

# PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Colin LaVie

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The Legislature sat at 2:00 p.m.

Matters of Privilege and Recognition of  
Guests

**Speaker:** The hon. Premier.

**Premier King:** Well, thank you very much, Mr. Speaker.

I would say it is a great pleasure to be back here today. I would like to welcome you and the staff from the Legislative Assembly back and to thank them for the, as you just articulated, the incredible work that they've undertaken to make this possible. It has been a long two months to say the least and I think we're pleased to return to the House, even though it's in a much different form than what we've been used to, but I think that's indicative of the entire past two and a half months here for all Islanders, is that we're doing a lot of things much differently than we used to out of necessity and it's in a way of trying to find a way to keep going forward.

I do want to personally thank all members of this Legislative Assembly for the way they have conducted themselves during this time and the leadership that they have shown to Islanders. I want to thank all party leaders for their assistance and their guidance along the way and also to our staffs. Sometimes, people don't see the incredible work that all staffs undertake on behalf of all of us to be able to do the things we do.

I also would say that the essential workers, those frontline individuals who have been the true champions of Prince Edward Island these last 10 weeks or so, I think they deserve our continued praise and thanks for all that they have done. I would say a shout-out to those who are in our long-term and community care facilities, in our efforts to keep those, our most vulnerable, safe from COVID. We all recognize that that has come at a high emotional and social and family cost. To those individuals who are struggling, I say thank you for all that you have done and for your part and your role that you've played. We are hoping that this week, we can start to get some family in to see you, which would be, to say the least, long overdue.

I'd also like to say, to our teachers who have been working with students and parents and the teacher's assistants and all of those who have been working under very difficult times, this is not where we thought we would be a few months ago, but here we are. We've found a way to juggle some home learning and to do some things that we didn't think we were able to do before and they deserve a lot of credit as well.

Also, I've said it a hundred times in the last 10 weeks and I could say it a hundred more, but to all those in the Chief Public Health Office, all of those in Health PEI, Dr. Heather Morrison, Marion Dowling and the countless hundreds of people who have kept us safe and have helped us put our best foot forward, I would say to them, on behalf of all Prince Edward Islanders, thank you very much and I look forward to a productive emergency session.

Thank you, Mr. Speaker.

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

**Leader of the Opposition:** Thank you so much, Mr. Speaker and welcome back.

As I look around this changed room, it feels a little strange, I must say, but it's still a pleasure and a privilege to rise in the peoples' house and to speak on behalf of Islanders. I rise, of course, in a changed province, in a new world and we're all trying to make sense of exactly what that means. There is great gratitude that is owed to so many people and at various points today, we will have many opportunities to thank individually everybody who has contributed to getting Prince Edward Island to this place that we are at: COVID-free and in many respects, the envy of the rest of the world. I can tell you, there is nowhere else in this whole wide world that I would rather be at this moment in time than on Prince Edward Island. We are truly blessed to be here.

I look forward to speaking later today and to thanking the individual groups and people who have contributed to our recovery and to where we are today and I want to thank all members of this House for their contributions to us being where we are today. I really look forward to working with

all my colleagues. By that, I mean all my colleagues in this House; to work on behalf of Islanders, to bring forward the work that we need to do on their behalf, because Islanders have worked so hard on our behalf and on all of their friends' and neighbours' behalves to get here and we must never forget that despite all the leadership that has come from all of the places that have been mentioned by the Premier and I will be reiterating that later, it is Islanders who have got us to where we are with their dedication to each other, to their friends, to their neighbours, to their communities and that's something to be extraordinarily proud of.

I'm really looking forward to this session and it's a pleasure to be here, thank you.

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

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

As well, it's certainly a pleasure to be back here. I want to welcome everyone and I want to thank everyone for all their hard work in setting up the Legislature so it could be safe for us to be here. We can't say it enough, the tremendous effort made by Islanders during this COVID-19 situation and Dr. Morrison, who's become a household name for all of her great work and her staff and all these frontline workers and as we said, we'll be talking about this later today, but we can't say enough about where we live and as the hon. Leader of the Opposition said, there's no better place than PEI and we're so fortunate to be here. We're so fortunate to be in the situation we're in.

Thank you, Mr. Speaker. I look forward to the proceedings.

Thank you.

**Speaker:** No one else? Now, I'll call upon the hon. Premier.

#### Resolutions of Sympathy

**Premier King:** Thank you very much, Mr. Speaker.

I move, seconded by the Leader of the Opposition, the following resolution of sympathy:

WHEREAS Mr. George Henderson, former member of the Legislative Assembly for 2<sup>nd</sup> Prince passed away on May 5, 2020

THEREFORE BE IT RESOLVED that this House recognize the contributions made by the late assemblyman, Mr. George Henderson, to this province, Prince Edward Island.

**Speaker:** Are there any other speakers wishing to speak?

**Premier King:** If I could, Mr. Speaker, George Henderson is certainly no stranger to this House of Assembly or to Prince Edward Island. He was a passionate Islander who had a deep-rooted love for his family, for his community. He was an innovator in the oyster industry, he had a steadfast commitment to public service. You only have to recognize that he was elected for almost seven years as a provincial member and then went on to have eight more years as a federal representative. That would speak quite highly to his commitment to his constituents and what they thought of him in return, which is the ultimate respect I think all elected members in this capacity get paid at one point or another.

It goes without saying, he was the minister of fisheries and labour, he was the minister of highways and public works, as the MP for Egmont, he was the parliamentary assistant to the minister of fisheries and the parliamentary assistant to the Minister of National Defence. He was long remembered for his dedication to this province, for his resolve for public service is felt today and carried on through his children, one of them who was here for many years now, from District 25 O'Leary-Inverness. I was taken when I saw the photo of how much they look alike now, which is a good thing. As they would often say, he would never deny you and nor should he. But over the years, I've heard the hon. member say what a tremendous political coach and advisor George would have been to his son. He was a great storyteller, which is something that I often relate to and I'm sure he's got many stories that you are now duty-bound to carry on in his good stead.

I would just add this: when I contacted the hon. member upon learning of the passing, I shared a story that my father, is known

widely now, was a different kind of Progressive Conservative blue, perhaps, then what I am and every time he would have a prediction for an election, he would always find a way to make sure the Liberals were going to form the government and most times they did, sometimes they didn't, but I always remember fondly when he would count them up, he would say they're never going to beat George Henderson. It turned out, over the course of the last 17 or 18 years, he was right.

My condolences to his family and what a great legacy he's left.

Well done, George.

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

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

It's a pleasure to rise to remember George Henderson. I did not have the pleasure or the privilege of knowing Mr. Henderson personally, but like the Premier, I've become aware of many stories about him. If the measure of the man is in the quality of his children, then I think we all know in this House, we don't need to look very far to have evidence of what a fine man he clearly was. It's always a privilege to serve Islanders and to sit in one of the seats in this Legislature and again, although I did not know the man, I have become aware of what an enormous contribution he made, not just to politics here, but to the economy of this Island and to the community in which he lived.

I send condolences to his family and I want to wish everybody – I want to be grateful for the work that he did here in this Legislature to make this island what it is today.

Thank you, Mr. Speaker.

**Speaker:** Is there any other members who wish to speak to the motion?

The hon. Leader of the Third Party.

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

It's an honour to rise here today and bring tribute to the late George Henderson.

George served in this House with distinction and integrity and while he served in a number of provincial Cabinet roles, Mr. Henderson always knew the need to balance his role in government with the needs of his constituents. George surely was a pioneer in a modern role of an MLA. When George Henderson was elected as the Member of Parliament for Egmont, it was the loss of the PEI Liberal Party and the gain of the Liberal Party of Canada.

Whether it was at home or in our nation's capital, George Henderson could be counted on to serve Islanders and Canadians with respect and pride that all elected officials should strive to emulate.

We lost part of our Liberal family with George's passing, but our thoughts and prayers are with the entire Henderson family, especially my colleague from O'Leary-Inverness, the whip and former minister of different portfolios. I know how proud his dad was of him and I know that he will continue to do the right thing by George's legacy of respect, integrity and public service.

Thank you, Mr. Speaker.

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

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

Certainly want to say thanks to the Premier and the leaders of the opposition parties for their many kind words and condolences, as well as to many Islanders that have reached out during this period of time and many members of this Legislature. Certainly, my family appreciate those thoughts and kind words, especially in these unique situations.

It is probably rather rare that a son of a former politician in the Legislature who's passed away that the son would actually be sitting in the Legislature to give response as regards to the sympathies, but my dad was always a bit like that. It was always a bit of a rarity or a bit of a story that all came from that. My dad had a pretty successful political career, he was the MLA for 2<sup>nd</sup> Prince from '74 to '80 about when he stepped down to become the Egmont MP for two terms in that particular case.

In this particular Legislature, not this building, but the Legislature itself, he served as the minister for fisheries and labour as well as highways and public works. He was always very proud of these rarities and situations that would occur in the profession of an elected representation. Actually today I'm wearing two pins; I have my dad's pin on top. So once again not very often that that would be the case but against all odds my dad did defeat an incumbent, a sitting member of the Legislature at the time in 1974 and was elected two more times with this Legislature in 1978 and 1979 and went on to serve two terms as an MP for Egmont.

He and I, I guess it would be a bit of an understatement to say, we had a unique relationship as a father son, or as an MLA and a former MLA in the same riding with houses next door to one another; which was kind of an oddity.

I would say that my dad was an avid watcher of the Legislature – never missed a sitting, especially Question Period. He wouldn't necessarily watch the evening sitting so much. I'd certainly say, he was quite a critic, especially of my responses, and I would say my little idiosyncrasies or nervous habits that I would have as a member. But he always had an opinion and he'd always sort of provide that on which opposition member was doing really good or giving you a tough time. He would also say which of the Cabinet colleagues seems to be having it a little bit tough right now or struggling, that type of stuff. He certainly knew which ones could handle the heat better than others and he was an astute judge of politicians and politics in general here on PEI.

During his time in the Legislature, my dad was really all about the story. From his interactions with one of his favourite critics which, was Leo Rossiter, they had a real mutual respect for one another and dad would certainly describe stories of having the odd pop with Mr. Rossiter after the Legislature, or even have a real gag they'd pull on one another and a real quick responses or quips to a question. They really had a great mutual respect for one another in that regard.

In that, that was one of the lessons that he sort of taught me a lot in politics, was the

fact that you could easily be sitting on the other side of this Legislature – you're a minister you better respect your opposition and vice versa, because you just never know which way that situation is going to turn. I always try to remember that in my time here.

He certainly made great friends in this Chamber. Many of them lasted the remainder of his life. Former premier Alex Campbell, Gilbert Clements – we remember the stories of Gilbert and my dad - Bruce Stewart from the Souris area, George Proud, Eddie Clark, Joe Ghiz, Bobby Morrissey, Keith Milligan, Bob Campbell. Always there were stories of the gags in government, the staunch debate that they would have around the Cabinet table.

During the times when he'd stay down here after sittings when they were sitting the next morning or something like that and also stories about the lieutenant governors and ceremonies and some of the situations that would occur there. I used to always get a great chuckle in that.

There were certainly the interactions with the minister of agriculture at the time was Dr. Bud Ings, as many would remember, and my dad and Bud used to travel to all of the exhibitions and festivals when dad was minister of fisheries and they had a musical comedy act known as fish and chips.

So I'd have to say that my visits to my father's was always every two or three days during my time in elected office, and every conversation would include the week's events and a story of something similar that had occurred in his past, when a previous minister or member had something similar of a situation. He was very proud of the moment when I was appointed minister of fisheries, when Dominic LeBlanc was federal minister of fisheries and Justin Trudeau was Prime Minister of Canada. Actually a generation previous to that, he was in identically the same situation where he was minister of fisheries for PEI, Romeo LeBlanc was the federal minister of fisheries, and Pierre Trudeau was the prime minister. I don't know if that would ever occur again in Canadian history that I can think of, that the next generation would be in the same position. He would certainly note that the probability would be pretty

remote that that would ever happen again in Canadian history.

Then there was the stories of Bob Campbell, the stories of the Great West Wind. I'll just state a little bit about it, that knitting kittens funding under a federal winter work project. When you hear those stories you get an unbelievable laugh about it. I won't get into the details on it, but Bobby Morrissey can tell it quite well because he was there, I wasn't. Or setting up Keith Milligan on a concrete utility pole business. The idea is that might be something that would be a good idea, or some of the gags and stories or little things that might have been slipped in particular drinks in the Legislature in the evening sittings. He also had a great time with the press and the media and stories that they would have afterwards.

He had certainly many accomplishments during his time in elected office. I'm just going to mention a few of them. Some of them were in the PEI schools consolidation, my dad was part of that. He was actually a school board trustee prior to politics. The lobster license buy-back programs. I think the minister of fisheries would have a good understanding of what that has done to the lobster industry in Prince Edward Island.

Mr. Speaker, yourself would know, the fishing at that time in the early '70s was pretty lean going here in the Prince Edward Island and that helped sustain that industry moving forward. The growth of the PEI aquaculture industry, something he was sort of an innovator in at his time in private life and tried to work towards expanding that in elected office.

The growth of paving large segments of rural highways under the PEI development act: the Mill River Resort tourism development, modernizing fiberglass fishing boats were developed all during my father's time in office.

I guess the big one would probably be the one that most Canadian politicians would be well aware of, would be the repatriation of the Canadian constitution in 1982, one of Canada's formative documents for governance in this country.

He certainly enjoyed the role in government, maybe not so much in opposition. He always

said he wanted to be part of the decision-making and didn't mind taking the criticism for the decisions and would far rather that than be in the much easier role of criticizing the decision. He always taught me that the constituent is what mattered the most and to be a good constituency member don't try to bull the constituent and they always can figure out the slick political line and the gimmick in due time. They may not originally, but they will in due time. So he always understood the reasoning behind the decision will always be the key to explain that to the constituents to have political success.

But times change, Mr. Speaker. My dad really struggled and couldn't figure out the whole concept of social media and how that works today in our political realm. He certainly found – he never really was a person that necessarily figured in the terms of particular patronage and the terms that we sometimes use today in the sense he never would apologize for bringing projects and things even though it may be dubious sometimes to his riding, but he always felt that any family, any situation regardless of what would be normally their political affiliation, if he could help them it would either instill two things, it'd either convert them over, or they might not work quite as hard to try to defeat him next time. I try to always use that same philosophy as well.

**Mr. Mitchell:** It works.

**Mr. Henderson:** Yeah. So certainly he tried to be as supportive as he could be to all his constituents and help them as best he could. As time evolved politics changes, I certainly came along about 20 years later from his political period of time and I always judged the political successes of my father when I would knock on the door of a constituent, the same door he would have knocked on, and they would make the comment: If you are half as good as your old man, you'll be a pretty good politician so we'll support you. I always felt that was pretty good commentary.

So with that, I certainly want to thank the members of this Legislature, the Premier and the opposition members for their comments of sympathy and condolence to my family. In the end, my dad had a good life, I would say he made a difference in this

Legislature, and contributed to moving PEI and Canada forward for the betterment of us all.

Thank you, and my family thanks you all.

Thank you.

**Some Hon. Members:** Hear, hear!

**Speaker:** Hon. Premier.

**Premier King:** Thank you, Mr. Speaker.

It's a great honour to also rise today and I move, seconded by the Leader of the Opposition, the following resolution of sympathy:

WHEREAS Mr. Wilbur MacDonald, the former Member of the Legislative Assembly for 4<sup>th</sup> Queens and Belfast-Pownal Bay and also the Speaker of the Legislative Assembly from 1997 to 2000, passed away on May 20<sup>th</sup>, 2020;

THEREFORE BE IT RESOLVED that this House recognize the contributions made by the late member, Mr. Wilbur MacDonald to this Province of Prince Edward Island.

**Speaker:** Shall it carry? Carried.

The hon. Premier.

**Premier King:** Mr. Speaker, it's always sad when you lose the legends and the two gentlemen that we are honouring here today certainly would fall in that category. Wilbur was, by all means, a gentle, kind and very passionate family man and a farmer who cared a great deal for his community. He represented the people of Prince Edward Island with such pride through his political career and much like George Henderson, was a member of the Legislative Assembly and was a member of Parliament.

He was first elected as an MP in 1979 and later – and only in a short tenure there because of the quick election in 1980 – and he wasn't successful in 1980, but he did come back in 1982 in the provincial election as a member of the Legislative Assembly. He served in roles, including minister of industry and also when the government changed he was the industry critic while he served in opposition. He was re-elected in

1996 in the election for the riding of Belfast-Pownal Bay and he was the Speaker of the Legislative Assembly, as I said, until 2000.

He was a strong voice for rural communities and agriculture. I often remember when I worked for former premier Binns and Wilbur was part of that government, he was the voice around the caucus table who would say: What are we going to do for the farmers? It kind of became a little bit of a running joke with his colleagues, but it really was where his heart and where his mind was, that if you look after those in our agriculture community they will do the same for us in return.

It was a great pleasure to work alongside him for several years. Just as I did with George; I was in the media in 1996 during the provincial election and Wilbur was running against a very well thought of member named Lynwood MacPherson, who was by all accounts, about as fine a gentleman as you can meet and still is. After the election – I think Wilbur defeated him by 30 votes or something like that, a very razor thin margin – politics was much more partisan and hearty back then; a lot of people were upset. But when I went to visit Wilbur as part of my duties as a reporter, I ran into Lynwood who was there shaking his hand and Lynwood MacPherson said: We're very lucky to have such a dignified gentlemen running. I thought; what a testament to say.

On behalf of the Government of Prince Edward Island, to all Wilbur's family and large family and a big network of friends, I extend my deepest condolences on a life well lived.

Thank you, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

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

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

Like the gentlemen we just honoured previously, Mr. Henderson, I did not have the pleasure of knowing Wilbur MacDonald. But as a Speaker of this House, there are special skills and parts of your personality that are required in order to sit in the big

chair there, Mr. Speaker. You have to have the trust of your colleagues, you have to be wise, you have to be fair, and by all accounts, when I read some of the things that were written after Mr. MacDonald died, there was no finer gentleman that you could meet on this Island.

On behalf of the official opposition, I want to extend my condolences to his large family, as the Premier said. Let us not forget, for a tiny Island like PEI, we have an incredible tradition and history here of having extraordinary members who are intelligent, who have integrity and who represent the people in a way that makes us all proud. So for such a small province to be remembering these two gentlemen on this one day – and they're just examples of all of the people who preceded us and sat in those seats – I think that's a great honour for our Island and we should all feel very proud.

Thank you, Mr. Speaker.

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

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

I, too, would like to rise today and express some words of sympathy. You know, as we mentioned, it's a privilege to be here after some of our forefathers and these two gentlemen today were certainly pillars of our wonderful Island community.

It is with a heavy heart that I rise today to express my sympathy to the family of former MLA and MP and former Speaker of the House, Wilbur MacDonald.

Wilbur was a distinguished member of the Legislative Assembly who had an ability to make those around him feel confident, comfortable, regardless of their political stripe. Wilbur was a kind man who represented Islanders with pride and distinction over an elusive career in Island politics and civil service. A dedicated statesman, Wilbur always worked to do what was right for Islanders.

On behalf of the Liberal caucus, I would like to extend my deepest sympathies to Wilbur's family at this time.

Thank you, Mr. Speaker.

**Speaker:** The hon. Minister of Finance and Deputy Premier.

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

It's a pleasure to rise today. First of all, my condolences to the Member from O'Leary-Inverness and the Henderson family; I didn't have the pleasure to know your father, but I've heard wonderful things.

I would be remiss if I didn't stand today to recognize Wilbur MacDonald, a wonderful gentleman who, this last election, the boundaries changed and his family was in District 4 and he said to me: Darlene, that's probably not a bad thing, because there's quite a few MacDonalds in the Orwell area. Wilbur and his wife now Marie and his former wife Pauline, wonderful people, a wonderful family and I just want to say my condolences to all the MacDonalds and also that we will miss Wilbur and Marie greatly at Red Shores watching his horse race.

Thank you very much, Mr. Speaker.

**Speaker:** Do any other members wish to speak to the motion?

Shall either motion carry? Carried

Motions carried.

#### Statements by Members

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

### **COVID-19 and Health Care Workers**

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

The realities of COVID-19 have placed a heavy burden on our frontline health care professionals. Those in all sectors of health care face new policies and rules that change almost daily. New protocols have made their work incredibly stressful and many worry about long-term access to essential protective equipment, should an outbreak occur.

Preparing for a possible outbreak of COVID-19 has meant many full time health care workers have been unable to take any time off, while some part time workers have seen their hours reduced. We know that

frontline health care work is a woman-dominated profession and for many, accessing child care during this time has caused additional hardship. Many of these workers also have to prepare to leave their families at a moment's notice and live in a hotel should a spike in COVID-19 occur.

Those working in long-term care are particularly overworked at this time, without families being able to visit or offer support to those in care. The recent announcement prioritizing access to the Island for cottage owners from parts of Canada with widespread community transmission of COVID-19 before clarifying who or when we will be able to visit loved ones in long-term care, poured further salt on this wound.

All essential health care workers have to live with the burden of knowing they are on the frontlines should COVID-19 spread on Prince Edward Island. However, most frontline health care workers are ineligible for current top-up programs and are receiving no additional benefits. Before taking any further risks of COVID-19 being reintroduced, our health care workers deserve to be given their vacation time and a chance to relax and have time with their loved ones.

Today, I stand in solidarity with all of PEI's frontline health care workers and call on government to recognize and fairly compensate all essential workers at this time, including our overstretched and overburdened health care staff.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Mermaid-Stratford.

### **Local Procurement**

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

Island-owned businesses now need local support more than ever. An important way to help support and empower local businesses during this crisis is through creating a local procurement strategy for government. The province spends millions of dollars in procurement each year. Now is the time to use that buying power to support our local businesses. Public purchasing will provide a constant stream of demand that

will help local businesses survive. Currently, there is no publicly accessible strategic plan between our agriculture industry and institutional purchasers, including hospitals and schools. A committed plan will help secure the supply chain and support our farmers.

It's time for government to take procurement seriously. We do not have legislation in place to address the advantages of local procurement. The procurement of goods act, which received Royal Assent in 2016, is still pending regulations. Not only do we not have a local procurement strategy that the existing act cannot be amended, because it is not yet enacted. Until then, we cannot even move towards improving our local economy with a local procurement strategy.

I respectfully ask the Minister of Finance to prioritize the completion of the regulations, including local procurement goals and measures. This will support our local businesses, help secure our local supply lines and provide a means to hold government to account on how it is investing in our local economy.

Thank you.

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

### **COVID-19 Crisis and Opening of Borders**

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

As we all are aware, all Islanders and everyone across the world, we've just come through a difficult time. During this crisis, Islanders have done their part. They sacrificed, they social distanced and many are now experiencing real economic damage.

At the beginning of this, the liberal caucus urged Islanders toward two primary goals: listen to the experts and keep faith in our institutions like government. That's why it is so disturbing about the decision to open borders to thousands of people came about. Instead of an open, transparent plan, Islanders heard a sudden decision. It was dropped on them right out of the blue. If there was a single moment that ended any

spirit of collaboration, it arrived when the Premier dropped the bomb on Islanders.

Here is why I say that: True collaboration involves more than just the Conservatives, the Greens or the Liberals. True collaboration involves all Islanders, who deserve the respect of being listened to and heard. During this crisis, Islanders did their part. Islanders cooperated, respected the rules and through their hard work, got us through the first stages of this crisis.

With the decision to open the borders, the government divided people. That division was drawn between winners and losers. Who won and who lost?

My hope is that we will find the answer to that question during the sitting of this Legislature.

Thank you, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

Responses to Questions Taken as Notice

#### Questions by Members

**Speaker:** For our first question, I'll call on the Leader of the Opposition.

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

I want to first acknowledge how difficult this time has been for all Islanders and how the challenges of this pandemic have created struggles for each and every one of us.

I particularly want to acknowledge how hard this time has been for the Premier and for Dr. Morrison, the people who have been making the difficult decisions every day. They've shouldered the responsibilities that only people in those positions do.

I want to express my appreciation for their hard work and to join all Islanders and I think every member of this House when I state that nobody, nobody should be harassed or attacked or threatened because they're doing their job or that they are making difficult decisions.

**Some Hon. Members:** Hear, hear!

#### **Working during COVID-19 crisis**

**Leader of the Opposition:** My first question is to the Premier and it's about how you're doing. It's been tough to work under these circumstances for all of us, but particularly tough for those who have added burdens related to their jobs.

So, Premier, how are you feeling?

**Speaker:** The hon. Premier.

**Premier King:** Thank you very much, Mr. Speaker.

I'm feeling fine. I don't feel any differently than any Prince Edward Islander does. I think we've all been through a difficult time, we've all had difficult jobs and mine is probably more public than most, but I've been doing fine.

Like all of you in here, I worry more about my family than I do about how I'm feeling, but very kind of you to ask. I'm doing well and I hope you are, too.

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

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

I mentioned in that opening remark that only a very small minority of Islanders have been unkind in their communications. Luckily, my experience throughout this time has been that the concerned citizens who have come to me have been almost exclusively polite and respectful and informed; even those who didn't agree with the positions that I took.

#### **Opening of borders to non-Islanders**

For those, however, who shared my concerns over the decision that was made last Wednesday to open our borders to non-Islanders. They have some concerns, they have some legitimate questions and I think the Premier owes them a response. The Premier has, thus far, failed to explain why this decision was made.

So Premier, are you listening to Islanders?

**Speaker:** The hon. Premier.

**Premier King:** Thank you very much, Mr. Speaker and thank you for the question, not just the question but the way in which it's asked.

It's an important question and I agree very wholeheartedly with the Leader of the Opposition when we say that I don't expect everyone in here to always agree and it's fine if we don't disagree and it's healthy that we don't disagree. Government should be critiqued and government should be asked questions because that the job that we're all here to do to try to make it the best we can for all Islanders. Every decision that we try to make in here is to try to do the best we can for Islanders.

What I learned in the one year that I've been in this job, or a little bit more, is that you try your hardest to make informed decisions, you consult broadly and you also have to have the realization that not everyone is going to love you every day. Even our most hardened and ardent supporters would be critiquing us from time to time and that's fair and that's fine and that's the job.

We are trying to begin the process, as we've been saying, to open up Prince Edward Island on our road back to recovery. Every decision we have made so far had been made in the interest of health – making sure that we can do this safely. Dr. Morrison has been a strong leader. I've relied on her as all Islanders have to date and so far the decisions that we have made and the process that we have made them with the way that we have made them based on health have helped get us to where we are today.

As many speakers have said in here today: A big part of that has been the tremendous buy in of Islanders to adhere to the rules and directives.

Thank you, Mr. Speaker.

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

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

The Premier just described the decision that was made on Wednesday to open our borders to non-Islanders as an informed decision.

**Decision to open borders to non-Islanders**

Who informed you to make that decision, Mr. Premier?

**Speaker:** The hon. Premier.

**Premier King:** Thank you, Mr. Speaker.

As with all these decisions the first questions we ask are to public health or Dr. Morrison is: How are we able to do this safely, is our system built so that we can do this. We have to remember that these seasonal Islanders who are tax payers here just like everybody else; they have a right to be here. We have asked them to enter differently this year to do it safely because we're in a public health emergency and we have to be very mindful and we have to be very careful.

So far since we began this life that is COVID-19 we've had almost 6,200 people who have had to come to Prince Edward Island and had to self-isolate. The same situation that we put in place, our self-isolation system in Prince Edward Island is the envy of the rest of the country. In fact, British Columbia does it now with their international visitors; they do the exact same thing that we started here with our operation isolation.

So I feel we're in a good position to do this now. We are trying to do it carefully, we are trying to do it cautiously, we are trying to do it safely. I'm very confident in the process that we have put in place that we can do this. It's part of the bigger road that we're on here now which is a tough, difficult road, which is to try to make our way back from what has been a once-in-a-century upheaval to our entire lives.

Thank you, Mr. Speaker.

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

**Leader of the Opposition:** The road to recovery, and to emerge from the crisis that befell Prince Edward Island and the world back in March, has been very complicated. We had a plan developed here on Prince Edward Island, a very thorough, very comprehensive, a very wide ranging plan with some very specific steps in it. A plan

devised by the Chief Public Health Officer and her office. It appears that that plan has now been thrown out the window. We have moved quickly on things that we were going to move more slowly on and now suddenly out of the blue we have this decision which is not sitting well with Islanders and I understand now why it does not sit well with Islanders because this did not come from Heather Morrison, it came from the Premier.

Can the Premier explain to Islanders why you made this decision to open our borders before all of the other steps that we had agreed to and accepted in the plan?

**Speaker:** The hon. Premier.

**Premier King:** Well, Mr. Speaker, the situation we have in place is the same situation we've had in place for the last 10 weeks. Our borders are not open, our borders are actually very, very contained – abnormally contained, I would say. We're in a state of public health emergency and the points of entry to Prince Edward Island for the first time I would dare say ever, have been concealed. They've been contained and there's a screening process that everyone who comes across the Confederation Bridge, or everyone who lands at the airport in Charlottetown needs to adhere to. That has not changed.

What we said was on June 1<sup>st</sup>, we will begin to take applications from those seasonal residents who want to come to Prince Edward Island, who have a right to be here in Prince Edward Island, who are family and friends; many of your friends, Mr. Speaker, because I've got the same emails that you have. We're trying very hard to carefully bring them in, to reintroduce them to Prince Edward Island, to make sure they isolate as we have done with 6,200 other people so far. We've done a good job of that and we're trying to find our way back to normal. That's the decision we made – it's the same decision process that we have been taking for the last 10 weeks, that has been working really, really well. We reevaluate these things every day and we will continue to do that with the best interests of the public health of Prince Edward Island at the root of every decision.

Thank you, Mr. Speaker.

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

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

This has been hard on our friends and neighbours and loved ones, as the Premier just described. I'm still at a loss to understand why all of the loved ones here on Prince Edward Island, whether they be our parents in long-term care, or whether they be people who have died and their family has not been able to attend the funeral from out of province, or whether they are people who are struggling at home trying to raise children and teach them at a time of extreme stress.

Things were just starting to feel more comfortable. I could sense that around this Island, people were ready to venture out, even those who may be vulnerable with an immunocompromised situation, or living with somebody who is vulnerable. As of this decision, I have heard from so many Islanders who've said, why are we throwing this away? We have one chance to get this right. We have got it right so far, but why on Earth, Mr. Premier, did you make this decision to open our borders before all of the other things that we had agreed to in the plan?

**Speaker:** The hon. Premier.

**Premier King:** Thank you, Mr. Speaker.

All of those very important details that the Leader of the Opposition raises are issues that we are working on very closely. He knows very well, because he sits in on the meetings and we make sure that Dr. Morrison briefs him every day with the decisions public health are learning toward and moving toward. I raised off the top the challenges that we have with our long-term care facilities. Those are our most vulnerable. We've concealed, essentially, entry to those facilities; rightfully so, I think. The people inside of those facilities, not just the residents, but the staff and the family members connected to them have paid a difficult price.

Mr. Speaker, we've all paid a difficult price in this 10-week upheaval that we have been living through. Absolutely, we've been

trying to find ways to have more broader gatherings so we can celebrate the lives of those who we've lost and those that we love. All of these things are taking place daily. It's part of the tough job that we all have here to try to make our way back to normal.

I don't believe that beginning the process to take applications to get seasonal residents from Canada into Prince Edward Island on an orderly basis conflicts with that in any way. I think it's part of the discussion that some people have, maybe a belief that because we're Islanders, we're immune and we're the only ones that are and if we see a license plate from another province, that that person automatically has COVID and they're trying to make me sick. I don't think that's who Islanders are. I think we're all concerned; I'm concerned, the Leader of the Opposition is concerned. We should be concerned.

We've been following a very careful plan based on health, so far, that's got us to here. Islanders have helped us buy in with their buy-in and I think if we continue on this road, I feel it's a good road that has served us well.

Thank you.

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

### **Delaying return of non-residents to PEI**

**Leader of the Opposition:** Indeed, it is a road that has served us well, but it's suddenly turned very bumpy. I'll tell you why it's turned bumpy, because up until this point, all of the decisions were based on good evidence and science and that Islanders would accept that. Perhaps they didn't like all the decisions that were made; they weren't terribly comfortable with the restrictions that we were placed on, but they understood that it was necessary for Islanders to take these measures in order to protect each other, our neighbours, our friends, our communities, the integrity of our health care system, the vitality of our economy.

What has changed is that we went from making clearly sound decisions that were marked along the path that Dr. Morrison had laid out for us, to making a decision that

came out of left field. I would love to know what evidence exists that the Premier could table today that told him that this was the safest way forward.

Islanders have made great sacrifices to get where we are today. All we are asking is that those who come here to enjoy their summer in their cottage make the sacrifice of delaying that a little bit longer. Is that too much to ask, Mr. Premier?

**Speaker:** The hon. Premier.

**Premier King:** Mr. Speaker, the hon. Leader of the Opposition has been part of the cause – he knows exactly how long this conversation has been going and as hard as he might try to suggest otherwise here, this hasn't come out of the blue. At every briefing that I've talked about, I've answered the question. Not until June 1<sup>st</sup> at the least was always the answer. This goes back to April, you know that. You're part of the whole discussion process and you're involved in listening to it. You've asked Dr. Morrison these very same questions every day. You've had the opportunity to do that. Nothing's come out of left field, here.

Matter of fact, the Leader of the Third Party on the day that we were talking about this said he's got four residents that wants to come home to his riding. This isn't out of left field. This is something that we'd been working on, that Dr. Morrison has been working on through her office and we put the faith in somebody. We can't pick and choose when we have faith, we have to continue the faith. We have a good, solid plan. We've adapted plans all the time. We will adapt further if we need to.

Life has to start to get back on the road to recovery and that's part of the process. You know that as well as anybody.

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

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

With all due respect, I'd rather place my money on science than I would faith. Indeed, we have individuals that we have to trust. Islanders have trusted each other all the way along. That's why we've been so

successful. We've had this astonishing collective effort, community effort, to be there for each other. We have done that. What we are doing now is introducing a potential threat, a potential avenue for a new outbreak on Prince Edward Island, after all of the work and all of the sacrifices and all of the tremendous things that Islanders have done to get us to this point. We, of course, understand we can't keep our borders closed forever. Nobody is suggesting we do that. Let's do this carefully, let's do this in a solid planned, evidence-based way.

**Tabling of evidence re: safest way forward**

Again, I ask the Premier: Will you table the evidence that this move that you made last Wednesday is the safest way forward for Islanders?

**Speaker:** The hon. Premier.

**Premier King:** Well, Mr. Speaker, every day for 10 weeks, we've been trying to make science-based, evidence-based decisions. It has worked so far. I would say that if you think that you lack faith in Dr. Morrison, okay, you don't believe in her faith. We certainly can believe in her science. She's a medical doctor. She's the Chief Medical Officer of Prince Edward Island, one of the most esteemed Islanders, I would say, in the last 50 years –

**Some Hon. Members:** Hear, hear!

**Premier King:** – and what an insult to Dr. Morrison for this gentleman to suggest to me that I would make her do something she would never want to do. That's an insult to her and it's an insult to me and I take it personally, Leader of the Opposition, I'll tell you that right now.

**Some Hon. Members:** Hear, hear!

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

**Leader of the Opposition:** For the first few weeks of this pandemic, it was critical that we made decisions based entirely on public health advice, because we were trying to save the lives of Islanders. We're past that point now. Other things are entering into the decision making process. I still don't know

what they are, but I presume other things are entering into this decision making process. The Premier has already said that the decision to open our borders did not come from Dr. Morrison, but came from somewhere else; presumably from him or from Cabinet.

**Premier King:** (Indistinct)

**Decision to open borders to non-Islanders (further)**

**Leader of the Opposition:** Okay, well let me ask that question: Where did the decision to open the borders come from? Dr. Morrison or from yourself?

**Speaker:** The hon. Premier.

**Premier King:** Mr. Speaker, we sit around that situation table, he's a part of it. We talk about our plan of how we're going to flush it out, where we're at and all of the things that we're moving forward, that is the same process that we have been taking from the very beginning. Dr. Morrison, I put my faith in her. I put my faith in her science. She's wonderful. She's amazing. I was there, the Leader of the Third Party was there, this isn't something that we pulled out of left field. My job, our job in here is to look at the health of Prince Edward Islanders. The Leader of the Opposition is also right. Part of that job is our economic, our social and our mental wellbeing. That's a big part of our health, as well. We can't just be closed up. COVID has dominated our response from a health perspective, as it should have. But there's a lot of untended consequences from being locked down for the last 10 weeks and we will spend the next months and years trying to figure out the full extent of what that impact is for Islanders.

So, our overall health is very much important and we should all play a role. He was sitting around the table and he knows exactly how the decisions were made.

Thank you very much, Mr. Speaker.

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

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

I think it's really important that Islanders are aware, that while I've been present at the situation table along with – until very recently anyway, the Leader of the Third Party – in no way were we part of the decision-making process. It felt very much – I'm not ungrateful for this, let me be clear about that Mr. Premier – it was a high level briefing very shortly before and whatever was happening that day was made public. But at no point did I actually feel that I was part of any decision-making process.

Having said that, Dr. Morrison is in no better place to offer you economic advice than whatever that mysterious economic recovery council was to offer you public health advice. At this point in time everywhere in this world jurisdictions are trying to balance the integrity of their health care system and of the citizens who live in their jurisdictions against an economic recovery and that's the balance that we have to find here. We're not looking strictly at health protocols here, we're entering into other – we have to take other things into account. That's why politics is so difficult; we're making hard decisions all the time with economics, with society, with the long-term, with the short-term, with health care, all of these things have to be taken into account.

Mr. Premier, who was involved in making the decision that you opened the borders last Wednesday to non-Islanders?

**Speaker:** The hon. Premier.

**Premier King:** Mr. Speaker, I'm glad to see the evolution of the leader's position now to realize that the economy is part of the process after just telling me: to heck with the economy, let's just keep people safe and locked down. We've come full circle here and that's good. That's the way we've been looking at these issues for 10 weeks. You were part of our Cabinet committee – I would dare say almost unprecedented in the history – certainly of this province. I'm sorry that I didn't let you run the whole thing, but I mean I thought I could ask you to be a part of it and I thought you made a tremendous contribution, always asking very informed and important questions, pushing when it needed to be pushed and that's the job, Mr. Speaker, and that's why I respect him so much to sit on that. That's why he

was the first one I asked to sit on it because I wanted his input. This is how we've evolved until now. I mean this is how we've gotten to where we're at.

You talk about Prince Edward Island being the leader in the world; you're exactly right, we're the leader because we've worked together. We've come together and we figured out a way through this and we learned from every day and we're learning again tomorrow and that process needs to continue as we make our way to recovery and beyond. That will continue and I look forward to the contributions from the Leader of the Opposition and hopefully the Leader of the Third Party as well, because they've made tremendous contributions, Mr. Speaker.

Thank you very much.

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

**Leader of the Opposition:** Thank you.

During the question and answer period I think it was on Thursday of last week, Dr. Morrison said something which sort of surprised me when she was asked about the medical capacity to cope with, both Island residents and cottagers. She said and I'm quoting: I'm hoping they, meaning the cottagers, may not be here for quite awhile. That suggests to me that she had some concerns about this decision.

I know it's not fair to quote her out of context, but the statement was striking to me, because it didn't sound like she was entirely on board with this decision that was made to loosen travel restrictions so soon.

### **Chief Public Health Officer and expressed reservations**

Question to the Premier: At any time has Dr. Morrison expressed reservations that we open our borders to non-Islanders at this time?

**Speaker:** The hon. Premier.

**Premier King:** Mr. Speaker, I would be quite honest to say that every decision that we have made so far, every decision that we would look at making in the near future, we

have talked at length. I think there's always concern. We're trying to measure what that concern is. I would think quite honestly, if you ask anybody, not just Dr. Morrison, any epidemiologist, any doctor: Are we worried? Absolutely we're worried. Can we control this? Not fully, but we're doing the best that we can. I believe the process that we have followed to date has gotten us to where we're at and it's been a good process and I feel very comfortable continuing on that.

I would again reiterate, and I would apologize maybe for being a little bit more emotional than I tend to be, but I couldn't imagine anyone telling Dr. Morrison to do something that she didn't want to do.

Thank you very much.

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

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

Before I ask my question, I'd just like to just say something; that I certainly have the utmost respect for Dr. Morrison and my questions are to the Premier and to the members in this House. So I'd just like to make that straight.

We were on these committees but decisions were made – yes, we had the opportunity to ask questions. We ask questions like, testing? We ask questions like, the cottagers because we all got emails. But because we're asking questions, didn't mean we were in favour, we were asking questions so we could get back to our constituents.

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

**Mr. Gallant:** Now, somebody can heckle if they want over that comment, but that's what we do as MLA's.

So, my question is to the minister of health: Is it fair to say that last week's decision to allow cottagers to travel to Prince Edward Island during a pandemic touched a major chord?

I have heard from many, many Islanders and as we all know 99% of Islanders were in favour of shutting down all our borders for our safety and the safety of our friends. Of

course, they were puzzled by this decision, and of course, they missed their friends. They'd like to see their friends here too, they have cottagers next door, but they were a little puzzled that it happened so fast. In many ways I believe the anger is partly the result of the way government announced this. It came from out of the blue and it raised serious questions about whether government is making decisions on the fly and going off the plan.

### **Minister of health and removal of travel restrictions**

My question for the minister: What role did you play, minister, in this decision and when were you first aware of the plan to remove these travel restrictions?

**Speaker:** The hon. Minister of Health and Wellness.

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

It's obviously an excellent question, there are many Islanders that have reached out with concern but, as a government, working in collaboration with Dr. Heather Morrison and her excellent team, we do have to make decisions to move forward. The decision that was announced last Wednesday simply isn't to open the border on June 1<sup>st</sup>. We're starting to take applications on June 1<sup>st</sup> for people that may be interested in coming back to Prince Edward Island to their summer residence. There's going to be so stringent protocols put in place I suspect that some people may decide not to come.

The Premier referenced earlier, there's been over 6,000 individuals that have isolated, and we are the envy of Canada because we are, with the size of our jurisdiction, able to actually monitor those individuals, follow them for that two-week period. We have staff that have made phone calls to those individuals. We have staff that have visited those individuals to ensure that they are doing what they need to do.

So, I'm very supportive of the decision that was made in collaboration with our Chief Public Health Office.

Thank you.

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

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

I assume that the minister, you participated in this decision, from what you've just said, and I just kind of wonder, when did you become aware of the plan to open the province up to these thousands of people?

**Speaker:** The hon. Minister of Health and Wellness.

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

It's no secret to anyone in this House that would have been briefed by your leaders that were part of the situation table, that were part of the special committees and the discussions and the briefings that took place daily by Dr. Heather Morrison and her team, with regards to some of the decisions that were being made as we've moved forward within the situation that we're currently in.

Again, what we're doing, what we announced is not opening up the border on June 1<sup>st</sup>. What we announced is that we're going to start taking applications on June 1<sup>st</sup> and then we're going to look at where you live, are you residing in a hot zone? Are you able to self-isolate? Do you have the supports to self-isolate? Do you actually own property in your name here on Prince Edward Island?

Again, there's so many policies, so many protocols that are going to be in place that it's probably going to be not (Indistinct) or some individuals to come home. And if you have to come home and self-isolate for two weeks and you're planning to come for two weeks, you're probably not going to come.

Thank you, Mr. Speaker.

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

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

We know that government does not act in a vacuum. We know that people are in touch with government all the time, in touch with the ministers, with MLA's on a daily basis.

### **Pressuring of government re: opening of borders**

Will the minister please tell the House who is pressuring government to make this decision? Who is government listening to? Because it's pretty clear they were not listening to Islanders.

**Speaker:** The hon. Minister of Health and Wellness.

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

Again, I'll reiterate: the decision to move forward with this announcement was in collaboration with the very most qualified individual here on Prince Edward Island, Dr. Heather Morrison. This government doesn't take these decisions lightly. We look at all the evidence, we look at where we're at, we have discussions with the experts and again, the experts are the individuals that are in the Chief Public Health Office.

Thank you, Mr. Speaker.

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

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

My question is also for the minister of health. I might add, it's good to see the minister of health out in the public here today, I appreciate that.

**Some Hon. Members:** Hear, hear!

**Mr. Henderson:** As the Leader of the Third Party pointed out, that there have been severe disruptions to access in health care over the past couple of months. We know that surgeries have been cancelled, postponed, rescheduled to Islanders that were requiring these services. Across Canada, their estimates have been stated there are more than 100,000 surgeries that were disrupted by this pandemic. On the Island that probably means somewhere in the range of 400 or 500 surgical procedures that have been cancelled or put off. Some weeks ago, a letter was written to the minister asking about this. So far, we have not received a response or a reply to the question.

**Cancellation of surgeries re: COVID-19**

Will the minister please tell Islanders how many surgeries have been cancelled, postponed or rescheduled since COVID-19 protocols were implemented?

**Speaker:** The hon. Minister of Health and Wellness.

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

I have reached into the department of health and requested that information. As soon as it's readily available to me, you will have it.

Thank you, Mr. Speaker.

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

**Mr. Henderson:** You would think that would be something that would be fairly easy to access if you're the minister of health, anyway, to get that question, but anyway, other provinces have released their details of plans to get their operating rooms back into schedule and into operation. Of course, these plans have included references to overtime, COVID tests of health care professionals and adequate supply of personal protective equipment.

**Release of public plan to Islanders**

Minister, when do you expect to release this public plan that explains to Islanders how the system will get back on track and how long it will take?

**Speaker:** The hon. Minister of Health and Wellness.

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

We have a dedicated group of staff in Health PEI that are actually working very hard to look at this and to schedule it very carefully, because we also have to be considerate of our human resource issues. As you had indicated as well, the PPE and there's many measures, so our service reinstatement team is working actively. They're working hard every day on this and I dare say they're working seven days a week to ensure that

we get elective surgeries and those type of services back up to speed.

Thank you, Mr. Speaker.

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

**Mr. Henderson:** It's a handful, Mr. Speaker.

Minister, typically during the summer months, as a former minister, I'm aware that the health care system does tend to go through a bit of a slowdown. There tends to be some bed closures to allow holiday time for health professionals. The acute beds sometimes get closed totally; physicians are often on vacation and access to the needed procedures are reduced.

Given the fact that the potential of another COVID outbreak could occur maybe later on into the season or the fall, is the minister planning to go business as usual, or is he going to continue making sure that these beds stay open and these services will continue, or are you going to gear down?

Thank you, Mr. Speaker.

**Speaker:** The hon. Minister of Health and Wellness.

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

In collaboration with our service reinstatement team, we're looking at every measure right now. As soon as they have that complete plan formulated and we've had a chance to review it, I'll be very happy to make it available to the hon. member and Islanders at large, because I'm troubled as well that we've had to postpone many elective surgeries during this pandemic period. We know that Islanders are still looking for these services. We will be getting back up to speed and we will be getting these postponements rescheduled.

Thank you, Mr. Speaker.

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

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

Question for the Minister of Health and Wellness: Along with many Islanders, I was very surprised to hear the announcement on May 9<sup>th</sup> that COVID-19 patients would be housed at the PE Home and Summerset Manor. The province's 2020 pandemic plan, briefly updated version of the 2005 plan noted: individuals will be encouraged to care for themselves in their own homes and residents will stay in long-term care to receive their care. I cannot understand how keeping long-term care residents in the long-term care facilities while they are ill with COVID-19 will ensure they will receive adequate health interventions. Long-term care facilities and staff are not set up or experienced to deal with the significant care that may be required. Long-term care residents deserve access to the QEH and PCH like other Islanders, where they can receive important and necessary care to fight this virus.

We can look to the experiences in Ontario, Québec and Nova Scotia. Long-term care residents are amongst the hardest hit, COVID-19 spreads wildly through these facilities. There is no doubt that introducing COVID patients to the PE Home and Summerset Manor will put these residents at risk.

### **Central COVID facilities**

Will the minister please tell the House why these two facilities, which serve hundreds of Islanders and their families, were considered as central COVID facilities?

**Speaker:** The hon. Minister of Health and Wellness.

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

I'd like to note that that initial policy has been updated, because we did realize that we had another tremendous asset on our hands that we could easily bring back into service; that's decommissioned Riverview Manor in Three Rivers, Montague. That facility will be our first plan to move any patients or residents in long-term care, should they contract COVID-19. We will be looking at relocating them to Riverview Manor.

Thank you, Mr. Speaker.

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

**Mr. McNeilly:** Mr. Speaker, as I'd mentioned, the most serious COVID-19 outbreaks in Canada have taken place in long-term care facilities. According to the government's own pandemic plan, a key component is communication. It states: Open and honest public communication also reinforces trust in public health authorities.

Did the minister or any of his staff consult with residents or the families of the residents upon making this decision to house people at PE Home or Summerset Manor during the two months between the public health state of emergency was issued in March and before announcing this decision on May 9<sup>th</sup>?

**Speaker:** The hon. Minister of Health and Wellness.

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

Within the Health PEI organization, there was many discussions from our medical experts to the directors of care at these facilities and yes, there were discussions back and forth. As I just finished saying, our first plan right now is anyone that resides in long-term care, regardless of where they are on Prince Edward Island, they will be relocated to Riverview Manor. I think that's a very wise decision to utilize an asset such as that and I would hope the hon. member agrees with me.

Thank you, Mr. Speaker.

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

**Mr. McNeilly:** There seems to be a lack of communication. I know the minister has been absent from the public, so it's nice to see that he's making these decisions at various times.

### **Plan for long-term care residents re: outbreak of COVID-19**

In my opinion, we need to do much better. Whether it's PE Home, whether it's Summerset Manor, things need to be

communicated. When will the minister announce a plan, a substantial plan for long-term care residents, in particular, some of the issues that I had mentioned in the event of another outbreak of COVID-19?

**Speaker:** The hon. Minister of Health and Wellness.

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

Again, I've already stated what our plans are. It's been communicated by our Chief Public Health Office. If you want me to do a full-colour brochure, I'd be happy to do that as well, but that's one of the issues that probably keeps me awake at night most is our residents in long-term care, because we've seen what's happened in Nova Scotia, we've seen what's happened in Ontario, Québec, BC, Alberta. My own mother resides in a long-term care facility. I haven't been able to visit her for over nine weeks, other than looking through a window or on a tablet.

These residents are our most vulnerable and we need to protect them. That's why we are putting policies in place to bring Riverview Manor back into operation in the event and god-willing we don't have to, but in the event that we have any positive cases of COVID-19 in our long-term care facilities.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Morell-Donagh.

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

It's good to be back over on this side of the house again. It almost feels a little too comfortable, to be quite honest with you.

If we learned anything from this crisis, its how important child care is to our community and also to the economy we're finding out. What's been especially noticeable, as the centres are opening back up, is how important retention and recruitment in this sector is.

### **Sustainability in early learning sector**

A question to the minister of education: How are we going to come through this

crisis to make our early learning sector more sustainable?

**Mr. Mitchell:** Good question.

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

**Mr. Trivers:** Thank you, Mr. Speaker and thank you for that question.

In fact, that's exactly what we've been doing throughout the entire pandemic, is making sure that we're able to retain all of our early child care workers and we're continuing to move forward with our blended learning programs with Holland College so that any that are currently providing early child care can continue to get trained. We've made sure that regardless of whether the centres were closed or opened; those workers were able to get their pay so that they know they can remain in that sector.

We're continuing to move forward with plans we had in place prior to the pandemic. You know, there's a budget coming up and we'll see what's in there.

Thank you.

**Speaker:** The hon. Member from Morell-Donagh.

**Mr. MacEwen:** Thank you, Mr. Speaker, that's a pretty good segue.

In times like this, to the crisis we've come, it also gives us incredible opportunity and one of these things is – has to do with the budget and it the wage grid. Obviously wages are a huge part of prevention and recruitment.

A question again to the minister of education: Can you give us an update on this wage grid going forward?

**Mr. Mitchell:** Another good question.

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

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

As we've agreed on here, child care is really essential to the operations of our province and we see that especially in the pandemic

and right now, as workers return, we need to make sure that child care is provided.

When it comes to the wage grid we're continuing with plans that we had prior to the pandemic. We're looking at what we need to do to retain and recruit to that sector. There is a budget coming and I look forward to working with the Minister of Finance to present that to this floor.

Thank you.

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

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

That's the second time the minister has mentioned the budget, so I certainly hope that in that budget this wage increases are coming because he's going to look pretty foolish if he mentioned it twice and it's not coming.

### **Designation of early years centres**

A final question and it has to do with the same topic. Right before COVID hit we were in the middle of an early year's designation process. In fact, six centres were, I think, about to become designated as appropriate early learning centres.

Can the minister tell us where this is at; these centres can't survive on 20% of the usual revenue? Where are we at with designating the early years centres?

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

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

That's, of course, a topic that we've been discussing in the department during the pandemic and it's something we're working towards. With the pandemic underway and the state of the early years centres, and right now we've just recently transitioned from emergency child care and we're opening up, we have 120 centres open across the province. It's something that I look forward to announcing very soon as to when those designations are closing and what the results are.

**Speaker:** The hon. Member from Montague-Kilmuir.

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

Earlier this month the province issued a public health alert following the discovery of three drug overdoses involving fentanyl, a powerful and dangerous narcotic; a concern that this issue may be falling under the radar with so many other things going on right now. The abuse of illicit drugs affects Islanders every day and, in some tragic cases, with fatal consequences.

### **Number of narcotic overdoses**

A question to the minister of health: Do we know how many narcotic overdoses have occurred in the province this year?

**Speaker:** The hon. Minister of Health and Wellness.

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

That's not a number that I would have readily available with me today, but I can certainly bring that back.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Montague-Kilmuir.

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

I'm sure that the last thing the public health officials or law enforcement wanted to see during a pandemic was a cluster of fentanyl overdoses. Recently there was a tragic outcome with a person from Kings County that underscores how important this subject is.

### **Presence of fentanyl in PEI**

Another question to the minister of health: How grave a concern is the increasing presence of fentanyl in the province?

**Speaker:** The hon. Minister of Health and Wellness

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

I've been a member of this Legislative Assembly for a number of years now. I proudly sat on the other side of the floor for many years. I've spoken about opiates. I've had town hall meetings on the issue. The introduction of fentanyl and carfentanil to any society, especially when they're compromised with an addiction to, whether its cocaine or heroin or opiates, where you can take a substance so lethal as that, it's extremely troubling. We just have to look at what's happened in other larger jurisdictions like British Columbia, Alberta.

As a matter of fact, my sister and my 26-year-old nephew did a live interview with Global television yesterday to talk about their experience in Alberta with opiate addictions during the COVID-19 pandemic and how it's affecting addicts. It's such an important subject that we need to talk about. It's not only health, it impacts education, it impacts social development, justice. At our Cabinet table right now we're actually having those discussions with regards to what additional measures that we can bring in to help fight this terrible issue and disease.

So it is a very, very important topic, it's paramount that we do everything that we can to keep these terrible drugs off our streets.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Montague-Kilmuir, your final question of the day.

**Mr. Deagle:** Thank you, Mr. Speaker and thank you, minister, for sharing that with us.

The family of this individual from Kings County approached me, and they were upset and very understandably so. The family of this person, they're frustrated that the province would not state publicly that there was a fentanyl-related death. Their feeling was that sharing more information might help prevent the tragedy in the future.

Another question to the minister of health: Why would there be a reluctance from the province to acknowledge this, and what can we do going forward to address this issue?

**Speaker:** The hon. Minister of Health and Wellness

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

It's not so much a reluctance to make such a public announcement, versus a privacy issue around making such a statement when there's a perceived overdose fatality. We simply do not make those announcements, but what we do is the chief public health office puts a media release out warning that there is a substance such as fentanyl or carfentanil being introduced into the drug system here on PEI, or the illicit drug system here on PEI. Our police agencies are fully aware of it. Our staff and mental health and addictions who work extremely closely with a lot of people that are suffering an addiction are also having those conversations.

Again, as I said, with regards to what this Cabinet is doing right now and the discussions we're having, we're going to be looking at bringing in additional measures to help combat this.

Thank you, Mr. Speaker.

**Speaker:** Thank you.

[End of Question Period]

**Some Hon. Members:** Hear, hear!

**Speaker:** Hon. members, we're going to take a 20-minute recess, if everyone wishes. Good.

[recess]

**Speaker:** We'll resume our daily business.

If anybody thinks it was too long or not long enough or you need another one, just let the staff know and we'll accommodate you as best as we can.

#### Statements by Ministers

**Speaker:** The hon. Premier.

#### **Overall Response to COVID-19**

**Premier King:** Thank you very much, Mr. Speaker.

Over the course of the past 10 weeks, we have seen the very best of Prince Edward Islanders. We have seen their compassion and innovation, their perseverance and their strength. More importantly, I believe we have seen them come together like never before to protect the health and safety of our communities.

We have seen countries severely impacted by COVID-19 and closer to home, we've seen outbreaks and unfortunate deaths in some of our Canadian provinces. Prince Edward Island has been fortunate thus far in our fight to contain and mitigate the spread of COVID-19.

As we all know, to-date there have been 27 confirmed cases of COVID-19 in this province; all travel related and as of May 8<sup>th</sup>, all cases have recovered. We have seen no deaths, thankfully, no hospitalization as a result of this virus.

The province's response to COVID-19 has been first and foremost a public health response to ensure Islanders are kept safe and have the best chance to recover quickly and safely from the virus. Secondly, it has been addressing the economic and social impacts of COVID-19 to individuals, businesses, sectors and industries. Under the expert advice and guidance of this province's Chief Public Health Officer, Dr. Morrison and her staff, we have put in place a thoughtful and measured public health protocol. These decisions have been based on the best information and science available to us at the time and are routinely reviewed, evaluated and adjusted as the pandemic situation has evolved.

Our government has worked closely with the Chief Public Health Office and has engaged Islanders, the business community, our primary industries, NGOs, educational partners and the federal government to ensure economic and social response efforts are flexible and balanced with our goal being that no Islander that has been impacted is left behind.

We recognize that not every decision is perfect, but we continuously strive to balance, to do the right thing and with taking

our actions as swiftly, efficiently, inclusively as possible. For some of the easing of restrictions, for some the easing will never be fast enough; for others, it can never be slow enough. We do know one thing: that every Prince Edward Islander is carrying a weight of concern never before experienced in our lifetime; concern of their health, concern of their future, concern for their loved ones. We know, regardless of what side of the pendulum this concern falls on, we know it is real. Please be assured that every decision we make as government is measured against the public health risk and our overall health, which considers the social and economic hardships we all have to endure.

Throughout our response of COVID-19 and as we have demonstrated since the election, we have tried hard to work as collaboratively as possible across party lines with all members of the Legislative Assembly.

The voices in this Chamber represent the very diverse voices of Islanders and that is why it is so important for us and for me that we work together as hard we can on a united front to address this public health emergency, unlike anything we've seen before in our lifetimes and I think everyone in this House can take pleasure in how far we've gotten and how well we have done.

It is important that we have had the Leader of the Opposition and the Leader of the Third Party at the table as we outlined swift and coordinated response for Islanders. I thank them very much, both of them for their contributions and they have been immense. I thank all 27 members of this Legislature for your supportive efforts on behalf of Islanders.

As a province and as a society, we have done things that defy our very nature and that we probably never thought that we would ever have to do. Things that have become second nature to us now like social distancing, remaining at home as much as possible and limiting contact with our loved ones. It is these efforts, though, that have greatly contributed to our province's response to COVID and our ability to look at easing restrictions as we renew PEI together.

While we have been fortunate with the relative public health outcome related to COVID-19 to-date, we have worked very hard on managing the health response and as a province, we are incredibly lucky to have the leadership of Dr. Morrison, of Marion Dowling and so many other hardworking professionals in their respective departments. We also know our primary sectors, our business, our communities and all Islanders have been impacted and we do not yet have a clear sense of the true impact that these will have long-term.

In a few moments, the finance minister will speak before us with the steps that we have taken to quickly provide supports and relief measures to address the immediate financial impacts of COVID-19 on families, individuals, students, vulnerable Islanders, businesses and industries. Our government's response has been substantial because it needed to be; substantial not just from a dollars and cents perspective, but also from a program delivery aspect. It should not be forgotten that we have undertaken the swift creation, implementation and delivery of a multitude of programs and financial assistance for Islanders at a time when 99% of government employees were working from home. The flexibility, the creativity and the innovation of our public servants has been unparalleled. They too, deserve our praise, our thanks and our gratitude.

We will continue to work with and for Islanders to ensure we do what we tried to do from the very outset, is to get through this difficult time together and I thank Islanders for their partnership now and into the future.

Thank you very much, Mr. Speaker.

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

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

I stand here today overwhelmed with gratitude. Researchers say that happiness, one of the keys to contentment is being able to focus on and appreciate your blessings. Today, I want to share with you, Mr. Speaker and everybody else the things that make me feel so grateful on this beautiful spring day.

First and foremost, I'm grateful that Prince Edward Island has withstood this first phase of the pandemic with no community spread, with no hospitalizations and no deaths. That's an extraordinary thing.

When I think back to March the 14<sup>th</sup>, when the first case was diagnosed here on Prince Edward Island, my dominant feeling there was fear. I don't think I was alone at that time. Fear that we didn't have necessary health care resources to manage an outbreak, fear that vulnerable Islanders – and there are many of them – who are most at risk of infection would not have the protections they needed. Fear that the horrors of Italy and some other countries would be repeated here on Prince Edward Island. When I think back to how I felt on March the 14<sup>th</sup>, today feels a little bit like a miracle, to be quite honest.

Firstly, I'm extraordinarily grateful for the excellent leadership of Dr. Heather Morrison. Her professional expertise is extraordinary. I think we're enormously lucky to be able to call her, here on Prince Edward Island, our Chief Public Health Officer. Her calm, her patience and her compassionate presentation of the facts and of the reasons behind the really solid decisions that she has made all along have instilled every single Islander with a great deal of confidence. Although I know Dr. Morrison is the face of public health to all Islanders, we can't forget that there's a whole team of people working in her office behind her. Dr. David Sabapathy and everybody else who works in that public health office who've put in enormous amounts of overtime over the last two months. To them, we owe a great gratitude.

I'm also grateful to Marion Dowling and all of the folks at Health PEI; Denise Lewis Fleming comes to mind as well, who is present on all of those calls every single day. The health care system in any jurisdiction, no matter how small or big you are, is an unwieldy beast. We should be actually amazed at how quickly and how efficiently and how effectively they responded to this crisis. We should all be grateful for that.

I'm especially grateful to all the frontline health care workers. My colleague spoke in her member statement this morning about the gratitude that we owe our frontline

health care workers and that we need to recognize that economically, as well. Their lives, like everybody else's on this Island, have been disrupted, but theirs, in a very special and a very dangerous way. We should be enormously thankful to them.

I'm also grateful to our school teachers who have gone above and beyond, day after day. To civil servants who have worked through difficult circumstances to provide those essential services that had to continue to be provided to Islanders. I want to thank our Emergency Measures Organization, again, present on the call every day, coordinating efforts from all across government; an extraordinary thing to do in a time of chaos and all of the staff everywhere who've been working enormous, as I said a minute ago about the public health office, enormous amounts of overtime to process applications and to make sure that these new programs that the Premier just spoke of are spun up effectively and efficiently and the dollars get to the people who really need them.

I'm also grateful for the leadership of the Premier; extraordinarily grateful for that and for all of his Cabinet mates. You have kept Islanders informed, you have been present, you've been accessible, you have communicated clearly to Islanders what was happening on a daily basis and for that, on behalf of all Islanders, I extend my gratitude.

**Some Hon. Members:** Hear, hear!

**Leader of the Opposition:** Mr. Speaker, above all, I'm grateful to my fellow Islanders. Those frontline workers, the cashiers, the food producers, the pharmacists, the truck drivers, the cooks, all of those people who put themselves at risk, particularly in those early days when we did not know what was happening here, in order that we could stay safely at home. Those are the people that have got us to where we are today, those Islanders, both the workers and everybody who complied with the very sensible orders that came from Dr. Heather Morrison.

Thank you all, thank you all Islanders.

I've always described PEI as an amazing place. Indeed, it is. We all know that, nobody in this room is going to contest that.

The people and the rich sense of community that has defined, for me, what it means to be an Islander. I'm actually moved beyond words by how Islanders have made so many sacrifices, large and small, collective sacrifices to keep their friends and their neighbours safe. We've stepped up to help and we've given up some of those things, some of those most important rituals of what it means to be an Islander, those communal events, those gatherings, those weddings, those proms, those funerals. All those things have had to be put aside and that's an extraordinary thing to have done. Islanders have made these sacrifices and they've made them willingly, with hardly a complaint, because they knew that the wellbeing of their community and of all Islanders lay in a collective effort.

We're still early on in this fight. We've achieved great success, there's no doubt about that and over the past three months, we have done extraordinary things. There are many more challenges that are going to come forward in the next few months. Closing down was easy, opening up carefully, thoughtfully, consistently is going to be much more difficult.

I think it's absolutely essential that we acknowledge how far we have come and remind ourselves that our strength, here on Prince Edward Island, is our traditional values of community, of hard work and of generosity.

Thank you, Mr. Speaker.

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

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

I applaud Islanders for the sacrifices they have made and the determination and patience they have shown throughout the COVID crisis. I applaud Dr. Heather Morrison, Marion Dowling and all our other health professionals who have worked so hard and so long, doing as much as they can to keep all Islanders safe. Also, I want to commend the Premier and his government for the hard work they have done and as I'd indicated before, we will not criticize for the sake of criticizing, but we will keep government to account.

I applaud those essential workers who have been working throughout this pandemic to ensure Islanders have access to the necessary supplies and goods, such as food service workers, grocery store, convenience store, gas attendants, truckers, EMS, firefighters and many, many, many others.

I would be remiss if I failed to commend our federal government, as well. Over the past 10 weeks, we have seen that through programs such as the Canadian Emergency Response Benefit, our federal government has been there for Islanders and Canadians alike, carrying a bulk of the economic weight on their shoulders, even while facing criticism for these critical programs from other politicians, including some of our own.

This government will inevitably make mistakes, but it is how government learns from those mistakes and applies the lessons learned that truly matters. While we are not out of the COVID-19 woods yet, we as a province must take this opportunity to review critical government services and evaluate exactly how they are delivered to Islanders, starting with health care.

COVID-19 has shown us that better is possible. It has shown us that we can expect the best out of Islanders and that they will rise to the occasion time and time again. If we're going to ask for the best out of the Islanders, then this government must be prepared to provide the best for all Islanders. This government has in front of it an opportunity to reinvent our Island health care system in a way that truly meets the needs of our people, with an emphasis on access to services and health care professionals in every region of our province.

At the end of the day, COVID-19 represents a whole host of challenges for government and citizens alike. However, this government must be able to both respond to the COVID-19 threat, while providing bold leadership simultaneously. Islanders deserve no less.

Thank you, Mr. Speaker.

**Speaker:** The hon. Minister of Finance and Deputy Premier.

**COVID-19 Response – Economic Update**

**Ms. Compton:** Thank you very much, Mr. Speaker.

It's my pleasure to rise today to provide an official record of the COVID-19 related spending to this House. Given the topic at hand, I would like to request indulgence of the House to complete my remarks.

No one could have predicted the full effects of the COVID-19 pandemic and there have been great challenges faced by many. As a province, we had to implement measures to contain the potential spread of COVID and protect the health and safety of all Islanders. Although the pandemic is not behind us, we are in a position where we can start to relax some of those measures as we begin to reopen our province and move through the Renew PEI Together plan.

As we all know, there have been social and emotional impacts on all of us and significant economic impacts on individuals, on industries and on our entire community. Our government's response to COVID-19 has always been about people. From the beginning, we responded and continue to respond by supporting Islanders and ensuring that they are looked after through a variety of relief packages and support programs. Our initial response was to provide financial help, so that people could continue to put food on their table and pay their bills while they stayed at home and stayed safe. We also put numerous business and industry supports in place to assist employers in keeping their staff employed and to help workers who had been laid off, or had their hours reduced.

From the time the public health emergency was declared on March 16<sup>th</sup>, we have engaged our community and industry stakeholders. That engagement ensures that new programs would be meaningful to Islanders and better meet their needs and challenges. We also worked in partnership with our federal counterparts to ensure our provincial programs were complimentary to theirs and that our support bridged any gaps for Islanders.

We brought forward the concerns of Islanders to the federal level from our farming and fishing industries to ensure that the supports created met the needs of Islanders here at home. We collaborated

with our opposition counterparts through special Cabinet committees that were created to better plan and develop support and relief programs for Islanders. We have been responsive and responsible with government's finances and our COVID related spending. We have been open and transparent in our spending and we recognize that this is an unprecedented time, so we acted quickly and always with the best interests of Islanders.

Our government has also requested that the office of the auditor general conduct an objective review of our response to COVID-19 for greater transparency. I'm pleased with our action to date. It's been the right thing to do to support Islanders and lessen the financial impact of the pandemic.

The COVID-19 response document that I'm tabling today provides a brief summary of public health information and actions as has already been shared with Islanders, along with a more in-depth outline of our spending and COVID-19 related programs up to May 15<sup>th</sup>, 2020.

You will see a total of approximately \$45 million dollars, which includes money from the federal government for programs to individuals, families, students, and essential workers. These programs have been able to bridge the gaps and provide support to offset the financial hardship as a result of the pandemic.

You will also see nearly \$40 million in supports to our industries and business communities. These supports assisted Island businesses to keep Islanders employed and alleviate their economic hardship due to forced closures on non-essential businesses. These funds have been spent under the authority of continuous amount approved within the last budget and supplemented with a special warrant of \$50 million.

Overall the COVID-19 constituency fund continues to support our COVID related programs. As far as COVID related costs prior to April 1<sup>st</sup> of this year, approximately \$5.5 million had been captured in our previous fiscal year as this government took steps to alleviate the initial impact in the early days of the pandemic in March. As we realized the impending impacts of COVID-19 public health measures, we took action

for Islanders. We know that our programs and support were not perfect, but in consultation with my colleagues and my opposition counterparts, we did what we thought was best for Islanders in order to lessen the impact for those affected as much as we could.

It's important to also recognize that during this significant time of interruption our government was able to continue to provide its regular supports and social programs to Islanders. We may have minimized contact as we followed public health measures, but we have not minimized our supports. We have come a long way since this pandemic began, but there is a long road ahead.

I am proud of the work that we have done to support Islanders and industries in our communities. We will continue to be there for Islanders as we were before, now, and in the future. We will rebuild our economy while we learn to live safely with COVID-19 and work together to renew PEI together.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Mermaid-Stratford.

**Ms. Beaton:** First off, I would like to recognize how quickly the funds did roll out to Islanders. I think we all recognize that Islanders who have never suffered or never had to ask for help before, all of a sudden saw their income completely evaporate within days. We saw businesses that have never had to lay off an employee before struggle with that and how to protect their employees, but also to protect their customers and to protect their businesses.

I think it's important to always note that when you do something quickly, you don't always necessarily do it perfectly. I do recognize that when programs had to be rolled out quickly, often there was not the ability to involve everybody at the table. Oftentimes some of those programs were rolled out that didn't necessarily have all the criteria ready for people to be able to have all the information right away and that's understandable because Islanders were in deep stress and businesses were in deep stress. I do want to recognize that it was so important to mobilize quickly, roll out

programs quickly and to really look after Islanders first.

I do recognize that not every program is perfect. I do look forward to digging into the numbers over the next couple of days, that's going to be very important and I look forward to really being able to understand the numbers that Islanders that were helped under different programs and that kind of thing, I think that will be clear transparency.

I'm happy to be in this House because this is the house of oversight and I have the utmost respect for the Auditor General but that is hindsight; that is after the spending is done. I feel the privilege of being in here and to be able to walk through the documents over the next day or two and I really just want to recognize that Islanders needed the support as those programs rolled out, that's what they were able to get, so thank you very much.

**Speaker:** The hon. Member from Cornwall-Meadowbank.

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

It's an honour to rise. Let's not lose the fact that we're actually making history here today and hopefully we get to look back and see we're all on the right side on history in regards to COVID-19.

It was less than 12 months ago that this government inherited likely the best position financially in the history of Prince Edward Island with \$132 million surplus. Things were good, Islanders had worked hard and the former government took the proper measures to ensure that money was tucked away for a rainy day.

As minister of finance at the time, I stood in this House and took a few shots from my conservative and green colleagues that were sitting across the floor at the time. Our government was accused of playing politics, saving for election spending and so on. Now that Islanders have been forced into this unforeseen and unprecedented pandemic, those same colleagues find themselves managing the finances of the province and we will continue to monitor their decisions.

We are in the midst of a rainy day and while this government has, I'm sure, done what

they believe is best in supporting Islanders, I must reiterate what the Member from Evangeline-Miscouche first pointed out. When you look back over the last few weeks, the federal government has come through with most of the heavy lifting. If it were not for the federal income support programs such as the Canadian Emergency Response Benefit, or the Canada Emergency Student Benefit, or the business supports such as 75% federal wage subsidy plan for small businesses, our Island workers and businesses would be even in a tougher situation.

To put it into perspective, Islanders share federal supports, whether they be direct financial support or tax deferrals and supports, is north of \$200 million, while our own provincial government commits are far less and that number will be highlighted, I'm sure, later on this week.

For weeks now, we have been calling on the government to be forthright with Islanders, to be open and transparent and to put forward an exit strategy; a path forward, in the nature that all Islanders can buy into, understand and agree to when we move forward with COVID-19 recovery.

While everyone in this House can appreciate the severity of the challenges facing our province and while our colleagues and I are certainly hoping for the best possible outcome, we are beginning to see signs that we need more supports for different sectors of Islanders. This government owes it to Islanders to follow the liberal direction of focusing on increasing supports for those Islanders who are still slipping through the COVID cracks, for businesses, particularly our seasonal businesses and rural communities who are staring down the prospect of a nightmare summer.

Now is the time for bold ideas, innovative approaches and strong leadership to get us through this pandemic in the best possible shape. I am once again calling on this government to be open and transparent with Islanders to not inflate expectations and to focus on what matters most to our people.

I just want to leave you with a Winston Churchill quote: It is no use saying we are doing our best; you have to succeed at doing what is necessary.

I think that fits pretty well. We've got a long way to go and most of the tough decisions are yet to come.

We hope the federal government continues to be there as a partner, but I can tell you it's going to be a few months before we can actually say that we're out of the woods and it may be even longer.

Thank you, Mr. Speaker.

Presenting and Receiving Petitions

Tabling of Documents

**Speaker:** The hon. Minister of Finance and Deputy Premier.

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

By leave of the House, I beg leave to table PEI's Response to COVID-19 and I move, seconded by the Honourable Premier, that the said document be now received and do lie on the Table.

**Speaker:** Shall it carry? Carried.

The hon. Minister of Finance and Deputy Premier.

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

Pursuant to Rule 48(b), I move, seconded by the Honourable Premier, that PEI's Response to COVID-19 be referred to a Committee of the Whole House for its consideration and that said be added to the orders of the day until dispatched.

**Speaker:** Shall it carry? Carried.

The hon. Member from Tignish-Palmer Road.

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

By leave of the House, I beg leave to table questions to the Minister of Fisheries and Communities.

**Speaker:** Shall it carry? Carried.

The hon. Member from O'Leary-Inverness.

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

I also would like to table some written questions to the minister of health, the minister of transportation and the minister of agriculture and I table these now.

**Speaker:** Shall it carry? Carried.

The hon. Member from Charlottetown-Winsloe.

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

I, too, would like to table some written questions to the minister of education and early childhood development and that is seconded by the Leader of the Third Party.

**Speaker:** Shall it carry? Carried.

Now I'll ask the Clerk to table.

**Clerk:** Hon. Mr. Speaker and members.

I wish to advise that pursuant to Rule 80(k), the office of the clerk received a number of intersessionally tabled documents since the House last met on November 28th, 2019.

Included in these documents are 15 annual reports and answers to written questions. All documents were circulated to members upon receipt and posted on the Legislative Assembly website. A complete listing of these documents will be included in today's Journal of the Legislative Assembly.

**Speaker:** Shall it carry? Carried.

Reports by Committees

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

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

As Deputy Speaker and on behalf of the Standing Committee on Legislative Management, and yourself as Chair, I beg leave to introduce the unanimous report of the committee recommending that Ms. Denise Doiron be appointed as Information and Privacy Commissioner and that Mr. Marvin Bernstein be appointed as Child and Youth Advocate.

I move, seconded by the hon. Member from Morell-Donagh, that the same be now received and do lie on the table.

**Speaker:** Shall it carry? Carried.

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

**Mr. Perry:** Mr. Speaker, I seek unanimous consent to proceed with the motion for adoption of this report.

**Speaker:** Shall it carry? Carried.

Motion carried.

The hon. Member from Tignish-Palmer Road.

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

Hon. Members of the Legislative Assembly.

The Standing Committee on Legislative Management pursuant to Subsection 42(2) of the *Freedom of Information and Protection of Privacy Act* and Section 2 of the *Child and Youth Advocate Act*, is charged with the responsibility of recommending to the Legislative Assembly persons for appointment to the position of Information and Privacy Commissioner.

The committee agreed to initiate a public competition for these two statutory officer positions. Advertisements were placed in local newspapers, a national online campaign was initiated and online job search websites were utilized. A total of 68 applications were received and interviews were conducted. As a result a finalist for each position was recommended to the committee as a top candidate.

The standing committee unanimously recommends as provided for in Subsection 42(2) of the *Freedom of Information and Protection of Privacy Act* that Ms. Denise Doiron be appointed as Information and Privacy Commissioner for the province of Prince Edward Island effective June 23rd, 2020.

The standing committee unanimously recommends, as provided for in Section 2 of the *Child and Youth Advocate Act* that Mr. Marvin Bernstein be appointed as Child and Youth Advocate for the Province of Prince Edward Island effective July 15th, 2020.

**Speaker:** Is there anyone who would like to speak -

**Mr. Perry:** I move, seconded by the hon. Member from Morell-Donagh, that the report of the committee be adopted.

**Speaker:** Shall it carry? Carried.

**Speaker:** Is there anyone who would like to speak to these motions?

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

**Speaker:** No, just a chance for everyone to speak. If no one is wanting to speak, we'll just say: Shall it carry?

**Some Hon. Members:** Carried.

**Speaker:** And it will be carried.

The hon. Member from Tignish-Palmer Road.

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

I seek unanimous consent to proceed with the motion of appointment of the Information and Privacy Commissioner without notice.

**Speaker:** Hon. members, is there unanimous consent?

**Some Hon. Members:** Yes.

**Speaker:** Hon. Member from Tignish-Palmer Road.

**Mr. Perry:** I move, seconded by the hon. Member from Morell-Donagh, the following motion.

BE IT RESOLVED, pursuant to section 42 of the *Freedom of Information and Protection of Privacy Act*, that Ms. Denise Doiron be appointed as Information and Privacy Commissioner for the Province of Prince Edward Island effective June 23rd, 2020.

**Speaker:** Is there anyone who would like to speak to the motion?

Shall it carry? Carried.

The hon. Member from Tignish-Palmer Road.

**Mr. Perry:** Mr. Speaker, I see unanimous consent to proceed with the motion of appointment of the Child and Youth Advocate without notice.

**Speaker:** Hon. members, is there unanimous consent?

**Some Hon. Members:** Yes.

**Speaker:** Proceed, hon. member.

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

I move, seconded by the hon. Member from Morell-Donagh, the following motion.

BE IT RESOLVED pursuant to Section 2 of the *Child and Youth Advocate Act*, that Mr. Marvin Bernstein be appointed as Child and Youth Advocate for the Province of Prince Edward Island effective July 15<sup>th</sup>, 2020.

**Speaker:** Is there anyone who would like to speak to this motion?

Shall it carry? Carried.

Thank you hon. member.

More reports by committees?

#### Introduction of Government Bills

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

**Mr. MacKay:** Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Employment Standards Act* and I move, seconded by the Honourable Minister of Finance, that the same be now received and read a first time.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 38, *An Act to Amend the Employment Standards Act (No. 3)*, read a first time.

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

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

This is a leave for employees who cannot work because government declared an emergency, or they are unable to work because of a direction or order of the Chief Public Health Officer. Employees who are unable to work due to the current COVID-19 public health emergency will be able to take a job protected unpaid leave of absence from work.

**Speaker:** Shall it carry? Carried.

The hon. Minister of Health and Wellness.

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

I beg leave to introduce a bill to be intituled *An Act to Amend the Public Health Act* and I move, seconded by the Honourable Premier, that the same be now received and read a first time.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 36, *An Act to Amend the Public Health Act*, read a first time.

**Speaker:** The hon. Minister of Health and Wellness.

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

Essentially, the amendments to this act will provide government with the opportunity to provide that individuals who refuse to self-isolate be admitted to, or detained in a health facility or other facility or place.

In addition, allow that the CPHO to limit travel on the Island, allow the CPHO to appoint additional public health officials to administer and enforce the *Public Health Act*, provide public health officials with the authority to require the operator of a motor vehicle to stop the vehicle and remain stopped until directed otherwise, provide penalties for corporations that contravene the *Public Health Act*, or an order of the CPHO.

Lastly, provide Lieutenant Governor in Council with the power to, by order, suspend or vary the application or operation of an enactment during a public health emergency.

**Speaker:** Thank you.

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

**Mr. Thompson:** Thank you, Mr. Speaker. I beg leave to introduce a bill to be intituled *An Act to Amend the Emergency Measures Act* and I move, seconded by the Honourable Minister of Health and Wellness, that the same be now received and read a first time.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 37, *An Act to Amend the Emergency Measures Act*, read a first time.

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

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

This bill amends the *Emergency Measures Act* to provide the Lieutenant Governor in Council legal authority to spend a vary of applications of enactments in a whole or in part on a temporary basis in the event of a state of emergency or a local emergency is declared.

**Speaker:** Thank you, minister.

Is there any other bills?

#### Government Motions

**Speaker:** The hon. Minister of Finance and Deputy Premier.

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

I seek to move a motion, without notice, relating to a motion respecting hybrid virtual proceedings of the House and the Clerk has a copy of it.

**Speaker:** Shall it carry? Carried.

**Clerk:** Motion respecting hybrid virtual proceedings of the House.

The hon. Premier moves, seconded by the Leader of the Opposition and the Leader of the Third Party, the following motion:

**WHEREAS** while the COVID-19 pandemic and state of public health emergency continue, members need to fulfill their parliamentary duties as legislators and to provide for accountability and transparency;

**AND WHEREAS** that, notwithstanding any standing order of this House, the House may wish to sit from time to time in virtual proceedings in a manner to be determined further to this resolution;

**AND WHEREAS** the Island public deserves to easily observe and comment on the deliberations of the Legislative Assembly;

**THEREFORE BE IT RESOLVED** that the Standing Committee on Rules, Regulations, Public Bills and Privileges research options by which the House may conduct virtual proceedings, which proceedings must satisfy the following requirements:

- a. A virtual proceeding must be a proceeding of parliament conducted under the authority of the Speaker, in a manner agreed to by members.
- b. A virtual proceeding may include a proceeding of this House with any combination of members physically present in the Chamber and Members present remotely or by other technological means, including via video conferencing or audio only platform.
- c. All Members must be able to access and use any video conferencing or audio platform recommended by the committee.
- d. The platform chosen by the committee must be secure for the purpose of a public meeting of this House.
- e. The platform must be trusted by the Members and be transparent.
- f. The proceedings must be accessible to Islanders.

**THEREFORE BE IT FURTHER RESOLVED** that the Committee recommend to the House any changes to the rules of the Legislative Assembly of Prince Edward Island necessary to facilitate virtual proceedings.

**Speaker:** The hon. Premier.

**Premier King:** Obviously, this is something that has come up in the last 10 weeks, maybe – we understand the value of this Chamber and the great contributions that people make within this Chamber and to have the need to do that, I think the hon. Member from Mermaid-Stratford talked about the accountability component, the ability to ask questions and to work together to come up with the best possible solutions.

I think what we found in our process to getting here today, that we need to update some of the rules and regulations over how we are actually able to assemble. We all, I think, believe that in this day and age, there's a safe way to do this virtually. We don't know what a second wave, could bring into later on, how it could disrupt maybe a fall session and I think people expect and people want – and we should all want, as members, to have the ability to get together as legislators, to ask questions and to pass laws and to update policy as needed and to do so as all of us.

We all have a right to be here. We've talked about this before. We didn't want to look at having – I didn't, anyway, just a few people representing us. A great right that you have as an elected official is you get to sit here. You can fight with your party, you can fallout with everybody else, but until they elect you out of here until you quit, you have a right to sit in here. I think that's a privilege that we should be working hard to protect.

I'm glad, even though it's different here, we're all here, but I think this whole undertaking is to give us the ability to do this virtually in the future if we need to, because what we've learned today in the last 10-12 weeks is, we don't know what the future holds, but let's try to be as ready for it as possible.

Great collaboration from all three of us, so thank you very much, Mr. Speaker.

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

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

The rules of this House, of course, were written decades and decades and decades ago and some of them are very much out of date. For instance, I'm meant to take my hat off before I stand up and speak with everybody right now. There are a number of rules that absolutely need to be changed.

The world has hurdled forward in the past few decades and the ability for legislatures to meet remotely is now being done very successfully across the world, including here in Canada. Not without its hiccups, absolutely, I understand that, as with any new technology and particularly in a space as delicate as a legislature, things have to work well. I have absolute confidence that if other jurisdictions in Canada, including our federal parliament, can operate successfully virtually, then we will be able to do it here on Prince Edward Island.

I want to echo the Premier's comments that yes, this place feels and looks different from what we're used to, but we're the only Legislature, I'd put it to this House in Canada, that actually has the physical ability to meet in our space with all of the members. I still wish that we had reconvened earlier to provide the accountability and the oversight that the official opposition would have liked to have seen early on in this response. We did not get, as the Premier said, a reciprocal keenness to do that, shall we say.

Anyway, this is another method that we can meet in cases of an emergency and that's fine. I look forward to the rules committee doing their work that will allow us to enter at least the beginning of the 21<sup>st</sup> century with some of our rules here in this Legislature.

Thank you, Mr. Speaker.

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

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

I rise to support this motion and I'd just like to say something that I'm sure some of us in this House have heard from our grandparents. I remember my granddad used to say there's two things in life for sure and that's taxes and death. Now, in today's

society, there's three things in life for sure: taxes, changes and death. As we all know, things have to change and who would've thought when we got elected to this Legislature that we'd be in the situation we're in.

If I may, I'll just add a few notes to this. In a democratic society, I believe that it is very important that the public have access to view and comment on virtual sittings. In order for a democratic society to function and flourish, the input of the public is needed and it would only make sense that these virtual sittings be available via livestream for them to access.

The federal government and various other provincial governments have utilized the idea of virtual sessions by providing a public access using televisions and various livestreams. The Legislative Assembly is about Islanders. We sit here because Islanders have put their trust in us to make decisions and act in their best interest.

The decisions made pertain directly to Islanders and their wellbeing. For this reason, they deserve the transparency of having access to view the House in full just as much as anyone else does.

Thank you, Mr. Speaker.

**Speaker:** Is there anyone else to speak to the motion?

If not, I'll ask the Premier to close.

**Premier King:** I don't have anything else to say, Mr. Speaker, other than I look forward to the report.

I will close the debate, thank you.

**Speaker:** Shall the motion carry? Carried.

The hon. Minister of Finance and Deputy Premier.

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

Mr. Speaker, I seek to move a motion without notice relating to the appointment of the new Auditor General.

**Speaker:** Secunder? Unanimous consent?

**Some Hon. Members:** Yes.

**Speaker:** The hon. Minister of Finance and Deputy Premier.

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

First of all, I'd like to begin by extending my sincere appreciation to Jane MacAdam. As a former finance critic, she was more than gracious to come to committee on a regular basis and give us any report that we basically asked for.

The past seven years, she's done an exceptional job as Auditor General in holding government financially accountable. She has always been fair in carrying out her work with the best interests of Islanders in mind, ensuring that their tax dollars are being responsibly invested and managed. She's had an exceptional career for nearly 40 years in the Office of the Auditor General. We wish her well and very well deserved retirement.

I might like to welcome Mr. Darren Noonan as the new Auditor General.

**Clerk:** The Minister of Finance moves, seconded by the hon. Leader of the Opposition, the following motion:

**WHEREAS** after a long career in public service, and seven years as the Auditor General, Jane MacAdam has retired;

**AND WHEREAS** the Legislative Assembly must agree to the recommendation of a new Auditor General by two-thirds vote;

**AND WHEREAS** it is important to restate the independence of the Office of the Auditor General;

**AND WHEREAS** after an open competition was held for the position, Darren Noonan, CPA, CA, was the successful candidate and is now recommended to this Legislative Assembly to be the new Auditor General;

**THEREFORE BE IT RESOLVED** that this House endorse the nomination of Darren Noonan to the position of Auditor General of Prince Edward Island.

**Speaker:** Shall it carry? Carried.

The hon. Minister of Finance and Deputy Premier.

**Ms. Compton:** Thank you very much, Mr. Speaker.

I'll continue on with welcoming Darren Noonan as the new Auditor General. He brings with him nearly three decades of accounting experience, of expertise. Islanders would certainly recognize him for his longstanding career in the automobile industry in PEI. Darren is well respected within his profession and by his community. The office will certainly benefit from years of leadership and team builder approach to management. Darren Noonan will be an excellent Auditor General and I'm confident that he will ensure our government continues to be financially transparent and accountable in our management of taxpayers' dollars.

Thank you, Mr. Speaker.

**Speaker:** Anyone that would like to speak?

The hon. Member from Mermaid-Stratford.

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

I would also like to rise to recognize Jane MacAdam. The distinguished career of Jane MacAdam bridges over 35 years, all of which were worked in the Office of the Auditor General. Since 2013, she has been serving Islanders as our province's Auditor General. In this role, she has successfully held government accountable for how it has managed public funds and resources. Her work highlighting the areas where improvements and accountability, transparency and management are necessary has been invaluable.

It has been my great privilege to get to know Jane since becoming the Chair of the Public Accounts Committee and to work in partnership with the Office of the Auditor General.

On behalf of the Public Accounts Committee, I would like to thank Jane for her guidance and also, on behalf of my colleagues in the official opposition, I offer our sincere thanks and appreciation. We commend you for a job well done and wish you success in whatever you do.

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

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

I, too, would like to rise and thank Jane MacAdam for the distinguished job she did as our Auditor General and wish her all the best in her retirement.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Cornwall-Meadowbank.

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

I wanted to congratulate Jane on her retirement. As being a former finance minister, I had many dealings with Jane and her professionalism is second to none. She's one tough customer, I can tell you that, but she was more than fair on all the decisions that she made and I certainly leaned on her for advice from time to time, too, so it's great to see her retiring and hopefully enjoying life.

I also want to welcome Darren Noonan. Following in the heels of Jane MacAdam, he's got some big shoes to fill, but no doubt he can fill them.

Thank you, Mr. Speaker.

**Speaker:** Anyone else wanting to speak?

The hon. Minister of Finance and Deputy Premier.

**Ms. Compton:** Thank you very much, Mr. Speaker.

I would just like to say, as with many changes we're going through right now, we're going to have a new Auditor General and we look forward to meeting with him and watch as he holds government to account.

Thank you very much, Mr. Speaker.

**Speaker:** That's the closing of debate.

Shall it carry? Carried.

The hon. Minister of Finance and Deputy Premier.

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

I ask for unanimous consent for the second reading of PEI's Response to COVID-19.

**Speaker:** Hon. members, do we have unanimous consent?

**Some Hon. Members:** Aye!

**Some Hon. Members:** Nay!

**Speaker:** Hon. Minister, we do not have unanimous consent.

The hon. Member from Morell-Donagh.

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

In absence of the unanimous consent on our agreed upon business, I move that the House proceed to orders other than government.

**Speaker:** Orders other than government, do we have unanimous consent to move to orders other than government?

**Some Hon. Members:** Aye!

#### Orders Other Than Government

**Speaker:** We have unanimous consent.

The hon. Member from Charlottetown-Belvedere.

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

**Speaker:** Couldn't find you.

**Ms. Bell:** Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Audit Act* and I move, seconded by the Honourable Member from Summerside-Wilmot, that the same be now received and read a first time.

**Speaker:** Shall it carry? Carried.

They're asking for a short recess.

**Ms. Bell:** Who is?

**Speaker:** Clerks.

We're calling a recess.

[recess]

**Speaker:** Okay, hon. members, we're ready to resume. Let's try it again.

The hon. Member from Mermaid-Stratford.

**Ms. Beaton:** Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Audit Act*, and I move, seconded by the Honourable Member from Summerside-Wilmot, that the same be now received and read a first time.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 113, *An Act to Amend the Audit Act*, read a first time.

**Speaker:** The hon. Member from Mermaid-Stratford, an overview.

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

This bill empowers the Auditor General to audit third party organizations that receive government funds or provide services on behalf of government. It also expands reporting allowing the AG to report multiple times during the year and issue special reports.

**Speaker:** The hon. Member from Charlottetown-Belvedere.

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

I beg leave to introduce a bill to be intituled *An Act to Amend the Rental of Residential Property Act*, and I move, seconded by the Honourable Member from Summerside-Wilmot, that the same be now received and read a first time.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 112, *An Act to Amend the Rental of Residential Property Act*, read a first time.

**Speaker:** The hon. Member from Charlottetown-Belvedere.

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

This bill addresses tenant issues and concerns relating to the pandemic, including allowing a landlord to reasonably restrict or limit access to common areas during a state of public health emergency, allowing the director of residential rental property to issue an order suspending the service of eviction notices, and allowing the director to issue an order to increase the time available to lessees, tenants, to make an application to set aside a notice of termination of a lease.

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

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

I beg leave to introduce a bill to be intituled *An Act to Amend the Employment Standards Act (No. 4)*, and I move, seconded by the Honourable Member from Mermaid-Stratford, that the same be now received and read a first time.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 110, *An Act to Amend the Employment Standards Act (No. 4)*, read a first time.

**Speaker:** The hon. Leader of the Opposition, an overview.

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

This bill provides basic whistleblower protections for those workers who are in the private sector.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Charlottetown-Winsloe.

**Mr. Mitchell:** Mr. Speaker, by leave of the House, I beg leave to table Private Member Bill, Bill No. 109, *An Act to Amend the Education Act*, and I move, seconded by the Honourable Leader of the Third Party, that the said document be now received and do lie on the Table.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 109, *An Act to Amend the Education Act*, read a first time.

**Speaker:** The hon. Member from Charlottetown-Winsloe, an overview.

**Mr. Mitchell:** Thank you Mr. Speaker.

This bill is designed to strengthen the capacity of the system to provide vaccines. Although I'm very honoured to table this Private Members Bill today, it is my intention and the intention of the Third Party that we will not call this for debate during this session, rather that we will allow it to lie on the table so that it be made public to Islanders and be ready to be debated upon at the next regular sitting.

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

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

I beg leave to introduce a bill to be intituled a Private Members Bill, Bill No. 106, *An Act to Amend the Prince Edward Island Lands Protection Act (No. 2)* and I move, seconded by the Honourable Member from Tignish-Palmer Road, that the same be now received and read a first time.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 106, *An Act to Amend the Prince Edward Island Lands Protection Act (No. 2)*, read a first time.

**Speaker:** The hon. Member from O'Leary-Inverness, an overview.

**Mr. Henderson:** I, too, am also happy to table this Private Member's Bill as *An Act to Amend the Prince Edward Island Lands Protection Act (No. 2)* and I'm tabling it for first reading to make it public for Islanders. We are in the same situation, we don't plan on calling this bill under this emergency session, but will allow Islanders to have a chance – it's really about clarifying the *Prince Edward Island Lands Protection Act (No. 2)* the that it takes precedence over many other things when it comes to land use in this province.

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

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

Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Emergency Measures Act (No. 2)* and I move, seconded by the Honourable Member from Mermaid-Stratford, that the same be now received and read a first time.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 111, *An Act to Amend the Emergency Measures Act (No. 2)*, read a first time.

**Speaker:** The hon. Leader of the Opposition, an overview.

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

The bill accomplishes two things essentially. First is to put time limits on how long the Executive Council can declare a state of emergency, and the second thing is there's a reporting requirement on behalf of the minister who calls the state of emergency to report back to the Legislature as to why that emergency was called and what actions were taken in response to it.

Thank you, Mr. Speaker.

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

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

By leave of the House, I beg leave to table a Private Members Bill, Bill No. 108, *Winter Wellness Day Act*, and I move, seconded by the Honourable Member from Charlottetown-West Royalty, that the said document be now received and do lie on the Table.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 108, *Winter Wellness Day Act*, read a first time.

**Speaker:** The hon. Member from Charlottetown-West Royalty, an overview.

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

This bill is designed to promote and enhance wellness and activity in our population.

Thank you very much, Mr. Speaker.

**Speaker:** The hon. Member from Charlottetown-Belvedere.

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

In the absence of any other business could be brought to the floor, I move that we adjourn.

**Speaker:** Can we have a recess?

Is that what you meant?

**Ms. Bell:** Mr. Speaker, call the hour.

**Premier King:** No one's doing anything, so we have to.

**Ms. Bell:** I call the hour, Mr. Speaker.

**Speaker:** You meant to adjourn for – just until 7?

**Ms. Bell:** Just until 7, Mr. Speaker.

**Speaker:** Oh, okay.

So we'll just call a recess.

**Ms. Bell:** Call the hour.

**Speaker:** Call the hour, so nobody called it.

**An Hon. Member:** Call the hour.

**Speaker:** The hour has been called.

**The Legislature recessed until 7:00 p.m.**

#### Motions Other Than Government

**Speaker:** The hon. Member from Charlottetown-Belvedere.

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

Mr. Speaker, I would seek unanimous consent of this House to waive Rule 66 (2) and that the House may proceed to the second reading, motion for *An Act to Amend the Audit Act*.

**An Hon. Member:** No.

**Speaker:** Hon. members, do we have unanimous consent?

**Some Hon. Members:** Aye!

**Some Hon. Members:** Nay!

**Ms. Bell:** Okay.

**Speaker:** The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Mr. Speaker, I would seek unanimous consent of this House to waive Rule 66 (2) and that the House may proceed to the second reading, motion for *An Act to Amend the Rental of Residential Property Act*.

**Speaker:** Hon. members, do we have unanimous consent?

**Some Hon. Members:** Aye!

**Speaker:** Consent is given.

The hon. Member from Charlottetown-Belvedere, can you read the order?

**Ms. Bell:** Mr. Speaker, I would seek unanimous consent of this House to waive Rule 66 (2) and that the House may proceed to the second reading, motion for *An Act to Amend the Rental of Residential Property Act*.

**Mr. MacEwen:** You already did that.

**Speaker:** Shall it carry? Carried.

**Clerk:** Bill No. 112, *An Act to Amend the Rental of Residential Property Act*, 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

Hon. members, in order to hand this out, we have to take a short recess – in order to hand the copies out. You can just stay seated.

[recess]

**Chair (Perry):** The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *An Act to Amend the Rental of Residential Property Act*.

Is it the pleasure of the committee that the bill now be read clause by clause? But, before we get to that, I'll ask it again after.

Do we have approval to bring a stranger on to the floor?

**Some Hon. Members:** Yes.

**Chair:** Granted.

**Premier King:** He's no stranger.

**Chair:** Welcome, would you please introduce yourself and your position title please?

**Nathan Hood:** I'm Nathan Hood; I am the Senior Policy Advisor at the Office of the Official Opposition.

**Chair:** Thank you, Nathan.

Did you want to give a brief overview before we go?

**Ms. Bell:** Sure. Thank you very much, Chair. I appreciate that.

So, this is the *An Act to Amend the Rental of Residential Properties Act* and this is a piece of legislation that's been specifically drafted to address issues that have arisen during the COVID-19 pandemic and hopefully strengthen that act to allow for the current circumstances and for any future circumstances, specifically relating to the rental of property.

We recognize that there is a plan to bring forward a new tenancy act but that in the interim, this is required now, and this allows us to bring into this legislation, but also make something retroactive to fill that gap until we get to the point of some future date bringing the tenancy act forward and I would make a note that I look forward to working with the minister, as we have done in the past on the tenancy act, to ensure that

these provisions that we're looking at now are future included.

In terms of the content of this act, it is primarily to address some critical issues that have arisen, one of them is to allow the landlord to reasonably restrict or limit access to common areas in a state of public health emergency. There currently actually isn't any allowance for that and I have that so we need to explicitly put something in the act.

It also allows the director at IRAC to be able to issue an order suspending the service of eviction notices and to be able to issue an order to be able to issue an order to increase the time available to tenants to make an application to set aside notice of a termination of lease. Basically, this is talking about evictions but empowering the director of IRAC to do so, which is appropriate in terms of other things that we've looked at, particularly during the pandemic, of empowering those independent officers.

There are also some aspects that allow a notice of termination to be set aside in the event of a public health emergency or state of emergency and cover the issue that we have currently, which requires documents to be delivered in person, which again, is a challenge of quite major proportions during our current situation. Finally, it is to make the amendments in this act retroactive to March 16<sup>th</sup>, so the effect and the orders that have come forward during this period.

Hopefully that gives you an idea. Obviously, it's not a very big bill, but it's got some very specific amendments in it and I'd be happy to go through as required before questions from the floor.

**Chair:** Thank you. Is it the pleasure of the committee that the bill be now read clause by clause or just general questions over?

**An Hon. Member:** Questions.

**Chair:** Questions over? Just before we get going, this new layout is difficult sometimes for me to see everyone. So, raise your hand to get my attention, do whatever you can, just don't cough.

Just give it a second, too, because there's only one working back here with audio and

– I'm not sure, with the cameras? So give them time to make sure that you're on camera and your mic is on and you get credit for your words of wisdom.

**Ms. Bell:** I wouldn't go that far.

**Chair:** First, I have the Minister of Education and Lifelong Learning.

**Mr. Trivers:** Thank you, Chair.

Thank you for pursuing this area, bringing this bill to the floor. Obviously, you're very passionate about it. Thank you for that.

The one thing that we did when we reviewed the bill was we looked at it and we looked at it in the context, as you mentioned, the residential tenancy act that we're bringing forward, hopefully sooner rather than later, but also, we looked at it in the context of the amendments that we're bringing to the *Emergency Measures Act* and the *Public Health Act* in this emergency sitting. We looked at it and we really feel that it might be a bit of a duplication of effort. We think the amendments we're doing to the *Emergency Measures Act* and the *Public Health Act* will probably cover this off. We probably don't need to actually amend this bill. Again, we are going to be replacing this soon, as well.

In the interim, we think our amendments to the *Emergency Measures Act* and the *Public Health Act* will take care of this. I don't know what you think of that, but that would be my suggestion is we just go with those amendments, since it's a bit of a duplication of effort, there.

**Ms. Bell:** I'm happy to respond to that. There are a couple of points and that probably isn't good enough, unfortunately, for tenants who are facing eviction. It's our responsibility as legislators to try and ensure that all Islanders are afforded as much level of protection as is possible through legislation. I would be much more comfortable dealing with the number of different constituents that I've spoken to who are genuinely afraid that as soon as the state is lifted, that they are going to be evicted, because their order is just on hold.

Having to deal with those inquiries on a day-to-day, you get to know and talk to people, I

have a responsibility, as do all of us in this House, to try and do the best we can to address the issues as and when they occur, because “probably” isn’t going to work for people who may be evicted in the next few weeks.

Also, I absolutely recognize that there are other pieces of legislation but as has been quite clear, there’s obviously quite a lot of discussion about some of those other pieces of legislation. Again, I feel quite strongly that we need to provide solutions that are appropriate to a problem where they are and not hope that maybe we might be able to fix it somewhere else, because unfortunately, my experience is that we can’t rely on those contingency plans always working out.

I like the fact that we potentially have more than one route that we can achieve the same outcome. That would be much more preferable than having no route.

Having this legislation coming forward that specifically addresses what is, I think we can all agree, a really quite terrible situation of people feeling that they are waiting for the other shoe to drop and that they’re going to be served with a notice of eviction in a housing space where there is no other available housing, is something that we have a moral responsibility to address.

I look forward to seeing all the legislation that will further strengthen the supports that we can give to Islanders and protect them through our legislation, but this is a very specific application and yes, you’re right, I do feel quite strongly about it.

**Chair:** The hon. Minister of Education and Lifelong Learning.

**Mr. Trivers:** Thank you, Chair.

I understand what you’re saying. I still believe it is a duplication of effort and we don’t have to necessarily agree on that point. I think what we’re going to bring forward with the amendments to the *Emergency Measures Act* and *Public Health Act* will cover this off. In fact, we have a solution in place right now that is actually allowing people to stay in their homes and not be evicted. In fact, landlords are the ones that are, in many cases, contacting me and

wondering what’s going to happen. Obviously, it’s a complex scenario.

I wanted to ask a question about Section 2. It says in the explanatory notes: Allows the director to issue an order suspending the service of eviction notices. In 12.1 (1) and 12.1 (2) it talks about the serving of a notice on a lessor. I’m just wondering if that maybe is an error; it’s supposed to be lessee. Maybe I’m interpreting this wrong, but I think the director usually serves notices upon lessees, not lessors.

**Ms. Bell:** Sorry, could you repeat which section – are you looking at 12.1(1)?

**Mr. Trivers:** Yes. 12.1(1): the Director may issue an order limiting or prohibiting the service of a notice of termination on a lessor.

**Ms. Bell:** (Indistinct) section 13, 14 or 15, correct?

If I could ask Mr. Hood to speak to that one.

**Nathan Hood:** The way we’re drafting is that right now, Section 12 lays out how a lessor terminates a rental agreement. It says it has to be basically for a cause set out in 14, 15 or 16. What we’re doing with 12.1(2) is we’re basically saying: When a state of emergency or state of public health emergency has been declared, here are conditions that apply, basically allowing either the notices to be voided, for the director to issue those orders to allow that to happen. That’s the general gist of (Indistinct)

**Chair:** The hon. Minister of Education and Lifelong Learning.

**Mr. Trivers:** Thank you, I understand that.

I think there’s just an error that’s been made, when you’re referring to the lessor, you should be referring to the lessee. If you look at 12.1(2): Where a notice of termination is served on a lessor, despite an order having been made by the director.

I think you really mean: A notice of termination served on a lessee. Same thing with 12.1(1), I think it’s just a drafting error when you’re drawing up the bill.

**Ms. Bell:** I think you are correct. I'm getting a kind of furrowed brow from Nate, which usually means probably.

**Chair:** That would require an amendment if you're going to change that. Are you proposing the amendment?

**Mr. Trivers:** In fact, I happen to have an amendment here for that. I just happen to have one, yes.

**Chair:** Would you like to read it for us, please?

**Mr. Trivers:** This motion amends the proposed new subsections 12.1(1) and 12.1(2) of the *Rental of Residential Property Act* in Section 2 of the bill to correct references to lessor to read lessee.

**Chair:** One moment please. Do we have copies?

Would you like to have copies or are we going to go with just the oral?

**Mr. Mitchell:** I'd like a copy.

**Chair:** Okay.

**Ms. Bell:** They happen to have them ready.

**Chair:** Okay, so we'll be taking a short recess.

[recess]

**Chair:** (Indistinct) Committee of the Whole House. I'm going to ask the Minister of Education and Lifelong Learning to read his amendment again, please.

**Mr. Trivers:** Thank you, Chair.

So I'd like to move that Section 2 of Bill No. 112 is amended in the proposed new subsection 12.1(1) and (2) by the deletion of the word lessor and the substitution of the word lessee.

**Chair:** The floor is open for discussion.

Shall it carry? Carried.

The hon. Leader of the Third Party.

**Mr. Gallant:** Thank you, Chair.

Could the member explain to us how does this differ from current practices that exist right now?

**Ms. Bell:** Yes. I think it's probably best if we did a couple of different examples of what currently has happened because there is two or three different things that are in the legislation as well. An example with the very first one, which is around common areas, once COVID-19 restrictions came into place, we started to get complaints from tenants because their landlords were putting restrictions into the building by locking the common areas and putting signs up saying: No visitors allowed and no one is allowed in or out without permission. There was a lot of questions asked about whether that was actually legally bound, whether that was legally allowed. We found that we actually need a provision to allow for that. We also and (Indistinct) to be able to comply.

Another example is around serving papers or serving notices. There's a very short timeframe to serve a notice when somebody is being served with an eviction and it has to be served in person. You can't email, they literally have to have a physical – I think we heard about people finding an eviction notice on their door and obviously again on the restrictions on movement and contact, we need to allow for a provision that allows those conditions to be met without putting someone in jeopardy to do so.

Perhaps Nate, if you could add. Those are my two first ones.

**Nathan Hood:** Yeah and I add that the other changes are giving the power to the director of residential rental property to extend the timelines because in the act right now, there are specific timelines for when a person is required to take certain steps. Like, when they have to respond to an eviction notice, for example. So what this would do is it would allow the director at their discretion to extend that if the circumstances required that.

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

**Mr. Gallant:** Thank you, Chair.

I go back to what the hon. minister of education said: Won't this be an overlap of what they're proposing in their legislation?

I mean, I know some people that lived in housing units, and the signs went up, they couldn't go in the common area. It was no different than I couldn't go see my grandkids next door. You live with it. It was part of the sacrifice to get through COVID and there was also eviction notices given during the COVID pandemic but you can't evict people, so that's why I'm questioning this. The mechanisms are in place now to protect people, so why do we need this? We've got an act coming from the government here shortly, which we'll certainly ask questions about as well.

I just don't see where the need is, if it's there now, which it seems to be.

Why do you feel the importance of bringing this forward?

**Chair:** Promoter and witness, would you please speak into the mic? –

**Ms. Bell:** Speak into the mic, yeah. It's actually not that close, I'm going to move it a bit.

I would just point out to begin this, and I'm going to ask my colleague to follow up as well on the need for it, but I would point out that the freeze on eviction notices only happened with a lot of public pressure to do so and is subject to some pretty loose guidelines on when that will end and what happens when it ends.

Part of what we look at when we looked at legislation to strengthen it, is we looked at where the holes are that are being demonstrated not just by current circumstances, but by potential future circumstances as well. There are definitely, unfortunately, holes in this legislation that have been highlighted because of the current circumstances. Perhaps, Nate, if you could –

**Nathan Hood:** Yeah. There are two points I want to make; as far as evictions go, evictions aren't actually suspended, so to speak. What happens right now is you can be issued an eviction notice, but there'll be no enforcement activity of that eviction. So you will still receive an eviction notice, and you could still say: I will be out of here at that point. In which case, you are effectively evicted from your property. There are also

people who aren't entirely familiar with their rights to go to IRAC to contest evictions.

The other point I would make as well is that we're really granting powers to the director of rental and residential property who is really the administrator of the act, who administers large portions of the act. So, what would happen under this, as opposed to the legislation that's been proposed elsewhere, is that if there was a state of emergency declared or state of public health emergency declared, there's no middleman. The director could say: In my judgment, these are the variations that need to be made, and the director can make those without having to wait for someone else to make that decision.

**Ms. Bell:** I would just add, Chair, that, again, the fact that there is other legislation potentially coming forward doesn't preclude our responsibility to bring forward something that we see, an event that that other legislation – in the same way that ours may want make it past this debate, we cannot presume that other legislation will be enacted. So not doing something because we might do something later, especially when we have such a critical need with people who are waiting on when that other shoe drops, is our responsibility.

**Chair:** Leader of the Third Party

**Mr. Gallant:** Just for example and just so I get this: You've got a landlord and he's got a tenant. The tenant hasn't paid their rent or whatever, so he issues an eviction notice first day of a health order. So you can't evict that individual, but 90 days later, you can. Where's the protection for the landlord? If somebody's not paying their rent or if someone's – whatever reason. Can't that happen under normal circumstances? Can a landlord not evict somebody if they have due cause to evict them?

**Ms. Bell:** Absolutely. Those powers sit, obviously, with IRAC and the application of the current *Rental of Residential Property Act*. To be really clear, this is not about taking away the rights of landlords or tenants, and particularly landlords when they're faced with a tenant who is in breach of their contract.

As we talked about when we've previously talked about housing issues and evictions, there is quite a difference between somebody being evicted because their place is going to be renovated versus somebody being evicted because they are actually in breach of their residential tenancy contract.

The landlord has those rights enshrined within legislation, as does the tenant, and the application of that sits with IRAC. What this act does is make sure that there's clarity around the suspension of action that actually endangers peoples' health during – whether that be the landlord, the tenant or the person serving the papers – during the application of a public health emergency. Currently, there's actually been some ambiguity around that, and people were in a situation where they were having to make decisions that potentially put their health at risk, in breach of the public health order, and that's not a fair situation to be in. IRAC has those powers, and obviously uses them to support the cases of landlords and of tenants who are in any kind of tenancy challenge, including those around evictions.

As my colleague pointed out, obviously, on top of that, we do have many tenants and landlords who may not necessarily understand their rights, and that's probably a different conversation at this time.

**Chair:** The hon. Premier.

**Premier King:** Thank you, Chair.

Obviously, this issue really reared its head in early to mid-March when we entered states of public health emergency and then state of emergency later. Raised by you, your leader - and I remember on one of our calls vividly, and I'll paraphrase, but essentially, the Leader of the Opposition was saying, quite rightly: If we're asking people to stay at home, to isolate, we need to have a home for them to be at. So we found a workaround, but my question would be similar to the Leader of the Third Party: What makes this different if this is enacted? I guess we wouldn't need to find the workaround, would be the simple answer, but how much different would the scenario be, versus the one we're in now if this was enacted? Is there a tangible difference? Or is it just an easier way to get to the same result?

**Ms. Bell:** Both.

**Premier King:** Yeah.

**Ms. Bell:** All of the answers. Do you want to go with that one?

**Nathan Hood:** I think the biggest difference is that –

**Ms. Bell:** Mic.

**Nathan Hood:** This is very difficult. The biggest difference would be that it's not the director who, I think, most intimately knows the legislation and who administers the legislation that has the ability to make changes or make decisions as the circumstances dictate that would fall with cabinet under the other legislation. That's what I would say is probably the big distinction here and I think there's some value in having it close to the person who administers it. Because, let's say that this legislation failed and the other legislation was passed, the director would have no power to do that and so, maybe if, in the opinion of government, a change wasn't needed, but the director felt that a change was needed, then the director wouldn't be able to make that change.

**Ms. Bell:** But I would add, Premier that – I mean, it's a really good question, and it comes back to, again, about when we update legislation, we need to try and think about circumstances where we're perhaps not being as kind.

The piece around this is, is that freeze on evictions happened at that decision table with executive and those who were in power to make those decisions. Legislation says that even if you don't want to do this, you must. By giving that to the third party – sorry the director of that organization, who, as my colleague has said, is best-placed to actually make that decision in conjunction with the authorities who are providing the public health advice or the emergency advice.

In this instance, you wouldn't think that putting up notices or having to hand papers would create a public health emergency, but it does. It's as we've heard earlier today, it's that combination of public health advice and decision making. I would hope that in the

future as we come to review other legislation we can take that same lens – so when we look at the tenancy act or other pieces.

We need this now, because as we move into these other phases of the plan, these things are going to come back up again, and either we're going to be having to react and when you react, you don't catch anybody. If IRAC is there already as that power that can provide that objective guidance, we're empowering the right person and the right organization to do that work and that hopefully helps.

**Premier King:** I don't think there's anybody in here or anybody on Prince Edward Island who would think that, in a state of public health emergency or a state of emergency, that somebody should be evicted. I understand where this is coming from and the need for it, and I certainly have no trouble supporting that concept. Is it fair to say that not all evictions are equal? I mean, so this would catch all up for a certain time, but this wouldn't – I guess what I'm trying to get to is – the example that the Leader of the Third Party raised: If someone did not pay their rent for an extended period of time, they might not get evicted during the state of emergency, but after that, it would be fair for that –

**Ms. Bell:** That's right.

**Premier King:** – for that to take place. So I guess there's a certain amount of – it's hard to put that into a bill obviously too, but not all evictions are equal.

**Ms. Bell:** That's right, Premier. That sits with IRAC, who follow their regulations around determining exactly that, and we've spoken about this when we've looked at previous legislation. You might recall, when we talked about extending the eviction notice, was that, this doesn't get you off the hook if you're being evicted because you've damaged the property, or you're in breach of your contract.

In the case of a public health emergency, the rights of people to be safe and remain healthy are generally considered to be higher than the rights of pursuing something like this. But I can also tell you that there have been people who have been evicted, despite

that, in the middle of the pandemic because it happens, too. That's why the legislation is not prescriptive because that's not the role of the legislation, it's meant to set those boundaries, and then the application of that happens with IRAC.

**Nathan Hood:** If I can add on to that as well - Section 2, you'll notice at the end they can issue an order limiting or prohibiting the service of a notice of termination for any reason contained in sections 13, 14 or 15.

The director might say that there are certain cases where eviction notices – the current process is not okay and needs to be amended. There are other cases, and certainly other jurisdictions have recognized this, I know Quebec certainly did, where if you're destroying the property or putting the public health of others at risk, you probably want to hear those cases. We are giving the director to make those decisions based on what the director feels is appropriate. So it's not all of them together are bundled in, there's no leeway – it's, they can choose, if a different timeframe is required for each.

**Chair:** We're going to finish up here and it's the Third Party's time, right?

**An Hon. Member:** No, I don't think so.

**Ms. Bell:** No, that's not what we agreed.

**Chair:** Well, we'll have to carry on – unless?

Premier?

**Premier King:** No, I was just getting some clarity from the minister responsible. Do you feel that – IRAC is obviously a legitimate place – but have we consulted IRAC? It does seem like it's a bit of a change in the scope of what they have to deliver. You feel they're capable of doing that, but would you say they've been adequately consulted?

**Ms. Bell:** Absolutely, I feel they're capable of that. This is totally within the scope of – frankly, there's only some small decisions in here. It's about working in conjunction with the Public Health Officer, sorry, sidebar. But in terms of having consulted, we notified the director of the legislation centre a draft copy of that legislation and outlined the detail of

the intent. Unfortunately, we didn't hear back from the director but she was given the opportunity to provide her feedback, should she choose to do so.

**Premier King:** That's all I have and I thank you very much for bringing it forward.

Thank you very much.

**Chair:** The Minister of Justice and Public Safety and Attorney General.

**Mr. Thompson:** Thank you.

The Premier just asked the question I was going to ask: Have you consulted with Jennifer Perry? Are you comfortable with an elected official having that much power?

When we talk about people having too much power – I've been talking about that a lot this week and for an unelected official to have this much power – I just want your opinion on that.

**Ms. Bell:** That's a really interesting question.

So the director of IRAC has a substantial amount of power currently, as does the body of IRAC, in terms of being that body. The powers that are being provided here are not that extensive. This legislation provides some very specific limits around them, and it's in the context of the declaration of an emergency. In that context, obviously we do have some ideological differences about the applications of power, but we have smart people doing smart things as an independent body for a reason, and that's because they are empowered within the restrictions of the legislation to implement within the guidelines that we ask them to do so.

**Mr. Thompson:** We're not sure if they're comfortable with this much power. Are we?

**Ms. Bell:** Well, it would have been helpful if I'd had a response but, unfortunately, I'm just going to hope that'll work.

**Nathan Hood:** Sure, and just to respond to that as well, so these are discretionary powers.

**Chair:** Sorry, you're going to have to speak into the mic.

**Nathan Hood:** Okay, can I touch the mic?

**Chair:** You can move it if you want to.

**Ms. Bell:** Make the mic your own.

**Nathan Hood:** I know this is a big – this shut down the NBA when they started grabbing the mics.

**Ms. Bell:** Look at me and talk to the mic.

**Nathan Hood:** They're discretionary powers, so there's no new obligations that are created for the director. If the director chooses to use these, because the director feels that in the circumstances, they're appropriate powers and the director can do that, but we're not actually creating any new requirement for the director to act.

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

**Mr. Thompson:** Thank you. I just want to point out, I think I heard that Cabinet put the freeze on. It was actually the courts that put the freeze on the evictions. I just wanted to clear that up.

With this change, is it changing the application of the evictions at IRAC?

**Nathan Hood:** Are you referring to the proceedings –

**Mr. Thompson:** Yes.

**Nathan Hood:** – and the structure of the proceedings? There's no real change to the proceedings. What we're talking about are the service of eviction notices, which is something that the landlord would do. We're also talking about the timeframe in which a tenant has to respond to an eviction notice. As far as the proceedings themselves, there's no real change to how those will take place.

**Chair:** The hon. Minister of Education and Lifelong Learning.

**Mr. Trivers:** Thank you, Chair.

I wanted to just echo what the hon. Minister of Justice and Public Safety was saying, in the powers that IRAC have. As the minister responsible for IRAC, they do have a lot of

powers, but they are an adjudicate of a body. For them to be making orders based on public health is not – I think it's outside of their area of responsibility. They're that third party, arm's length, et cetera.

I would say that if anyone's going to issue an order to suspend serving evictions, it should either be the Lieutenant Governor in Council or the Chief Public Health Office. I don't think that should be a responsibility of IRAC and that's, indeed, when I talk to the director, that's what she expressed to me, as well. I just wanted to put that out there, I understand your concerns.

One thing – I have a number of other concerns. The big one is that Section 6 makes the amendments to the act retroactive to March 16<sup>th</sup>. I'm not sure why we need to do that, first of all. The concern that was expressed to me from the director was that it changes the playing field after the fact. If you're trying to administer the act and you're administering it all one way, that's fine. If you go back and you have to change decisions based on changes to the act, that's not fair to IRAC, it's not fair to landlords and potentially, it's not fair to tenants either.

I could probably live with Sections 1, 2, 3, 4 and 5. I think section 6 I would like to see removed from the act.

**Ms. Bell:** Thank you, Minister.

See, you have me at a disadvantage when you've been able to consult with your director and I haven't. I do find it really challenging to be able to be discussing legislation that was provided to you in advance and have feedback on the floor, from you from the director, when I didn't get that response myself. I would've been happy to work with you. If I can –

**Chair:** The hon. Minister of Education and Lifelong Learning.

**Mr. Trivers:** I was just kind of curious, when you actually contacted the director and if you asked her to respond to you or how that worked? That's not the message I've been getting.

**Ms. Bell:** If I say that I've consulted with something, with someone, Minister, then I did my best effort to do so. I'm happy to

forward you my email where I provided the information and so on.

My point is that you have me at a disadvantage because you have consulted, you have her feedback and I don't. It would be really productive for us if – I would suggest that we would recess or halt debate on this bill, so that we can discuss your feedback and ensure that the bill reflects that. Any feedback is good and it is really unfortunate that we've landed on the floor with this without having had that information ahead of time. In the spirit of collaboration, not so much.

Perhaps if I could suggest that we table the debate for now, if that would be okay. Minister, you and I could have a connection, perhaps with my colleague here and we can get up to speed.

I really appreciate you bringing forward the potential issue around the retroactivity. Perhaps, if there's anything else that we need to talk about in here, that may be better to be done offline.

Would that be suitable?

**Chair:** Actually, wait now. Are you asking that we beg leave to sit again, basically?

**Ms. Bell:** Yeah, that would be – I don't feel that I'm able to move forward with this when I've not been able to have that discussion with the minister.

**Mr. Trivers:** I've been available.

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

**Chair:** Well, she's asked to leave, so we can – yeah. She's just going to pull it for now and then bring it back on.

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

**Chair:** Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intitled *An Act to Amend the Rental of Residential Property Act*, I beg leave to report that the committee has made some progress and begs leave to

sit again. I move that the report of the committee be adopted.

**Speaker:** Shall it carry? Carried.

The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Mr. Speaker, I would seek unanimous consent of this House to waive Rule 66 (2) and that the House may proceed to the second reading motion for *An Act to Amend the Employment Standards Act (No. 4)*

**Speaker:** Do we have unanimous consent?

**Some Hon. Members:** Aye!

**Some Hon. Members:** Nay!

**Speaker:** Hon. members, we do not have unanimous consent.

The hon. Member from Charlottetown-Belvedere.

**Ms. Bell:** Mr. Speaker, if we're going to be unable to debate any further, having had two of our bills refused to come forward for second reading and having had to table debate on the other bill, then I would move that we adjourn for the evening.

**Speaker:** Hon. member, I can go to the government side and see if they have anything to debate.

**Ms. Bell:** That would be great, Mr. Speaker. Thank you.

**Speaker:** The hon. Member from Morell-Donagh.

**Premier King:** Go again, try again.

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

Mr. Speaker, pursuant to notice provisions, I move, seconded by the hon. Member from Montague-Kilmuir, that this House do adjourn until Wednesday, May 27 at 2:00 p.m.

**Speaker:** Okay, hon. member, we're going to take a short recess.

**Mr. MacEwen:** Probably smart.

**Speaker:** A short recess.

[recess]

**Speaker:** The hon. Minister of Finance and Deputy Premier.

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

I move, seconded by the hon. Premier, that we bring the COVID motion to the floor again and I ask for unanimous consent.

**Speaker:** Hon. members, do we have unanimous consent?

**Some Hon. Members:** Aye!

**Some Hon. Members:** Nay!

**Speaker:** I hear a nay?

Hon. Minister, we do not have unanimous consent.

**Speaker:** The hon. Member from Morell-Donagh.

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

Mr. Speaker, upon not having unanimous consent, the Third Party has refused to consent for the opposition bills and for government business.

Pursuant to notice provisions, I move, seconded by the hon. Member from Montague-Kilmuir, that this House adjourn until Wednesday, May 27<sup>th</sup>, at 2:00 p.m.

**Speaker:** Shall it carry? Carried.

The House adjourned until Wednesday, May 27<sup>th</sup>, at 2:00 p.m.