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LEGISLATIVE ASSEMBLY
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PRINCE EDWARD ISLAND

RESPONSES TO QUESTIONS AND ORAL QUESTION PERIOD
(PRELIMINARY PROCEEDINGS)

FOR

TUESDAY, 1 DECEMBER 2015

Response to Questions Taken as Notice

Questions by Members

Speaker: The hon. Leader of the Opposition.

Winter road safety

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

First question of the day will be to the Premier: How important is road safety to you and your government?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, road safety is very important to our government. The Minister of Transportation, Infrastructure and Energy made a statement on a new initiative, the Road to Zero, last week with the collaboration of other departments and we're actively working on it.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

We're going to switch to the minister of transportation.

How much did your department spend on highway maintenance operations last year?

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

Ms. Biggar: Thank you, Mr. Speaker.

Hon. member, I'll have to bring that particular information back, but I'd be happy to have a look at that and bring it back.

Speaker: The hon. Leader of the Opposition.

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

We all know that last year was a brutal winter and the same as the winter before. Both of them, they were bad. Do you have any idea how much snow fell last year during the season?

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

Ms. Biggar: Thank you, Mr. Speaker.

I'd have to verify my number but I believe it was well over – around 100. But I'll have to double-check that.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Last year there were over 551 centimetres that fell on Island roads. Definitely a lot.

Ms. Biggar: Thanks.

Leader of the Opposition: This was an unusual heavy snowfall which resulted in a lot of extra costs.

Do you have any idea how much extra in costs were incurred last year by the government?

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

Ms. Biggar: Thank you, Mr. Speaker.

We had a lot of extra costs associated with the heavy snowfall and the extra equipment that we needed to have on side. We contracted out to New Brunswick for extra help during that critical time.

Off the top of my head, hon. member, I know there were a number of special warrants that were issued to assist in the overrun of operations during that time, but I'll get you some other information.

Speaker: The hon. Leader of the Opposition.

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

Back to the minister: Can you outline to the House what your snow removal plan is for this year?

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

Ms. Biggar: Thank you, Mr. Speaker.

Hon. member, we have purchased a number of new pieces of equipment which are in the process of arriving, including a number of snow blowers, plows, attachments for trucks. We are ready, I can assure the travelling public and all Islanders, for any snow event that will occur this year.

Speaker: The hon. Leader of the Opposition.

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

Can the minister tell the House how much road salt was used by the department per year, or last year, and per kilometre?

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

Ms. Biggar: I am sure that our department has those particular data. I'll get you that as well, hon. member.

Speaker: The hon. Leader of the Opposition.

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

To the minister: Would it surprise you to learn that there was over 200 kilograms of salt used per kilometre last year?

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

Ms. Biggar: Thank you, Mr. Speaker.

Hon. member, if those are the numbers that you have, I will assume that you are correct in that. That would not surprise me. I actually was out to the salt storage shed on I think it was Thursday. I can assure you, by the pile of sand that's out there and the sand that's in the shed that's out there, we, at the present time, have no shortage of salt.

Speaker: The hon. Leader of the Opposition.

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

My numbers are right. On average we use roughly 200 kilograms of salt per kilometre. With that, we know the last year was a bad winter. We know that the year before was a bad winter.

We had the Premier say a minute ago that safety is a priority. So why is your department – or has your department – made any adjustments in the amount of salt that's going to be used on Island roads this winter?

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

Ms. Biggar: Thank you, Mr. Speaker.

Hon. member, we use a brine-and-salt mixture to maintain a lot of the highways across Prince Edward Island. The main arteries are where salt is used. We will continue to assess the need for other areas as we go forward, but I can assure you that we have more than ample amount of supply for salt for the roads of Prince Edward Island.

Speaker: The hon. Leader of the Opposition.

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

I'm not questioning whether we have enough salt and whether we have enough sand in the warehouses.

Our information is that the minister, or your department, is cutting down the salt-brine content on PEI roads from 200 kgs per kilometre to 100 kg per kilometre. Can you confirm that?

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

Ms. Biggar: Thank you, Mr. Speaker.

Hon. member, we're always assessing the need of areas and we do continue to focus on the main travelled areas of Prince Edward Island for salt-and-brine and as well as sand on the other roads. We will continue to assess the needs of those areas. To my knowledge we will continue on as needed.

Speaker: The hon. Leader of the Opposition.

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

Information has come to light to me from across the Island of concerns being raised by the drastic cut in what is actually required on the roads and what we're going to be providing to the roads.

Was this an evidence-based changed or another budget-driven decision which could affect the safety of Islanders, especially school buses which travel on our roads first thing in the morning?

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

Ms. Biggar: Thank you, Mr. Speaker.

A number of years ago there was a move to use the salt-brine combination as it did prove to be more effective during a particular temperature on the highway. That was moved toward that type of salt and system on the Island. We'll continue to assess that. That was based on data and information that the department received that it was an effective way of treating the roads of Prince Edward Island. We'll continue to gather that information on what other provinces are doing and what our counterparts are doing and continue to assess that information.

Speaker: The hon. Leader of the Opposition.

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

Minister, I've also (Indistinct) other concerns from front-line workers who say you've switched from a two-season box to a one-season box on the back of government trucks. Has the minister heard of any concerns from operators who basically said they don't want to operate these trucks?

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

Ms. Biggar: Thank you, Mr. Speaker.

We have actually just signed our sanding contracts with our contractors for the upcoming season. We've worked closely with the truckers' association on a number of things. We have not had concerns addressed on that particular regard, but if anyone in our department has any concern with that I would advise them to have some discussion and we'll address their concerns.

Speaker: The hon. Leader of the Opposition.

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

I'll make it perfectly clear. We're not talking about private contractors, we're not talking about the guys that are out doing secondary roads with salt trucks. We're talking about main highways and a switch of government trucks from two-way boxes to one-way boxes.

The double box has a greater storage capacity so would require fewer round trips to resupply, helping eliminate fuel costs. Is reducing the fuel bill for snow removal a good goal to have?

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

Ms. Biggar: Thank you, Mr. Speaker.

The best goal that we can have is safety on our highways, hon. member, and we will accomplish that by working together with our contractors, with our staff that do that job on a daily basis within our department, and we will always keep safety in mind when we're making decisions.

Speaker: The hon. Leader of the Opposition.

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

We had the Premier a minute ago say safety is what they believe in. We know there's a drastic cut in salt which is going to affect the safety on the roads. This came to us from operators and the actual salt guys.

We also have a concern that's been brought to us that the actual government trucks on the road have gone from a two-way box to a

one-way box. This eliminates weight on the plows, takes steering off the steering axle, and also causes a truck to be more dangerous to operate.

Does the minister have any concern that greater use of single truck boxes for snow removal may result in higher fuel use, more round-trips, and even higher safety concerns for the operators?

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

Ms. Biggar: Thank you, Mr. Speaker.

Again, I would say to the hon. member, any staff that come forward, if they have concerns – however, we will continue to work with our staff on requirements in particular areas and work with our director of maintenance who is very involved in planning for the upcoming winter season and is very effective in the best use of dollars in how we protect Islanders on the roads.

Speaker: The hon. Member from Kensington-Malpeque.

Disclosure of loan extensions

Mr. MacKay: Thank you, Mr. Speaker.

Questions today for the finance minister. I was pleased to hear that government planned to address loan write-offs, something the Auditor General flagged and something we campaigned for. The details of the bill are a bit disappointing, though. Section 26(1) of the *Financial Administration Act* lets Cabinet cancel, discharge or release write-off of debt, all mentioned in your new bill. However, this section allows government to extend the time for payment, something that your bill does not address.

Minister, why haven't you included the Cabinet disclosure of loan extensions similar to the disclosure of write-offs?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

The changes that are being made under that act are a direct result of recommendations that are being made by the Auditor General

and we followed those recommendations pretty much right by the numbers in proceeding. All loans will end up coming through Cabinet so there will be full public disclosure when loans are written off.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

February-May loan write-offs

Mr. MacKay: Thank you, Mr. Speaker.

Minister, how many loans were written off by your government between February and May of this year?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

I don't have those numbers.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Mr. Speaker.

If you're not sure, I was wondering if maybe you could possibly take that back, minister, as well as what the dollar values of the write-offs might have been.

Loans given special treatment

Minister, how many loans have already received special treatment and have been quietly written off between the May election and your government's announcement on June 17th?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

I'm not aware of anything being quietly written off or of any rush of write-offs. What I can assure this House is that there will be no loans written off between now, as an example, and when this legislation comes into effect. We will not be accepting any write-offs until after the legislation is in effect.

Speaker: The hon. Member from Kensington-Malpeque.

June-December loan write-offs

Mr. MacKay: If I didn't get an answer for the last two, I don't expect I'll get one for this one.

Minister, how many loans were written off since your original announcement on June 17th to now?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

I don't have an exact number for that but I'm prepared to go back to staff and look at that and bring back whatever I can.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Post-dating of write-off legislation

Mr. MacKay: Thank you, Mr. Speaker.

Question to the minister: Minister, why have your post-dated this bill so it does not take force until February 1st of next year?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

One of the things that came to light as we were researching the amendments to this bill is that there may be a number of clients out there that for us to post those write-offs would harm them. By those clients I mean we may have students with disabilities whose loans may have to be written off, we may have social services' clients on overpayments, and we don't want to see those types of things written off. We're going to take the time to make sure that we protect those vulnerable people between now and when the act comes in.

But I'll assure the hon. member and this House that there will be loans written off before that date.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Loan write-offs before February 2016

Mr. MacKay: Thank you, Mr. Speaker.

Minister, how many loans do you intend to write off and bury in the shadows before this bill comes into force February 1st?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

Great question. None.

Speaker: The hon. Member from Kensington-Malpeque.

Write-off legislation and e-gaming loan

Mr. MacKay: Thank you, Mr. Speaker.

I must say that's the first answer in 40 questions. I'm quite happy to have one.

Minister, is it your government's plan to quietly write off your controversial million-dollar e-gaming loan before this bill comes into force in February?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

As I've stated, there will be no loans, zero loans, written off until this legislation comes into force.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Write-off legislation 2005 retroactivity

Mr. MacKay: Thank you, Mr. Speaker.

Minister, why haven't you listened to the advice of the Auditor General and made this bill retroactive to 2005?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

It's interesting that the member picks that date because when the research came back and I read the Auditor General's report, it was the former Conservative government

that instituted the policy that these loans would not be brought through to Cabinet. It was the legal advice they sought that kind of started this ball rolling where we wouldn't see them. With that legal piece of work done loans did not come forward. However, prior to that, loans were brought forward and they were made public.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Write-offs and FOIPP

Mr. MacKay: Thank you, Mr. Speaker.

I've heard the minister say a few times that he's got the utmost faith in the Auditor General, so I don't see why you wouldn't listen to her on this and take this bill back to 2005.

When I asked the economic development minister about the loan write-offs from 2005 to 2015 I was told to use the freedom of information act. Can the minister confirm that Islanders wanting information about loan write-offs of their own tax dollars will have to pay for the privilege of maybe getting transparency?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

That's been the case for that length of time, and I'm proud that this government is taking initiatives to amend this bill so that will not be the case going forward in the future.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Mr. Speaker.

Minister, by ignoring the Auditor General's recommendation in this case, are you not setting an ugly precedent to ignore the Auditor General's findings in the e-gaming scandal?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

Certainly not. I'll reiterate the confidence that I have in the Auditor General. Also, when these recommendations are made we would seek and find the support of legislation or acts or laws that would have any effect on these and we'll continue to do so. I look forward to the full results of the Auditor General's report.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Write-off legislation language

Mr. MacKay: Thank you, Mr. Speaker.

Minister, your new bill says Cabinet may disclose rather than shall disclose all written-off loans. Why the language loophole?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

That's not a loophole. That's simply so that we can protect those vulnerable people who may inadvertently fall within the legislation that is there. You'll see that in a lot of legislation. It's very normal wording.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Mr. Speaker.

Minister, doesn't this language loophole give the Cabinet the option to withhold disclosure if it chooses to?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

This government, when we brought this new legislation forward, there is a trend within that to be open and transparent. Our government's position is that we will be open and transparent. This work on the *Financial Administration Act* allows that to happen and, like many other things, it has to go through Cabinet.

The wording that the hon. member refers to is very common in most pieces of legislation that you'll see and that you'll read. The regulations will be written between now and then to make sure that when it comes to those vulnerable people that the word 'may' allows them to protect those vulnerable people, along with the regulations that will follow.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Mr. Speaker.

Minister, why does your bill fall short of the transparency promise by the Premier? Is this just another scab not being picked liked government actions on e-gaming?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

I think the fact that this government acted so quickly a number of months ago with respect to openness and transparency and then immediately went to work on the *Financial Administration Act* to ensure that the transparency would be there with loan write-offs, and we have committed that there will be no loan write-offs until such time as that new legislation is in, as soon as we get that through the House.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

FOIPP and retroactive disclosure

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

I think I'd like to keep the conversation going on loan write-offs. On the 18th of June of this year the Minister of Economic Development and Tourism told the opposition that if they wanted more information on past write-offs and loan cancellations that, and I quote here: "... we do have a FOIPP act. If there's anything that they require to see there is a streamline there for them to access that."

Question to the hon. Minister of Economic Development and Tourism: Does he still stand by that statement today?

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

Mr. MacDonald: Thank you, Mr. Speaker.

Right from the get-go transparency and accountability was the backbone of this government and that's what we campaigned on. The FOIPP act is there for a particular reason and we're bringing in new legislation right now and I think we're being very proactive in that legislation to bring files like this before the Cabinet.

Thank you, Mr. Speaker.

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

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

In reference to the same loans issue and around the same time our Premier stated, and again I quote: "...legally, that we cannot at this stage go back and disclose the identity under the legislation on a retroactive basis."

So I'm confused. Either the information is freely available through FOIPP, as the Minister of Economic Development and Tourism has just told us, or it is prevented from being disclosed by law.

Can the Premier point me to the specific legislation which, in his opinion, would prevent this retroactive disclosure?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, in the course of researching a response to the advice of the Auditor General it was the considered view of legal counsel that people or firms who had loans written off during the period 2005 through to when this new legislation will take effect could not have their loans disclosed because of the terms of their loans, and the legal advice under which we operated, starting, as the Minister of Finance has said, under the previous Conservative government.

Thank you, Mr. Speaker.

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

Financial Administration Act and Auditor General

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

Under section 16 of the *Audit Act* the Auditor General has a statutory obligation to report the total amount of write-offs and cancellations. Increasingly, however, Finance PEI and IIDI have not reported write-offs through the *Financial Administration Act*, therefore making the information inaccessible to either the Auditor General or anybody else.

I look forward, by the way, to the investigation of the *Financial Administration Act*, and I'd also like to shine a spotlight on the 'may' and 'shall' issue which you discussed earlier, Minister of Finance.

But a question to you, sir: Will the proposed amendments to the *Financial Administration Act* correct this incompatibility and allow the Auditor General to fully carry out her mandated requirements?

Speaker: The hon. Minister of Finance.

Mr. Roach: Yes, it will, and those loans that are written off will come through Cabinet in the regular process and be made public.

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

Status of regional cooperation in health care

Ms. Casey: Thank you, Mr. Speaker.

My question today is directed to the hon. Minister of Health and Wellness and Family and Human Services.

Minister, your mandate letter indicates that regional cooperation is a priority. Specifically, your letter states you will work with your counterparts in Atlantic Canada to develop and implement regional strategies that improve the effectiveness and efficiency in the management and delivery of health care, including the development of a

common formulary and increasing the generic fill rate.

Minister: Would you please provide the House with the status of this priority as it relates to the efficient management and delivery of health care across the region?

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

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

Regional collaboration is on the forefront of our agenda. It's been clearly stated in our provincial mandate letters and also been reiterated in Minister Jane Philpott's letter at the federal level. Currently, we've been in discussions with our counterparts in Nova Scotia, New Brunswick, and Newfoundland on opportunities.

Currently, we capitalize on procurement initiatives that save millions of dollars for the reinvestment back into a range of health care services. We are currently working on a regional formulary. I clearly stated in this Assembly that our commitment is to bring our province up to parity in respect to other formularies in the next 24 months, and we're very committed to doing that.

We're continuing to look at ways – we've got 2.2 million people in Atlantic Canada, we spend over \$10 billion in health care, and we're all very committed to making sure that we're efficient and we get the best value and provide the best access to services here in Atlantic Canada.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Lewis Point, first supplementary.

Generic fill rates

Ms. Casey: Thank you, Mr. Speaker.

Minister, in terms of the generic fill rates, how does Prince Edward Island compare to other Atlantic Canadian Provinces?

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

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

Our fill rates here on Prince Edward Island, from an Atlantic perspective, are really strong. We're at about 72% of all prescriptions. Regionally, the average is about 65%. But as a province and as a region we know that the ability to expand those rates to capture that savings to reinvest back in to whether it be expanding more drugs to our formulary or reinvesting that money back into other health services is still an opportunity that we must capitalize on. If you look at the fill rates in other provinces they're higher than 75%. If you look at in the entire United States their fill rates are at 85%.

We've got some huge opportunities in Atlantic Canada to capture. We've seen the benefits of the changes that we made with the drug interchangeability legislation, whether it be payor of last resort, whether it be the rebates that we've taken back to reinvest. We built our catastrophic program, we're currently rolling out our under-65 program, and so we're making inroads.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Strategy to lower traffic accidents

Mr. Dumville: Thank you, Mr. Speaker.

This year has been the worst in past decade for traffic fatalities on the Island. Six died in September, more than all of 2014. As we move into the winter months when road conditions become more dangerous and we typically see more car accidents, my question is to the minister of transportation: What is being done to lower the traffic accidents on our Island roadways?

Mr. Trivers: Less salt.

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

Ms. Biggar: Thank you, Mr. Speaker. As I had noted before, safety is our top priority on Island roads and we did have a

tragic year. Our Road to Zero policy is to combine the four Rs: engineering, enforcement, education, and enabling legislation.

We have implemented – and we work very closely with the RCMP in terms of enforcement. We have done a lot of education, starting actually at the high school level, in regard to texting and driving. We've done a lot of promotion around that, and I want to congratulate some of the students that have put together a lot of educational videos around that as well, and we do see that it is working.

In regard to legislation we enacted a number of pieces of legislation that would see our fines increased for texting and driving, drunk driving, or driving while drug impaired. We will continue with our engineering designs in dangerous intersections to put in roundabouts. So we will continue on that Road to Zero and that is very important in terms of safety on Island highways.

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

RCMP traffic services unit

Mr. Dumville: Thank you, Mr. Speaker.

Minister, in the past couple of years the RCMP has disbanded its five-member traffic services unit. In light of these tragedies, would the minister consider discussing this with the commander of the RCMP and see about reinstating this traffic service that concentrates solely on traffic violations?

Speaker: The hon. Premier.

Premier MacLauchlan: Minister of Justice and Public Safety.

Thank you, Mr. Speaker.

That unit was disbanded but it wasn't to lower the effort on traffic safety, but it in fact was to make an effective coordinated effort between the RCMP and the municipal police forces throughout the province. It's indeed that collaboration that's behind the Road to Zero policy.

The past year has undoubtedly been a tragic one and one for families and communities, and it's one I think we must deal with very sensitively, but it's also a matter of public education. In seven of those fatalities the person who died, the deceased, was not wearing a seatbelt. I think we all have to be thinking about how we can raise public education to ensure that we've got better safety on our highways, Mr. Speaker.

Thank you.

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

Hand-held devices and fine amounts

Mr. Dumville: Thank you, Mr. Speaker.

Back to the minister of transportation. Prince Edward Island now has the highest fine in the country for operating hand-held devices while driving. The minimum fine was increased from \$250 to \$500 while the maximum fine has tripled from \$400 to \$1,200.

My question to the minister is: Is the minister satisfied with the current fine amounts or are more increases possible in the future?

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

Ms. Biggar: Thank you, Mr. Speaker.

Hon. member, that particular legislation and law came into effect in August of 2015. We have been enforcing that diligently and we will continue to review the effectiveness of that particular legislation. It's not only the fine. I would mention there are demerit points that come off of a driver's license as well which has another impact. Also, in regard to first-time drivers, it has a big impact on them. If they get caught texting and driving they actually lose their license for different periods of time.

We will continue to monitor that and it is very important that we remember to not text and drive.

Speaker: The Member from Stratford-Kinlock.

EDT minister briefed on e-gaming

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

The *Guardian* recently broke an exclusive story surrounding the secret loan from the department of innovation for the e-gaming file. I wonder if the minister of economic development can tell this House on what date he was briefed on this file?

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

Mr. MacDonald: Thank you, Mr. Speaker.

When I was elected and appointed to Cabinet we started working with our briefing booklets, so I guess that would give us an approximate date of the 1st of June, somewhere around that.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Stratford-Kinlock.

EDT minister and e-gaming money

Mr. Aylward: Thank you, Mr. Speaker.

The minister of innovation is ultimately responsible for this financing mess. It's true that the finance minister approved it when he ran innovation, but the new minister is ultimately responsible at this time.

Will the minister of economic development responsible for IIDI please tell this House what his current understanding of this outstanding public money is?

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

Mr. MacDonald: Thank you, Mr. Speaker.

I've been briefed several times on the e-gaming and it's been the discussion of the Legislature many times. Part of our issue was surrounding the legality of it, and what we have done as a government is stood up and said we're going to send this to the Auditor General right away and see what comes back from there. Until time (Indistinct) let the Auditor General do her work, which we have the strictest

confidence in, that – why we speculate on this file until all the facts are on the table doesn't play into our role as a good government.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Stratford-Kinlock.

Mr. Aylward: Mr. Speaker, the offer of finance obtained by the *Guardian* is dated December 12th, 2011.

This correspondence states, and I quote: Upon acceptance, this offer replaces in its entirety the offer of finance previously issued on November 24th, 2011.

Can the minister of economic development admit to Islanders what was contained in the first offer to finance which is still secret?

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

The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

Appreciate that the articles get published in the *Guardian* and it's great to see the opposition is paying attention to that, as I'm sure all the public are.

But I think it was very clear that this was turned over to the Auditor General by this government at the very early stage in terms of this government's commitment to transparency. It would be – and I still believe this today – it's inappropriate for anyone to speculate. What we need is the facts. The Auditor General has been given and asked to do that and is, and it's responsible of us to wait back and hear the facts rather than any accusations or supposition that may come from anywhere.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Stratford-Kinlock.

E-gaming offers

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

I wonder if the minister of economic development could explain why government issued two separate offers to finance this illegal scheme and why the first offer was replaced.

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

Again, I find myself standing in the House answering a question – an accusation where government has performed an illegal act. That's why we've consistently said in this House that we have the confidence in the Auditor General to review this matter and bring back the facts.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Stratford-Kinlock.

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

Again, the finance minister is way off fact. Not once did I say it was an illegal act. What I referred to was it was an illegal scheme.

Perhaps the member sitting on the other side of the room would be interested to know that the Binns government, in 2002, were looking at a similar scenario, but the Binns government of the day had the fortitude to at least gain a legal opinion before going forward and wasting \$950,000 of Islanders' taxpayers' money. I have the legal opinion here from 2002 and I'll be more than happy to table it at the end of Question Period.

Again, back to the Minister of Economic Development and Tourism. Explain to Islanders the differences between the first still secret financing offer on November 24th and the second made public by the *Guardian* dated December 12th.

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

Again, the hon. Member from Stratford-Kinlock, he did stand up and say that he wasn't stating that it was an illegal act. Again, he stated it was an illegal scheme. For anyone who's been involved in the enforcement area or the legal side of things,

when you say somebody is doing something illegal, whether it's illegal scheme or illegal act, that's still what the accusation is.

I'll go right back to the transparency this government committed to. I think that it's done the right thing by referring this to the Auditor General. Accusations are not fact. I look forward to the Auditor General's recommendations coming back and to her report and I look forward to reading the facts. Only then, when we get the facts, will we be able to look at this in a clearer light.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Stratford-Kinlock.

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

Let's talk about facts for a moment. Let's talk about a government that ran on being open and transparent and doing things differently. Well, they're certainly doing things differently as far as transparency goes.

What do they do? They seal all the relevant documents through their securities commission so nobody can access these documents. They're hiding behind the courts. They're hiding behind the Auditor General.

E-gaming and no-pay clause

Again, back to the economic development minister: Could you please confirm for Islanders whether the first still secret offer to finance included the no-pay clause found in the accepted loan?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

I can assure this House and those that are listening, including the hon. Member from Stratford-Kinlock, that any documents that the government has with reference to this, a lot of them have been delivered and the Auditor General already has them. In fact, I know that there were a number of additional documents being delivered today.

So there's nothing being withheld. All the appropriate steps are being taken with respect to all documents, including emails and all the rest of it. So this government isn't hiding.

We're going to be accountable on this and we look forward to the Auditor General's report. The Auditor General, with all of that information that is being given to her in full cooperation of this government, the facts will be seen when the Auditor General finishes that piece of work which we're all looking forward to.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Stratford-Kinlock, final question.

E-gaming loan approved during election campaign

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

One secret offer to finance dated November 24th, 2011, a second offer to finance dated December 12th, 2011. Government's own documentation shows this loan was placed in their system on October 1st, 2011.

This timeline becomes hard to follow because October 1st was a Saturday. Saturday, October 1st, right on the eve of our provincial election which took place on Monday, October 3rd, 2011.

Again to the minister of economic development: Minister, how was this loan established and approved by government in the 11th hour of a provincial election campaign?

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

As I've just stated earlier, all the documents with relation to this file are going to the Auditor General and that includes everything that we have. This is going to be looked at by the Auditor General as well as the courts, in other instances.

When we get to that point, we will – when all those documents are assessed, whether it be in the Department of Finance or the

Department of Economic Development and Tourism, the former innovation department, the Auditor General will have those documents. Once the Auditor General reviews them we'll see the facts.

An Hon. Member: That was the last question so you could (Indistinct) time.

Mr. Roach: We're looking forward to seeing the Auditor General – again, we have the confidence in the Auditor General to do that great work.

Thank you, Mr. Speaker.

Speaker: That ends Question Period