ultimately, they seem to align with the CMA on their perspective.

Now, the other group, the Canadian Association of Emergency Physicians, released a position statement as well and they've called for an outright ban on sick note requirements as well, saying that it puts an unnecessary strain on the patient and emergency department, threatens to spread communicable diseases in our community, encourages patients with infectious disease to leave their home and visit a family doctor, et cetera.

You mentioned that some of these may not have been available at the time of the comprehensive review panel, but given what we continue to see in the media and publicly stated, does this give some pause to the department – it may be a question for the minister to answer – with respect to whether this is going down the appropriate path? Or should we revisit what we're hearing, in the face of an overburdened and overtaxed medical community that is crying at every opportunity to have their administrative burden alleviated? Here's a really good opportunity for us to do that.

Hon. J. Redmond: Just on that one thing, I would say it's the minimum standards that indicate for employers that they may ask. So, I'm not assuming, and maybe it's wrong to assume, that everyone is asking employees to get that after five days, (1), and (2), like Patricia just indicated, the idea is to broaden the scope on who can provide that. So, as soon as we can get the regulations in place right after this act is ready and approved, the immediacy of that will help pull some of those demands off those individuals.

The other is that the guest that you had here indicated that there were many asking for sick notes on one day missed, which is not law. What I would say is that when your guest was here and indicating that, I want those folks to come forward so that we can

stop that because I think some of that load probably is some of that that shouldn't be happening, potentially. So, we want to make sure that those that are asking are following what's meant to be followed in the act.

Patricia McPhail: I'll also note that a more recent jurisdictional scan was done on this by another province, and most provinces haven't removed this provision as of yet. It is something that is being examined on an ongoing basis, but as of right now, this, as it's written, is more consistent with other jurisdictions.

M. MacFarlane: I guess my concern, as previously stated, was that I know in the spring sitting, we were wondering what the status of the new *Employment Standards Act* was going to be and when it was going to come. It's a whole new piece of legislation. It's not an amendment. It's not like we're going to see this again in a couple of years. It's before the Legislature right now, and we know what we know now, further to when the review was done. So, to my mind, this would be the opportunity to be at the forefront of what we're being asked to do.

Subsequent to when my bill was brought in the spring, the Premier of Ontario was very quickly in the news – you know, of all people, the Premier of Ontario – suggesting that sick notes could be eliminated in the province of Ontario. So, someone's going to take the lead on it, and I guess I'm hoping it would be us.

[4:40 p.m.]

For that reason, I would move for an amendment to Section 43 for the elimination of sick notes or medical certificates across the board, and I would have that amendment here this afternoon.

Chair: Hon. member, was that your amendment that you just read out? Can you read the actual amendment, or move the amendment?

M. MacFarlane: My amendment that I would move would be:

MOVED THAT

Bill 76 is amended by the deletion of subsection 43(6).

Chair: Alright, members, the amendment is being passed out.

Alright, is there any debate on the amendment?

The hon. Member from Borden-Kinkora.

M. MacFarlane: I believe, in the course of my questioning, the case was made for the amendment. The amendment is established in the briefing note that's attached to the document that's been circulated. It's a very simple amendment. It simply removes that section of the bill which does require the continuation of confirmation of illness or injury, as per the heading; medical certificates, also known as sick notes. So, that would remove subsection (6) from the sick leave section of the bill before the Legislature.

Chair: Hon. members, if it's okay, I just have a clarification question for the minister, just based, Patricia, on your previous comments about enforcing sick leave. If this is deleted, is there any way to hold someone accountable for asking for a sick note?

Patricia McPhail: No.

Chair: The hon. Member from Borden-Kinkora.

M. MacFarlane: Your opinion, Patricia, is that there would be nothing in the legislation before us, either by way of recourse to the board, that an employee could make with respect to that?

Patricia McPhail: If this subsection is removed, we wouldn't have any jurisdiction over medical certificates whatsoever.

M. MacFarlane: And that can be addressed by way of an inclusion of an enforcement provision in the legislation.

Patricia McPhail: It would have to be more than just an enforcement provision. It would have to be a prohibition that we can enforce.

M. MacFarlane: That would constitute the addition of one section where there would be a prohibition. Then, if it was prohibited, would the existing enforcement provisions then not be able to step in and deal with that prohibition?

Patricia McPhail: If it was adjusted to be a prohibition, then I believe – I shouldn't speak to something that I don't have before me – in theory, yes, then the enforcement provisions could apply, but it would have to be prohibited for us to have an enforcement power.

In this instance, the way the bill is currently written, our enforcement power is if any employer is going beyond what's allowable in the act. So, if they're asking for notes after one day, they're demanding it come from an ER doctor, we can go in and say, "No, you're not allowed to do that," and if they continue to contravene, we can issue administrative penalties. But without anything, then we wouldn't have the power to do that.

Chair: The hon. Member from Charlottetown-Belvedere.

[4:45 p.m.]

S. Dillon: So, would that mean that anybody, in any form of employment, wouldn't have to justify why they were taking sick leave?

Patricia McPhail: It would only relate to this particular sick leave provision. So, there are other forms of leave that require medical certificates. Those are dealt with under separate sections. Compassionate care leave would be one example. We're only speaking to the sick leave provision and the confirmation here.

S. Dillon: I'm not sure if I'm on the right path. So, sick leave – if I was to say that I was sick, and not a form of medical, and I had an abundance of sick leave, would I be able to take that sick leave?

Hon. J. Redmond: It's connected to asking for a sick note. If this comes out, and an employer, after one day, demands a sick note, we have no way to enforce them to not demand that because this won't be in here to protect that.

S. Dillon: Oh, okay. So, it could go either way?

Hon. J. Redmond: Yes.

S. Dillon: Okay. Thank you.

Chair: The hon. Minister of Education and Early Years.

Hon. R. Lantz: Just if I understand correctly, you're saying that this amendment, in order to be effective, should have the deletion of the paragraph in question but also the addition of an enforcement or prohibition clause?

Patricia McPhail: Yes, if we were going to have an enforcement power, it would need to be not just repealed or taken out, it would need to be replaced with something that prohibits it, for us to have any sort of enforcement over it.

Chair: Shall the amendment carry?

[Interjections]

Chair: Can I have a show of hands?

All those voting against the amendment, please raise your hand.

All those voting for the amendment?

Alright, the amendment has been defeated.

Are there any other questions on this section?

The hon. Leader of the Opposition.

Hon. H. Perry: Just a question. Basically, it was mentioned that this particular.... So, 43(2), that section there, was changed from obviously the existing *Employment Standards Act* and replaced with this clause. In conversation with the comprehensive review panel, from what they recommended, this would speed up the process; what is presently in front of us. The minister had mentioned that it would speed up the process.

This clause, paid sick leave, would speed up the process. It wouldn't be five years, it would be four, let's say. Is that correct?

Hon. J. Redmond: It's after three years; your fourth year of work. (Indistinct) that language, after three years. The comprehensive review suggested waiting five years, so they'd be in their sixth year for two additional days, which would equal three in total at six years.

Hon. H. Perry: If you really wanted to speed up the process, why wouldn't you just have supported the amendment that I put forward and make it three sick days after one year of continuous employment? I don't understand.

Hon. J. Redmond: Chair, we voted on this already and debated it in the House, and it was voted on, and we have moved forward, correct?

Hon. H. Perry: I'm asking a question on this section, Chair.

Chair: No, he's just asking a question.

Hon. J. Redmond: Okay.

Hon. H. Perry: Pardon me?

Chair: Your question is okay.

Hon. J. Redmond: Based on the consultations that have been done, and based on the review panel, and based on what was debated last sitting, this is what's being presented in the *Employment Standards Act*.

Hon. H. Perry: What I'm asking the minister is – she had said that she did not put in what was recommended by the comprehensive review panel; that she wanted to speed up the process. My question was: If you really wanted to speed up the process, why would you vote against three sick days after one year of continuous employment? It's a simple question. If you wanted to speed up the process –

Chair: Hon. members, I just confirmed with the Clerk that that is actually reflecting on a vote of the House, so we can't do that.

Hon. H. Perry: Okay. You also mentioned that it was focused on minimal standards. So, does the minister really believe that Island workers should have to wait four full years before they are eligible for three sick days?

[4:50 p.m.]

Patricia McPhail: It's three years before they're eligible. The way it's written, after three years of continuous employment.... So, they reworded from the current legislation, but it has the same effect, which

is after three years of continuous employment, in that fourth year, they are eligible for three paid days and four unpaid days.

Hon. H. Perry: Like I said, I'm just wondering, because it's focused on minimum standards – it was mentioned over and over again – does the minister, and I'm asking the minister, really believe that Island workers should have to wait four years – because it's into your fourth year before you're eligible for it – to be eligible for three sick days?

Hon. J. Redmond: What I would say is we're not having an opinion debate. What I would say is that, based on consultations and a balance between workers and employers on Prince Edward Island, and the data collected, and the information brought forward, I stand by this bill.

Hon. H. Perry: So, you're saying that the minister responsible for this act – a brand-new act, repealing the old act if it is passed – you have no opinion whatsoever on this bill or how it is written and presented?

Hon. J. Redmond: I would say that I take the chair here because I care. I do care about Islanders and what needs to happen for them. I would say, when we talk about minimal, this is the minimal part. This is the minimal standards. The *Employment Standards Act* is that minimum place that we go. I would say that many of our Island employers do a lot better (Indistinct) a lot better for employees, but we do need to have this minimal standard.

Hon. H. Perry: You are the promoter of this bill. You are the one that's promoting this bill. You are the one that's on the floor now to defend this bill and we're here to debate this bill. Basically, I'm asking about the minimum standards. So, the minimum standard would be three sick days. Let's just say that's the minimal standard. You wanted to speed up the process, so you brought it to over four years. I'm not going to go back to something that was already asked, but I'm going to go back to: Do you believe that the minimal standards are going to help – I'm not talking about Island businesses, I'm asking for Island workers – that they should have to wait into their fourth year before they're eligible for three paid sick days?

Hon. J. Redmond: Chair, I've already indicated that I do stand by the bill.

Chair: The minister has answered this a few times now, member.

Hon. H. Perry: Yes, but she's saying she's standing by the bill, but she is the promoter of this bill and I'm asking for her opinion, and she said her opinion is not in this bill. So, is she the promoter of this bill and does she have an opinion in the creation of this bill, or was it somebody else that created it and now she's sitting there and really doesn't fully agree with or have any opinion on it?

Chair: Hon. member, we are in section 43.

Hon. H. Perry: Yeah, 43(2) is the subsection I've been asking this question on.

Chair: Hon. Leader of the Opposition, do you have a question?

Hon. H. Perry: I guess I'm going to ask it again. The minister is responsible for the promotion of this bill. The minister is responsible for the creation of this bill and is sitting on the floor of this House promoting this. She's also responsible for being accountable to Island workers.

Does she believe that the minimal standards that she talked about reflect what Island workers would want? Because they have to now wait into their fourth year for three paid sick days. It's a simple question.

Chair: The minister has answered that.

Hon. H. Perry: I don't believe she has answered it, and I asked her a question on behalf of Islanders. She answered the question on behalf of Island businesses.

Chair: Okay, hon. member, I understand your opinion.

Hon. H. Perry: And I'm asking her for her opinion.

Chair: The minister has answered a number of times in a row now. Did you want to answer it again?

Hon. J. Redmond: What has come in this bill is greater than what was suggested, even

by the consultations that occurred. So, yes, I stand by the bill. I've been a part of the conversations around it. I do have to find a balanced approach in a very challenging position. We're considering the workforce, especially those that are at the minimum standard of working conditions, but I do stand by the bill.

[4:55 p.m.]

Hon. H. Perry: But that's why I'm questioning it. We're going back to, again, speeding up the process. So, I have questions about speeding up the process, but obviously, I can't ask them. Then I ask questions about the minimal standards and for clarification on that and an opinion on it, and I'm not getting an answer on it. Now, you guys may say I'm getting an answer, but I'm not really getting an answer to the question that I asked.

Does she truly believe that Island workers should have to wait? Minimal standards; this is what she talks about. She thinks minimal standards is into their fourth year for three paid sick days?

Hon. J. Redmond: I have answered the question multiple times.

Hon. H. Perry: Okay. That's fine. So, there's no response to that question. I guess there's no sense even asking anything else if I'm not going to get an answer.

Chair: Shall the section carry? Carried.

44. Medical leave

Shall the section carry?

The hon. Leader of the Third Party.

K. Bernard: Thank you, Chair.

This is a new section of the act, which I'm happy to see, and I know that this was an ask by the Cancer Society as well as other advocacy groups. I'm wondering if you've discussed the section with these groups, and are they happy with the language that you've arrived at?

Patricia McPhail: I understand that not all advocacy groups are 100 percent on board

with it. We did receive some positive feedback related to it.

What we did receive during our latest consultation – there was a request to make leave accessible in non-consecutive weeks. That was not brought forward to the comprehensive review panel so our difficulty with making such an adjustment at this point in time is that there was no policy analysis done on that particular request. The recommendation was that it was consecutive weeks of unpaid leave.

Without knowing a potential large-scale impact analysis on non-consecutive weeks, it's really difficult to make that switch at this point in time, but it is something that we have noted to look at into the future. But the way that it was crafted, this does follow the comprehensive review panel's recommendations which aligns with what had been asked during that review process.

K. Bernard: That's something that you're keeping your eye on as time goes?

Patricia McPhail: Exactly, yeah.

K. Bernard: I don't have the bill in front of me. Is this the bereavement leave section or is that...?

Patricia McPhail: No, in this part, there is bereavement leave, but it's not in this section. So, the medical leave applies to illness, injury, organ or tissue donation, and gender-affirming care, and can include other prescribed treatments, which we don't have a list of at the moment, but we can add to it over time.

K. Bernard: I think I'm good until the bereavement leave section.

Thank you, Chair.

Chair: The hon. Member from Charlottetown-West Royalty.

G. McNeilly: Thank you, Chair.

I did talk to the people that were looking to put this in, and they were pretty delighted with this section. I just wanted to ask a few questions. Does this line us up with the other Maritime Provinces? Are they moving in the same direction?

Patricia McPhail: I believe it aligns us with Nova Scotia. I don't know whether or not New Brunswick has made this change yet. I think Newfoundland is looking at it as well. Most provinces are examining this form of leave, but they're all in different stages of where they're at with implementing or not implementing.

G. McNeilly: Why was 27 weeks selected?

Patricia McPhail: Twenty-seven weeks aligns with the 26-week EI sick leave benefit, plus the one-week waiting period.

G. McNeilly: Organ and tissue donation – I know this is the minimum standard, but what happens if you need more time to recover than the 27 weeks?

Patricia McPhail: The legislation only provides the job-protected leave for the 27 weeks, so if it is longer than that, it's no longer an employment standards job-protected leave. That being said, I'm aware of many instances where employers will continue holding a position for someone. But this is based on the minimum that it has to be held for.

G. McNeilly: I'm glad to see this section in there. That's all I have for this, thanks.

Chair: The hon. Leader of the Opposition.

Hon. H. Perry: A question – in here it goes into that they're entitled to 27 consecutive days, but also goes back to confirmation of entitlement. So, an employee applying for medical leave shall provide an employer with written confirmation. Is there anything in here that says – what happens if the employer says no, they're not going to allow this, they're not going to grant this?

[5:00 p.m.]

Patricia McPhail: They'd be in contravention of the legislation. So, if an employee complained, we'd do an investigation, and under the new enforcement provisions, we could implement an administrative penalty in addition to making an order that they do comply with the legislation.

R. Henderson: Call the hour.

An Hon. Member: Extend the hour.

Chair: There's been a request to extend the hour. Do we have unanimous consent?

Some Hon. Members: No.

Chair: Alright, members, we'll report progress.

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

Chair: Shall it carry? Carried.

[Hon. D. Compton in the chair]

S. MacEwen: Madam Speaker, as Chair of a Committee of the Whole House having under consideration a bill to be intituled *Employment Standards 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. Member from Charlottetown-Belvedere.

S. Dillon: Madam Speaker, I move, seconded by the hon. Member from Tyne Valley-Sherbrooke, that this House adjourn until Thursday, November 14th, at 1:00 p.m.

Speaker: Shall it carry? Carried.

Have a good evening.

[The Legislature adjourned until Thursday, November 14th, at 1:00 p.m.]