

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Colin LaVie

Hansard, Published by Order of the Legislature

First Session of the Sixty-sixth General Assembly

Tuesday, 30 June 2020

MATTERS OF PRIVILEGE AND RECOGNITION OF GUESTS	2799
SPEAKER'S RULING.....	2801
CHARLOTTETOWN-BELVEDERE	2801
STATEMENTS BY MEMBERS	2801
CORNWALL-MEADOWBANK (Mental Health)	2801
MORELL-DONAGH (Kings County Baseball League)	2802
CHARLOTTETOWN-WEST ROYALTY (Basic Personal Exemption)	2802
RESPONSES TO QUESTIONS TAKEN AS NOTICE	2803
FISHERIES AND COMMUNITIES (Inclusionary zoning bylaws)	2803
ORAL QUESTIONS.....	2803
LEADER OF THE OPPOSITION (Legislation for ombudsperson)	2803
LEADER OF THE OPPOSITION (Tabling of document for ombudsperson (further)).....	2803
LEADER OF THE OPPOSITION (Timeline for proclamation of whistleblower act (further)).....	2804
CHARLOTTETOWN-BELVEDERE (Support for Gifts From The Heart Inc.)	2805
CHARLOTTETOWN-VICTORIA PARK (Return to school and cohorting students)	2805
CHARLOTTETOWN-VICTORIA PARK (Commitment of no cut to school programs)	2806
CHARLOTTETOWN-VICTORIA PARK (Goals for minister in education)	2806
CHARLOTTETOWN-VICTORIA PARK (Commitment of no cut to school programs (further))	2807
TYNE VALLEY-SHERBROOKE (Improved care to mental health and addictions)	2807
TYNE VALLEY-SHERBROOKE (Reinstatement of Unit 9 to QEH)	2807
TYNE VALLEY-SHERBROOKE (Transitioning to daytime only model).....	2808
TYNE VALLEY-SHERBROOKE (Improvement of care to patients)	2808
TYNE VALLEY-SHERBROOKE (Implementing of harm reduction supports)	2809
LEADER OF THE THIRD PARTY (Challenges moving forward in Phase 4)	2809
LEADER OF THE THIRD PARTY (Enforcing of social distancing guidelines)	2809
O'LEARY-INVERNESS (Mandatory mask policy for PEI)	2810

O'LEARY-INVERNESS (Adequate supply of non-medical masks)	2811
CORNWALL-MEADOWBANK (Moving of mental health patients and resources).....	2811
CORNWALL-MEADOWBANK (Frontline staff and mental health)	2812
CORNWALL-MEADOWBANK (Resume of full service for addictions)	2812
MORELL-DONAGH (Reimbursement model for pharmacists)	2813
MORELL-DONAGH (Expanding scope of practice for pharmacists in PEI).....	2813
CHARLOTTETOWN-BELVEDERE (Extent of data breach to government)	2814
CHARLOTTETOWN-BELVEDERE (Follow-up support to individuals and businesses).....	2814
CHARLOTTETOWN-BELVEDERE (Tabling of report re: data breach)	2814
CHARLOTTETOWN-BELVEDERE (Cost of data breach)	2815
SUMMERSIDE-WILMOT (Update of pesticide sales data)	2815
SUMMERSIDE-WILMOT (Tabling of pesticide sales data up to 2018).....	2815
STATEMENTS BY MINISTERS	2816
ECONOMIC GROWTH, TOURISM AND CULTURE (Provincial Campgrounds)	2816
FISHERIES AND COMMUNITIES (Rural Jobs Initiative).....	2818
TABLING OF DOCUMENTS.....	2819
REPORTS BY COMMITTEES	2819
Health and Social Development (Motion No. 75: Referring Bill No. 37 to Committee).....	2819
ORDERS OF THE DAY (GOVERNMENT)	2819
ESTIMATES	2819
Justice and Public Safety	2820
Agriculture and Land	2835
MOTIONS OTHER THAN GOVERNMENT.....	2841
MOTION 86 – Creation of a special committee of the Legislative Assembly on Government Records	
Retention	2841
PREMIER	2841
CHARLOTTETOWN-VICTORIA PARK	2845
SUMMERSIDE-WILMOT	2846
HEALTH AND WELLNESS	2846
LEADER OF THE OPPOSITION.....	2847
SECOND READING AND COMMITTEE	2852
BILL 118 – Intimate Images Protection Act.....	2852
ORDERS OF THE DAY (GOVERNMENT) (continued)	2857
ESTIMATES	2857
Agriculture and Land	2857
ADJOURNED.....	2869

The Legislature sat at 2:00 p.m.

Matters of Privilege and Recognition of
Guests

Speaker: The hon. Premier.

Premier King: Thank you, Mr. Speaker.

Welcome back to my colleagues for another week. They roll on, Mr. Speaker, and welcome back to you, as well.

A few words I'd like to share today: I wanted to offer my sincerest congratulations to Roger Richard. In March, he was recognized for 50 years' service to the Summerside Lions Club. I enjoyed reading the story very much on Roger – that he served in every board position numerous times – some too many to count, including serving as president on at least three different occasions and would have raised hundreds of thousands of dollars over that time that has been shared throughout his community and the area of Summerside – so a wonderful life of service that continues – to Roger.

I also wanted to offer my congratulations to my friend Irish Mythen, who was – as indicated in this House last week – was nominated for a Juno for the Contemporary Roots Album of the Year. It was quite amazing to see her song, *Maria*, played last night in a tribute to all of the talented performers that our country has lost this year, so a great tribute to Irish. What I love best about Irish is that she uses her platform to share the messages of equality and fairness and all-around goodness and I congratulate her for the many accolades that she has had in the past and so many more to come.

A few weeks ago, I mentioned in the Legislature that Jeremy MacFadyen and the crew at Lobster On The Wharf had come up with a PEI seafood box and they've been sharing it across Canada and beyond. I would like to say that my words – there's been a great uptake since I mentioned that, but it has little to do with the audience watching the Legislature, but social media influencer Amber Mac has taken notice and Twitter world – the Twitter traffic has picked up considerably for Lobster On The

Wharf and that tweet was also endorsed by Arlene Dickinson of the Dragons' Den. So it's a lot of good public relations and a lot of orders for the crew at Lobster On The Wharf, so keep up the good work and what a great way to adapt during the difficulties of COVID.

In 2020, the Point Prim Lighthouse turns 175. It's the oldest lighthouse in PEI – a beautiful tourist draw. Celebrations were planned this year but postponed due to COVID, but I wanted to shout out to the lighthouse society: Vic Douse and John Krolkowski. I always think of the late Stewart MacRae, who was from Point Prim and was very proud of the work to restore the lighthouse for many years.

Finally, speaking of birthdays, tomorrow being Canada Day – the 153rd birthday of this great country, which as we know, was conceived here in Charlottetown in 1864 and though we have lots of flaws and challenges that we need to work on, we are fortunate to live in the most wonderful province and wonderful country in the world.

And just as a fun note – that when the founders landed here in 1864, the city and province was abuzz but it wasn't for politicians. It was a circus that was in town. Slaymaker and Nichols, which is the restaurant just up on Fitzroy Street that takes that name – there are many, many times over – since then that this – maybe – Legislature has been referred to as a circus. Certainly not since 13 months ago, but like all politicians, they took advantage of the crowd that was there to spread their message forward and I just wanted to say, on behalf of all Islanders, a happy Canada Day to each and every one here, and please remember to get out and celebrate and be thankful for the ability – the opportunity we have to live in such a wonderful country.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

I appreciate the Premier's words.

It's another beautiful day here on the Island. I believe it's the 15th June day in a row where the temperatures have been above 20 degrees and that's an all-time record here on the Island. So we've had some beautiful weather and I hope that continues throughout the whole summer, of course, for the people who will shortly be arriving here and for all of the people who – like, before I moved here to the province – use the campgrounds. That was my introduction to PEI and I know what a beautiful way of discovering the Island that can be.

I want to thank, this afternoon, the WI – Women's Institute across the province who do such great work, you know, whether it's maintaining the halls in their communities or looking after their neighbours or the roadside clean-up that happens every May. I mean, they were even involved in helping to coordinate some of the COVID programs earlier on this spring. They have a new project on the go and that's sewing masks – sewing no-medical masks, which was originally in response to the restrictions at long-term care facilities and the requirement to wear a mask, and now it's gone on to be a fundraiser for the QEH. So you can buy those masks at the WI office on Enman Avenue and all of the money goes to raising – to purchasing medical equipment at the QEH.

Thanks again for yet another example of community service from the Women's Institute.

Like the Premier, I'd like to wish everybody a happy Canada Day tomorrow. We do live in a blessed country and being Islanders and living in this blessed part of a blessed country, we shouldn't take that for granted. Tomorrow is a special day and I'm sure, although we will celebrate in a manner that is different from the typical way that we would all get together for Canada Day, I'm sure that celebrations will be no less heartfelt. Tomorrow is a big day.

Yesterday was also a big day because Alysha, who sits quietly in the corner of our room, had a birthday yesterday. Happy birthday to you, Alysha, belated.

Some Hon. Members: Hear, hear!

Leader of the Opposition: And thank you, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

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

Once again, it's always a pleasure to rise here and welcome everyone back. Big shout out to all the residents of Evangeline-Miscouche and to my mother-in-law who watches frequently in Summerside, Mary Morris.

I'd also like to wish my oldest son a belated happy birthday. Chris Gallant turned 37 yesterday.

With that, I wish to draw attention to some local awards that have recently been presented here on PEI. Chad, otherwise known as CJ, Studer of Miscouche received the PEI School Athletic Association Merit Award for his dedication as a physical education teacher, athletic director and multiple sport coach at Athena high school.

Also, as the Premier mentioned, Roger Richard of Summerside, who recently was presented with the Chevron Award for 50 years of service at the Summerside Lions Club. In his 50 years, as the Premier had mentioned, Roger held many, many positions. I think he held most of them in the club and was recognized twice as Lion of the Year. I wish to extend my sincere thank you to both of these individuals for their dedication to their communities and those who live within them. Keep up the great work, gentlemen.

Also, as was indicated, Canada Day tomorrow will be like no other Canada Day. There won't be much fireworks and I just want to wish all Islanders a very special Canada Day and all Canadians and we live in one of the most wonderful places in the world and one of the most wonderful provinces in the country.

Thank you, Mr. Speaker.

Speaker: The hon. Minister of Fisheries and Communities.

Mr. Fox: Thank you, Mr. Speaker.

Always great to rise and welcome everybody in Borden-Kinkora and wish them all the best, especially with Canada Day tomorrow.

I'd like to take the time; I'd especially like to welcome everyone in the seafood industry, especially those that helped out with the Not Humble promotional video.

Yesterday, my department was notified that this promotional video won the gold at Canadian Marketing Awards in editing category. This video was created to showcase our beautiful seafood industry and it did just that. There's a long list of names that are deserving recognition as the Canadian Marketing Awards website.

However, I would especially like to recognize the following: Michael Barker: Editor, Furrow marketing agency, Craig Harris: Executive Producer, Marla Morrison: Producer, Stephen Harris: Casting Director & Locations and Wardrobe, Ben Russell, Phil MacNevin and Josh Harris: Production Assistants, Jim Harris: Transportation, Bethany Harris: Makeup, Curtis MacNevin: Location Sound, Corin McFadden: Catering and especially the late Willy McFadden, the voice behind Not Humble.

I apologize to anyone that I have missed and would like to thank everyone involved in this project. You have done exactly what we wanted. You have beautifully showcased PEI seafood from the water to the plate and made us proud at the national level.

Thank you, Mr. Speaker.

Speaker's Ruling

Speaker: Honourable Members, on June 25th, the Honourable Member from Charlottetown-Belvedere rose on a point of order to indicate that the Minister of Fisheries and Communities referred to an in-camera committee proceeding during a speech on Motion 86.

As members are aware, matters discussed in camera are confidential and not to be shared beyond those present for the proceeding: Rul3 104(3) says the following:

"When a committee sits *in camera*, its proceedings are protected by privilege. Any publication of its proceedings, either in written or verbal form, is an offense with which the House may deal."

It is my understanding that the committee in question, in this case, was the Standing Committee on Health and Social Development, which had met earlier in the day on June 25th. Part of that meeting was held in camera. It is difficult for me to determine whether the matter discussed by the hon. Minister of Fisheries and Communities was specifically confidential in nature unless the matter is referred to the House by way of report from committee. See rule 83(3), and 87(4) and 87(5).

In closing, I caution hon. members to be mindful on the confidential nature of in camera proceedings and conduct themselves accordingly.

Thank you.

Statements by Members

Speaker: The hon. Member from Cornwall-Meadowbank.

Mental Health

Mr. MacDonald: Thank you, Mr. Speaker.

Thousands of Islanders and their families feel the effects of COVID-19 not through economic impacts. They don't feel the strains of public health restrictions and no reopening measures can put them at ease. These Islanders are those struggling with mental health and addictions during a global pandemic.

For months, many people have acted agreeably, doing what was asked of them for the betterment of all; putting the needs of many ahead of the few. As we see life slowly returning to some sort of normalcy, the curtains are being pulled back on the glaring shortfalls our mental health system faces under this government.

This government has done a lot of talking. Talk about supporting Island families, businesses and industries and, for the most part, their talk has been more words than deeds. Nowhere is this more concerning

than the field of mental health and addictions.

A new mental health hospital was promised to start in the spring of 2019 by this Conservative government. Instead, we got delays, excuses and back peddling. Now, with growing numbers of reports of increased mental health incidents due to altered lifestyles, we have yet to hear any clear direction.

Islanders seem willing to forgive this government for their lack of action but the question is: Can this government forgive themselves for failing to address the mental health crisis?

It's time this government made the hard choices. It's time this government did what is necessary to support those Islanders living with mental health and addiction.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Morell-Donagh.

Kings County Baseball League

Mr. MacEwen: Thank you, Mr. Speaker.

Today I'd like to rise and talk a little bit about something near and dear to my heart, the Kings County Baseball League. Since its founding, the KCBL has earned its reputation of being one of PEI's favourite sources of summer entertainment. It's the longest running league of its kind in PEI, and there's something to be said about the amount of people who routinely show up to watch a KCBL game on a hot summer's night.

When things started shutting down in response to the ongoing COVID-19 pandemic, a lot of people involved with the KCBL were worried about what the future might hold. After all, baseball is a sport near and dear to a lot of people in this province.

It's time to announce the KCBL's good news here. This Friday, the league will be starting an adjusted season of 12 games. This is half of their normal season and will be played with specially introduced COVID-19 safety protocols. Some of these protocols include; umpiring from being the pitcher for

social distancing reasons and limited spectator access to the baseball diamond.

KCBL president and my good friend from District 7, Lefty Dunn, has stated that: They just want to play ball. They just want to get out there and have some fun. I think Lefty has the right idea. It's important for us all to try and return to a sense of normalcy this summer but we need to make sure we do it safely and responsibly at the same time.

This season's opening will start Friday with the PEI Youth Selects taking on the Morell Chevies at Memorial Field, with doubleheader games starting at 6:30 p.m. and 8:30 p.m. Spectators will have the opportunity to watch at the field with a crowd of 50 people or less and people will be able to watch from their vehicles if the crowds surpasses 50.

I know Stratford might have narrowly beat Morell last year in the championship, but I think the title might be coming back east again this year.

With that being said, I'd like to wish all KCBL teams good luck in their competition and hope for a safe baseball season for all.

Thank you, Mr. Speaker.

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

Basic Personal Exemption

Mr. McNeilly: Thank you, Mr. Speaker.

As a politician, I'm given the rare opportunity to meet a wide range of individuals and over this past weekend, I met a very kind young person who is a new constituent of mine. While I won't use her or her son's name, I do have her permission to share some of her circumstantial information.

She is a 23-year-old mother of a little boy living in an apartment in District 14. She is doing her best to finish her bachelor's degree while raising her son and is fortunate to enjoy the support of loving caring family in the form of parents and an older sister. Throughout everything, this young woman continues to look forward with optimism and perseverance.

At the end of the day, even with the support of others, this constituent is struggling to make ends meet with barely enough in her pocket to scrape by from month to month.

COVID-19 has brought in economic challenges, but it hasn't stopped everything. It didn't stop the minister of transportation from soliciting paving projects over Facebook. It didn't stop this government from increasing the salaries and staff for people working in minister's offices. There was a solution and it would have helped Islanders like my constituent. The solution was deeper tax receipts.

This government's commitment to raising the basic personal exemption to \$12,000, instead they've taken the easy way out telling Islanders that COVID had made it just too hard to keep their commitments yet again this year. When they could have extended a helping hand to every Islander like my constituent, they simply chose not to.

I would call on this government to reconsider their broken promises to Islanders and fulfill the commitment they made of increasing the basic personal income tax to \$12,000 in their first year, further strengthening Islanders financial positions in the face of growing uncertainty ahead.

Thank you, Mr. Speaker.

Responses to Questions Taken as Notice

Speaker: The hon. Minister of Fisheries and Communities.

Mr. Fox: Thank you, Mr. Speaker.

Last week the Member from Charlottetown-Belvedere asked if any legislative or regulatory changes would be required for inclusionary zoning bylaws to be implemented in this province.

Inclusionary zoning is not currently enabled under the *Planning Act* or a subdivision or development regulations. So a change to legislation would be required to bring in this type of zoning. This type of development is best suited for municipalities that have the ability to provide central services. A significant amount of research and

consultation would be needed before this type of zoning could be implemented. This work would involve my department and also the department of lands to move it forward.

Thank you, Mr. Speaker.

Questions by Members

Speaker: The hon. Leader of the Opposition.

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

On June 3rd, I asked the Premier about his plans to establish an independent office of the ombudsperson and I was excited when he responded and I quote: We were looking at having this legislation, or amendment to the legislation, come forward, perhaps even as soon as this particular sitting as it lengthens out, hopefully within the spring.

Legislation for ombudsperson

To the Premier: Can we still expect the legislation this spring?

Speaker: The hon. Premier.

Premier King: Mr. Speaker, I'm not totally sure on that. There doesn't look to be any end in sight of the current session, so I suppose it would determine on how much longer it rolls out.

I know that senior staff in my department have been working at formulating what that would look like and it is certainly my intention to get it here as soon as it's ready.

Speaker: The hon. Leader of the Opposition.

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

The time in this House when I was asking these questions, the Premier also committed to table the documents that he has so far done on the work that needs to be done to create this office.

Tabling of document for ombudsperson (further)

To the Premier: When will you be tabling these documents?

Speaker: The hon. Premier.

Premier King: Mr. Speaker, to be totally honest, I'm surprised that I haven't, so my apologies to the Leader of the Opposition. I will undertake that quite quickly.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank, Mr. Speaker.

I'm a little concerned that the Premier may have underestimated the complexity of the work involved when he suggests that the legislation be ready this spring. Indeed, when he first answered on June 3rd, he didn't seem to know whether it required new legislation or an amendment to an existing act.

Again, to the Premier: Can you tell us exactly what has been done on this file and when you might expect to have, on Prince Edward Island, an independent ombudsperson.

Speaker: The hon. Premier.

Premier King: Mr. Speaker, as we have talked about numerous times in here, I think this is something that both the Leader of the Opposition and I share a desire to see. I think it's one more tool in the box for good oversight for governments.

We are currently looking at what is in place in Saskatchewan, for example, to try to marry the legislation that we put in place currently that exists and pertaining to other aspects – I'm trying to find a way to very delicately say that it maybe is a little more complex perhaps than I talked about, but the desire to put in place an ombudsperson here for the Province of PEI remains a priority.

Perhaps when I share some of the progress that we have made, that might alleviate and get some more input from the Leader of the Opposition and others in this Legislature to make sure it works as effectively as it needs to, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thanks, Mr. Speaker.

I appreciate that answer, Premier.

It's becoming apparent that little or perhaps – well, no, I shouldn't say no work – but little work seems to have been done and the Premier still cannot commit to a timeline for creating this office.

Timeline for proclamation of whistleblower act (further)

A question to the Premier: Do you think it's reasonable to tie the proclamation of the public sector whistleblower act to the appointment of an ombudsperson when you've done so little to demonstrate that that process is actually underway?

Speaker: The hon. Premier.

Premier King: Well, Mr. Speaker, I do think there is a connection between the two. Whether or not one needs to be held up for the other I would say is probably up for debate. And I suspect that's what we will do in here. I do think that, in a jurisdiction the size of ours, that there is an opportunity maybe to have some overlap from each one of those aspects to the overall component of it, and that is exactly what we've been looking at when we look at jurisdictions such as Saskatchewan.

So I do think there is some connection. Whether or not one has to be in place before the other, I think we can probably debate that.

But again, to the Leader of the Opposition, it is my intention to get something in place as quickly as possible.

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Thank you, Mr. Speaker.

Gifts From The Heart Inc. is a unique non-profit that collaborates with other non-profits and the community to fill the gaps for those Islanders most in need. It was only last fall that the free store opened its doors on Spring Lane with a one-year lease covered by the government. Gifts From The Heart has been one of the essential partners for this

government, providing services, including emergency food and supplies to Islanders during COVID-19.

The Gifts From The Heart term lease is up as of the 1st of July – tomorrow – and the organization is yet to have a signed commitment from this government to extend the support financially required to pay for the lease.

Support for Gifts From The Heart Inc.

Question to the Minister of Social Development and Housing: What is the hold up in providing the financial support needed to keep the doors open?

Speaker: The hon. Minister of Social Development and Housing.

Mr. Hudson: Thank you very much, Mr. Speaker, and thank the hon. member for the question.

Yes, our department is working with Gifts From The Heart to ensure that the doors are open. As the hon. member is aware, in the budget that my department – that was brought forward, there's substantial additional funding for NGOs. We will continue to work with Gifts From The Heart, but certainly, until the budget is actually passed, we cannot give or enter into a longer term agreement. But with that, until that time takes place that the budget is passed, we will ensure that sufficient funds are available to Gifts From The Heart so they can carry on with the great work that they do.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Thank you, Mr. Speaker.

I appreciate that commitment, minister. One of the challenges here is that has not been communicated in any way to the organization, and with the lease expiring tomorrow, you can imagine the uncertainty and anxiety that is bringing.

Minister, will you commit to extending that commitment you've just made in the House to the actual organization and provide them

with bridge funding effective as soon as possible so that they can ensure they stay in their space and then can be negotiated later?

Speaker: The hon. Minister of Social Development and Housing.

Mr. Hudson: Thank you very much, Mr. Speaker, and again, thank the member for that question – a very important one, for sure.

Absolutely. I will direct the department. If that has not already taken place at this point, it will certainly take place, Mr. Speaker.

Thank you.

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

Ms. Bernard: Thank you, Speaker.

It is the end of the month and I'm hoping to see some documents tabled today, or very soon, at least, outlining our plans for a return to school in September.

One of the ideas the minister has been floating around is the idea of cohorting students.

Return to school and cohorting students

Question to the minister of education: Can you please summarize for this House what you mean by cohorts?

Speaker: The hon. Minister of Education and Lifelong Learning.

Mr. Trivers: Thank you, Mr. Speaker.

And indeed, it is the last day of June and I'm pleased to say that the department and the education authority has been working on this very diligently. The plan will be tabled on – I'm going to table it on Thursday, if that's all right with the member from across.

When it comes to cohorts, they're groups that stay together and don't mix with other groups. The point of that is to allow for proper contact tracing in case of another outbreak of COVID-19.

Thank you, Mr. Speaker.

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

Ms. Bernard: Thank you, Mr. Speaker.

In order to have cohorts, there are a few crucial details to be worked out; that of busing, actual space in the schools and that of having enough teachers, EAs and other support people as needed to accommodate cohorting.

Question to the same minister: How are we going to accomplish this idea of cohorting, given these limitations?

Speaker: The hon. Minister of Education and Lifelong Learning.

Mr. Trivers: Thank you, Mr. Speaker.

It's a great question. That has been the core, really, of the work that's being done so far; working with the CPHO to figure out what the limitations are and then making sure we have that in place. Very simply, we feel we're going to be able to hire the additional staff we need, including teachers, and we feel that using multipurpose rooms and libraries within existing schools, we're going to have enough space to do it.

When it comes to school buses, our plan is to ask as many parents as possible who are comfortable doing it to take their children to school to decrease, reduce the number of students on the buses, so then the students that are on the buses can physically distance and we might have to entertain things like them wearing masks as well.

Thank you, Mr. Speaker.

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

Ms. Bernard: That sounds like a whole lot of unknowns.

In some jurisdictions, their plans involve cutting out physical education so that gymnasiums can become classrooms, libraries so libraries can become a classroom, art rooms so that art rooms can become classrooms, etc.

By now, we understand the crucial role that art, music, physical education, movement

and time outdoors play in the well-rounded education and health of our students.

Commitment of no cut to school programs

Question to the minister of education: Will you please commit to us here today that you will not be cutting physical education, movement, recess, art or music?

Speaker: The hon. Minister of Education and Lifelong Learning.

Mr. Trivers: Thank you, Mr. Speaker.

Indeed, those are very important parts of our curriculum and it will be a challenge and the department's working closely with the education authorities to probably have a modified version of those programs. I will commit to you here today that they will not be eliminated.

Thank you, Mr. Speaker.

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

Ms. Bernard: That answer is not reassuring to me whatsoever.

Some Hon. Members: Hear, hear!

Ms. Bernard: I will follow up with that.

Given the unique time we are in, we have an opportunity to make some systemic changes to our education system as well as to other systems.

Goals for minister in education

Question to the minister of education: Can you please share with us some of the goals you would like to see happen in education during your time as minister?

Speaker: The hon. Minister of Education and Lifelong Learning.

Mr. Trivers: Thank you, Mr. Speaker.

I do have a number of goals, including the ones listed in my mandate letter, which I won't go through but really, at the core, it's about allowing students to achieve their potential. If you wanted to be more specific,

I think one of the areas we want to look at is how we help special needs children and we focus on them and allow them to prepare for life after school-age.

I won't go on much longer but I could speak to this for hours if I need to.

Thank you, Mr. Speaker.

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

Ms. Bernard: Thank you, Mr. Speaker.

At the core, allowing students to achieve their full potential. I'd like to remind the minister that this part that I mentioned before: time outdoors, nature, movement, physical education, art; music is the most important aspect to that for every single child on this Island and in this world.

Commitment of no cut to school programs (further)

Will you commit right now to not cutting out any of those things that I just mentioned?

Speaker: The hon. Minister of Education and Lifelong Learning.

Mr. Trivers: Thank you, Mr. Speaker. I'll rise again here and I will commit again that we are not going to cut out those programs. We may have to modify them, just like we have to modify all of our schools to meet the CPHO guidelines, but I understand their importance and I believe in their importance. I believe in making sure we have the supports so that students can achieve their potential and that's exactly what we're going to do.

Thank you, Mr. Speaker.

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

Ms. Altass: Thank you, Mr. Speaker.

Earlier in this sitting, the Minister of Health and Wellness stated that our mental health and addictions care has actually improved since moving Unit 9 to Hillsborough Hospital and the transition unit to a high school.

Improved care to mental health and addictions

Question to the Minister of Health and Wellness: Can you tell us exactly how you determine that care has improved?

Speaker: The hon. Minister of Health and Wellness.

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

First and foremost, the way I explained it back then and I will explain it again today is, versus having our psychiatrists divided between two different facilities, by relocating Unit 9 to the Hillsborough Hospital, we had all of our psychiatrists tending to our patients in one facility which then enables greater access.

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

Ms. Altass: Thank you, Mr. Speaker.

Reinstatement of Unit 9 to QEH

To the same minister: If care has in fact improved as you say, will Unit 9 not be reinstated at the QEH.

Speaker: The hon. Minister of Health and Wellness.

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

At no time did I say that Unit 9 would not be reinstated, but as we do know moving forward with our mental health and addictions master plan with regards to the new campus, the intent will be to have a facility that can serve these individuals under one roof.

Thank you, Mr. Speaker.

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

Ms. Altass: Thank you, Mr. Speaker.

That is good to hear although we are a long way away from having that new campus actually be active and a place where we can actually care for patients.

A question to the Minister of Health and Wellness: In the meantime, what are your plans for Unit 9?

Speaker: The hon. Minister of Health and Wellness.

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

I'm sure every member in this House understands that we're still going through a pandemic, we're still being guided by CPHO regulations safety measures to ensure that all Islanders, especially vulnerable Islanders, are protected.

What we're doing, we're working very closely with our mental health professionals and our CPHO team to ensure that as we move forward and reinstate services that everyone is available to best serve Islanders.

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

Ms. Altass: Thank you, Mr. Speaker.

The transition unit moving to a daytime only model is a significant change that may be putting patients in a vulnerable position during a critical phase in their treatment.

Transitioning to daytime only model

A question to the Minister of Health and Wellness: How are you evaluating the effectiveness of this new limited approach? Can you share with the House the data that you are collecting?

Speaker: The hon. Minister of Health and Wellness.

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

No, I can't explicitly share confidential information with regards to clients, but what I can attest to, is that our health care professionals that are working in the field are working very closely with their clients.

Not only is the transitional program going forward very well, but we're essentially leaving no one behind. We're following up with all of our clients, whether it's by virtual care, telehealth or in-person appointments.

Also, when individuals require housing we are looking after those needs as well.

Thank you, Mr. Speaker.

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

Ms. Altass: Thank you, Mr. Speaker.

I just want to point out and this is actually something that I've spoken with the minister about before: Collecting data is not the same thing as sharing confidential information, it's de-identified –

Some Hon. Members: Hear, hear!

Ms. Altass: – and you have to collect data so that you know whether or not programs are working and if things need to change.

Improvement of care to patients

Question to the Minister of Health and Wellness: Have you asked any of the individuals receiving treatment, or the families of those in treatment, if they feel that their care has improved? If so, can you share some of those responses with us today?

Speaker: The hon. Minister of Health and Wellness.

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

I don't have any of that information here with me today, but I would be more than happy to reach out to the individuals that are working day in and day out with these individuals and certainly bring back any testimonials that they would have available to share. Confidentially of course, with no names attached.

Thank you.

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

Ms. Altass: Thank you, Mr. Speaker.

I look forward to hearing testimonials but I also again want to stress, it's also about identifying themes in the data you're collecting. One or two stories can tell part of

the story but you need to be able to collect that qualitative data and identify the themes that are showing through in the patient's experience. So I do hope that work is happening as well.

Increased anxiety, loss of access and other consequences of COVID-19 have been causing an increase in drug use across the country. It has also made it more difficult for individuals who are addicted to access supports and harm reduction options. We need to recognize this.

Implementing of harm reduction supports

A question to the Minister of Health and Wellness: What additional harm reduction supports have you, or will you be implementing, during this pandemic for individuals struggling with addiction.

Speaker: The hon. Minister of Health and Wellness.

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

We're working with an NGO right now locally to pilot, potentially, an overdose prevention line. We're also working very closely with the federal government. There is a program being launched right now in British Columbia called Lifeguard App. We're going to be looking at the results of that over the next couple of weeks to see if that's something that we can implement here on PEI as well.

We have not only our clinicians and our health care professionals working closely on the ground here on PEI; we're working very closely with other jurisdictions and with the federal government.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

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

As we all know, Prince Edward Island, along with New Brunswick, Nova Scotia and Newfoundland, will be allowing

interprovincial travel within the four Atlantic Provinces, free of self-isolation.

We realize that we cannot keep our borders closed forever. Opening our doors to neighbouring provinces will hopefully have a positive impact that the government intends. However, there are still questions that must be asked.

Challenges moving forward in Phase 4

Question to the Minister of Health and Wellness: We have now entered into Phase 4 of the Renew PEI plan. With this comes the easing of more restrictions. Islanders have done a great job following the social distancing guidelines. Are you concerned that this will become more of a challenge going forward, Mr. Minister?

Speaker: The hon. Minister of Health and Wellness.

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

I feel that we have the right people in place in the right positions. We had a briefing from Dr. Heather Morrison earlier today, which I know the opposition parties, as well, had. I hope you asked Dr. Heather Morrison some of those questions during that briefing. But you know, we do need to open up. We do need to trust people and that's the process for going forward, but we're extremely pleased with the results thus far of the actions that this government has taken, along with our partners and the people that are being repatriated or coming back to PEI.

Thank you very much, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

Mr. Gallant: Thank you, Mr. Speaker.

And I commend Dr. Morrison and your government for some of the actions you've taken thus far.

Enforcing of social distancing guidelines

Question to the same minister: The government is expecting a substantial influx of people in a very short period of time. How will you make sure the social

distancing guidelines will continue to be enforced?

Speaker: The hon. Minister of Health and Wellness.

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

It's a process that we've gone through for the last several weeks. It's a process that we'll be going through as our borders continue to open.

As I said before, it comes a time where we really need to start to trust people – stop the fearmongering out there that is taking place by some individuals here on PEI. I'm not saying everybody; I'm saying some individuals. But you know, these are – for most cases, these are our relatives. These are our neighbours. These are friends that are coming to visit Prince Edward Island to reunite with their relatives. So if we can't trust our own relatives, who can we trust?

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

Mr. Gallant: Thank you, Mr. Speaker.

To the same minister: How will you ensure that Islanders and visitors to our province alike are aware of the risks that come with not social distancing?

Speaker: The hon. Minister of Health and Wellness.

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

You can't just drive across the Confederation Bridge or fly in or come across the ferry. There is a process that you have to follow. I, myself, have a sister, brother-in-law, niece, and a great-grandson that's planning on coming this weekend. They reached out to me to find out what they needed to do. I said – I told them that basically, what you have to do – you have to fill out a self-declaration form. It's very clearly accessible on the PEI government website. There are protocols; there's processes in place. When you get across the bridge, when you get on the ferry, or when

you fly into Charlottetown, there's also a health check that you have to go through.

So there's lots of protocols in place. There's a lot of checks and balances. And then, if there's still people coming in from outside Atlantic Provinces, they are still required to self-quarantine or self-isolate for 14 days and we have those processes in place to ensure that they follow that process.

Thank you, Mr. Speaker.

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

Mr. Henderson: Thank you, Mr. Speaker.

On July 3rd, our province is opening up to the other Atlantic Canadians to come to PEI. We will be moving from 158,000 Islanders to the potential of about two million people who could have access to PEI. And as we all know, there are times when social distancing is almost impossible, and although our Liberal caucus supports the opening of PEI to Atlantic Canadians, we have seen in the US – numerous cities have implemented a mandatory mask policy. Today, the city of Toronto did this.

Mandatory mask policy for PEI

My question to the minister of health: In your opinion, as we commence with the Atlantic bubble, are you considering a mandatory mask policy for public places and gatherings where social distance will be difficult, and what criteria will it take to happen to implement such a policy?

Speaker: The hon. Minister of Health and Wellness.

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

I know that there were various municipalities in Ontario that were looking for this policy to be put in place. The provincial government at that time said no to a full policy province-wide.

What we need to do is we need to look at our clinicians and follow their advice; people like Dr. Heather Morrison, people like Dr. Greg German, to give us the advice; the sound, scientific advice to make these

decisions. Until those qualified individuals tell us that this is the action we should be taking, then we'll follow the direction that we're currently taking.

Thank you, Mr. Speaker.

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

Mr. Henderson: Well, one would think you'd at least know the protocols anyway, to see whether they'd trigger a reason to have masks but certainly, we have heard shortages of accessing personal protective equipment in many locations all across North America for that matter.

Adequate supply of non-medical masks

As the minister of health, in your view, does the province have an adequate supply of non-medical masks for the general public?

Speaker: The hon. Minister of Health and Wellness.

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

I don't have the exact information on the inventory as of today; I'd be more than happy to bring that back. But I feel very satisfied with the situation that we're currently in and the inventory of PPE that we currently have. We look daily at our burn rate, we look daily at what additional PPE is coming into the province from various sources and that's an ongoing process.

Right now, I'm very, very pleased with the current inventory that we have.

Thank you.

Speaker: The hon. Member from O'Leary-Inverness, your second supplementary.

Mr. Henderson: While it is appreciated that the minister has confidence that we will have access to enough of the personal protective equipment that all Islanders might require should such a policy ever be implemented but minister, how many masks should a person have at home or at work and what is an appropriate supply for an individual who wants to be prepared? Where

does the general public actually access these masks?

Speaker: The hon. Minister of Health and Wellness.

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

There's certainly lots of avenues to access masks; different levels of masks, as well, whether an individual is looking for an N95 which typically, the average Islander would not need. Typically, it would be a surgical mask. There are pharmacies that have them, there's online sources that have them available as well. To say categorically how many masks an individual should have, every individual is different. Every individual has different activities that they partake in.

At the end of the day, right now, it's up to the individual's choice whether they want to wear a mask as well. I frequent grocery stores, similar to other members here in the House and you see people wearing masks out in public. I applaud them for taking that measure but right now, here on PEI, it's not mandatory.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Cornwall-Meadowbank.

Mr. MacDonald: Thank you, Mr. Speaker.

I'm going to follow suit with the member from the opposition in regards to mental health. I was going to change my questions but I think I'll stick to them.

We've heard from her that there are units being moved from Unit 9 to Unit 8 in the Hillsborough Hospital; adolescents are being moved to the Prince County Hospital, patients are being moved to transition at addictions.

Moving of mental health patients and resources

I'd like to know how moving patients and resources provide consistency in the treatment of mental health at, perhaps, the most fragile time for these patients, during a pandemic.

Speaker: The hon. Minister of Health and Wellness.

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

As I've said repeatedly here in the House, when we're pairing up our clients with services with regards to mental health, particularly around psychiatry, it only makes sense to make sure that they have readily accessed availability to those clinicians.

Obviously, through a pandemic such as we've come through and we're still living in on a daily basis, we need to ensure that not only these clients are being served properly, but we also need to ensure that our frontline health care professionals are being looked after as well.

Thank you very much, Mr. Speaker.

Speaker: The hon. Member from Cornwall-Meadowbank, your first supplementary.

Mr. MacDonald: Thank you, Mr. Speaker.

Frontline staff and mental health

I'm glad you mentioned frontline workers because that's part of my next question. Several doctors and staff have concerns. Several staff have been told to start looking for other positions and some will be demoted. Is this what your government sees as progressive and is this the best for Island patients? Will you finally reach out to frontline staff in confidence and find out what is really happening in mental health?

Speaker: The hon. Minister of Health and Wellness.

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

I don't know where the hon. member is coming from. On a daily basis, I'm talking to frontline health care workers. I applaud the tremendous work they're doing. We, as a government, are investing more and more into health care, particularly around mental health and addictions on the frontlines. You only have to look at our capital plan moving forward for the mental health campus and the rural services that we're going to have as well.

If the hon. member has anything specific or an individual that feels that I should be speaking to, I'd be more than happy to have a sidebar and find out that information and I'll follow up.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Cornwall-Meadowbank, your second supplementary.

Mr. MacDonald: So Mr. Speaker, obviously, this minister believes that busing these patients from place to place for perhaps, X-rays or brain scans or whatever, is just a normal thing.

Resume of full service for addictions

Well, in one nurse's opinion as of yesterday, she says: we are going backwards, Heath. Since the '80s, we have worked hard to have mental illness accepted as a physical illness and to lessen the stigma. When will addiction services resume to full service?

Speaker: The hon. Minister of Health and Wellness.

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

Again, to the hon. member, there are lots of programs in place right now. If a client requires addiction services, nobody is being turned away. We still have intake at our detox facilities. We still have supports through our – sorry, I'm lost for the word, but – counsellors. We have probably some of the best people working in the health care system around mental health and addictions here on PEI that we've had for years. We're increasing the complement of psychiatry.

There's nobody being demoted. There's nobody losing their job. We're expanding services here on PEI and I'm proud of the work they're doing.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Morell-Donagh.

Mr. MacDonald: I'll hold you to that one.

Mr. MacEwen: Thank you, Mr. Speaker.

When government initiated its pandemic response, many health care professionals faced unprecedented challenges. Pharmacists were definitely one of these groups.

Many physicians stopped seeing patients in offices and clinics. Islanders looking for assessment for prescriptions or refills were referred to pharmacies for this service by physicians, clinics, and even the CPHO. Pharmacists were also providing treatment for non-emergency conditions and spending a great deal of their time assisting those who were self-assessing symptoms of COVID or had questions.

Reimbursement model for pharmacists

Question for the minister of health: Other provinces had a reimbursement model for these types of services. Did this government consider reimbursing pharmacies for those types of services here in PEI?

Speaker: The hon. Minister of Health and Wellness.

Mr. Aylward: Mr. Speaker, thanks very much.

First and foremost, pharmacists on PEI have very favourable comparability to other jurisdictions across Canada with regards to their scope of practice.

In early April 2020, in fact, we did go with a measure to ensure that Islanders could access their medication renewals and we provided that through an extended scope for pharmacists. In April 2020, Health Canada provided a temporary exemption to allow pharmacists to prescribe controlled drugs and substances and we put that forward as well.

We're working very, very closely with the College of Pharmacists here on PEI. We're looking at an expanded scope of practice. We have some of the regulations already written. We're not only looking at for pharmacists, we're looking at it for other medical professionals as well.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Morell-Donagh, your first supplementary.

Mr. MacEwen: Thank you, Mr. Speaker, and thank you to the minister for that answer.

We are now one year into governing. Expanded scope of practice, as you know, was a commitment of this government during the election.

Expanding scope of practice for pharmacists in PEI

When will the pharmacies in PEI be able to assess and prescribe for uncomplicated urinary tract infections and contraception needs here in PEI?

Speaker: The hon. Minister of Health and Wellness.

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

So as I just alluded to, we have some of those regulations already written. We have to go through a consultative process with the other medical professionals, but our goal right now is to have those in place by late summer – early September at the very latest.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Morell-Donagh, your second supplementary.

Mr. MacEwen: Thank you, Mr. Speaker.

I think PEI needs to be a leader in this capacity and build further capacity within our health care system by going even further with our scope of practice. Pharmacies, especially in small communities, for example, like in Morell, are such a valuable frontline service and it was never more evident than coming through this pandemic, when they were open when many other services were closed.

There's value to the services being provided and we should reevaluate our reimbursement models here in PEI.

A question to the minister of health: Will you look even further into scope of practice for pharmacists in PEI and go beyond other

provinces so that we can have the most progressive policies anywhere, so we can use it for recruitment and retention and we can also keep our small rural communities thriving, Mr. Speaker?

Speaker: The hon. Minister of Health and Wellness.

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

Yes, it's something I'm agreeable to looking at but in addition to that, we already have some of our scopes of practice for Island pharmacists that are far, far ahead of other jurisdictions here in Canada.

As I said earlier, we're working extremely closely with the PEI College of Pharmacists to ensure that whatever we do, we're doing right. We don't want to put something forward that's not going to be agreeable, that's not going to work but we also have to consult with the other clinicians, the other health care providers to ensure that we're all working together for the betterment of the health care system, but especially for Islanders.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Thank you, Mr. Speaker.

In February of this year, which feels like a very long time ago, a significant data breach occurred to our government servers. Confidential, financial and personal information was stolen, the extent to which has not been made public to date.

Extent of data breach to government

A question to the Minister of Finance: Can you tell us what the extent of the data breach was and how the breach occurred?

Speaker: The hon. Minister of Finance.

Ms. Compton: Thank you, Mr. Speaker and I thank the hon. member for the question.

Yes, it was the first virus that we had and it seems like a long time ago. It's something that my department is working on daily and

still is and I can assure the hon. member that it was taken very seriously and the staff there worked 24/7 to rectify the problems. Thank you.

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Thank you, minister.

I was part of the briefing table for the data breach and I know that there were a number of affected individuals and businesses that were being contacted throughout the course of the data breach.

Follow-up support to individuals and businesses

Minister, can you advise the House how those affected individuals and businesses across the province were contacted and what follow-up support has been provided?

Speaker: The hon. Minister of Finance.

Ms. Compton: Thank you, Mr. Speaker and thank you for the question.

Each of the members of the public that had a breach were notified. I'm not sure if it was all by email or some were by phone. I know some personally that were by phone. They were told what had happened. My understanding is there was no breach of bank accounts or anything like that and my staff at ITSS also had told and ensured everyone that, if they had any questions or any other concerns or any further problems, to reach out to them.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Thank you, Mr. Speaker.

I understand the privacy of the information but, at this point, we'd hope that there would be at least an interim report or some way that could be shared with the public as to the scope of the data breach.

Tabling of report re: data breach

Minister, would you be able to table any interim report that gives some context to this data breach for the House?

Speaker: The hon. Minister of Finance.

Ms. Compton: Thank you, Mr. Speaker.

This was a criminal action. It went to RCMP. I know that any of the people that were affected were also offered a free credit monitoring for two years and I'll be quite happy to bring back any updates that I have through ITSS.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Thank you.

At the time of the breach, external expertise was brought in to advise the government on how to deal with the breach and also how to strengthen government's IT security.

Cost of data breach

Question to the same minister: Can you share with the House the total cost of the data breach, including staff overtime, external expertise contracts and remediation expenses?

Speaker: The hon. Minister of Finance.

Ms. Compton: Thank you, Mr. Speaker.

Hon. member, I do not have that in front of me but I'd be more than happy to bring it back. I know it's still ongoing as far as you're never done with this. We are striving to ensure that everything remains safe and the staff at ITSS is working diligently to ensure that Islanders are protected.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Summerside-Wilmot.

Ms. Lund: Thank you, Mr. Speaker.

I've had a number of people inquire about the pesticide sales data for PEI but the most recent information I can find released publicly was for the 2014 calendar year.

Update of pesticide sales data

Question to the minister of environment: Why has the pesticide sales data not been updated in five years?

Speaker: The hon. Minister of Environment, Water and Climate Change.

Ms. Jameson: Thank you, Mr. Speaker and thank you, hon. member for an extremely important question.

I was made aware of the data whenever I started into this role and certainly it posed some tremendous concerns for me and I've instructed my staff that this is a priority for them. The data that is collected under the *Pesticides Control Act* is released in two-year blocks at this time; 2015 and 2016, they're in the final stages of analysis and we expect to be releasing those figures very shortly.

Again, this is a priority for myself and my staff and we are very much committed to this.

Thanks very much for the question.

Speaker: The hon. Member from Summerside-Wilmot.

Ms. Lund: Thank you, Mr. Speaker.

I was made aware of this in January when we FOIPPed it and I found out that there was actually no dedicated staff person in your department who was responsible for this. I've heard you say on a number of occasions, minister, that things are priorities to you and I want to know –

Tabling of pesticide sales data up to 2018

A question to the minister: If this is a priority to you, will you commit to tabling the information from 2015 to 2018 during this sitting?

Speaker: The hon. Minister of Environment, Water and Climate Change.

Ms. Jameson: Certainly, Mr. Speaker and thank you hon. member for the question.

Honestly, as the hon. member knows, I'm new to this role effectively in February, so

that FOIPP request that certainly would have occurred prior to my appointment. I can't speak to the previous administration in terms of their priority –

Some Hon. Members: (Indistinct)

Ms. Jameson: – but I can assure the hon. member across that this is a priority for our government and certainly I'm looking forward to releasing that data. In terms of the timelines, whether it will be ready this session – again, this is a priority for my staff. I can table emails whereby I've instructed them –

An Hon. Member: Well do it.

Ms. Jameson: – to make that this is a priority and that will be done sooner rather than later.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Summerside-Wilmot, your final question.

Ms. Lund: Thank you, Mr. Speaker.

I am very surprised to hear reference that you're not certain if the former administration was focused on this information, the previous minister was, of course, a member of your own administration as I'm sure you will recall.

Some Hon. Members: (Indistinct)

Ms. Lund: My question to the minister: I can see no benefit to releasing this data in two-year blocks that results in a two-year time lag; the public has a right to know. Will you release this information, not from two years ago, but up until the most recent data which should be 2018?

Speaker: The hon. Minister of Environment, Water and Climate Change.

Ms. Jameson: Certainly.

Again, it takes a long time. I commend the Minister of Education and Lifelong Learning for all the work that he did within the environment file.

Some Hon. Members: Hear, hear!

Ms. Jameson: I'm recognizing that it's certainly not as easy as it looks and there's a lot of factors at play.

In terms of tabling this data, I am really excited to table this data. This is again a priority for me. I've instructed my staff to do so, so as soon as it's ready I will personally write an email to the hon. member across and make sure that she's well aware.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: End of Question Period.

Statements by Ministers

Speaker: The hon. Minister of Economic Growth, Tourism and Culture.

Provincial Campgrounds

Mr. MacKay: Mr. Speaker, on May 7th we announced that our provincial park campgrounds would be open on June 26th for Islanders who booked their seasonal campsite only. At that time, our hope was to drive campers to private campgrounds because, frankly, they're the ones who need business the most.

Some Hon. Members: Hear, hear!

Mr. MacKay: At the time, the opportunity for an Atlantic bubble was an unknown and we were simply trying to encourage more business for our tourism industry and private campgrounds. What we didn't consider was the other impacts that decision would have.

Over the past few weeks, I've received many phone calls and emails from campers who are disappointed that they can't camp at their favourite provincial campground. I certainly don't want anyone to feel this way.

With that, I am pleased to announce that all eight provincial campgrounds will reopen for all campers on Wednesday, July 8th.

Some Hon. Members: Hear, hear!

Mr. MacKay: Campsites will be open for booking Friday, July 3rd on our Tourism PEI website with a two-night stay minimum.

All eight provincial park campgrounds will be open to 50% capacity to allow for social distancing.

I hope everyone enjoys the summer at their favourite campground and don't forget to support a private campground and local retailers if you can.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Brighton.

Mr. Hammarlund: Thank you, Mr. Speaker.

It's really good to hear that all kinds of campgrounds are going to be open so that we can accommodate the hopefully hundreds of thousands of bubble visitors at the campgrounds. It's a great way of getting into PEI.

As a matter of fact, 44 years ago, my very first time on PEI, I camped at Brudenell and it was a great facility. So great in fact that I think every other back-to-the-lander came to the campground to get a good shower so that was my last question. I've heard around in various parks, national especially, but also others, that they're making them somehow safer by keeping the bathrooms locked. I do hope you keep them open at the campgrounds so the public have access to bathrooms.

Thank you.

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

Mr. Henderson: Thank you, Mr. Speaker.

I certainly would like to rise today to congratulate the small businesses, actually, in my riding, especially, that's a great announcement, minister.

Some Hon. Members: Hear, hear!

Mr. Henderson: The West Point Lighthouse, the West Point craft shop, The Catch restaurant, O'Leary Co-Op and all of

the small businesses that I represent will certainly be appreciative of the announcement and I'm sure all communities across PEI, all the small businesses that are getting economic activity based on the fact that the provincial campgrounds are near them.

I certainly commend the minister, I truly appreciate the announcement in reversing this decision and doing what makes sense and listening to, I'll say, the former minister who brought this up the other day.

Last week, I certainly implored this government to do what was right and support these rural regions. While I am happy to see them change their mind on this particular decision, it is still 50% capacity, it's not quite what I would hope, but I also understand some of the challenges of social distancing. Some parks it may be a little more challenging to do that, but yet, private campgrounds can do it, so I find that a bit odd. It continues to concern me that it took some announcements of unfavourable comments, maybe on social media to make this happen.

However, a good announcement is still a good announcement and I would say that Islanders do deserve the clarity and rural businesses need the support more now than ever. This gives businesses, certainly, like the business of O'Leary-Inverness and others who rely heavily on tourism, at least a fighting chance.

Hopefully this government has gotten the message and from here on out, we can expect nothing but clear direction and consistent messaging and there seems to be a very consistent trend on closing services one day and then opening them up the next. We've certainly seen that: our liquor stores, Access PEI and now in the campgrounds.

This is a great announcement and if the minister can get up and actually work on the Wi-Fi problems that we're having up in the campgrounds in the western region, I'd certainly appreciate this.

Certainly, on behalf of my caucus and myself, I appreciate the common sense decision that this minister has made.

Thank you, Mr. Speaker.

Speaker: The hon. Minister of Fisheries and Communities.

Rural Jobs Initiative

Mr. Fox: Thank you, Mr. Speaker.

As part of this government's mandate to support our rural communities, today I am pleased to announce that the Employment Development Agency will provide funding for an additional 200 employment positions for businesses in rural PEI, through the Rural Jobs Initiative.

The Rural Jobs Initiative supports small business owners in all of our rural areas to recruit, hire and train staff. The purpose of the initiative is to support innovation in rural communities across this province.

In a typical year, the Rural Jobs Initiative provides funding for 100 job opportunities to rural workers across PEI. As we all know, this is not a typical year. That is why my department approved the increase of funding for 200 additional rural jobs. That means a total of 300 jobs have been made available to Islanders in our rural communities with funding supports from the Rural Jobs Initiative.

Some Hon. Members: Hear, hear!

Mr. Fox: This funding will directly assist small businesses in our rural areas that need help. For this year, the Rural Jobs Initiative has approved and provided funding to support over 90 jobs in retail, farming, fishing and trade industries across the province, from Tyne Valley to Eastern Kings. That means there are still more than 200 employment opportunities available for rural businesses and Islanders to tap into.

I encourage all rural businesses in the non-profit and private sector interested in accessing funding for positions to please visit the Department of Fisheries and Communities' website and follow the link to Rural Jobs Initiative page.

I want to thank the division of rural development, the Employment Development Agency and the people in our rural communities in PEI for their continued hard work.

Thank you, Mr. Speaker.

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

Ms. Altass: Thank you, Mr. Speaker.

I'm more than happy to respond to the minister's statement on the Rural Jobs Initiative and this is, indeed, very good news. As an MLA proudly representing a district covering a large rural area, I know just how important the program is to the economic development and resilience of rural PEI.

Simply put, jobs are the lifeblood of our rural communities. People who work in these areas more often than not stay in these areas, start families, join communities, participate in local government, contribute to the local economy and take part in the rural experience that forms a foundation of our Island's culture and economy.

However, while Islanders expect their government to implement programs that support community, so too do they expect these programs to be implemented with fairness, equity and transparency. Too often job-creating programs in our province have, in the past, been seen by government less as a way to stimulate rural growth and more as a way to curate political favour at the local level.

Fortunately, things have markedly improved in this front over the last decade. Programs like the Jobs for Youth Program are now administered in a way that is transparent and fair and absent of political influence. I congratulate this government on taking these steps.

I look forward to the necessary steps being taken to similarly modernize the RJI program to ensure it will be fair for all and detach from the possibility of political influence. I fully expect these changes will be implemented by spring 2021.

We must also recognize that, despite the importance of programs like the Rural Jobs Initiative, strengthening our rural communities is about more than just jobs. It's about infrastructure, health care services, reliable public transportation, quality education and so much more. When

it comes to rural growth, let's not miss the forest for the trees, our communities deserve that much.

Thank you, Mr. Speaker.

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

Mr. Perry: Thank you, Mr. Speaker.

Our rural communities have been hit hard over the past several months. Job losses, shuttered businesses, reduced incomes and increased layoffs have all impacted Islanders in every corner of this province. At a time when Islanders need it most, the Rural Jobs Initiative can play a vital role in sustaining our small communities, increasing employment opportunities and bolstering business bottom lines and supporting our Islanders in desperate need of employment.

It will be a challenging summer for many, especially across our rural communities. We need to do everything we can to help those who work and live in rural communities and support small businesses with the Rural Jobs Initiative. The Rural Jobs Initiative is a good program and, as an MLA from a rural community, I'm happy to see the expansion of this initiative and I'm hoping it was just a mistake when the minister mentioned Tyne Valley east, to the 45 minutes west of Tyne Valley that is called rural PEI. I look forward to many of those additional funded jobs coming to the West Prince area.

Thank you.

Speaker: Okay, hon. members, at this time, we'll take our short 15 minute recess.

[recess]

Presenting and Receiving Petitions

Tabling of Documents

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

Ms. Altass: Thank you, Mr. Speaker.

By leave of the House, I beg leave to table a written question to the hon. Minister of Health and Wellness and I move, seconded by the Honourable Member from

Summerside-South Drive, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Reports by Committees

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

Mr. McNeilly: Thank you, Mr. Speaker.

As Chair of the Standing Committee on Health and Social Development, I beg leave to introduce the report of the said committee entitled Motion No. 75: Referring Bill No. 37 to Committee.

For further clarity, the committee is reporting on its consideration of Bill No. 37, *An Act to Amend the Emergency Measures Act*, which was referred to the committee by the House on June 16th, 2020 and included a clause that required the committee to report to the House within 14 calendar days of passing the motion. I am pleased to report that the committee has met its deadline.

I move, seconded by the hon. Member from Charlottetown-Winsloe, that the report be now received and do lie on the Table.

Pursuant to Rule 110(5) of the *Rules of the Legislative Assembly*, I'll be moving the motion for adoption of the report on Thursday, July 2nd, 2020.

Speaker: Shall it carry? Carried.

Introduction of Government Bills

Government Motions

Orders of the Day (Government)

Speaker: The hon. Minister of Finance.

Ms. Compton: Mr. Speaker, I move, seconded by the hon. Minister of Health and Wellness, that the 1st order of the day be now read.

Clerk: Order No. 1, Consideration of the Estimates, in Committee.

Speaker: The hon. Minister of Finance.

Ms. Compton: Thank you, Mr. Speaker.

I move, seconded by the Honourable Minister of Health and Wellness, that this House do now resolve itself into a Committee of the Whole House to take into consideration the grant of supply to Her Majesty.

Speaker: Shall it carry? Carried.

The hon. Member from Tignish-Palmer Road to chair the Committee of the Whole House please.

Chair (Perry): The House is now in a Committee of the Whole House to further consider the grant of supply to Her Majesty.

A request has been made to bring a stranger onto the floor.

Shall it be granted?

Some Hon. Members: Granted.

Chair: Hon. members, we are on page 116, the Department of Justice and Public Safety, page 116.

We read the provincial coroner services section and are still discussing it.

Will you please state your name and title for Hansard, please?

Michele Koughan: Michele Koughan, Director of Finance and Corporate Services.

Chair: Thank you very much.

The floor is now open for discussion.

Shall this section carry? Carried.

Total Public Safety and Policing:
25,273,000.

Shall it carry? Carried.

Legal Aid

Legal Aid

“Appropriations provided for criminal and family legal services to eligible persons.”
Administration: 40,400. Equipment: 1,500.
Materials, Supplies and Services: 8,400.

Professional Services: 308,500. Salaries:
1,536,000. Travel and Training: 15,200.

Total Legal Aid: 1,910,000.

The hon. Member from Summerside-South Drive.

Mr. Howard: Thank you, Chair.

There's a fairly significant drop in salaries, about \$100,000 there, is any positions lost as a result?

Mr. Thompson: There was three current vacancies last year and I believe we've –

Michele Koughan: We filled those vacancies, but they will be coming in at a lower step, so we will have some savings in our salaries.

Mr. Howard: Have you considered expanding the eligibility for legal aid?

Mr. Thompson: We haven't had that discussion, no.

Mr. Howard: How much of the overall legal aid budget is covered by federal transfers and how much is funded provincially?

Michele Koughan: We will be receiving \$471,000 this year, which covers adult and youth criminal. Family law is covered by the province.

Mr. Howard: We hear repeatedly from distraught families who need help dealing with matters of child custody and can't get family legal aid. Can you let us know what proportion of your legal services budget goes to family versus criminal cases?

Michele Koughan: We can bring that back.

Mr. Howard: What's the scope of practice for legal aid lawyers? Is it just advice or do they appear in court as well?

Mr. Thompson: They appear in court, yes.

Chair: The hon. Member from Summerside-South Drive.

Mr. Howard: Thank you, Chair, that's fine.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

When you say that you're hiring three lawyers but at a step down, can you elaborate on that?

Michele Koughan: Sure, under the collective agreement, we have various levels and under those levels, we have six steps. When you come into the public service, you start at a specific step and work your way up every year until you reach the maximum step.

Ms. Beaton: Last year, what step did you anticipate that you would be hiring at?

Michele Koughan: We always budget at step six.

Ms. Beaton: What step did you hire at?

Michele Koughan: I would have to get that information. I don't have that in my notes.

Ms. Beaton: Is there any difference in the steps of the services that a legal aid lawyer can provide?

Michele Koughan: No, it's more on the experience level.

Ms. Beaton: That's great.

Thanks, Chair.

Chair: The hon. Leader of the Opposition.

Leader of the Opposition: Thanks, Chair.

A couple of questions as how funding for legal aid dovetails with the Children's Lawyer and the soon-to-be-established Office of the Child and Youth Advocate.

I'm wondering whether, as those services – well, child lawyer, of course, has been in place for some time now but when the Child and Youth Advocate Office is up and running, are you anticipating a certain amount of work that may be done through legal aid will be done through that office instead?

Mr. Thompson: It's quite possible, yes, that some of the cases will be through the child advocate office but it is separate. They will handle their own cases.

Leader of the Opposition: Thanks and of course, we're sitting here analyzing the budget at the moment and it's the first year for the Child and Youth Advocate Office so there was a lot of discussion around what an appropriate amount was for that office.

If it can be demonstrated that there is a corresponding decrease, for example, in legal aid being provided for family custody situations, for example, how do you go about talking with another department, in this case, Social Development and Housing, in terms of providing adequate funding for the Child and Youth Advocate Office if they find that they're swamped with business, if you like?

Mr. Thompson: Once it's established and up and running, it'll be evaluated. It will be similar to the Human Rights Commission where, if they have shortfalls, then we try to help them out as best we can. I assume we'll make that assessment after a year of the child advocate office for sure.

Leader of the Opposition: And in terms of the child lawyer and again, I understand this is not in your department, minister, but are you aware of what sort of a backlog she has in terms of her work?

Mr. Thompson: The child lawyer is –

Leader of the Opposition: Oh, it is. I'm sorry, excuse me.

Mr. Thompson: Yeah and we have two now. We just recently hired the second. There was a considerable amount of backlog so the child lawyer, we have two now, which is helping the backlog and there's still some outside counsel that has to help with that, just maybe more on conflict of interest because they might have represented in the past, our new child lawyer. They are catching up and doing a wonderful job. I want to give a big shout-out to the child lawyer and the hard work she's done and the new child lawyer.

Leader of the Opposition: Indeed, Catherine Chaisson's fantastic.

Mr. Thompson: She is.

Leader of the Opposition: She's done wonderful work.

How bad was the backlog before you decided to hire a second lawyer?

Mr. Thompson: It was more the travel. She covered the whole Island so, of course, just traveling all over the Island to do her work was time consuming. With the second lawyer, I think he helped the backlog and now they're caught up and there is no backlog at the time.

Leader of the Opposition: Are they, minister, dividing that up geographically then, or is it as the cases come in?

Mr. Thompson: It's as the cases come in.

Chair: The hon. Leader of the Opposition.

Leader of the Opposition: I'm fine.

Thank you, Chair.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

I'm just going to jump off this a little bit, especially around geographical spread for legal aid lawyers.

Prior to hiring the three, how many legal aid lawyers were there?

Michele Koughan: These were filling of three positions, actually, so they were existing positions that were vacant. We filled those three vacant positions, just to clarify that.

Ms. Beaton: I'm assuming by filling them, it reduced the workload of the ones that were already there.

Mr. Thompson: I think we have nine.

Ms. Beaton: There's nine?

You just mentioned traveling for the child lawyer. Do we have good coverage across the province for legal aid?

Mr. Thompson: We have an office in Summerside and an office in Charlottetown.

Ms. Beaton: Is there any in the east?

Mr. Thompson: No.

Ms. Beaton: When did you hire the three?

Michele Koughan: They were staggered throughout the year, so we had some legal aid lawyers who took other positions within government. It was a bit of a domino effect and there was a staggering and I can't say for sure, but it was very recently that we hired the third, towards the end of February, I think, somewhere around there.

Ms. Beaton: Was there a workload issue prior to that for the existing lawyers that were there?

Mr. Thompson: Yes, there was.

Ms. Beaton: How long did it take you to fill those positions? I believe they were vacant for a while. Is that accurate?

Mr. Thompson: I don't know the exact timeline but longer than we would have liked, yes.

Ms. Beaton: Sorry to harp on this. Why did it take so long to fill those positions?

Michele Koughan: It's just a recruiting process that they have to go through. We do rely on external legal when we do have to get professional services to represent legal aid clients when we don't have the capacity in-house.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: I think I'm good, Chair.

Thank you.

Chair: Shall this section carry? Carried.

Total Legal aid: 1,910,000.

Shall it carry? Carried.

Crown Attorneys

Crown Attorneys

“Appropriations provided for the Crown Attorneys office to represent the Attorney General in all aspects of prosecutorial function.” Administration: 34,600. Equipment: 700. Materials, Supplies and Services: 25,800. Professional Services: 21,000. Salaries: 1,421,400. Travel and Training: 18,500.

Total Crown Attorneys: 1,522,000.

Shall this section carry? Carried.

The hon. Member from Charlottetown-Victoria Park.

Ms. Bernard: Under equipment, there’s quite a drop. I’m just wondering what happened there.

Michele Koughan: The budget maintain was 700 last year and it’s 700 again, but there was a purchase. Is that what you’re talking about? The increase in the forecast?

Ms. Bernard: Yeah.

Michele Koughan: There was office and computer equipment and software purchased in 2019-2020 that wasn’t budgeted for.

Ms. Bernard: I’m just also wondering if you can provide us with an update on what’s happening with the hiring of a prosecutor who specializes in sexual assault cases.

Mr. Thompson: We have a new sexual assault specialist and I don’t know, do we say her name? Lisa Goulden.

Ms. Bernard: How long was this job left unfilled?

Mr. Thompson: I think there was a retirement and then somebody temporarily was acting in that position. It was never vacant; it’s fully staffed now with Lisa.

Chair: The hon. Member from Charlottetown-Victoria Park.

Ms. Bernard: Thank you, Chair.

Chair: Shall this section carry? Carried.

Total Crown Attorneys: 1,522,000. Shall it carry? Carried.

Community and Correctional Services

Division Management

“Appropriations provided for the Division’s administrative functions.” Administration: 25,500. Equipment: 7,500. Materials, Supplies and Services: 5,800. Professional Services: 5,000. Salaries: 1,053,400. Travel and Training: 60,800.

Total Division Management: 1,158,000.

Shall this section carry? Carried.

Adult Correctional Centres

“Appropriations provided for the operation of the Province Correctional Centre and the Prince County Correctional Centre.” Administration: 50,400. Equipment: 60,200. Materials, Supplies and Services: 776,600. Professional Services: 150,400. Salaries: 8,390,500. Travel and Training: 71,700.

Total Adult Correctional Centres: 9,499,800.

The hon. Member from Summerside-South Drive.

Mr. Howard: Thank you, Chair.

Is the electronic supervision bracelet new or is this a continuation of the service that was first piloted in 2016?

Mr. Thompson: It’s a continuation. We just purchased more bracelets.

Mr. Howard: A CBC story reported that on June 19th, 53 offenders were released from prison and sent home, 43 of them got supervision bracelets.

Mr. Thompson: That’s right.

Mr. Howard: Why were the remaining 10 not fitted with bracelets? Did we have enough?

Mr. Thompson: They were low risk.

Mr. Howard: Have any of these offenders been readmitted into prison.

Mr. Thompson: I believe they were. Anyone that’s had to finish their sentence but we are using the bracelets more often

now because – COVID brought out a good news story in this because we were able to do a sample size in real time and it worked out well, so we're putting more resources into that.

Mr. Howard: You mention a sample size there, if we have a second wave of COVID-19 hit, do we have enough bracelets do you feel if we get a little harder and have to go a little longer?

Mr. Thompson: Yes, I think we do. It showed it worked and we'll continue to expand on that going forward.

Mr. Howard: The same news story mentioned that none of the released prisoners reoffended. Has the department considered expanding the use of supervision bracelets?

Mr. Thompson: Yes.

Chair: The hon. Member from Summerside-South Drive.

Mr. Howard: Thank you, Chair.

That's fine.

Chair: Shall this section carry? Carried.

Probation Services

"Appropriations provided for probation services throughout the Province."
Administration: 21,300. Equipment: 2,500.
Materials, Supplies and Services: 6,600.
Salaries: 1,401,600. Travel and Training: 30,100.

Total Probation Services: 1,462,100.

The hon. Member from Summerside-South Drive.

Mr. Howard: How many Islanders would the probation services be working with?

Mr. Thompson: You mean probation officers? Is that what you asked?

Mr. Howard: Islanders, not the officers, but how many clients.

Mr. Thompson: I don't have that in front of me. I'll have to bring that back.

Mr. Howard: What's the scope of work for those probation services?

Mr. Thompson: For the officers, sorry?

I'll have to bring back the detail of their work.

Chair: The hon. Member from Summerside-South Drive.

Mr. Howard: That's good, Chair.

Chair: Shall this section carry?

The hon. Member from Charlottetown-Victoria Park.

Ms. Bernard: I just have a quick question.

I'm wondering if – and this might not even be the right section, so please forgive me if it's not. Is there still a teacher in Sleepy Hollow?

Mr. Thompson: Yes, there is.

Ms. Bernard: Are there teachers in all of the correctional facilities.

Mr. Thompson: Yes, there is. There's only two facilities.

Chair: The hon. Member from Charlottetown-Victoria Park.

Ms. Bernard: Thank you, Chair.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Just since COVID, what's the status now of people being able to go into the jail? Into Sleepy Hollow, for instance, volunteering and counseling or anything like that?

Mr. Thompson: Visitation has been limited due to COVID-19. I'm not sure the current restrictions, if they changed on the 26th or not in stage 4. I'll bring that back.

Ms. Beaton: Sorry, can you say that again? Visitation was restricted?

Mr. Thompson: Restrictions were limited during COVID. Actually, you weren't allowed to visit during COVID, but I'm not

sure on Phase 4 if that changed, so I'll have to bring that back.

I know we are considering easing that to try to open that up a little bit.

Ms. Beaton: Was visitation restricted just for families, or was it restricted for anybody like if, for instance, a priest or a counselor or anything like that?

Mr. Thompson: It was just for visitors. It was CPHO requirements, so it was everyone.

Chair: There's a woodpecker in here.

Ms. Beaton: Oh my goodness, you just made me lose – the woodpecker.

Mr. Thompson: We have staff counselors if that's – the counselors were still allowed in.

Ms. Beaton: But there was also people were volunteering that would go in and would spend time. When people are preparing to leave jail, are they given any of those resources that would have been done on a volunteer basis in order to prepare them to go back out into society?

Mr. Thompson: No they weren't. Not during COVID.

Ms. Beaton: Okay. And you're going to bring back what the plan is?

Mr. Thompson: Yes.

Ms. Beaton: And when that's going to be reinstated?

Mr. Thompson: I will.

Ms. Beaton: I would just make a statement on that because I know it's a valuable service. I know one specific volunteer who is incredible working with young people who are being released and integrating back into society. So I think that that's – I would look at that as being something that was critical to those people.

I know when you're going through your list of essential services, it might be something to evaluate if we do have a second wave because if it's a valuable service that's provided, especially for reintegration into

the community, it might be something to consider. At least allowing them to have conversations of some sort.

Mr. Thompson: A lot of our inmates during COVID were longer sentences. Shorter sentences and low risk had bracelets so they were already out in society being monitored.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: I appreciate it.

Thank you, Chair.

Chair: Shall this section carry? Carried.

Youth Justice Services

“Appropriations provided for risk management and delivery of services to assist in compliance with the provisions of the *Youth Criminal Justice Act (Canada)* by providing services including youth probation officers, community youth workers and youth outreach workers.” Administration: 38,800. Equipment: 34,000. Materials, Supplies and Services: 61,000. Salaries: 2,642,100. Travel and Training: 159,100.

Total Youth Justice Services: 2,935,000.

The hon. Member from Summerside-South Drive.

Mr. Howard: Has the rate of young offenders been pretty consistent over the years?

Mr. Thompson: It had drastically decreased over the last few years.

Mr. Howard: What kind of offences are we seeing?

Mr. Thompson: I don't have that in front of us.

Mr. Howard: Have there been any change in the rates of recidivism?

Mr. Thompson: Could you repeat that again?

Mr. Howard: Any change in the rates of repeat offenders?

Mr. Thompson: Repeat offenders? It's been very low.

Mr. Howard: Is that a change to very low from previous years or is it consistently low?

Mr. Thompson: It's similar.

Mr. Howard: What kinds of alternative justice exist for minors?

Mr. Thompson: Alternative justice? They do go through a program in the correctional service and we try not to incarcerate very many. We try to keep the numbers as low as possible. There's alternative measures that we use if – it's case by case basis.

Mr. Howard: Could you share some of those alternative measures?

Mr. Thompson: I can bring that back.

Chair: The hon. Member from Summerside-South Drive.

Mr. Howard: I'm good, Chair.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

When you said the rate of offenses has decreased quite a bit. Is it still decreasing or has it plateaued? Where does it stand right now?

Mr. Thompson: It varies but it's much lower than it used to be. It's kind of staying at – we don't have a lot of young offenders right now. Two or three at any given time is where we normally are and they are provided a good stable service and support.

Ms. Beaton: When I look at the salaries, there's an increase of about \$250,000.

Mr. Thompson: That would be our outreach workers which is under our department. They're in the schools and that's in our budget and this is based on preventative measures and community wellbeing. I really love the model of the outreach workers and what they're doing. I think that big impact on our youth and it has

great reviews so far and I hope to continue that.

Ms. Beaton: When you say they're out in the community, are they in the schools?

Mr. Thompson: They are in the schools, yeah.

Ms. Beaton: Is the officers that are in the schools?

Mr. Thompson: Yes.

Ms. Beaton: How many have you added?

Michele Koughan: We have a total of 20.

Ms. Beaton: Is it just in high schools?

Mr. Thompson: No.

Michele Koughan: One second. Westisle, Montague, Colonel Gray, Souris, Belfast, Charlottetown Rural, Three Oaks, Kensington, Kinkora, yeah, those are all the high schools.

Ms. Beaton: And the 20 positions –

Mr. Thompson: They're in all families of schools across the Island.

Ms. Beaton: Right, but there's not 20 high schools.

Mr. Thompson: No, they're in some junior highs as well.

Ms. Beaton: Is that in your list as well, like Stone Park, Birchwood, do all those?

Mr. Thompson: I need reading glasses. This print is pretty small.

Michele Koughan: There are two in Westisle, two in Montague, there are four in the Colonel Gray/François-Buote family, there's one between Souris, Morell and La-Belle-Cloche. There are three in the Belfast/St. Augustine, there's four, Charlottetown Rural, three and a half at Three Oaks, 0.5 in Kensington/Kinkora, for a total of 20.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: That's great.

Thank you, Chair.

Chair: Shall this section carry? Carried.

Summerside Youth Centre

"Appropriations provided for operation of the youth custody facility in Summerside." Administration: 19,200. Equipment: 11,500. Materials, Supplies and Services: 172,400. Professional Services: 3,000. Salaries: 2,757,500. Travel and Training: 28,000.

Total Summerside Youth Centre: 2,991,600.

The hon. Member from Summerside-South Drive.

Mr. Howard: How many bed days were served at this facility in the past year?

Michele Koughan: We had 930 bed days for a 16% utilization rate.

Mr. Howard: How many actual clients were served in the past year?

Michele Koughan: We could bring that one back.

Mr. Thompson: We can bring it back, but we average three to four a day.

Mr. Howard: Thank you, Chair.

There was a CBC story about how this facility was so underutilized. Is there anything happening with it moving forward?

Mr. Thompson: Half the facility has been – Health PEI has taken over half the facility because of the underuse and we are constantly monitoring the use, but I believe it's nice to have that facility the way we have it now.

Chair: The hon. Member from Summerside-South Drive.

Mr. Howard: I'm good, Chair.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

Do you mind if I go back to youth for just one second just to ask – the officers that are in the schools, there was an incident that happened at Colonel Gray last year, I believe, and there was work being done with the whole school of integration, inclusion – do you know what I'm talking about?

Mr. Thompson: I think the brawl or something?

Ms. Beaton: Yeah. Given where we are today with Black Lives Matter and the BIPOC community, are these officers providing additional supports within the high schools in order to – are they part of the government's plan to ensure that all policies are being reviewed from that lens?

Mr. Thompson: Yes and it's kind of across departments. We fund the outreach workers but it's Health and Wellness, it's education and Social Housing and Development, we're all partners and they are constantly making sure that they're current and up-to-date on the proper training. It's unbelievable the amount of trust that we hear that the students have in the outreach workers. They feel they can trust them and they can talk to them more so than any of their counselors or teachers. It's a really good story and I hope we can build on it.

It's a good point, where we have to keep listening and keep training and make sure they have all the proper techniques.

Ms. Beaton: I couldn't agree more so I'm wondering, is all of the outreach workers, have they all received training and is there programming that they're putting on within the high schools and the schools in order to increase that awareness and that inclusion?

Mr. Thompson: Yes, they're all trained and education would probably have a better answer to that. Maybe he wants to intervene but he seems to be busy.

They are constantly trained in educating and they're there more for listening to the students and just as a security for the student.

Ms. Beaton: My understanding was that there was a lot of work done with the staff and the students and that it was an ongoing process. Can you tell me if that is going to

continue? Once everything got abruptly ended because of COVID, I know the schools are out, but I talked to a staff member at that school who just kind of said: it stopped. All of the work was done immediately but it's not just, you can have a couple of assemblies and do a little bit of work and then not continue. It is actually that continuing to ensure that it's reinforced as you go forward.

Is that part of the work of the outreach officers?

I know I'm putting you on the spot but I think it's important –

Mr. Thompson: I'm not sure if education's got an answer or not but, help me out here.

I do know in COVID it was part of the outreach group that reached out to me about if they could give out the care packages because they had families that they were concerned about and they wanted to get eyes on and I felt that they never turned off, but as far as training, it's a collaborative effort and I think it's run through education mostly.

Ms. Beaton: I'll leave that with you. I think it's extremely important that –

Mr. Thompson: It is.

Ms. Beaton: – you take that model and you look at that to ensure that it's built upon and that it's used through –

Mr. Thompson: It's a model that we can use through our communities, as well, not just in schools. It's a model that we can use in our lives everywhere.

Ms. Beaton: Thank you, Chair.

Chair: Back to Summerside Youth Centre.

Shall this section carry? Carried.

Victim Services

“Appropriations provided for services to victims of crime.” Administration: 12,600. Equipment: 5,700. Materials, Supplies and Services: 10,200. Professional Services: 31,500. Salaries: 808,300. Travel and Training: 29,500. Grants: 125,000.

Total Victim Services: 1,022,800.

Shall this section carry? Carried.

Clinical Services

“Appropriations provided for assessment, risk management and delivery of treatment programs to youth and adult offenders, both institutional and community-based.” Administration: 15,700. Equipment: 6,400. Materials, Supplies and Services: 32,600. Professional Services: 46,200. Salaries: 870,600. Travel and Training: 40,200.

Total Clinical Services: 1,011,700.

The hon. Member from Summerside-South Drive.

Mr. Howard: Why was there a large increase in professional services for this year?

Mr. Thompson: Increase in external training.

Mr. Howard: Could you tell me what kind of training you're talking about?

Michele Koughan: You meant professional services?

Mr. Howard: Yes.

Michele Koughan: We will be entering into a contract with Health PEI to provide some psychologist services.

Mr. Howard: Why was the forecast for materials, supplies and services last year so much higher than the original estimate?

Michele Koughan: That section has the budget for our external training programs to our clients. We had provided additional training services or additional programming to the clients of clinical services.

Mr. Howard: Thank you, Chair.

I think this might have been partially answered already, but there was some scathing media reports about the availability of mental health assessments for court cases. Is that what this extra training, with Health PEI and psychiatrists, is related to?

Mr. Thompson: Some of the training, sexual deviance, clinician, therapist, turning point (Indistinct) offices, ending gender-based violence, towards Spring Hill Correctional Centre, strategic revolving impact of post and traumatic events and specialized training in sexual deviance equipment. That was the training.

Chair: The hon. Member from Summerside-South Drive.

Mr. Howard: Thank you, Chair, I'm fine.

Chair: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you, Chair.

I'm so sorry but I missed my series of questions on Victim Services. Can we go back; my apologies for that.

Chair: Sure.

Leader of the Opposition: I'm wondering, at this point in time, are we able to meet face-to-face with victims through this program or not? Are we doing that virtually?

Mr. Thompson: It's still virtually, yes.

Leader of the Opposition: There's a couple of changes that have happened in this area last year. In the spring sitting, we passed legislation which allows judges discretion when it comes to victim surcharges and I'm wondering whether you have any data on whether that's been employed or not.

Mr. Thompson: To go back to your first question, they can meet in person.

Leader of the Opposition: Oh they can, okay.

Mr. Thompson: The funding has greatly increased, the amount that we've given to victims is greatly increased so I believe the judges are doing a good job of properly putting that to the victims. I'll have to bring back what data is shown and where we're at.

Leader of the Opposition: You say that the amounts given to victims have increased. Is that through the grants section here? I'm not seeing much of any change there, in terms of the budget line.

Mr. Thompson: It's through the grants, yes.

Leader of the Opposition: Has there also been an increase in judges utilizing that provision that we've passed in legislation last year? Do you know whether that's amounted to any significant amount of funds being given to victims?

Mr. Thompson: I'm not sure on the exact compensation that has been given, whether it's the numbers, but I can bring that back.

Leader of the Opposition: Last year, you mentioned that the amount has increased quite significantly over the last little while. Have you noticed any changes in the nature of the offences for which that compensation is being provided?

Mr. Thompson: This is probably the most difficult thing I do as minister of justice. I sign every one of these and they're violent and they are stuff that I don't enjoy reading. They're disturbing and it really shows that there's still work to do on violence and sexual abuse on this Island.

Leader of the Opposition: I don't envy that job, minister, and I appreciate you being as forthright surrounding that. Can I infer from your answer that those sorts of crimes are becoming more numerous now than they were?

Mr. Thompson: I don't know, I guess I haven't really inquired whether they have increased or not. I can't give you a confirmed answer on that.

Leader of the Opposition: Is the Circles of Safety program funded under this section?

Mr. Thompson: Not sure.

Sorry, what service?

Leader of the Opposition: Circles of Safety program, which I imagine would fall under Victim Services. I don't know, I'm just wondering.

Mr. Thompson: That's in kind support, I think, that we offer –

Leader of the Opposition: So there's no cost attached to that, okay.

Do you have a long-term plan for that program?

Mr. Thompson: Yeah, I think that's something that will be a part of our community wellbeing in that I'd love to, through Victim Services and other staff, should participate in this and they're very willing to participate in anything we do in that matter.

Leader of the Opposition: Thanks, Chair.

A final question on this: We've gone through a number of departments here and costs associated with your department and Victim Services is a pretty small amount, if you compare that to many of the other budget lines in the document here.

Clearly, your poignant answer to a question asked just a couple of minutes ago suggests that this is an area – let me put it this way, let me ask you this question: Do you feel that the amount of funding, the grants that are available for victims, are appropriate? Or do you think that we are not – and, of course, compensation is only one part of the healing process but I'm wondering whether, personally, this is a personal question, whether you feel this is something that we should be spending more money on.

Mr. Thompson: I don't think I'll ever say the amount of money is adequate. It's something that I think you can continue to always increase. The support for victims is the utmost important in the healing process, I believe, but it's not just financial, it's other supports as well.

Victim Services is something that we should look at every year on increasing the budget, for sure.

Chair: The hon. Leader of the Opposition.

Leader of the Opposition: I'm good.

Thank you, Chair.

Chair: The hon. Member from Charlottetown-Victoria Park.

Ms. Bernard: Thank you, Chair.

The Leader of the Opposition took my question but I'm going to put a little shout

out to the Circles of Safety program. I've heard about it before at a conference that I had attended and I know that during CBC's spotlight, whenever they were drawing awareness to domestic violence and intimate partner violence, I learned a lot about Circles of Safety and know that Kirstin Lund and Gloria Dennis and (Indistinct) I can't remember who else traveled around to other provinces in Canada to share that model, because it's a very impressive model and an effective model, which is what happens when we have all those support services around a table.

I know we've spoken in here about restorative justice and restorative courts and all of that stuff. To me, this is almost just like an extension of that. I'm putting my plug in for the support this program can get, because it is an effective program from what I'm hearing.

Mr. Thompson: Yeah and we've had the positive feedback as well.

Ms. Bernard: That's it.

Thank you, Chair.

Chair: Shall this section carry? Carried.

Total Community and Correctional Services: 20,080,000.

Shall it carry? Carried.

Family Law and Court Services

Division Management

“Appropriations provided for management of the Family and Court Services Division, including the office of the Children's Lawyer.” Administration: 12,200. Equipment: 5,000. Materials, Supplies and Services: 1,000. Professional Services: 40,000. Salaries: 855,600. Travel and Training: 9,000.

Total Division Management: 922,800.

The hon. Member from Summerside-South Drive.

Mr. Howard: I'm glad to see a second Children's Lawyer has been added and as great as the Children's Lawyer is, I've

always been concerned that their work has limitations to family and custody matters. With the second lawyer coming on board here, will there be any capacity to represent children in other critical situations like child protection cases?

Mr. Thompson: Yeah, there's that possibility and probably the child advocate. If it's not through the child advocate office, the child lawyer will represent where they can.

Mr. Howard: Can you explain the significant variability in salaries? It's about \$300 less in the 2019-2020 forecast compared to the budget.

Michele Koughan: For the forecast we had a funding for an analyst position and an admin support which were delayed in filling as well as the second child's lawyer didn't come on for the full year.

Mr. Howard: That's good, Chair.

Chair: Shall this section carry? Carried.

Office of the Public Trustee and Official Public Guardian

"Appropriations provided for administration of the *Public Trustee Act* and provisions of the *Mental Health Act* where there is a need for guardianship." Administration: 7,500. Equipment: 3,200. Materials, Supplies and Services: 1,600. Salaries: 585,000. Travel and Training: 5,200.

Total Office of the Public Trustee and Official Public Guardian: 602,500.

The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

There's a decline in the salaries here. Can you give me an idea of why that's decreased?

Michele Koughan: There was a finance clerk position that should have been budgeted in another section, so it's just a budgeting error.

Ms. Beaton: Okay, so the finance clerk is still in this department though, working with the Public Trustee's office?

Michele Koughan: They do have a – yes.

Ms. Beaton: I'm going to just refer back to some Auditor General – the performance audit that was completed.

There's still quite a few outstanding recommendations, and we talked about this a little bit in the House during Question Period I know, but can you tell me – I understand that some of this has to do with IT which I completely understand the challenge to implement new IT programming, I worked for an IT company so I understand that. Can you tell me if there's a project manager that's assigned in order to implement that work.

Mr. Thompson: There is.

Ms. Beaton: Can you tell me when that work will be complete.

Mr. Thompson: I'm told two weeks the IT work will be completed.

Ms. Beaton: Is there a plan as soon as that IT work is complete that you'll go back through the records of any of the clients that the Public Trustee is looking after to ensure that the documentation is accurate.

Mr. Thompson: Yes.

Ms. Beaton: One of the findings that the Auditor General found back in 2016 was a client who'd passed away but the client fees or the annual fees were still being taken from that client for up to nine years after that client had passed away. What kind of provisions are in place to ensure that this isn't happening to these clients?

Mr. Thompson: A combination with this increase in staffing and the new software system that they're installing that should, hopefully, eliminate any risk of that happening again.

Ms. Beaton: What kind of (Indistinct) processes are you putting in place to make sure that it's not happening?

Mr. Thompson: I'll have to bring that back.

Ms. Beaton: Can you tell me what kind of processes are in place to ensure that they

Office of the Public Trustee is undertaking work that is expected such as snow blowing, grass cutting on properties of the clients on their behalf?

Mr. Thompson: Could you repeat that?

Ms. Beaton: One of the things that happens here is when somebody is maybe in a seniors home but they still own the property and their under the guardianship of the Office of the Public Trustee. Some of the things is it's caretaking of the property.

What is the process to ensure that that caretaking is actually happening?

Mr. Thompson: We've worked with the Auditor General's office, of course, and she is happy with the work that has proceeded and the progress that we have made. We are in compliance now.

I'll have to bring that back, what is our – I'll have to talk to the manager to make sure everything is being done. I'll have to find out what exactly how she is performing that.

Ms. Beaton: That's fair.

The reason why I ask is not because of the Auditor General. The reason why I ask is because I've received a call from a neighbour of somebody who's under the guardianship of the Office of the Public Trustee who knows that snow blowing is supposed to be happening but the snow blowing didn't actually happen. So, if there was a fire in the property for instance then the fire department wouldn't be able to put that fire out.

There was concern there as to how that's being maintained. Is this new record keeping software that is being implemented going to be able to track that type of thing?

Mr. Thompson: Yes, it will and if you have someone like that again, please reach out to our office or anyone and we'll make sure that is adjusted and done properly.

Ms. Beaton: Okay. I'm good, thank you, Chair.

Chair: Shall this section carry? Carried.

Family Law

"Appropriations provided for delivery of services in the area of Family Law and Child Support." Administration: 20,500. Equipment: 4,000. Materials, Supplies and Services: 107,300. Professional Services: 80,000. Salaries: 1,343,200. Travel and Training: 10,000.

Total Family Law: 1,565,000.

The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

So, again, this was another audit that was completed by the Auditor General. One of the questions that we ask the Auditor General is which recommendation required IT work to be completed. The one recommendation that was identified was the last one, which has to do their regular bank reconciliations and periodic review of allocated accounts, etc. But there was still three other incomplete recommendations.

Do you know what the status of those recommendations are?

Mr. Thompson: I believe we're –

Michele Koughan: I'll go – there may be one on the accounting system that needs to be in place. There are others that will require the IT system to be in place in order to complete some of the other ones. So, for example, if we need to do the policy and procedure manual, there will be information that we need from the system to be able to complete those policies and procedures so that we know how that works.

Although it may not have a direct relation to the IT, there are things that they'd worked very hard on and they've made a lot of progress on. However, they just can't get that completed tick from the AG's office until the IT system is in place.

Mr. Thompson: We have a lot of battle with dated software. It's throughout government and it's constantly a battle.

Ms. Beaton: I'm pretty sure when I get to ITSS I'll probably be having that conversation with the minister.

Understanding that IT was required for both of these audits, are they both being accomplished under the same IT software?

Michele Koughan: First of all, I'd just like to clarify; it's not strictly our IT department that's doing this. We have a third party vendor that we're working with. This project is under a capital program within our own division, not within ITSS. We do consult with ITSS and our architect on several issues on servers, storage of data and that type of thing, however, we do have a third party that is actually doing the work.

This is the same system that we're using in the Public Trustee's office, one that we, once it's been updated and upgraded, we're very confident will provide this program with the reporting capacity that they need to be able to report properly.

Ms. Beaton: Is it safe to say, when one's complete the other will be complete?

Michele Koughan: No, the PT's office will be done in two weeks and the maintenance enforcement is expected to be done by December 2020.

Ms. Beaton: No, I'm good. Thank you, Chair.

Chair: Shall this section carry? Carried.

Court and Sheriff Services

"Appropriations provided for administrative services to the Courts in the Province; and for sheriff services to the public, the Courts and other government departments."
Administration: 97,400. Equipment: 71,800. Materials, Supplies and Services: 211,200. Professional Services: 149,000. Salaries: 3,298,000. Travel and Training: 34,600. Grants: 500.

Total Court and Sheriff Services: 3,862,500.

The hon. Member from Summerside-South Drive.

Mr. Howard: What changes are being made in response to the recent escape of inmates from the Charlottetown courthouse?

Mr. Thompson: The escape was human error. Now, surveillance has increased from

all directions. Somebody has to be in the holding area at all times and someone has to be watching the monitors at all times when there is someone in the holding cells.

Mr. Howard: With COVID, there's been limited access to the court buildings. Has this had an impact on the funding needed for those services?

Mr. Thompson: During the shutdown, yes. We were short on sheriffs and we are needing more, to fill more. That's in our budget here, for another two sheriffs.

Mr. Howard: The courthouse has been providing some records electronically and free of charge during COVID. Do the courts intend to carry on with any of this low or free cost?

Mr. Thompson: Yeah, it's something that we are looking at. What we've learned from COVID is that you can do things differently and the courts have welcomed the new technology and we are lobbying the federal government for more funding. Every time we have a call, that's our main concern, for more funding for technology in the courthouses to reduce costs and reduce man hours and everything that goes with that.

Mr. Howard: The two sheriff positions that I just heard about there, are they going to east or west? Can you tell me where those sheriffs will be located?

Michele Koughan: I'm not sure where they'll be deployed but we can bring that back.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: I don't know if this is where it is. I don't know where it is. Anyway, we had a motion about drug courts.

I'm wondering: What is the status of that? Is it funded in this budget?

Mr. Thompson: That's funding we are approaching, lobbying for the federal government. There currently is no funding for drug courts but we are lobbying the feds to, as a province, do our own and we've had a great relationship with the minister and he is willing to help us start a drug court here.

We just don't have the details of the funding yet.

Ms. Beaton: I'm good. Thank you, Chair.

Chair: Shall this section carry? Carried.

Provincial Court Judges

"Appropriations provided for the Provincial Court Judges." Administration: 1,600. Materials, Supplies and Services: 2,500. Professional Services: 4,000. Salaries: 870,200. Travel and Training: 63,000. Grants: 2,800.

Total Provincial Court Judges: 944,100.
Shall this section carry? Carried.

Total Family Law and Court Services: 7,896,900.

Shall it carry? Carried.

COVID-19 Response and Recovery Contingency

COVID-19 Response and Recovery Contingency

"Appropriations provided for the expenditures related to Government's ongoing response to the COVID-19 pandemic." COVID-19 Contingency: 2,000,000.

Total COVID-19 Response and Recovery Contingency: 2,000,000.

The hon. Leader of the Opposition.

Leader of the Opposition: Thanks.

Minister, on Sunday, our state of emergency expired. I'm assuming that we're currently operating under a public health state of emergency. Is that correct?

Mr. Thompson: That is correct.

Leader of the Opposition: When it comes to the authority to control a movement across our borders, does that no longer lie with you, then?

Mr. Thompson: No, it doesn't.

Leader of the Opposition: That authority now lies with the Chief Public Health Office? Is that a situation that exists in other provinces in Canada?

Mr. Thompson: I believe it is, yeah. A lot of their health emergency acts are similar to what we have now. I'm not sure how many state of emergencies are still across the country but most of them are still under a health emergency.

Leader of the Opposition: Of course, most provinces don't have the same sort of border controls as we do, partly because it's more difficult for them. I remember you speaking to this earlier, as to why we actually implemented the state of emergency and I'll paraphrase but the main reason for doing that was: So we had the authority to control our borders.

I'm now wondering: If that state of emergency has lapsed, do we still have appropriate authority to be controlling our borders, as we are under the Chief Public Health Office?

Mr. Thompson: Yes. With the amendments we made in health act just last week, it gave the ability for the Chief Public Health Office to have border control.

Leader of the Opposition: Thank you, Chair.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Can you give me an estimate of what the cost for COVID-19 was in this section, for all of justice?

Michele Koughan: Not off the top of my head but the majority would have been overtime. As far as our EMO office goes, it was business as usual for them under such circumstances.

We would have just allocated the overtime that the staff would have had to COVID. We would have had some personal protective equipment for some of the frontline staff. I want to say it was no more than half a million but I can't say for sure. I could take that back.

Ms. Beaton: How did you come to \$2 million?

Mr. Thompson: This is just our best estimate.

Ms. Beaton: What is your process if you need to use that money? What's the process?

Mr. Deagle: Same as everyone else.

Mr. Thompson: We have to do things virtually and remotely so a lot of the expected costs are through doing things remotely.

Ms. Beaton: If you want to use that money, what is the process?

Mr. Thompson: Oh, it's going through Treasury Board.

Ms. Beaton: I'm good. Thanks, Chair.

Chair: Total COVID-19 Response and Recovery Contingency: 2,000,000.

Shall it carry? Carried.

Total Department of Justice and Public Safety: 64,961,400.

Shall it carry? Carried.

Hon. members, we are now going to start on page 24 with the Department of Agriculture and Land.

A request has been made to have a stranger come onto the floor.

Shall it be granted?

Some Hon. Members: Granted.

Chair: Good afternoon. Would you please state your name and title for Hansard, please?

Mary Kinsman: Mary Kinsman, Director of Finance and Corporate Services for Agriculture and Land.

Chair: Thank you very much.

Department Management

Corporate Services

“Appropriations provided for the operation of the office of the Minister and Deputy Minister and centralized administrative functions for the Department.”

Administration: 35,600. Equipment: 3,000. Materials, Supplies and Services: 38,700. Professional Services: 15,600. Salaries: 426,100. Travel and Training: 65,400.

Total Corporate Services: 584,400.

The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

What sort of things did Corporate Services did get legal opinions on?

Mr. Thompson: They were HR issues.

Ms. Beaton: I'm good.

Thank you, Chair.

Mr. Thompson: Shall this section carry? Carried.

Total Department Management: 584,400.

Shall it carry? Carried.

Farm Business Risk Management

Farm Business Risk Management

“Appropriations provided for administration of the Department's farm income support programs.” Administration: 60,500. Equipment: 39,300. Materials, Supplies and Services: 35,700. Professional Services: 151,000. Salaries: 2,192,700. Travel and Training: 232,900. Grants: 15,524,000.

Total Farm Business Risk Management: 18,236,100.

The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

There's a review of weather statement placements. Can you tell me what's being reviewed?

Mr. Thompson: Weather station?

Ms. Beaton: That's what it says. Review of weather station placements.

Mr. Thompson: We're doing a project with UPEI to determine if we have our weather stations in the best locations to determine variance across the Island.

Ms. Beaton: Thank you, Chair.

Is that in conjunction with the comprehensive crop study, as well?

Mr. Thompson: I'm not sure but we have some federal funding under this, right, Mary?

Mary Kinsman: Yes, this will be a separate project from the crop study and you're correct, this funding is 60% federal and 40% provincial.

Ms. Beaton: Does this project include any additional weather stations?

Mr. Thompson: We're adding one in O'Leary. He gets everything. We did have our report.

Ms. Beaton: What factors are being considered as part of this review?

Mr. Thompson: I'd have to bring that back.

Ms. Beaton: Have you discussed with the UPEI Climate Lab, the comprehensive crop – that project?

Mr. Thompson: Not yet, no.

Ms. Beaton: Part of that study, I believe, is going to also deal with placement of weather stations. I'll be interested – when are you meeting with the UPEI Climate Lab to review this project and the crop study?

Mr. Thompson: We haven't had a meeting, but we're going to do it sooner than later, hopefully when the House is out.

Ms. Beaton: When does this review of weather station placements start? Has this project started yet?

Mr. Thompson: I think it's already begun.

Mary Kinsman: Not yet.

Mr. Thompson: It's support from the AIC, the crop insurance, to help modernize them

as well. We're working with AIC on this project, with support.

Ms. Beaton: Do you know when the start date of the project is?

Mr. Thompson: I'll have to bring that back.

Ms. Beaton: Is there a review being conducted internally, or is the UPEI Climate Lab doing it all?

Mr. Thompson: I'd have to bring that back; the details on that.

Mary Kinsman: Staff will work with the contractor under the contract but it would be done by specialists in the field of climate.

Ms. Beaton: When this is completed, when this project is completed, how accessible is this data for farmers?

Mr. Thompson: It's going to be part of our modernization of our AIC, the software that we are developing there, that it'll be up-to-the-minute detailed. We really want to modernize the technology surrounding AIC and the weather stations so we're trying to link all this together.

Ms. Beaton: I understand you want to get up-to-the-date with information, but how is that going to be translated to farmers? I'm assuming you're doing this in order to reduce the amount of crop insurance payments that are required to be paid out to farmers, which is to support farmers so that they're not relying on crop insurance because that's not good for any of them, but also, because there's a cost to the province.

What do you plan to do with the information?

Mr. Thompson: It's real-time information to get to the farmers for their ability to make decisions and to know where they're at. We're hoping to have an app, a real-time app that connects you. We're working on that process where it's connected to the weather stations, yeah.

Ms. Beaton: Is that app development part of this \$140,000?

Mary Kinsman: This is the project for the study to see where the best placement is for

these stations. They measure wind and what's quite important to the business risk management group is rain levels, things like that.

The information that's used by this unit, business risk management unit, and also our sustainable agriculture unit; they actually, in sustainable agriculture, they have the app. There's software being used through them. This group is looking at, where is the best placement for the 11 weather stations across Prince Edward Island.

Ms. Beaton: The information that comes out of this study, will that be shared with other departments so that they have that information, as well?

Mr. Thompson: Yeah.

Ms. Beaton: So the PEI weather stations used to connect with AgWeather Atlantic network; that was discontinued. Is there conversations with the Atlantic premiers that this will be a program that we'd be able to tap into, like with the AgWeather network again?

Mr. Thompson: I haven't had that conversation with the premiers yet, but I imagine it's at our staff level that they have.

Ms. Beaton: What is the process like for appealing decisions made under AgriInsurance and AgriStability programs?

Mary Kinsman: The producer would send a letter into the Agriculture Insurance Corporation, it would go into the management in that area and they would call – there was an agriculture insurance board. They would hear the appeal and a decision is rendered.

If the producer would like to take it further, there is a secondary board that would hear it after the initial Agriculture Insurance Corporation board; there's also an appeal board.

Ms. Beaton: Is this the section that ag recovery would be in as well?

Mary Kinsman: Yes.

Ms. Beaton: After Dorian, I believe there's an ag recovery process happening right now

for corn. Is there any other crops included in that ag recovery application?

Mr. Thompson: There is possibly a –

Mary Kinsman: The tropical storm, Dorian, corn producers, livestock producers that include dairy, hog, beef, crambe, which is an oil seed and apple producers.

Ms. Beaton: Was soybean part of that application?

Mr. Thompson: No.

Ms. Beaton: Was there any reason why soybean wasn't part? I know especially down east, there's a lot of soybean down around the fields that are waterfront. They would've gotten earthed by the saltwater spray.

Mr. Thompson: Obviously, the Federation of Agriculture was working on the application for them. It really wasn't government that went to reach out for them. It was the federation that reached out and their interest had to go through them. We are kind of arms-length of the process.

Ms. Beaton: The business process redesign initiative; what sort of red tape around that are you eliminating?

Mr. Thompson: AIC was, from personal experience, very paper-oriented and it was one of the first things that, as minister, I noticed the amount of paper that they used and it was a dated system. It worked very well but it was very labour-intensive. Since COVID, actually, pushed us even faster into this. Lisa MacDonald, the director, did a tremendous job of running it during COVID because we still had to get the programs out; we still had to get farmers contacted.

So now they are using handheld devices to administrate. The paperwork has greatly reduced and they did a lot of the work in-house, I believe, Mary, because they had to and ITSS was busy with, of course, malware at the time.

They developed it a lot on their own but it's still going to – I think the sky's the limit on that. I think it has to be modernized as much as agriculture itself is modernized. They have to be able to get the data to the farmers,

get information to the farmers so that you can make your best choice in planting when you have to decide on varieties and stuff. If you can just punch in to – it'll get your weather, it'll get your rain that you had the year before.

I think it's a great management tool that we should be using in our business risk management. I think there's great opportunity there.

Chair: The hon. Member from Mermaid-Stratford, I'll give you one more.

I have a few more on the list and then I'll come back to you, if you don't mind?

Ms. Beaton: Sure. Actually, that'll be good for me.

From Dorian, any farmers that weren't actually covered for crop insurance because I know – corn is a big one and the chances of corn going wrong, that's a one-in-a-hundred-year storm basically, right?

When we had talked about this in the House, you had said that there was a process for them to be able to go through Red Cross in order to get assistance if they didn't have crop insurance. Do you have any idea how many farmers that scenario would have impacted?

Mr. Thompson: I'll have to bring that back, I don't have that information.

Ms. Beaton: Thanks, Chair.

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

Mr. Henderson: I just have a few questions.

The situation there with the grants, is this any of this extra money for ag stability in this section? What kind of an amount that the province put in as its contribution towards the ag stability? It says in the forecast there's 12.8 million spent and you're projecting 15.5 million, so I'm just wondering that extra increase, is that for the AgriStability?

Mary Kinsman: The budget last year was approximately 16.8 for the risk

management, it's actually going down to 15.5. The reason the funding is going down next year is mainly in the business risk management, in the AgriInsurance, the premium rates dropped 4%, that's the main reason why that happened.

The AgriStability went down about 365,000 and it's a demand-driven program. It's a formula-driven number and it's based on numbers over the past five years. That's the expectation.

This doesn't include the additional pieces for COVID; those are in the COVID fund. So, although you're seeing the budget go down here, in our regular budgeting for these programs, the COVID pieces are with central government, so there's additional funds there.

Mr. Henderson: What would be the COVID fund that would be – it would be funding a portion of ag stability?

Mary Kinsman: Yes, there were some changes made to AgriStability regarding COVID-19 for this year and next year. For AgriStability there's an extra \$2.8 million budgeted.

Mr. Henderson: It's out of the contingency fund?

Mary Kinsman: Yes, in the contingency fund, yes.

Mr. Henderson: I want to commend the minister for that. I think that was a good initiative to create and farmers are impacted by this too, so I commend you for that.

Just while we're on the issue of business risk management, is there any thought about the concept of a price assurance scheme or program for beef producers or forward contracting? It's something that in the insurance program, some provinces do have that. I know that during my time as minister, we were starting to get it towards that discussions. I'm just wondering –

Mr. Thompson: It's a good question.

There is an appetite from the beef producers to start that now. I know you initiated it and I think that the tone has changed and they want that now. I've recently had

conversation with ministers from Nova Scotia and New Brunswick and they are interested in working as a Maritime –

Mr. Henderson: Good.

Mr. Thompson: – to do a price analysis. We've sent a letter to the minister of agriculture in Alberta to see what their formula is and whether we can make a Maritime formula.

There's a huge appetite for it and I hope in a year or two we can maybe introduce something or even a test pilot.

Mr. Henderson: Has there been any discussion with the beef plant itself to maybe look at the concept of a forward contract. Really, the price assurance is kind of that – basically you apply a premium to guarantee a certain price for your livestock. Once again, it's in discussions that I had with the beef plant was that that might be an option that they could do because it also provides them some security.

I think the biggest issue is that if the beef plant is considering expansion that there's markets out there, but farmers need to mitigate some of the risks. I get there's lots of risks in growing beef and livestock, but if you can at least minimize the price issue, that it doesn't fall between – anyway, the question is: Have you contacted the beef plant?

Mr. Thompson: Yes, and they are in a position that they can actually talk about that now. To your point, it does add security to getting their product and it can help them get a quality product, which was what they are building their market on and what they're building their brand on is quality.

I think it could be something that the beef plant is involved in – an advanced payment or something like that for sure.

Mr. Henderson: I certainly appreciate that. I'll just ask one more question maybe to a bit more to explain a little bit about the issue of weather stations and it was mentioned about O'Leary in that regard.

One of the big issues that I think it's really important to have accurate weather and as much as PEI has very, generally the same

weather, when you get into issues around colour riders for potatoes, temperature matters quite a bit, so making sure that you're getting an accurate assessment of what the field indications are.

If I take my time when I was – why there was an additional weather station added to the O'Leary area was that the nearest weather stations were Elmsdale and Tyne Valley. There's a large volume of acres growing in the O'Leary area on different types of soils, O'Leary's soils are a little bit heavier soils and a little bit lower elevation to it so frost becomes a bit of an issue. I think that's the biggest issue.

I'm assuming if there's professionals looking at where these weather stations are located, I think that the more you have the more accurate you become and it's more indicative to the issues of each particular farm.

One other issue that was happening at that same time, which I think has been corrected since then, was that it was based on a per farm location to the weather station, not where the fields were located. That also created inaccuracies because some farmers are traveling quite a distance now. So you had farmers from the O'Leary area were going as far as Crapaud to grow potatoes, but yet they were linked to the weather station in O'Leary. It made no sense whatsoever.

There was some of those things that we had to do to try to make sure that there was a very accurate weather as it relates to the particular crop through the year. Hence why I had all the weather information about when I was doing the debate on the hours of the legislature.

Mr. Thompson: With that, I think the crops scouts should have their handheld devices and no matter what field, it should be – when they're doing the crop scouts, it should have the weather down from (Indistinct)

Mr. Henderson: From that station.

I feel it's good and if there's even more weather stations that's all the better. But I do know that there is a process to get weather stations because of that situation that you have to get approval from the federal

government, the department of environment, they have to all be calibrated to equal all of the same – to link into the whole system.

It's not always as easy as it sounds, but I do appreciate, minister, and I just wanted to explain that in a little bit more detail.

Mr. Thompson: I agree with you. As a former farmer, I guess I have to call myself now.

Mr. Henderson: You better.

Mr. Thompson: My weather station was in Johnstons River, which is across the river from me, but my weather pattern is more like Harrington, which is further away from me. When you say you're on the other side of the river, the weather does change on the other side of the river and it's very close.

I agree with you how the weather patterns are different.

Mr. Henderson: I think you look at rain fall changes, like say from very small refined areas and big clouds come over, so it has a big impact. I always said: It's not necessarily to the advantage of the farmer or to the government; it's just to be fair and accurate, right? I don't want anybody to perceive that it's farmers getting a big edge on this, it's just making it accurate so it reflects the losses or the benefits that they do get.

Thank you very much, minister. I appreciate it.

Chair: The hon. Member from Summerside-South Drive.

Mr. Howard: The AgriStability program mentions that it's to insulate against rising input costs. I was just wondering, does that cover every single input cost, like energy and fertilizer? Anything at all, or is there specific inputs that are covered?

Mary Kinsman: AgriStability is more of a margin-based program and it protects the producer against low prices and rising input costs and the protection loss. Those input costs would be – I really can't give you a list on that. I really should bring it back to you.

Mr. Howard: Thank you, Chair.

I guess I don't need a full list but from what you said there, it sounds like anything that's going to hit the bottom line would be factored into this program. Is that right?

Mr. Thompson: We'll have to bring that back.

Chair: The hon. Member from Summerside-South Drive.

Mr. Howard: I guess that's fine, Chair.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

Just to jump off the pricing discussion that we just had, my understanding is there was a lot of negotiation or meetings that were happening just prior to June around price insurance or assurance or whatever. Can you tell me – I think it was a time sensitive thing because they had to underwrite the contract or whatever and we missed the timeframe. Am I right in saying that it wasn't –

Mr. Thompson: I'm not familiar with that. I'm not quite sure.

Ms. Beaton: Was there regular meetings happening on price assurance prior to May, for instance, and were you close to coming to an agreement?

Mr. Thompson: Not that I'm aware of, no. With the director or with clients?

Ms. Beaton: No, with the other provinces.

Mr. Thompson: Oh, on AgriStability?

Ms. Beaton: No, for the beef pricing.

Mr. Thompson: Oh, on the beef pricing. Sorry.

Ms. Beaton: You had mentioned about the price assurance, right?

Mr. Thompson: Right.

Ms. Beaton: And all of those discussions. Frankly, when you talk to beef farmers, that's pretty much what they want to talk about is the pricing. How close are we to coming to contract with that? I know you

said that you sent a letter out to Alberta but my understanding was it was more progressed than that. Am I not accurate there?

Mr. Thompson: No, it's just early in the discussions. The former minister introduced it and the uptake wasn't maybe there, but the appetite for it has increased. There is a lot more talk about it now.

Ms. Beaton: I understand that because I was talking to Maritime Beef Council last year. This was the one thing that, if something could be done for beef farmers, then that would be price assurance on it.

Is it something, though, that's a priority of your department, in order to try to formulate that and to solidify the contract there?

Mr. Thompson: There's a beef strategy. It's a priority to build the beef herd. There's different ways we are working on that and this is one, a price insurance, but we're still early in this and the other one, we are starting a pilot project on beef, on dairy, which is going to possibly bring 3,500 more animals into our system that will eventually go through the beef plant. It might be a test run on our insurance payment program, if we pay on – I think we're going to look at paying on a gradual prepayment on stages of the animal and so I'm pretty excited about it and it should give more assurances to the beef industry.

Ms. Beaton: I've heard about that as well. Can you tell me how many farms are involved in that pilot project?

Mr. Thompson: I'm not sure exactly how many. I haven't been involved in the process because it was going on during COVID. I'd have to bring back how many.

Ms. Beaton: My understanding is there's been a lot of research around –

Mr. Deagle: Call the hour.

Chair: The hour has been called.

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

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having under consideration the grant of supply to Her Majesty, 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.

Hon. members, we'll recess until 7:00 p.m. this evening.

The Legislature recessed until 7:00 p.m.

Speaker: Okay, hon. members, we'll get started.

Motions Other Than Government

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Thank you, Mr. Speaker.

I call Motion No. 86 be now read.

Speaker: Shall it carry? Carried.

Okay, members, debate was ongoing on Motion No. 86. Is there anyone else that would like to speak to the motion?

The hon. Premier.

Premier King: Thank you, Mr. Speaker.

I might ask for the podium. I made some notes since the last debate. It just might be a little smoother if I had the podium.

Thank you very much, Mr. Speaker.

It is with great pleasure that I have the privilege to stand in this Chamber to speak on Motion 86 and I think I would begin by saying I would be remiss if I didn't thank you for having broken a tie to allow members of this Legislature who wish to participate in this important debate and above all else, in my estimation, uphold the privileges that are afforded to all members of this Legislature, regardless of their political affiliation.

I was saddened to see members of this Legislature vote to suppress the voices of

those who wish to speak. I believe that is a very dangerous precedent for this Legislature and one which I sincerely hope never rears its head again during our time in here. I can only imagine the outrage from the members across if the government were to pull such a move. I would daresay that the comments would include something along the lines of strong-arming opposing views; stifling debate, abuse of power and the inevitable this is why people are tired of old-time politics.

Some Hon. Members: Hear, hear!

Premier King: But, Mr. Speaker, in your infinite wisdom and your commitment to upholding the rights and privileges of those members in this hallowed Chamber, I'm granted the privilege to speak to this motion and for that, I say to you, thank you very much.

I do realize that oftentimes in this Chamber, that members will rise to speak, to share their thoughts on bills and motions and we may not agree with those comments but isn't that the true essence of democracy? What a boring Legislature and what a boring world it would be if we agreed all the time. To me, the diversity of opinion and the divergence of viewpoints, those are the very fundamentals of democracy and that is what good debate is all about.

Dare I say, one of the things that I'm most proud of in my short time in this Legislature is that I may have played, in some role, in some small way, a role in elevating the level of debate and shaving off the rough edges of partisanship and I believe and I hope I've showed a very keen desire to work with members of all parties in the best interest of doing what is best for Islanders. I think that is something that all Members in this Legislature should rightfully lay claim to and be very, very proud of. If you need any validation, I think Islanders, in record levels, approve the style of politics and it's something we would all be very wise to remember.

I've been thinking for days now and I haven't been able to come up with the proper words to express my shock and disappointment to see the members of the official opposition walk out in the middle of this debate because what they were hearing

did not align with what they wanted. The best words I could use are perplexed and bewildered. I thought, initially, as I saw it happening, that it was a silly political stunt drawn up in the backrooms of partisanship and I was surprised to see my colleague, the Leader of the Opposition, be a leading participant in such a stunt. In my time covering this Legislature as a journalist, working within it as a staffer, watching as a concerned citizen, commenting as a political observer, I've seen organized and orchestrated political stunts. They never work and most members come to regret participating in them.

In fairness to my colleague and outside of this Chamber, my friend the Leader of the Opposition, in my time, I would be very honest to say that he has been consistently an upholder of parliamentary privilege, a pillar of patience and understanding, a dog in the heel of process and I could name few people in my memory who have held the fundamental principles of this institution in higher regard than the Leader of the Opposition.

Some Hon. Members: Hear, hear!

Premier King: I don't wish to judge because who amongst us hasn't (Indistinct) me for sure. Who amongst us wouldn't love the opportunity to do it over again? If I could have a do-over and list the mistakes that I wish to correct, there wouldn't be enough paper in Prince Edward Island to print them.

That, in all honesty, perplexed me because in my short history here, as I stand in this Chamber and when I speak, the Leader of the Opposition looks directly at me. I seldom see him on his phone or computer and I would say, quite honestly, that he seems to be genuinely interested in the debate in this Legislature. If I were to continue to be truly honest and I think my colleagues would agree, sometimes that can be a difficult thing in here for Members of this Legislature, even if we have to fake interest because, dare I say it, it can get a little bit tedious in here sometimes.

The proceedings, as I watch the Leader of the Opposition, he pays very close attention and that is why, again, I think I quite honestly would say that I was bewildered to

see him leave this debate and then to see a precession of five of his caucus colleagues do the same exactly one minute after the other previous had left. I would also like to give full marks to the Member from Charlottetown-Belvedere and the Member from Summerside-Wilmot, they did not leave. They stayed in their seats and they listened intently to the debate, even if they did not agree with what was being said.

Then further, when I expressed interest to speak to this motion, members of the opposition, both parties, with the exception of the hon. Member from Tignish-Palmer Road voted in favour of stifling the debate, voted in favour of denying my privilege to speak. Dare I say it, that is why people are tired of old-time politics.

But you permitted me to speak, Mr. Speaker, and in your infinite wisdom, I thank you again for that.

From the beginning, when I saw the introduction of this motion, as the other members of the government caucus had indicated in their comments, my first thought was that it would be a really good thing for a standing committee to dive more deeply into the records management issue and to use the powers of the Legislative standing committee to bring forward witnesses, to probe more deeply and to ask questions and to do so in full public view.

To quote the Leader of the Opposition and his wisdom in the introduction of this motion and I quote: The investigation on records rightly belongs with this Legislative Assembly.

I agree with him wholeheartedly. This isn't about politics. This isn't about the colour of political parties. This is about Island citizens having the trust and confidence in the institutions that serve them. I will always want to be a supporter of doing everything I can to improve that trust and confidence.

I believe and I hope that my colleagues would validate that I have demonstrated a keen desire to push partisan politics to the side in the interest of doing what is right. I'm a big believer in leaving the silliness of partisan politics outside of the walls of this chamber, to the very extent that we can.

As I made my way through the components of the motion, I saw that the mover and seconder were perhaps as interested in making a partisan political statement as they were on getting to the bottom of this important issue.

The motion called for a special committee, made up of two, two, two, members from all parties to take a look at the records management to prevent one party from taking full control of the agenda, to prevent one party from stifling debate and abusing their power to silence opposing voices or to hide the truth. Two, two and two; what a novel idea.

I would be remiss again if I did not point out the incredible irony. It was only about this time last year when the Leader of the Opposition was chastising me for including in the Speech from the Throne my desire to see the legislative committee structure to be made up equally: Two, two and two so that legislative committees could do their important work without one party abusing their power to stifle debate and silence opposing voices.

I took a few body blows, a few body bruises but if the price to pay for a better democracy is a few scrapes and bruises, then I pay them gladly.

Some Hon. Members: Hear, hear!

Premier King: Because it's the right thing to do. We have tremendous legislative committees put in place right now doing incredible work, giving direction to this Legislature, not taking direction from the fifth floor. I'm immensely proud of that in here.

Some Hon. Members: Hear, hear!

Premier King: That is the only reason that I have a fundamental, principle position against this motion. It's not that I don't support the intent; I do, wholeheartedly. It's not that I don't want to get in the way of a fulsome deliberation that could help us determine what happened. In fact, it's quite the opposite.

I want all of that but I want this Legislative Assembly to get out of the business of instructing standing committees. I want the

standing committees that are in place to do what they have the ability to do and let me, again, quote the Leader of the Opposition as he introduced this motion and the committee will and I quote: Conduct its work in full public view. It has the power to subpoena and compel witnesses and will be able to follow the investigation wherever it leads. Very wise words and the standing committee that's in place now can do that. They have that ability to do so, and they should.

In fact, the government members on the committee, on that very committee, have written the chair and they've asked the committee to meet as soon as possible and get the work going. That committee is ably chaired by the Member from Charlottetown-Victoria Park. That member, to me, over the past 14 months has demonstrated a tremendous ability to engage, to ask questions, to lead groups, to be open-minded and she has been relentless in her pursuit to making the lives of Islanders better. I could think of no person better to lead such an initiative than the Member from Charlottetown-Victoria Park.

Some Hon. Members: Hear, hear!

Premier King: I could think of no person better who would be more interested in getting to the truth and I could think of no person more interested in upholding the trust and confidence of her government institutions than the Member from Charlottetown-Victoria Park.

When I look around, the other members of that committee, as I understand it: The Minister of Health and Wellness, the Minister of Social Development and Housing, the hon. Member from Charlottetown-Winsloe, the hon. Member from Cornwall-Meadowbank and the hon. Member from Summerside-Wilmot, who I would describe as six incredibly dedicated and talented MLAs. Who have built careers inside and outside of politics by doing good for people, by caring for Islanders, by being trustworthy, being dogged to get answers and that is an incredibly talented group of people. Should they determine to pursue records management as part of their standing committee, that I would have the utmost faith in the process and I would have the

utmost respect for their ability to lead a fair and balanced undertaking of their authority.

Some Hon. Members: Hear, hear!

Premier King: Now, Mr. Speaker, in the fullness of this debate, I know there will be some that would say the opposition actually tried to amend the motion and direct the committee to do this very work and that we voted against it. I did. I voted against it for the very same reason because I remain adamant that the current standing committee has its own authority to undertake this initiative without direction from the Legislature and I would encourage them to do so.

Further to that, it is my belief and I've come to that belief through experience, that the Legislative Assembly instructing the standing committees on how they should conduct their business is not the right approach. That is why I proposed that we change the makeup of the standing committees so that they could do their important work by making recommendations to this Legislature and not taking direction from it.

I voted against the amendment on that very principle, that we should avoid, at all costs, telling these committees what they should do. Again, as my colleagues have reiterated and I will reiterate again: I will be the first to support, should that committee undertake the work, to begin this important work.

All of my caucus who have spoken and we've talked about it many times within caucus, we want to do everything we can to help Islanders get to the bottom of this issue. Though the events around this very troubling issue happened a number of years ago, questions remain and that is why the Minister of Economic Growth, Tourism and Culture will bring an independent investigator, some fresh eyes from the outside to probe deeply and we will share that report fully and publicly with this Legislature and with all Prince Edward Islanders when it is presented to the government.

Contrary to the dreary and wrong picture painted by the Leader of the Opposition in the introduction of this motion when he said that the government has been known to and I

quote: They occasionally edit or modify the report when it comes back. I would be mortally offended if those comments were leveled at me because the Leader of the Opposition knows, as I know, that they weren't; that that is not the style of the government that I practice and nor will I ever practice as long as I'm given the privilege to be in this chair.

I believe the leader's comments were for the previous government. In that regard, those comments were likely fair and accurate. That will not happen with this review. When it is completed, it will be shared publicly and in its entirety and I make that solemn promise to you, Mr. Speaker, to the members of this Legislature and to all Prince Edward Islanders.

Some Hon. Members: Hear, hear!

Premier King: As I bring my comments to a close, I want to again say that I support the intent of this motion but I fundamentally, on principle, I am opposed to the components of the motion that direct the standing committees or to wrongly suggest that any standing committee needs to be given authority from this Legislature to undertake their roles. It is simply incorrect to suggest that. I think it is an overreach and I think it is an attempt to make partisan political hay out of a situation. I have been, as I said, trying very hard to lead by example and to keep partisanship out of this assembly and I would continue to encourage my colleagues from all parties to do the same.

Finally, I would say this: If I was in this Legislative Assembly, where one party tried to dominate the agenda, as was done in the past, to abuse its power, to stifle debate and to use its authority to shut down a legislative committee, I would be the first to stand shoulder-to-shoulder with the Leader of the Opposition and support this motion.

I would like to bring to attention the obvious and what everybody knows: We don't live in that world anymore. We have legislative committees that are fair and balanced and that, by their very design, require collaboration and cooperation. By their very design, one party does not have the power to influence or stop the work of the committee. I ask the members of this Legislature to let the committees do their work. They are

made up of talented MLAs, they are very capable and it would be wise for us to stay out of their way. This is not a venue to settle old scores or open old wounds. This is the House of the people of Prince Edward Island and it's our job to work together with them.

In saying that, in the spirit of cooperation and collaboration, I would respectfully ask the Leader of the Opposition to pull this motion from the floor, to let the members of the standing committee add this to their current work plan should they desire and to bring back to this Legislature their findings and recommendations.

I am very confident in this committee should they have desire to undertake this work and I know they will do so fairly and thoroughly. I'm further confident and although the Leader of the Opposition and I do not always agree, I know in our heart of hearts, we do share a desire to do what is right and to be respectful of this great institution that is the Legislative Assembly of Prince Edward Island.

Thank you very much.

Some Hon. Members: Hear, hear!

Speaker: Is there anyone else that would like to speak to this motion?

The hon. Member from Charlottetown-Victoria Park.

Ms. Bernard: Thank you, Mr. Speaker.

I have to say that I find this all very strange. Obviously my background had nothing to do with politics and I got into politics for the very reason that the Premier just described me as.

It is not in my nature to ever shut someone down. I believe in democracy in its fullest form. I believe that everyone should have the right to speak. I believe that in this space we have great privilege. We all recognize that. Sometimes we abuse that.

I do not believe that what people are sick of, as they consider old style politics, is the stunt that we pulled, apparently, in here but rather some other aspects of it, which I'm not going to get into right now.

I am happy to have the Education and Economic Growth committee take this on. I was quite surprised when the members from government, who stood on that committee, reached out to me as I was walking out the door asking us to meet, as government has just voted against sending it to Education and Economic Growth.

I have to say, I would be honoured to take on that work. I'm just left feeling a little bit confused about it all. I'm curious to see how the rest of debate goes and what this ends up looking like. Making accusations about people being partisan and political – this is something that every one of us in here has heard about; from several constituents.

This is not a partisan issue. This is an issue that Islanders want answers to. What I say, and what I know my colleagues have said, and I'm sure it's echoed through this House, when people reach out to me with that I'm very clear to say: There's nothing that we can do right now to fix what happened in the past. What we can do is fix what's broken or what's lacking right now in our practices and our policies so that something like this doesn't and can't happen again.

Again, I'm honoured to take on this work. I'm disappointed with how things are rolling out with this and I really hope that we can put this aside and get some good work done.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Summerside-Wilmot.

Ms. Lund: Thank you, Mr. Speaker.

I won't be needing a podium, my remarks will be brief but I do find the conversation around how staunchly we are defending the autonomy of our standing committees interesting and I am playing fast and loose with the word interesting, I'll tell you, because we've had a great many conversations in this Legislature where we have referred things to standing committees.

The current education minister strongly advocated for setting up a special committee on climate change instead of passing a motion to bring us in line with what the science says we needed to do on climate change. We had the conversation, the

minister felt strongly that it should go to a standing committee and I thought he had a great point so I introduced that motion.

I think that it's all right for us to suggest things for standing committee; we have countless motions in this House where we refer things to standing committee. So I look forward to government continuing with the vehement defending of the autonomy of standing committees in all future discussions whenever there are suggestions that we have motions to refer something to standing committee.

I'm sure that the ministers and the Premier will stand up with a podium and speak at great length on how important it is that we do not ever suggest what our standing committee should look at. We very recently had the Premier introduce a motion to have the standing committee on rules explore virtual debates; you were not so strongly opposed to it then, I note.

I find it hard not to see this as a partisan move, when we have one member stand up and talk out the clock and now have another member talk about how inappropriate it is for us to refer things to standing committees.

The intent of this motion is to try to get at a long standing problem that we have here. I totally echo my colleagues comment that you cannot fix what went wrong but you can fix the parts of it that were wrong that prevent it from happening in the future, which is why I'm in favour of a motion to send this to a special committee and I look forward to seeing members who are prepared to support this.

Thank you, Mr. Speaker.

Speaker: Hon. members, is there anyone else that would like to speak to this motion?

The hon. Minister of Health and Wellness.

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

I thought I should speak to this for a moment and I don't need the podium, thank you very much.

I lived through a period, when I was chair of Public Accounts, I have the utmost respect

for the hon. Member from Mermaid-Stratford who refers to the Auditor General reports and the important work that the Public Accounts committee does. Unfortunately, I lived through a period where we didn't have the balance on our standing committees that this Premier, in his wisdom, has put forward.

We truly have a change in the way government is done. We have a change in balance. We have a change in voice. We have a change in how things are said and how things are carried out.

There was comments made a few moments ago that one of the members talked out the clock; not factual. We actually had a vote. We had a vote on a motion.

Let's talk about facts. I did request the chair, who again, I have probably the highest regard for all of the opposition members. I deeply respect her commitment and her dedication to the work that she does here in the Legislative Assembly to call a committee together to start the process.

I was part of the opposition who stood day after day after day after day, session after session after session, calling: Who deleted the emails?

That hasn't changed. We still want to find the answers. We still want to move forward. We are dedicated; we are committed to ensure that things are done differently. That government works for the people. For the people. We will not lessen our dedication to that statement.

We have a Premier, again, who, as I said, has proven time and time and time again that he's prepared to do something different. Proudly, I was the leader of the opposition at one point in my career. I've attempted to do what I wanted to do; I was the one that brought forward the question about maybe we need to look at consensus style government where we get rid of political parties. Still not completely adverse to that scenario and looking at that because that's what we need to do.

We need to really open our eyes. We need to look at how we can best represent the people here on PEI. Political affiliation aside. Political pressure aside. And, you know

what, for once I really have a lot of confidence in the political system on PEI because I've seen, I've seen what this man can do. I've seen in a very short period of time him stand up over and over again. Have I always agreed with what he's said? Definitely not but you know what, I sit back, I listen and I'm proud.

I'm very proud to work for this Premier just as I'm proud to work with every other MLA in this Legislative Assembly because at the end of the day I really feel, and I'm adamant, that every person in this Legislative Assembly is here to represent your constituents, to do the work that we have to do to ensure that PEI every day is a little bit better for people to live here.

As I said, I'm prepared as a member of the standing committee that represents two, two and two to do the work, to find the answers and to move forward.

Thank you very much, Mr. Speaker.

Speaker: Hon. members, is there anyone else that would like to speak to this motion.

If not, I'll go to the mover of the motion, the hon. Leader of the Opposition.

Leader of the Opposition: I appreciate that, Mr. Speaker, thank you very much.

I want to thank all of the members who have risen to speak to this motion, this really important motion. It's obviously generated a great deal of interest and some spirited debate. I was not going to go back to last Thursday but I've been taken there by the Premier's remarks, so let's go there.

Last Thursday, after we introduced the motion, I think four government members spoke enthusiastically, some at great length in support of the intent of the motion, but they all, with one voice, also express the concern. Why are we setting up a special committee when we already have a standing committee that will do this job perfectly adequately? I see the Minister of Fisheries and Communities nodding his head right now and he was one of the four government members who spoke and I paraphrase, of course, but that was the very consistent message that I heard from all who spoke on that side.

One of the members who spoke and, again, I paraphrase. I may not get his words exactly right but something to the effect that, do we want to create a committee for every issue? Of course, the answer to that is no. There's no need to do that. This is a singular issue. This is not a typical issue. This is an issue which has dogged this Legislature for a very long time and I think it's emblematic of why, as the Premier rightly said and other members who have spoken tonight, that people are fed up with politics. It's because of a lack of transparency, a lack of accountability, a lack of a willingness to be open and to be honest. That's why people are fed up with politics.

I agree with the Premier. I think we have made huge strides here on Prince Edward Island and I want to return the favour and thank him for the attitude that he has brought to his position and to this job and to the relationship that we have forged together over the last 13 months. Not always cordial, not always in alignment, but with respect for each other and I think I can speak for both of us when I say this, with the best interests of this Legislature and of Islanders at heart at all times.

One of the other comments that was made last Thursday was that this was a political ploy or a political stunt and, again, those words were echoed this evening by the Premier. I find that ironic. Evel Knievel pulled a lot of stunts but I don't think he would have chosen to ride his motorcycle and jump over the Grand Canyon in the depths of night with nobody looking.

When I decided to leave my chair here in the Legislature briefly, on Thursday, it was after watching and listening to the member who was on his feet at the time speaking for a rather lengthy period of time. I'd already listened to him speak to the motion before he adjourned debate; he adjourned debate –

Some Hon. Members: Hear, hear!

Leader of the Opposition: – and at that time, he spoke against the original motion but he spoke vigorously and enthusiastically about sending this to a committee. In fact, he even tweeted as much: I support sending this to a standing committee – or words to that effect. Then, he adjourned debate.

Because it was our time, we were able to recall the motion so we did recall the motion, the Member from Charlottetown-Belvedere, our House Leader stood up and recalled the motion, at which point, the same minister who had just argued vigorously and enthusiastically to send it to a standing committee, after we had amended the motion to do exactly that, spent a further 15 or 20 minutes arguing that that would be the worst thing in the world to do.

I'm all for illuminating debate in this Legislature and I sit and I appreciate the Premier's comments, that I pay attention here; not 100% of the time, Premier, by the way, but a lot of the time, because I'm here to learn. We're all here to learn. This is the talking house. This is the place where we are meant to bring opposing views, differing views, not necessarily opposing – differing views. Opposing views suggests that there are just two sides to an issue. Sometimes there are five sides, sometimes there are 20 sides to an issue and we need to hear them.

I am here to listen. I spend a lot more time – in fact, we all do, we spend a lot more time in this House listening than we do talking. That's a very good thing. But it's only good if we're listening to rational, reasonable, persuasive debate. When I heard the same individual, not half an hour later, completely contradicting the arguments he had made in favour of a changed motion, I thought, what am I learning here? The Premier says we walked out because and I quote: Because what he was saying did not align with my views. Absolutely not the case. I walked out because what he was saying did not align with democracy and good debate and what this House is all about.

Some Hon. Members: Hear, hear!

Leader of the Opposition: I find myself sitting here wondering what was going on. How a member could switch 180 degrees in the course of half an hour and argue with great persuasion –

Mr. Myers: You weren't listening. You clearly didn't listen. You didn't listen, so, if you want to (Indistinct) me into it, I'm here.

Speaker: Member, he has the floor.

Leader of the Opposition: I have great respect for the member for many reasons.

Mr. Myers: I'm not sure that's true.

Leader of the Opposition: He can speak at length and he can speak with conviction and he speaks knowledgeably and he speaks persuasively, but none of that matters. None of those skills matter if they are not attached to sound principles and to decency and to the illumination of truth. I find myself sitting here, after 20 minutes of listening to the member contradict himself and I decided, probably I'm not going to learn very much more in terms of the essence of this debate so I closed my books, packed up my computer and I headed upstairs. I was joined shortly afterwards by a number of my colleagues.

We came back down when the member had finished speaking and we rejoined proceedings. This was not a political stunt on this side of the hall. How many people –

Mr. Myers: If it walks like a duck, sounds like a duck, it is a duck.

Speaker: Hon. members.

An Hon. Member: You had me right until there, I was with you.

Mr. Myers: He can't even keep a straight face.

Speaker: Order, order!

Leader of the Opposition: How many people do you think were aware that we had walked out of the House? There's no media in this room. I didn't meet any media members in the hall. I went upstairs quietly and worked in my office, did something more productive than sitting, listening to the member at that moment. This was not a political stunt. This was a statement. It was a statement that I had listened to enough at this particular time, for this particular member – we've all walked out of this House on occasion.

Premier King: Not on mass.

Leader of the Opposition: No, I walked out individually, as did all the members in my caucus.

Premier King: Come on now.

Leader of the Opposition: Hypocrisy is never pretty.

Mr. Myers: We're witnessing it.

Leader of the Opposition: The roots of the word integrity are about all of the parts of your being, being integrated together so that there are no contradictions. It's very hard to live with integrity. As a Green party member, I drive my car to work every day. I eat meat. I do all kinds of things that I know are damaging to the planet. I don't live with entire integrity, but I try hard. Hypocrisy is the opposite of integrity. It's pretending that what you are doing and saying is real and it comes from a place of truth. I saw a lot of hypocrisy on Thursday evening. We saw heaping quantities of hypocrisy on Thursday evening: Members standing and arguing on one side and then after the motion was amended, standing and arguing vociferously on the other. Members voting down a motion, an amended motion, to send it to standing committee and then not half an hour later, personally contacting the standing committee chair to suggest that she call a meeting within the half hour. This is after voting down the motion to send it to standing committee. Now that's hypocrisy.

Mr. Aylward: That's trying to get some work done.

Premier King: That's actually the opposite.

Mr. Myers: You're struggling. Islanders are seeing it (Indistinct)

Leader of the Opposition: We had a hard job on this side of the House deciding what to do after we witnessed what we did on Thursday night. We were two minutes to 9:00 p.m. What are we going to do? Members on that side had quite obviously, deliberately talked at length, recounting interesting stories, perhaps, but not illuminating the debate.

What do we do? Do we carry on as if nothing has happened, or do we make a statement? We decided on the latter, after a great deal of debate on this side of the House, I might say. That was not an easy decision to make. We had members of our caucus who felt that was the wrong thing to

do. We had members of our caucus say no, they need to wear this. They got us to this position, they talked out the clock, they got us to two minutes to 9:00 p.m. without a resolution to this motion that we tried so hard to get through, both in its original form and in its amended form. What do we do?

An Hon. Member: We didn't need the motion. We didn't need the motion.

Leader of the Opposition: We decided that we would adjourn debate at that moment in time; not an easy decision to make and many decisions in politics are not easy.

Personally, I don't care whether this issue goes to a standing committee or whether it goes to a special committee. I don't care. I suspect a special committee would be a better vehicle because the scope of their work will be clearly defined, they will be set up specifically to do this job, this very, very important job that we have not been able to do for all of these years in Prince Edward Island and they'll be given a timeframe, six months, to come back and report to this Legislature on this specific thing.

If we send it to a standing committee, it will be one of many issues that that standing committee is tasked to deal with. It's not that they can't do it. We've seen this week, in the midst of a sitting, we watched a standing committee go from being not formed because it already existed, but being tasked with a very important and difficult job to review Bill No. 37, the *Emergency Measures Act* and to report back to this House within 14 days on a really difficult topic. They did that. They reported earlier today.

Mr. Myers: That's the point.

Premier King: It wasn't a special committee.

Leader of the Opposition: It was not a special committee, it was a standing committee. Standing committees can do extraordinary things when they're tasked to do it. That's why I say –

Some Hon. Members: Hear, hear!

Mr. Myers: Now you're talking.

Leader of the Opposition: I don't care if it goes to a standing committee or a special committee. Let's just get the work done.

The reason that we did not just allow that to happen organically, as the Premier suggests, was that this government has proactively announced that they are going to hire an outside, independent person, appointed by Executive Council, to do what the standing committee can do – except they can't do what the standing committee can do because they cannot compel witnesses to testify, they cannot subpoena witnesses. The report will be given to Executive Council first and to the Premier's comments, absolutely, I was talking about the previous administration when I talked about monkeying around with reports, whether that be the *Child Protection Act* or the lands bank. There are a number of reports where the – the report on the police – excuse me, I've lost my train –

Premier King: Police review.

Leader of the Opposition: Yeah, police review report, where it was given out in public, it was retracted and then it came back in a different form. That's what happens when you employ independent so-called reviewers to do your work. We have the mechanism here, in our Legislature, to do this work properly and it stands with either a special committee or a standing committee.

I'll say it again: I don't care where it goes. We came with a motion to establish a special committee. Members on the other side didn't like that so we amended our own motion to reflect those concerns and then, suddenly, the members didn't like that either. I find myself running around in circles, looking at individuals who've tied themselves in pretzels and I'm just as confused as the Member from Charlottetown-Victoria Park was when she stood up and spoke.

A couple of things I want to correct about what the Premier said: He said I chastised him for the suggestion of bringing committees that were two, two and two. What I was chastising was not the idea of equal representation of committees but that that was being dictated from the executive branch of government. That's sort of being displayed here. I think the idea is fantastic

but it cannot be somebody saying, this is what we're going to do. That has to be decided by the legislative branch, in my opinion. This is where the true authority of this House lies; in the 27 members, not in Cabinet, not in Executive Council.

While I absolutely support the idea of creating committees two, two, two, I did not support the process that the Premier was suggesting for doing that. That's what my concern was. That's a very important distinction that I make that.

I think I pretty well said all I need to say. I look forward to the vote on this, but far more importantly, I look forward to a more robust set of ongoing criteria so that records production and records retention in this province can change, will change. We can't always go back and correct old mistakes, although we can review them more fully than we have currently. We can't always go back and correct old wrongs, but we can provide an accountability framework for this and for all future Island governments that will give Islanders comfort and confidence that when it comes to records regulation and records retention, we are doing it right here on Prince Edward Island.

I look forward to this vote and I thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: Is everyone ready for the question?

All those in favour, say 'aye.'

Some Hon. Members: Aye!

Speaker: All those against, say 'nay.'

Some Hon. Members: Nay!

Ms. Lund: Standing vote.

Speaker: Sergeant at Arms, standing vote's been asked.

Can you please ring the bell?

[The bells were rung]

Mr. Deagle: Government is ready to vote.

Ms. Lund: Opposition is ready for the vote.

Mr. Henderson: Third party is ready for the vote, Mr. Speaker.

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

Clerk: The hon. Member from Montague-Kilmuir, the hon. Minister of Fisheries and Communities, the hon. Minister of Finance and Deputy Premier, the hon. Minister of Health and Wellness, the hon. Premier, the hon. Minister of Transportation, Infrastructure and Energy, the hon. Minister of Environment, Water and Climate Change, the hon. Minister of Agriculture and Land and Justice and Public Safety, the hon. Minister of Economic Growth, Tourism and Culture, the hon. Minister of Education and Lifelong Learning, the hon. Minister of Social Development and Housing and the hon. Member from Morell-Donagh.

Speaker: All those voting for the motion, please stand.

Mr. Deagle: I'm definitely not sitting on another committee.

Clerk: The hon. Member from Tignish-Palmer Road, the hon. Member from Cornwall-Meadowbank, the hon. Leader of the Third Party, the hon. Leader of the Opposition, the hon. Member from Mermaid-Stratford, the hon. Member from Charlottetown-Brighton –

Mr. Deagle: You would all make good money on it.

Clerk: – the hon. Member from Charlottetown-Winsloe, the hon. Member from O'Leary-Inverness, the hon. Member from Summerside-South Drive, the hon. Member from Charlottetown-Victoria Park, the hon. Member from Charlottetown-West Royalty, the hon. Member from Charlottetown-Belvedere, the hon. Member from Summerside-Wilmot and the hon. Member from Tyne Valley-Sherbrooke.

Speaker: Hon. members, the motion's passed.

Some Hon. Members: Hear, hear!

Speaker: I must say, hon. members, that was a great debate this evening and this is exactly why I voted the way I voted. I wanted the members to put it onto the floor and let them debate it and let them make their decision. I shouldn't have to make a decision for 27 members, so it was a great debate this evening and I enjoyed listening. That's why I made my decision the way I made it.

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Thank you, Mr. Speaker.

I call motion 21, be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 21, *Intimate Images Protection Act*, Bill No.118, ordered for second reading.

Ms. Bell: My apologies, Mr. Speaker. I went for motions instead of –

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Shall we try that one again, Mr. Speaker?

Speaker: Yes.

Ms. Bell: Okay, I'll try that again.

Mr. Speaker, I move, seconded by the hon. Member from Charlottetown-Victoria Park, that the 21st order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 21, *Intimate Images Protection Act*, Bill No.118, ordered for second reading.

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

Ms. Bernard: Mr. Speaker, I move, seconded by the Honourable Member from Charlottetown-Belvedere, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *Intimate Images Protection Act*, Bill No.118, read a second time.

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Mr. Speaker, I move, seconded by the Honourable Member from Summerside-Wilmot, 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 Tignish-Palmer Road to chair the Committee of the Whole House please.

Chair (Perry): The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Intimate Images Protection Act*.

A request has been made to have a stranger come onto the floor.

Shall it be granted?

Some Hon. Members: Granted.

Chair: Could you please state your name and title for Hansard, please?

Nathan Hood: I'm Nathan Hood. I'm the Senior Policy Advisor in the office of the official opposition.

Chair: Promoter, would you like to start with a statement of the bills intent?

Ms. Bernard: Sure. Thank you, Chair.

Technology is an incredible force in our modern world. It has made it easier to communicate and share our lives with others, in ways we could have never even imagined 20 years ago. While new technology can benefit society, it can also have negative impacts on vulnerable members of our communities. One such example is the non-consensual distribution of intimate images, which is a growing problem. To briefly explain what this could look like, let me provide an example.

A woman takes a naked photo of herself and shares it with her significant other. Sometime later the couple breaks up but the

significant other decides to keep the image and shares it with his friends. The woman is deeply impacted. Who has seen her photos? Will she lose employment opportunities as a result? If she walks into a room, is there going to be someone there who has seen the photo? If it has been uploaded to the Internet, can it ever be truly removed?

The non-consensual distribution of intimate images was added to the Criminal Code just a few years ago and in the years we've collected data, PEI has reported more incidents than the national average by comparative measure. Of course, it is likely that the incidents that are reported don't capture the full extent of the problem.

While those Criminal Code provisions offer Islanders a criminal avenue to address the non-consensual distribution of intimate images, it might not be appropriate in all cases. Some people might be uncomfortable approaching the police about their issue. Some, for whatever reason, might not want to see criminal charges brought against the person who had distributed the image.

Our bill provides a civil avenue to address the non-consensual distribution of intimate images similar to legislation that has been introduced in Alberta, Manitoba and Newfoundland. It allows the victim of the distribution to sue in civil court, to hold the person accountable for distributing the intimate images without their consent. It also establishes a reverse onus, meaning it is the responsibility of the defendant to demonstrate that they had ongoing consent to distribute the image.

Earlier this month, we conducted a consultation process and through this process we received positive and constructive feedback from many engaged Islanders, individual and groups, including, but not limited to, the Advisory Council on the Status of Women, the Community Legal Information, the PEI Rape and Sexual Assault Centre, PEERS Alliance and Family Violence Prevention Services.

Thanks to the feedback we've received, we will be tabling further amendments to this bill to enhance it. I'll just briefly describe what those include.

It includes an expanded definition of intimate image to capture images like up-skirting; expanding the tort to include threats of non-consensual distribution of intimate images. It sets to provide greater clarity in the defense section as to what constitutes in the public interest. It provides clarity with respect to a parent's liability regarding the actions of a child under the age of majority. It allows minors to apply to revoke a publication ban.

This bill will support Islanders who have been victimized by the non-consensual distribution of intimate images by further empowering them to hold their abusers accountable. I hope that you will join me in supporting this bill and I am happy to answer any questions.

Chair: Thank you.

I understand that there's some amendments, did you want to put them forward now or as we go along?

Ms. Bernard: We'll put them forward now.

Chair: Okay, you have the floor.

Hon. members, there's several amendments so the Clerk is going to pass them around to give you an opportunity to read them.

What we're going to do is go through the bill section by section and that's how we'll make our amendments then, we'll do it section by section.

We'll just have to give a couple of minutes for those amendments to be distributed to everyone.

Chair: Hon. members.

Promoter, would you like to move your first amendment please on the section (1)?

Ms. Bernard: Read it?

Chair: Yes, you'll have to read it.

Ms. Bernard: The whole –

Chair: Yes.

Ms. Bernard: I move that 1. Clause 1(b) of Bill 118 is deleted and the following substituted:

(b) “intimate image” means a visual recording of a person made by any means, including a photograph, film or video recording

(i) in which the person depicted in the image

(A) is nude or is exposing his or her genital organs or anal region or her breasts,

(B) is engaged in explicit sexual activity,

(C) is engaged in showering, toileting, or other personal bodily activity that involves dressing or undressing, or

(D) is exposing his or her naked or undergarment-clad genital organs or anal region or her breasts and the recording was made

(I) from beneath or under the person’s clothing, or

(II) through a person’s outer clothing in circumstances where it is unreasonable to do so, and

(ii) that was recorded in circumstances that gave rise to a reasonable expectation of privacy with respect to the image, and

(iii) where the image has been distributed, in which the person depicted in the image retained a reasonable expectation of privacy at the time it was distributed;

(c) “parent” when used in reference to a person under the age of majority, includes any individual who has lawful custody of, or a lawful right of access to, the person under the age of majority.

Chair: The floor is now open for discussion.

Shall the amendment carry? Carried.

Are there any questions on this amended section?

Shall the amended section carry? Carried.

Section two, you also have an amendment.

Ms. Bernard: Thank you, Chair.

Chair: Sorry, it’s my mistake. That was my mistake, I was reading two off the list, I’m sorry. I’m going to scratch those off right now.

(2) Interpretation

For the purposes of this Act, a person distributes an intimate image where that person publishes, transmits, sells, advertises or otherwise makes the intimate image available to a person other than the person depicted in the intimate image.

Any discussion?

Shall this section carry? Carried.

Now we’re into three. Now you have an amendment. You’re going to make a motion to amend.

Ms. Bernard: For the second?

Chair: For the third section.

Ms. Bernard: The third section?

I move that –

Chair: And then read your section three.

Ms. Bernard: – section 7 of Bill 118 is deleted and the following substituted –

I move that section 3 of Bill 118 is amended

(a) in subsection (1), by the addition of the words “or threaten to distribute” after the word “distribute”; and

(b) in subsection (2), by the addition of the words “or threatens to distribute” after the word “distributes”.

Chair: Any discussion on the amendment?

Shall the amendment carry? Carried.

We’re going back to that section as amended. Any discussion on that section as amended?

Shall it carry? Carried.

(4) Action without proof

An action for the non-consensual distribution of an intimate image may be commenced without proof of damage.

Any questions?

Shall this section carry? Carried.

(5) Expectation of Privacy

In an action for the non-consensual distribution of an intimate image, the person depicted in the intimate image does not lose the expectation of privacy with respect to the intimate image where

(a) the person

(i) consented to another person recording the intimate image, or

(ii) provided the intimate image to another person; and

(b) that other person knew or ought reasonably to have known that the person depicted in the intimate image did not consent to the further distribution of the intimate image.

Any questions on this section?

Shall it carry? Carried.

(6) Reverse onus

Where an action for the non-consensual distribution of an intimate image is commenced,

(a) it shall be presumed that the intimate image was distributed without the consent of the person depicted in the intimate image; and

(b) the defendant shall establish that he or she had reasonable grounds to believe that he or she had ongoing consent for distribution of that intimate image.

Shall this section carry? Carried.

Section seven – there is an amendment to section seven and I will ask you to move it.

Ms. Bernard: I move that section 7 of Bill 118 is deleted and the following substituted:

7. Defence

(1) It is a defence to an action for the non-consensual distribution of an intimate image to show that the distribution of the intimate image is in the public interest and does not extend beyond what is in the public interest.

Clarity, public interest

(2) For greater clarity, the public interest includes circumstances in which an intimate image was

(a) distributed in good faith in

(i) law enforcement,

(ii) a legal proceeding; or

(iii) medical education or treatment;

(b) made in good faith in the reporting or investigation of

(i) unlawful conduct, or

(ii) unsolicited and unwelcome conduct; or

(c) reasonably intended to assist the depicted individual.

Public figure

(3) The distribution of an intimate image is not a matter of public interest solely because the depicted individual is a public figure.

Chair: The floor is open for discussion.

Shall this amendment carry? Carried.

Shall the amended section carry? Carried.

(8) Remedies

(1) In an action for the non-consensual distribution of an intimate image, the court may

(a) award damages to the plaintiff, including general, special, aggravated and punitive damages;

(b) order the defendant to account to the plaintiff for any profits that have accrued to the defendant as a result of the non-consensual distribution of the intimate

image and make an order in favour of the plaintiff with respect to the recovery of those profits from the defendant;

(c) issue an injunction on the terms and conditions that the court determines appropriate in the circumstances; and

(d) make any other order that the court considers just and reasonable in the circumstances.

Court may disregard order

(2) In awarding damages in an action for the non-consensual distribution of an intimate image, the court may disregard an order made under clause (1)(b) in respect of the non-consensual distribution of the intimate image.

Shall this section carry? Carried.

Ms. Bernard: I move that Bill 118 is amended by the addition of the following after section 8:

9. Limit of Liability

Where a defendant in an action for the non-consensual distribution of an intimate image is under the age of majority, a parent of the defendant shall not be jointly and severally liable for any damages awarded to the plaintiff unless the court is satisfied that the parent directly participated in the non-consensual distribution of the intimate image.

Chair: Any discussion on the amendment?

Shall the amendment carry? Carried.

Shall the amended section carry? Carried.

Ms. Bernard: Section 9 of Bill 118 is renumbered as section 10 and amended

(a) in subsection (3) by the addition of the words “and subject to subsection (5)” following the words “Notwithstanding subsection(1)”;

(b) in subsection (4), by the deletion of the words “Subsection (3)” and the substitution of the words “Subject to subsection (5), subsection (3)”;

(c) by the deletion of subsection (5) and the substitution of the following;

Order revoking publication ban

(5) Where a party in an action respecting the non-consensual distribution of an intimate image is under the age of majority during or following the action, the party may apply to the court for an order revoking any prohibition with respect to the publication of

(a) the names of one or more of the parties to the action;

(b) any information that may identify the parties; or

(c) both.

Offence

(6) A person who contravenes subsection 10(1) or (3) commits an offence.

Chair: The floor is open for discussion on the amendment.

Shall the amendment carry? Carried.

Shall the amended section carry? Carried.

Ms. Bernard: I move sections 10 and 11 of Bill 118 are renumbered as sections 11 and 12.

Chair: Shall the amendment carry? Carried.

Section 11: Other rights not affected.

A right of action under this Act is in addition to, and does not affect, any other right of action or remedy available to a person under another Act.

Shall this section carry? Carried.

12. Coming into force

This Act comes into force on the earlier of a date that may be fixed by proclamation of the Lieutenant Governor in Council or 120 days after the date of Royal Assent.

The hon. Minister of Agriculture and Land and Minister of Justice and Public Safety.

Mr. Thompson: Thank you, Mr. Chair.

I want to begin by thanking my colleague from Charlottetown-Victoria Park on bringing this very important bill forward. This is well aligned with the work that my department has been doing through the Uniform Law Conference of Canada, which is designed to uniform laws across Canada and they were working on this law in particular. It really aligns well with that and I look forward to the outcome of the work and I thank you again for bringing this forward.

With that, I've had some good dialogue with the promoter and we've agreed that section 12, replace the 120 days with 180 days.

I move, seconded by the Member from Charlottetown-Victoria Park, that section 12 be amended by replacing '120' with '180.'

Chair: Do you have copies, hon. member?

Mr. Thompson: Yes I do.

Chair: Okay, all members do have a copy of the amendment. Is there any discussion on the amendment?

The hon. Member from Mermaid-Stratford.

Ms. Beaton: Just a quick question: What's the difference between 120 and 180? Other than 60, good thing I added that, right?

Mr. Thompson: With the work that the Uniform Law Conference of Canada is doing, they could align perfectly. That's what our hope is with the work that the department has been doing. They're supposed to have it by this fall so it will work perfect on 180 is the plan and if it doesn't, it can be proclaimed and we can amend it later in another time. We're just hoping that the timelines meet so we have strong legislation. Not that this isn't strong but it just gives us a uniform legislation.

Ms. Beaton: Thank you, Chair.

Chair: Shall the amendment carry? Carried.

Shall the amended section carry? Carried.

Shall the bill carry as amended? Carried.

Some Hon. Members: Hear, hear!

Ms. Bernard: I move the title.

Chair: *Intimate Images Protection Act.*

Shall it carry? Carried.

Ms. Bernard: I move the enacting clause.

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

Shall it carry? Carried.

Ms. Bernard: Mr. Chair, I move the Speaker take the chair and that the Chair report the bill agreed to with amendment.

Chair: Shall it carry? Carried.

Mr. Perry: Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intituled *Intimate Images Protection Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same with amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Charlottetown-Belvedere.

Ms. Bell: Thank you, Mr. Speaker.

At this point, we would cede our time to government with agreement from the Third Party.

Speaker: Thank you.

Premier King: Mr. Speaker, I move, seconded by the hon. Minister of Transportation, Infrastructure and Energy, that the 1st order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 1, Consideration of the Estimates, in Committee.

Speaker: The hon. Premier.

Premier King: Mr. Speaker, I move, seconded by the Honourable Minister of Transportation, Infrastructure and Energy, that this House do now resolve itself into a Committee of the Whole House to take into consideration the grant of supply to Her Majesty.

Speaker: Shall it carry? Carried.

The hon. Member from Tignish-Palmer Road and Deputy Speaker to chair the committee.

Chair (Perry): The House is now in a Committee of the Whole House to further consider the grant of supplementary supply to Her Majesty.

A request has been made, hon. members, to bring a stranger onto the floor. Shall it be granted? Granted.

Hon. members, we are on page 24 on the Department of Agriculture and Land. We read the section Farm Business Risk Management and it is still under discussion.

Would you please state your name and title for Hansard, please?

Mary Kinsman: Mary Kinsman, Director of Finance and Corporate Services for Agriculture and Land.

Chair: Thank you very much.

Are there any other questions on this section?

The hon. Member from Summerside-South Drive.

Mr. Howard: We were under Farm Business Risk Management, you said?

Mr. Thompson: Yes.

Mr. Howard: This section would cover any risk that you're going to foresee for any farms coming up in the future? Anything you could try to mitigate for those farms, you'd try to find a program under here to make sure that the farms were insulated against –

Mr. Thompson: It's based on crops, yes.

Mr. Howard: Based on crops. Okay, so if there was a risk from something related to the crops, would that be covered in this as well? It's not all just having the –

Mr. Thompson: The (Indistinct)

It's a federal/provincial partnership and the parameters are set by the federal government and we go by them.

Mr. Howard: Okay, so you don't have any flexibility in what you would like to include in risk management, here? You just have to follow the federal government? That's what you're going to bring back to me from previous questions?

Mr. Thompson: Sure.

Mr. Howard: Yes? That's fine.

Thank you, Chair.

Chair: Shall this section carry? Carried.

Total Farm Business Risk Management: 18,236,100.

Shall it carry? Carried.

Agriculture Resources

Agriculture Resources Division
Management

“Appropriations provided for the management and support of the Agriculture Resources Division.” Administration: 14,300. Equipment: 4,000. Materials, Supplies and Services: 17,100. Professional Services: 24,000. Salaries: 247,600. Travel and Training: 46,900. Grants: 261,100.

Total Agriculture Resources Division Management: 615,000.

The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

So what sort of issues or topics are our consultants used for in this department?

Mr. Thompson: Consultant services – just support for industry as they need it. Supports for industry just whenever they need it.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Supports for – I don't know what you mean by that. Can you elaborate on that?

Mr. Thompson: This is on the grants budget estimate?

Ms. Beaton: Yeah.

Mr. Thompson: Yeah. 24,000? Is that –

Ms. Beaton: Yeah.

Mr. Thompson: Yeah. That's just consultant services where if something comes up and we need to maybe hire a consultant to help with the situation in support of an industry.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: So it's the same year over year. Is it an ongoing contract?

Mr. Thompson: No. It's not with individual –

Mary Kinsman: No, it varies from year to year and there were no requirements for the funding this past year.

Ms. Beaton: And just a quick question on the grants: so in the back-up you had mentioned, there's details for less than half of the grants classified as miscellaneous grants, and that's on (Indistinct) of the book.

So who else is receiving grants in this section? Like, what is it specifically for?

Do you have a list?

Mr. Thompson: Yeah. Atlantic Agricultural Hall of Fame, Canadian Agricultural Hall of Fame, PEI agronomists, Atlantic Grains Council, Dalhousie University, PEI Agriculture Sector Council – they got three – PEI Federation of Agriculture –

Ms. Beaton: Okay.

Mr. Thompson: – Potato Blossom Festival, PEI Potato Board, Canadian Centre for Food Integrity, Canadian – Agriculture in the

Classroom, PEI 4-H Council, CanAg Plus, and then miscellaneous is anything from sponsorship to Atlantic Outstanding Young Farmer program to a curling bonspiel, Macphail Homestead Foundation – and that's what I have.

Ms. Beaton: Okay.

Chair: Shall this section carry? Carried.

Sustainable Agriculture

“Appropriations provided to assist the farm community with programs and services which support sustainable agriculture practices.” Administration: 15,900. Equipment: 31,200. Materials, Supplies and Services: 29,600. Professional Services: 13,200. Salaries: 1,060,600. Travel and Training: 40,000. Grants: 2,466,000.

Total Sustainable Agriculture: 3,656,500.

The hon. Member from O'Leary-Inverness.

Mr. Henderson: Just on your salaries there under sustainable agriculture – they're up a bit, so I'm assuming there's a new position filled or was it a case where there was a vacancy that was sitting for a period of time? Anyway, what was that position?

Mary Kinsman: There is a new position. It's a Soil Health Development Coordinator position.

Mr. Henderson: Good. Okay. Yeah.

Mary Kinsman: That was a temporary position for the last year and we're making that a permanent position.

Mr. Henderson: So making it permanent –

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

Mr. Henderson: Thank you.

Chair: Shall this section carry?

Some Hon. Members: Carried.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: So can you give me a bit of detail on the Environmental Farm Plan software that the federation is developing? Is that – I think that's –

Mr. Thompson: The Federation of Agriculture?

Ms. Beaton: I'm just trying to find it here. There it is there. It's under – it's \$30,000 under miscellaneous.

Mr. Thompson: I have \$30,000 for Environmental Farm Plan software development. That's all I can tell you about it.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Is that the agri-watershed alliance program or –

Mr. Thompson: No, that's the – the federation does environmental farm plans for the farming community and we support them in that and I think they're modernizing their software, so that was to – they do all our environmental farm plans.

Ms. Beaton: Okay.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: And I'm happy to see the \$100,000 for the crop – for the comprehensive crop study and I'd love to know when that meeting happens and when that starts developing. I'd really –

Mr. Thompson: Absolutely.

Ms. Beaton: – like to – okay. And I do thank you for including that in the budget.

So what sort of projects are funded through last year's funding for the agriculture clean technology project?

Mr. Thompson: Clean technology was – that was Schurman's burner.

Mary Kinsman: It was, yeah. That project was offset by revenue. It was a clean technology novel by-product that was the boiler pilot demo. This was the department – this was a federal project –

Ms. Beaton: Yeah.

Mary Kinsman: This funding is offset by federal revenue. It's a federal program. The way they had it set up – the department had to apply on behalf of the applicant, so the applicant applied to the department and we applied to the federal program on their behalf. That has changed. There will be no more projects that way. The applicant will be able to apply directly to the federal government. So that's what this particular project was. Atlantic Grown Organics was the project.

Ms. Beaton: And then the budget book mentions 90% of PEI farmers have developed environmental farm plans under EFP program. How many of these farm plans are up to date?

Mary Kinsman: Each year, they update around 25% of those environmental farm plans. I believe that's the number. So they're kind of – they change from year to year –

Mr. Thompson: They're staggered.

Mary Kinsman: – they stagger from year to year.

Ms. Beaton: And is the requirement to have to renew every five years?

Mr. Thompson: I think it is. Yes, every five years.

Ms. Beaton: So is there is a process, then, for the department to follow up on that to see how they're doing or anything like that?

Mr. Thompson: If they are coming through funding programs, they have to have their environmental plan.

Chair: The hon. Member from Mermaid-Stratford.

Mr. Thompson: It's the only way –

Chair: Sorry.

Mr. Thompson: – contact we have with them. Yeah.

Ms. Beaton: Okay.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: And if there's a requirement for assistance, is that something that the department would help with, if it's required?

Mr. Thompson: Yes, I believe there's (Indistinct) –

Mary Kinsman: For assistance for –

Mr. Thompson: Environmental farm plans?

Mary Kinsman: The environmental farm plan funding is with the PEI Federation of Agriculture. –

Ms. Beaton: Oh, okay.

Mary Kinsman: They oversee the program.

Ms. Beaton: All right. And then the ALUS program – great program, but it hasn't seen much of an increase in funding since last year, (Indistinct) 10,000. What's your vision of that or –

Mr. Thompson: We're going to have a look at this program. It's a great program and maybe it needs to be modernized instead of just paying the same property year after year. It needs to be more incentive to take poorer land out of production and increase the emphasis on profitable land that can make you more money than –

Ms. Beaton: Right.

Mr. Thompson: Yeah. So we're going to reevaluate the ALUS program.

Ms. Beaton: Would that be a plan for this fiscal year or –

Mr. Thompson: Yeah, it's something that we've talked about looking at this year.

Ms. Beaton: And does the government have targets on how much land or what kind of land – or, sorry, what kind of habitat is transitioned through the program?

Mr. Thompson: Habitat? No.

Ms. Beaton: Yeah, on targets, or, like, of how much land and what kind of land is put

through the program – transitioned? Is there a strategic plan of –

Mr. Thompson: What I can say is that we try to improve the wildlife habitat that's in the ALUS land and that's got to become a focus of the department as well.

I don't know if we will be discussing the strategic plan going forward on that, so I'll bring that back.

Ms. Beaton: I'm just also wondering if the department actively tries to identify land that should be transitioned.

Mr. Thompson: I think if we had a bigger budget on this, it would be – there's a lot of uptake on it. It's one of those things we don't have to go looking for, we probably turn down more than we –

Ms. Beaton: Why is the Agriculture Stewardship Program taking \$200,000 out of its budget this year? Am I correct in seeing that?

Mary Kinsman: The stewardship program – the CAP suite of programs, every year we take a look at where we're going to fund and we move it around accordingly. This year our stewardship program was a little slow starting because of COVID and because we couldn't go on the properties to do some of the work.

We have redistributed funding within the CAP program. What we do is on a regular basis we meet with the managers of the programs to see what the uptake is like and we may take this – part way through the year, if we see that there's a higher need somewhere else, we may juggle it but this is how we started the year.

Mr. Thompson: We had a slower year because of COVID. Moving the money around just to make sure we utilize all the programs the best we can.

Ms. Beaton: Perfect.

Just one last question is around – last year the department put money towards reviewing the *Planning Act* and the *Lands Protection Act, P.E.I.* What about committing funding towards the crop

rotation act? Is that an act that would be up for review as well?

Mr. Thompson: I think it will be. We'll have to take that and bring it forward. It's something that we will review.

Ms. Beaton: The reason why I ask that is the priority on soil health, you're making a permanent position to increase the soil organic matter and the health of it. I went to a conference and they were talking about regenerative agriculture and you and I talked about that.

What was interesting was the actual expert that was talking about it was talking how they don't rotate their land and the fact that we actually had a crop rotation act here was kind of surprising to them because it wasn't something – we were ahead. They're dealing with a lot of soil issues, compaction all that kind of stuff.

That would just be something I'd just want to see if there was anything within that act that should be reviewed as well.

Mr. Thompson: We're definitely going to increase the focus on soil health. With Bradford in that position now, I think we can really champion soil health and rotations and that's a great idea.

Ms. Beaton: Thank you, Chair.

Chair: The hon. Member from Summerside-South Drive.

Mr. Howard: Thank you, Chair.

In this section, would there be – we used to have something called a renewable energy initiative through the agricultural flexibility fund. Is that the kind of thing that would fall under this section, if you had something like that going?

Is this the right place to ask questions related to that?

Mr. Thompson: I'll bring that back to you. I'm not sure. I assume that's the windmills that was funded years ago?

Mr. Howard: It was. Yes, it went miserably because of a lack of due diligence.

I'm just wondering if there's a chance – I mean we've got this rate structure that triggered this program to be brought about about nine years ago to try to prepare farmers for the impending changes that were coming in our rate structure. Now just today, Maritime Electric's filled again a new rate structure application with IRAC yet to be seen by the public.

I'm just wondering if some program like this is going to be coming back about out of concern for our farmers.

Mr. Thompson: There's always concern for our farmers on that. I'm not sure if – we'll have to wait for the suite of programs to be renewed, which they are due to be – when's the CAP?

Mary Kinsman: We're in year three of five years.

Mr. Thompson: We're in year three of five, so in year five there's going to be more focus on, we're already discussing this, on environmental impacts and renewable energy as well.

Mr. Howard: Does that mean that for two years we don't have any flexibility to bring in a program like this to prepare the farmers?

Mr. Thompson: No, there is flexibility but not in the CAP programming. I'm sure in the (Indistinct) programs we can modify something.

Mr. Howard: Is that something that you think might be a good idea to get in place with these impending changes? Just word of mouth, I've heard that they're probably going to be migrating farmers over to the small industrial rate class and things like this. That's going to have a severe impact, it's going to change things for those farmers. It seems like we should be getting ready for them. We've got a small rebate available through Transportation, Infrastructure and Energy but nothing that's going to impact significantly the effects of what's going on here.

Mr. Thompson: Okay, thank you.

Mr. Howard: Thank you, Chair.

Chair: Shall this section carry? Carried.

Agriculture Industry Development
“Appropriations provided to assist agriculture industry development for producers and agri-processors to meet market and production opportunities.”
Administration: 14,600. Equipment: 6,100.
Materials, Supplies and Services: 40,500.
Professional Services: 3,500. Salaries: 881,500. Travel and Training: 32,300.
Grants: 3,383,600.

Total Agriculture Industry Development:
4,362,100.

The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

The Perennial Crop Development Program that's budgeted is 50,000 less than last year. Is that being funding somewhere else, that 50,000, or is it just being cut by 50?

Mary Kinsman: Once again, these are the CAP programs and it's just been moved within CAP. Nothing's been cut in CAP, just moved.

Ms. Beaton: Okay, so nothing's been cut in CAP, is what you just said?

Mr. Thompson: No.

We try to spend every cent that we can.

Ms. Beaton: First of all, I want to say thank you for the – there's \$300,000 that's been allocated to a pollinator expansion program, which I appreciate that as that was a concern and an ask that we had put forward.

I know you had put forward more than that, so how did you settle on the 300,000?

Mr. Thompson: As you are aware, the pollinating – it's a challenge every year. We think it's going to be a multi-year progress; I don't think it's a one year solve. I think we need a few more years and we have started the process. We've started a big thinker group, we're bringing them together to come up with a plan on how to think outside the box and how we can improve the pollinators on this Island so we don't have to import anymore.

There's people on that – Island beekeepers. We're getting some experts from North America and some beekeepers from Nova Scotia. Then we have the people that depend on the pollinators, the blueberry association and stuff. It's going to be a lot of mending relationships. I think that's where we have to begin with this situation.

We think 300,000 is going to be a great start and maybe by year two, year three we'll be off to the races. There has to be a business plan built that is sustainable for the honey producers and the pollinators to make this a business that you can be sustainable and, plus, hand down generation to generation. I think there's a huge opportunity here and I think it starts with relationship and then a business model. That's the focus that I want to bring to this and bringing outside views on our situation, I think, might start to solve some of the problems.

Ms. Beaton: Are you bringing in any beekeepers that are not part of the association into that group?

Mr. Thompson: Yes, the largest beekeeper is going to be a part of that association.

Ms. Beaton: Are you including any of the newer ones?

Mr. Thompson: Yes, I am. New, old, I just request it and the department's putting it together. Big picture thinkers. We got to start thinking outside the box on this if we're going to solve our year-after-year problems.

Ms. Beaton: How many hives were brought to PEI this year?

Mr. Thompson: I believe 5,000 hives.

Ms. Beaton: That's quite a few more than last year, right? Last year I think there was about 3,000.

Mr. Thompson: I'm not sure about last year but this year it was 5,000 suitably for the pollination.

Ms. Beaton: What percentage of those hives were inspected?

Mr. Thompson: Over 10%. Most of them are gone back now.

Ms. Beaton: Sorry, I have a bunch of questions written but if you're doing that working group, I would assume you don't have the answers on the number of hives we can maintain here and those types of things.

Mr. Thompson: I want that group to bring back a strategic plan with a vision and a working model for a business plan as well; a business model that makes sense so we know where we have to be.

Ms. Beaton: When you say that it's going to be a multiyear plan, I would assume, then, that means the target is not to close the borders for next year, that we would still –

Mr. Thompson: Realistically, I'd love to say one year we'd fix it but it's been 10-plus years or more. It's challenging and I think we just have to have the right people in place but it's possible.

Realistically, it's going to be multiyear but keeping the protocol in place that we have and the department works quite hard on mitigating the risk and they've done a tremendous job. I do want to give them a shout-out because it's a pretty stressful time for everyone on this.

Ideally, yeah, we'd love to have our own pollinators here.

Ms. Beaton: For Agriculture in the Classroom, how will Agriculture in the Classroom be integrated into the school food program? The original model was to do a whole education piece to the school food program. Is that still the intention?

Mr. Thompson: It is the intention and buy local is going to be a flavour of that. We'll be working with the department and they've already been buying as much local produce as they possibly can.

Ms. Beaton: But is there a component for Agriculture in the Classroom? I know the Grade 3s are – is that part of the school food program? Will they be engaged in it?

Mr. Thompson: I'm not sure if it's part of the food program but it's in our budget again for this year.

Ms. Beaton: Okay. Whereabouts are we at with the certification body for organic food?

I know COVID definitely impacted this because we've had the intention of having them prepared and then COVID hit and obviously that impacted but I just wanted to know: Is that still proceeding?

Mr. Thompson: Yes it is. I believe you're on one of the committees, the steering committees –

Ms. Beaton: Yeah, I've been involved in discussions. I just know with COVID and when people were reallocated that it would put in focus, obviously, so I just wanted to make sure that that's still a priority.

Mr. Thompson: It is a priority. I believe the organic and conventional agriculture shouldn't work together and should work together instead of apart and I'm really impressed with Adam MacLean, he's a gem in our department and I look forward to the work he's bringing.

Ms. Beaton: I would 100% agree with that. I'm great.

Thanks, Chair.

Chair: Shall this section carry? Carried.

Total Agriculture Resources: 8,633,600.

Shall it carry? Carried.

Strategic Policy and Evaluation

Policy, Planning and Evaluation:
“Appropriations provided for planning, development and implementation of departmental and Federal/Provincial/Territorial policies and initiatives.” Administration: 29,700. Equipment: 5,000. Materials, Supplies and Services: 11,800. Professional Services: 2,500. Salaries: 643,500. Travel and Training: 32,700. Grants: 436,200.

Total Policy, Planning and Evaluation:
1,161,400.

Shall this section carry?

Ms. Beaton: Question.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

This is specific to farming in this section, right? It's not the actual lands division.

Mr. Thompson: No, it is.

Ms. Beaton: I see there's an increase in the funding in the Farmer Assistance Program. If the department's putting more funding, how would you expand the program and is that the intent of the additional funding?

Mr. Thompson: The funding – we fund the federation that run the Farmers Assistance Program for us and that funding is going to more counselor sessions. I think last year, there was 280 paid counseling sessions by this so the uptake has been huge and it's kind of a passion of mine and I'm really happy how it's being utilized.

Ms. Beaton: In this section on salaries, it looks like there's been a position added. Am I seeing that –

Mr. Thompson: Yeah, we brought in a land policy resource; Lynn Trainor, she's going to be a year interim position where we are going to use her knowledge of writing policy for the land issues that we are coming, hopefully with the consultation.

She's going to be the expert on land in the consultation so she'll be there.

Ms. Beaton: Land planning falls in under that and not under – if we're talking about the *Lands Protection Act*, *P.E.I.* is that what you're referring to?

Mr. Thompson: Yeah, she's for the lands policy and *Lands Protection Act*, *P.E.I.*

Ms. Beaton: How does this office work with the land division? Do they?

Mr. Thompson: No, this office is –

Mary Kinsman: This is our group of policy people so they provide service. They're an essential service to our department but they provide service to us all so all the different divisions. This position is focused on, as a temporary assignment, she's a land policy resource. She'll be working strictly in that area.

Ms. Beaton: So no planners in that section?

Mr. Thompson: No.

Ms. Beaton: It's just policy people?

Mr. Thompson: Just policy.

Ms. Beaton: Okay, I'm great. Thanks, Chair.

Chair: Shall this section carry? Carried.

Total Strategic Policy and Evaluation: 1,161,400. Shall it carry? Carried.

Animal Health, Regulatory and Analytical Labs

Animal Health and Research

“Appropriations provided to assist the agriculture and aquaculture industries in animal health protection, promotion and disease prevention.” Administration: 4,300. Equipment: 6,500. Materials, Supplies and Services: 5,600. Professional Services: 25,600. Salaries: 501,300. Travel and Training: 16,500.

Total Animal Health and Research: 559,800.

The hon. Member from Mermaid-Stratford.

Ms. Beaton: The estimates here for salary are right on last year. It looks like the actuals are down around 380,000; significantly less. Was that positions opened and sitting vacant?

Mr. Thompson: Yeah, we had a vacant position or two.

Mary Kinsman: The director position was vacant. It's now been filled.

Ms. Beaton: Is it just the one position that was vacant?

Mary Kinsman: There was another position filled during the year but it was filled at a lower step than budgeted so there was some savings there.

Ms. Beaton: This would be the section where if animals had to be removed where they're situated? Could you share how many incidents last year there would have been

and is that under Professional Services or where would that be in this section?

Mary Kinsman: That would be found more in the regulatory section which is the next section.

Ms. Beaton: I'll wait for the next section. Thank you.

Chair: Shall this section carry? Carried.

Regulatory Services and Product Development

"Appropriations provided for the enforcement of legislation and the operation of services associated with animal health and welfare and plant health. This section is also responsible for product and market development programs." Administration: 11,900. Equipment: 3,800. Materials, Supplies and Services: 277,600. Professional Services: 58,800. Salaries: 728,200. Travel and Training: 97,900. Grants: 1,699,600.

Total Regulatory Services and Product Development: 2,877,800.

The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

Last year, there was nothing estimated or budgeted for legal services and there's 50,000 this year. Can you elaborate on that?

Mr. Thompson: There's 3,900 for legal service for the *Animal Welfare Act* and appeal board; the new 50,000 to budget external legal service to update the *Animal Health Act* in relation to animal disease surveillance and emergency response and management.

Ms. Beaton: Is that legislative changes that are planned?

Mary Kinsman: This act hasn't been reviewed for some time. It needs to be modernized. It would expand the ability to conduct animal disease surveillance. Our government lawyers will be a critical part of this modernization and we have talked to the legislative lawyers. They may be able to do this piece of work but right now, the priority for us is land for those so if they're not able to complete this piece of work then they will

choose someone for us to go outside to get the work done.

Ms. Beaton: Thank you, Chair.

Has the department considered developing a provincial strategy for growing the value added sector? Senator Diane Griffin was on House of Commons on the agriculture standing committee for the House of Commons and they came back with a review, a report, recommending value added services. Do you have a strategic plan that you're working on or developing in order to incorporate that?

Mr. Thompson: We're working on a strategic plan. I think we're due for one – the last one was 2016 so we're doing one this year and we're going to look broader into the next 10 years, where agriculture's going to be in the next 10 years and I did meet with Senator Griffin and Senator Black, actually, they came to my office and gave me the presentation on value added and it is going to be a focus. I think we have a great opportunity where we have processing on this Island and I think the more processing we have, the more value added to the product, I think the industry can thrive for the future.

Ms. Beaton: I would agree. It increases margins, as well, right?

Mr. Thompson: Absolutely.

Ms. Beaton: Anywhere that we can find a place for farmers' margins to be increased, that's definitely a value.

The soil health project – I believe you might have confirmed this for me already but are the soil tests remaining free to the farmers?

Mr. Thompson: Yes they are.

Ms. Beaton: Does government currently have the capacity to test all soil samples submitted by Island farmers?

Mr. Thompson: Yes they do. I think there were 600 to date; soil health tests.

Ms. Beaton: Is there any kind of programming to encourage more farmers to take advantage of that service?

Mr. Thompson: Yeah, that's something – I did meet, pre-COVID – we've been six months into soil health tests and we analyzed it and that was the key. I said no sense having this excellent test if it's not being utilized. They're going to review it and come back with some solutions on how we can continue to keep the uptake going.

Ms. Beaton: I read an interesting idea and I'm just wondering if the department's ever considered it or would consider it; using soil health as a criteria for eligibility of other funding or maybe even using added incentive or something like that for funding in order to encourage the improvement of soil health.

Mr. Thompson: That's something that we can look at for sure. That's a good idea.

Ms. Beaton: I'm great. Thank you, Chair.

Chair: Shall this section carry? Carried.

Soil and Feed Lab

“Appropriations provided for the operation of the Soil and Feed Laboratory.” Administration: 52,000. Equipment: 11,100. Materials, Supplies and Services: 160,600. Professional Services: 8,400. Salaries: 668,700. Travel and Training: 2,600.

Total Soil and Feed Lab: 903,400.

Shall this section carry? Carried.

Dairy and Plant Diagnostics Lab

“Appropriations provided for the operation of the Dairy Lab and Plant Diagnostics Lab.” Administration: 75,400. Equipment: 2,900. Materials, Supplies and Services: 220,100. Professional Services: 2,500. Salaries: 422,000. Travel and Training: 8,200.

Total Dairy and Plant Diagnostics Lab: 731,100.

Shall this section carry? Carried.

Total Animal Health, Regulatory and Analytical Labs: 5,072,100.

Shall it carry? Carried.

Land Division

Land Administration

“Appropriations provided for the management and support of the Land Division.” Administration: 55,000. Equipment: 4,700. Materials, Supplies and Services: 11,900. Professional Services: 12,300. Salaries: 189,700. Travel and Training: 23,700.

Total Land Administration: 297,300.

Shall it carry?

The hon. Member from Mermaid-Stratford.

Ms. Beaton: What kind of things is the consultant hired to look at? There's 20,000 in the budget.

Mr. Thompson: I'll have to bring that back.

Ms. Beaton: That's good, Chair.

Chair: Shall this section carry? Carried.

Inspection Services: “Appropriations provided for the operation of Inspection Services including electrical, boiler, liquefied petroleum gas and plumbing; elevators and lifts and amusement rides; building code; petroleum storage tanks; and ozone-layer protection.” Administration: 21,700. Equipment: 6,000. Materials, Supplies and Services: 48,400. Professional Services: 20,000. Salaries: 1,853,100. Travel and Training: 125,000.

Total Inspection Services: 2,074,200.

Shall it carry?

Ms. Beaton: I have a quick question.

Chair: The hon. Member from Mermaid-Stratford.

Ms. Beaton: Thank you, Chair.

For the amusement side of this, are they allowed to operate? Like, the bouncy castles and all those kinds of businesses?

Mr. Thompson: The bouncy castles weren't until phase 4, I think.

Ms. Beaton: Last year, there was a change in the regulations for the inspection of those. It was a significant change from the year before. Was there any changes this year or are we still staying with 2018 regulations around that?

Mr. Thompson: 2018 regulations.

Ms. Beaton: I'm great, Chair.

Chair: Shall this section carry? Carried.

Provincial Planning

"Appropriations provided for the administration of land planning, *Lands Protection Act* regulations and subdivision approvals, developments and control." Administration: 12,900. Equipment: 2,500. Materials, Supplies and Services: 3,700. Professional Services: 325,000. Salaries: 1,032,700. Travel and Training: 29,600.

Total Provincial Planning: 1,406,400.

The hon. Leader of the Opposition.

Leader of the Opposition: Thanks, Chair.

This is the section I've been waiting for, minister, and the reason I'm asking questions about this is I've been contacted by a number of people in my district who are putting up – erecting – very small buildings – barns – you know, 240 square feet, and they find themselves having to go through engineering stamps and architect stamps in order to do that. I'm wondering: has something changed in the regulations and requirements?

Mr. Thompson: I don't think so, no. Well, other than the National Building Code has come in, but I think mini-barns are exempt from that.

Chair: The hon. Leader of the Opposition.

Leader of the Opposition: So is there's a minimum square footage that is exempt from the requirements of an architect stamp or –

Mr. Thompson: Yes, there is. I'll have to bring that back. (Indistinct) exactly.

Leader of the Opposition: Yeah, I'd really –

Chair: The hon. Leader of the Opposition.

Leader of the Opposition: Thanks. I'd appreciate that, minister, because it just seems like a lot of overkill –

Mr. Thompson: It does.

Leader of the Opposition: – and overregulation for something that is, you know, really, very minor.

Mr. Thompson: Yeah.

Leader of the Opposition: I'd appreciate that.

Thank you, minister.

Chair: The hon. Leader of the Opposition.

Leader of the Opposition: I'm good.

Thank you, Chair.

Chair: Shall this section carry?

Ms. Beaton: No – question. Can we call the hour?

Chair: The hon. Member from Mermaid-Stratford.

Pardon?

Ms. Beaton: Can we call the hour?

Chair: Yes. The hour has been called.

Ms. Beaton: But we didn't carry that section, right?

Chair: No.

Ms. Beaton: (Indistinct) questions?

Chair: Yeah.

Ms. Beaton: Thank you.

Mr. Thompson: So close.

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

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House having under consideration the grant of supply to Her Majesty, 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 Morell-Donagh.

Mr. MacEwen: Thank you, Mr. Speaker.

I move, seconded by the hon. hon. Leader of the Third Party, that this House adjourn until Thursday, July 2nd, at 14h00.

Some Hon. Members: [Laughter]

Speaker: 1,400 – Shall it carry? Carried.

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