

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

Hansard, Published by Order of the Legislature

Second Session of the Sixty-fifth General Assembly

Wednesday, 16 November 2016

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The Legislature sat at 2:00 p.m.

Matters of Privilege and Recognition of
Guests

Speaker: (Indistinct) hon. Premier.

Go ahead, sorry.

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

Matter of privilege.

Yesterday during Question Period, in response to my question concerning no accountability and no consequences from this government on egaming, the Premier stated:

“... I realize that the Leader of the Opposition has suggested that there be particular discipline against leading or senior public servants.

“Those public servants have not done anything wrong, notwithstanding allegations to the contrary.”

The Auditor General in her report on egaming in section 3.45 states:

“The *Financial Administration Act* (FAA) for loans and guarantees, requires Treasury Board and Executive Council approval. Neither Treasury Board, nor Executive Council approval was obtained for this guarantee.”

In section 3.46 the auditor states: “... the loan was approved based on a guarantee that did not have the appropriate authorization.”

While the Premier is entitled to his opinion on egaming, he certainly is not entitled to his own facts. The Auditor General has found that these individuals did not follow the legal requirements for loan approvals. They did do something wrong. They improperly approved a loan of money of the people of Prince Edward Island. This cannot be disputed. It is a finding in black-and-white in the auditor’s report. Therefore, the Premier must stop saying that nothing wrong happened. He cannot change the facts.

The Premier has read this report, has read the recommendations, and knows full well that these people did something wrong. For him to say otherwise to this House is disrespectful and a breach of my privilege and the collective privilege of this House.

Mr. Speaker, I urge you not wait on this matter as it is crystal clear that this is a *prima facie* case of privilege.

The auditor states these people were noncompliant with the *Financial Administration Act* and the Premier told this House they did nothing wrong. I urge you, Mr. Speaker, to immediately find a *prima facie* case and I will move the necessary motion in that matter.

Speaker: I will have to look into this, hon. Leader of the Opposition, to see if in fact there is a case of *prima facie*.

Leader of the Opposition: Thank you.

Speaker: Hon. Premier, before I call upon you, hon. Premier and Members of the Legislative Assembly, September past was Childhood Cancer Awareness Month in Canada and since the Legislature was not in session I would like to recognize this special occasion today.

My colleague, Speaker Chris Collins from New Brunswick, cycled from Winnipeg to Halifax in September as a member of the Sears National Kids Cancer Ride in memory of his son Sean who passed away in 2007 at the age of 13. I, along with other Members of the Legislative Assembly, was able to greet the team and support this great cause when they arrived in Charlottetown.

I do have pins that are going to be passed out. I’ll get the Pages to do that. They are going to be passed out to everybody, and this will represent Childhood Cancer Awareness Month.

I ask that you wear it with great pride and think of all the Canadian children who have struggled with cancer, especially the late Sean Collins and the late Ben MacKay, who of course is the son of our Clerk, Charlie, and his wife Jacqueline MacKay.

Thank you very much.

Some Hon. Members: Hear, hear!

Speaker: I will now get the Pages to distribute them before I call on the Premier.

The hon. Premier.

Premier MacLauchlan: Thank you, Mr. Speaker.

Welcome to colleagues, and those joining us in the gallery and from home.

Make a special welcome to the inveterate Eddie Lund who's with us for our first two sessions and we expect to see him back. Mr. and Mrs. Myers, welcome. Alanna Jankov, who's a great contributor to our community and province in many ways as leading The Guild, arts contributor, and I had the opportunity last Thursday night to take part in a fundraiser at the Harmony House in Hunter River for Alanna's son who is a top competitive triathlete and is doing great work and is making steps on the west coast to help to put our province on the map.

I want to welcome John Morris, another great photographer beside Alanna, and to, of course, welcome everyone who is watching from home from District 9 York-Oyster Bed.

I had an opportunity this morning to take part in a Seniors College class on politics and government in Canada and Prince Edward Island being taught by former MP Shawn Murphy. It takes place at The Mount, a full class. Like to recognize everyone who contributes to Seniors College which is a great organization in our province. It really adds to the quality of life and brings people together in the sense of community that we greatly appreciate.

Like to extend congratulations to Dianne Griffin, a great friend of many in this Chamber, and a contributor to our environment, municipal government, former senior public servant with the province, who this afternoon is being sworn in to the Senate of Canada as our newest Senator from Prince Edward Island.

Finally, to recognize the fundraiser that will take place this evening in support of the PEI Women's Network. It will take place at The

Guild – a number of fine performers – and will be emceed by Teresa Wright.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Third Party.

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

I'd like to welcome the guests in the gallery today, to John and Alanna, and to the journalism students from Holland College, one in particular who I spent a day with last week, Alison Jenkins, who was doing a project on spend the day with somebody. I happened to be the lucky person and we had a wonderful chat together. Of course, you're sitting next to one of your alumni, Teresa Wright, who I'm glad to hear will be emceeing the event tonight.

Welcome to you all.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Stratford-Kinlock.

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

It's certainly a pleasure for me to rise today in the House as well and to welcome everybody in the gallery today.

A special recognition, I believe the hon. Member from Souris-Elmira missed it yesterday by not recognizing the media. It's shameful that he did not take that opportunity. I will do so for him today.

I'd also like to thank my many constituents of Stratford-Kinlock, District 6, but also the many Islanders across this great province who have been reaching out to me, and all of the other MLAs in this Legislative Assembly, with regards to honouring the vote and the recent plebiscite that was held here on Prince Edward Island.

There is going to be time to debate this very important topic in the Legislative Assembly.

We started a process last evening through the cooperation between the two opposition parties here in the House. I'm confident and hopeful that the government will also see fit to lend that cooperation and to provide some time for this motion to come forward today to continue the debate.

Thank you very much, Mr. Speaker.

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

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

(Indistinct) honour and privilege it is to be back once again in the fold of all my colleagues.

Would like to recognize and welcome, of course, Eddie, Alanna, and John and as well, it's always a pleasure to see the Myers' family in the gallery. That means that a particular member of this House will be – his demeanour will be very good today and that's always good to see.

Would like to say hello, of course, to all Sherwood residents today, but I have to make a special mention to a couple of coffee clubs at Tim Hortons and Maid Marians that often partake in a lot of great conversation, and I'm very pleased to say hello to all of those today.

As well, to the residents of the Atlantic Baptist Home and to the Mount Community Care Facility who always make me feel welcome when I go out to both of those facilities, I'd like to say hello to everybody watching from there today.

As I close, I would also like to also draw some special attention to an event that's going on in Sherwood beginning tomorrow. I believe it's the 39th annual early bird tournament that will be taking place this weekend at Cody Banks. I would like to congratulate the organizers of those events. One in particular, he is a resident from the Premier's riding, Joe Doran, who I think – this has got to be Joe's 30th year of being involved in that tournament. Great job, Joe, I know you'll pull off another one.

I'm hoping that people will be able to take some time to go out and watch some great

hockey that's going on there. I know when the minister of education used to be a star there he used to fill the rink. I'm assuming there will be a lot of great crowds around there this weekend.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

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

I rise to welcome all our guests in the gallery today. A special hello to Al and Sandra Myers. Al is a brother of Buddy Myers, who was a big supporter of junior A hockey back in the day with the Sherwood-Parkdale Metros, and I got to know Buddy and was very grateful for his contributions to provide a wonderful junior experience for me and my brother and my close friends. I just wanted to acknowledge them.

They do have a daughter who is in the education system here in the Province of Prince Edward Island and is providing lots of good information to the Member from Georgetown-St. Peters.

I want to acknowledge today, a special shout-out, there is an entrepreneurial forum, which is Youth Our Future, and it's held in Summerside. There are 170 registered. I want to talk about and congratulate 80 high school students from across Prince Edward Island who are participating in that forum today. I'm just extremely impressed with the interest that our youth have in the entrepreneurial idea and the vision for our province.

Thank you.

Some Hon. Members: Hear, hear!

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

Ms. Mundy: Thank you, Mr. Speaker.

It gives me great pleasure to rise again today and welcome all my colleagues back, and say hello to District 22 residents who are watching at home.

I would also recognize a regular in the gallery, Eddie Lund, and someone who is becoming a regular, Alanna. Welcome back.

I'd also like to congratulate the organizers of the youth entrepreneurial forum that was held in Summerside, that the minister just mentioned, held in Summerside this morning. There were over, actually, 200 youth that did participate in it, and that was put on by CBDC. The hope was to inspire entrepreneurship and youth to look at entrepreneurship as a career.

A good friend of mine and also District 22 resident Elizabeth Noonan was the event organizer, so I want to congratulate her on a wonderful event. Just to quote her, I asked her why she was partaking in this and she says: Well, it's easy. We need small business. That's what the country and our province is built on, small- and medium-sized business.

Congratulations, Elizabeth.

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

Mr. Myers: Thank you, Mr. Speaker, and it's great to be back here for the second day of the fall sitting.

Another big gallery here today.

I want to welcome a few people. I see Alanna Jankov's back here again. John Morris, Lauren Cudmore, who's been active with the NDP in Prince Edward Island for a number of years. It's great to see the press gallery is full here today and some students are in the gallery.

Of course, I welcome my mom and dad here today.

It's funny that the minister of environment said that I'd be on my best behaviour today. It's almost like people are in cahoots because when I came in today I noticed there are three rulebooks in my desk, so I see how it goes.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

I, too, of course, want to rise and bring greetings to all those watching from the Internet or on cable from District 18 Rustico-Emerald. Especially Shirley Dickieson, I know, likes to tune in from Hunter River now and again. I wanted to welcome everyone in the gallery here today and on the press bench. Good to see you all here.

Especially, I wanted to recognize Leah-Jane Hayward over there, one of my constituents. Good to see you here partaking in the democratic process which you've done so many times in the past.

I wanted to also recognize – I recently visited Gulf Shore school, the grade 9 class of Sandra Skeffington. She had me in to talk to them about the water act and we engaged them and looked at the water act and discussed some of the things going on. They're looking forward to participating in the democratic process when the water act comes out, the draft for debate, and they are thinking about preparing some petitions for the House which I think would be phenomenal.

I wanted to also just wish all the parents and teachers well in the student-led conferences this week.

Finally, I wanted to say a thank you to the Minister of Economic Development and Tourism for the work that he's done bringing coding into schools. I know the money came out of his budget as opposed to that of the minister of education, so I want to give credit where credit is due.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

I want to welcome everyone back today. Also, I don't want to miss anybody here today. I'm scared to talk here today in case I miss somebody.

Mr. and Mrs. Myers, welcome to the gallery. I think you'll have a good show here today for sure.

To those people in District 1, I want to pick out one person in particular. He's a good friend of mine, Sterling MacDonald, he spent over 35 years working at the town of Souris, the municipality, as head of maintenance department and he retired after 35 years. The knowledge Sterling has is just unforgettable.

I know I spent 35, 36 years on the fire department with Sterling, and we got to become real good friends over the years and he gives me some great advice. It's great to have the older guys on your department with you for the advice of the past. Since he's retired he gets to watch the proceedings now and he enjoys the proceedings now when we sit. Congratulations, Sterling, on your retirement and to you and your wife, Cindy, I hope you enjoy your retirement.

On my way in today I had the opportunity to stop in at the provincial waste depot and I was talking to Wanda Downe and Joe MacIsaac. What a great job they're doing with keeping the site out there clean. I was out there and I didn't feel out of place, and I had a suit on. You can walk around anywhere in that place. When I was a young fellow growing up we took our garbage and we dumped it, pushed it over a bank. The minister –

An Hon. Member: (Indistinct).

Mr. LaVie: – no, seriously – of finance will agree with me. That's literally what we did in rural PEI. We pushed it over a bank, we piled it up. That goes from an engine to a car to whatever is in that site right now went over a bank. After that, it was buried in the ground when we closed that site and that's the way it was. We made a lot of roadway in our waste.

To Wanda Downe and Joe MacIsaac, a big shout-out to you for keeping that site so clean. You could eat off the pavement.

Thank you.

Some Hon. Members: Hear, hear!

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

Ms. Biggar: Thank you, Mr. Speaker.

It's great to be back here in the Legislative Assembly and to welcome all those who've already been mentioned, and I see Sam Ferguson just came in there, a great supporter of young Liberals on Prince Edward Island.

I want to especially send greetings out to my constituents of District 23 Tyne Valley-Linkletter. Most notably, in hospital are June Adams and Allison Johnson. I want to mention them, and also Jean McKie who had recently been in hospital as well. Of course, my mom, Pauline Dymont, who is in the Stewart Memorial Manor in Tyne Valley.

Today in Tyne Valley there is a special Christmas tea. Celebrating their 50th annual Christmas tea is the Stewart Memorial Auxiliary, which will be held from 3:00 p.m. to 5:30 p.m. at the Tyne Valley Fire Hall. They have always been a great support for our community and are now great workers towards the residents in Stewart Memorial Manor.

I also want to mention, for those of you who live in the Cornwall area or who are travelling there, tomorrow we will be starting the wrap-up paving of that particular project so there may be some delays. We do expect Thursday and Friday to have most of the paving and that section done. Very soon there will be clear sailing without traffic interruptions.

I want to express, first of all, my thanks to my department, but also to the travelling public and the residents of Cornwall during the construction the last couple of months. I think you will see a great improvement in the travel time to work in the very near future. I just want to send out a little bit of a traffic notice today for those travelling Thursday and Friday in that area.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Health and Wellness.

Mr. Henderson: Thank you, Mr. Speaker.

I do want to welcome those in the gallery and those watching back home in the riding of O'Leary-Inverness.

I want to especially acknowledge Alanna Jankov for her hard work when I was minister of culture. She did a great job of really laying the foundation of what The Guild is today. It has grown into a wonderful establishment at promoting the culture and the arts here in this province.

John Morris, I want to commend him, he usually has a lot of great pictures of the West Point Lighthouse. I always have great admiration for anyone that takes a good photo of the West Point Lighthouse.

Speaker, you'll be happy to know that all the potatoes are out of the ground in O'Leary-Inverness. I'm told it was a very successful harvest and a safe harvest as well.

Also, today in my district is the 60th year anniversary of the Community Hospital of O'Leary's Ladies Auxiliary. They've done great work over the past 60 years in raising funds for our hospital, whether it was diagnostic imaging equipment or whether it's some of the other equipment that's used in the hospital, as well as some of the chairs and beds and things to make people more comfortable. Unfortunately, I'm not going to be able to make it up to their celebration. I hope to. Maybe if they still hang on by the time I get back to O'Leary-Inverness I'll drop in and say hi.

I also wanted to acknowledge an avid watcher of the House proceedings in the riding of O'Leary-Inverness, David Baglole. David lives at the Community Inclusion Housing unit in O'Leary. He sometimes can be a bit of a harsh critic of mine, but I must say that we all work well together in creating a great housing facility there for people with intellectual disabilities. I think he'll acknowledge that that work has benefitted him as well.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Charlottetown-Brighton.

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

My pleasure to rise again today to welcome Alanna Jankov, a great resident of my district and a great person in the Charlottetown community, as I indicated yesterday.

Also, it's great to see Alison Jenkins here. I actually went to school with Alison growing up and it's probably the first time I've seen her since high school. Great to see her again here today.

To the Myers family, welcome, I've met Mr. Myers on numerous occasions outside of this in professional capacities and it's great to see him here today.

To Sam Ferguson who has made a great contribution, as the hon. minister across has mentioned, to the young Liberals.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. MacDonald: Thank you, Mr. Speaker.

I'd just like to welcome everyone in the gallery, especially the students, of course, and Sam Ferguson, young Liberals, Alanna Jankov, Eddie Lund.

Sometimes we forget, but Officer MacKay, who attends sometimes the same gym as I do – and if there is a tussle in here today, I'm on her team. I'd just want to let you all know that.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

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

I want to welcome all the residents of District 12, downtown Charlottetown. I want to recognize Alanna. She's a great person. She runs The Guild and it's a great asset in downtown Charlottetown. It makes

Charlottetown a great place to live, work, and play.

I also want to recognize the students of Holland College. You can just look down your bench there, there could be over a 100 years of experience between the reporters that are back there right now, so there's a lot of talent you can tap into.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Statements by Members

Speaker: The hon. Member from Alberton-Roseville.

Paul Goguen

Mr. Murphy: Thank you, Mr. Speaker.

I'd like to take this time to acknowledge a valuable community member in the riding of Alberton-Roseville, whose dedication to sport and education can be felt throughout PEI.

Paul Goguen has been a teacher for 35 years at St. Louis Elementary and has been a gymnastics coach for 32 years.

You can find him at the school seven days a week where he often puts in 12 hours a day through guiding and mentoring students in academics and athletics. You might even find him decorating the school lobby for each session throughout the year.

He has received many awards for his work as a teacher and a coach. Some of these include: administrator of the year; the Golden Apple Award; PEISAA coach award; Merit Award; and the Golden Sneaker award. He has even coached Team PEI for gymnastics at the Canada Games.

He earns respect from parents, teachers, and students for the work he does coordinating provincial gymnastic competitions and cross-country meets. The first school to have intramurals was started by Paul in St. Louis.

We should all pass along a big thank you to his wife Beverly and his sons Jeremy and Nicholas for sharing him with the community. I wish Paul continued success.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Charlottetown-Brighton.

Ian "Tex" MacDonald

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

I'd like to recognize Ian "Tex" MacDonald, who recently became the third member of his family to be inducted into the PEI Sports Hall of Fame.

Softball was his sport of choice, but that didn't stop him from excelling at baseball, football, and hockey.

Many Maritime champion teams were lucky to have him. He played for the Charlottetown Legionnaires, Maritime Midget teams, a Montague junior team. A Tignish baseball team picked him up in 1970 for the Canadian nationals where he led the Island champions in hitting. He then turned to softball and led all players in hitting at the Canadian senior men's championships in Quebec, which led to him being named all-Canadian left-fielder.

Tex was just as prolific a hockey player with several championships in that sport as well. He was a recipient of the Lieutenant Governor's Award and senior male athlete of the year in 1977.

He was a teacher and coach at Colonel Gray High School where the football team won 10 championships under his coaching direction.

Tex is also in the history books as Charlottetown's 43rd mayor. It was during this time that he played a major role in bringing the PEI Senators, an American Hockey League franchise, to Charlottetown.

I might also add that in April of this year he was also named to the Football PEI Hall of Fame.

Congratulations to Ian "Tex" MacDonald and all that you have achieved.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Rustico-Emerald.

St. Mark's Anglican Church – South Rustico

Mr. Trivers: Thank you, Mr. Speaker.

Today I want to pay contribute to a historic landmark in the community of Rustico that is no more. St. Mark's Anglican Church was torn down last month and leaves behind an important and invigorating history, and special thanks to Reverend Ralph Moore for his input to this statement.

The Parish of St. Mark's was established in 1841 and served the Anglican community of South Rustico for 175 years. Like a living person, it was born, became an active part of the community and raised many children, the majority of whom moved away while those remaining grew older and passed on. Even though the church building in St. Mark's is no longer, its memories, like those of any loved one, continue to live in the hearts and minds of those who called it their parish home.

Parts of the church building have gone to St. John's Anglican Church in Milton where members of St. Mark's now worship, while other parts have gone to Anglican churches in Nova Scotia and Ontario. Most of the interior wood was carefully removed and will be repurposed. While the parishioners of St. Mark's mourn the loss of their beloved church building, they realize that the church is really the people and continue to give thanks and worship God for all that they and for all that they are.

It is unknown when the original church building was built or by whom. However, the redesign of the church in 1912 was by noted Charlottetown architect Charles Benjamin Chappell, and there is still a copy of those blueprints in the community. The work done in 1912 included removal of the balcony and cost about \$2,200. The original alter, pulpit, lectern, and other woodwork remained until the church was deconsecrated just this October. Furthermore, a Bible given to St. Mark's in 1841 and hand-inscribed and dated on the inside cover by the Colonial Church Society of England remained with the church and was used as its deconsecration service.

The church has some really interesting history behind it. In 1851 the horrific storm named the Yankee Gale claimed the lives of hundreds of American fishermen who had been caught within sight of land off Prince Edward Island, but beyond help, stranded out on sandbars. Burials of many of these fishermen took place in cemeteries all along the North Shore of PEI. A total of 26 of these seamen from the schooner *Skipjack* are buried in St. Mark's cemetery. Their common gravesite is marked by a headstone erected in 2007.

I salute all the parishioners, church leaders, and clergy of St. Mark's Anglican Church over the years and the substantial legacy it leaves.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Responses to Questions Taken as Notice

Questions by Members

Speaker: The hon. Leader of the Opposition.

Whistleblower legislation

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

There's a common theme noted throughout the AG report on egaming: inadequate protection of taxpayers' interest. In the last election the PC Party proposed a whistleblower law to protect public servants who reported wrongdoing. Instead, the Premier brought in a policy that we said didn't go far enough. Turns out our concerns were right and the Auditor General agreed.

Question to the Premier: If you were really concerned about protecting public servants why would it take you nearly two years to bring in this law?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, we indicated in our election platform and in our throne speech in June of 2015, within a month of our election, that we would be introducing a whistleblower policy, which was done in November of 2015, and the

steps have been taken to work with the public servants to implement that policy, to encourage them to follow it, and feel that they are protected and that they are being encouraged, as we've said on many occasions, to speak truth to power, and that's exactly what we did, and now we've got the advice from the Auditor General, and as I've said, on the day the Auditor General's report came down, that we will be implementing legislation and bringing that forward in the spring session of this Legislature.

Speaker: The hon. Leader of the Opposition.

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

Yesterday the Premier said that some of the senior government executives involved had reservations about the failed egaming report and that project.

Question to the Premier. If a senior government executive had concerns they could have gone to either the Clerk of the Executive Council or the Premier with it. Is that not true?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, that is exactly what a senior public servant should do when they have concerns about things that need to be aired more fully or that need to be examined in government, and that's exactly the climate and the culture that we are encouraging with our senior public servants and throughout the public service.

That's the kind of government we're running. I think that's exactly, when the opposition talks about suspending public servants when they make decisions in good faith, that's exactly what we're trying to do in building a culture where public servants feel that they're part of a team that is giving good government to the people of this province.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

Question to the Premier: Will you consider making the new whistleblower law retroactive?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I suppose I'd invite the Leader of the Opposition to give us some advice on exactly that would amount to –

Mr. Trivers: Maybe let the witnesses come to Public Accounts (Indistinct), let them speak their mind.

Premier MacLauchlan: – to make it retroactive, but that legislation will be introduced as a bill on the floor of this House in the spring session. The Leader of the Opposition is welcome to make amendments if he thinks it can be improved.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

Public Accounts and egaming witnesses

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

Yesterday the Premier said there was a context missing in the story and actions of the deputies involved. Context was missing.

Question to the Premier: Will you drop the roadblocks at Public Accounts and allow witnesses to come before the standing committee to explain this missing context?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, this House has standing committees.

Public Accounts is chaired by a member of the opposition, which is a long practice, and the entire I'll say constitutional underpinning of the standing committees and other committees of this House is that they operate on the will and through the consideration –

Mr. Trivers: Reversing motions?

Premier MacLauchlan: – and consensus –

Mr. Trivers: You call that acting on the will of the people?

Premier MacLauchlan: – and cooperative and collaborative work of members of the House, and –

Mr. Trivers: (Indistinct) toeing the party line, shutting it down, covering up.

Speaker: Order, please!

Premier MacLauchlan: Mr. Speaker, it's not the job of the Premier to tell the Public Accounts committee what to do.

Thank you, Mr. Speaker.

Mr. Trivers: Maybe you should stop, then, stop telling them what to do. That's what you need to do.

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

FOIPP and Premier's receipts

Ms. Compton: Thank you, Mr. Speaker.

Our office had to resort to FOIPPING the expenses of the Premier in order to get detailed receipts. The response we received has sections and pages of receipts missing and in some cases we failed to receive any receipts for expenses listed online.

Premier, why would our FOIPP request for your receipts have records missing?

Some Hon. Members: Hear, hear!

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I'll look into this.

To tell you the truth I haven't been following these events, but it's certainly been our practice from the time I came to office that our – and it's the practice that's required of ministers and senior officials, that at the end of each reporting period –

Mr. Trivers: The rules are there, (Indistinct) to follow them.

Premier MacLauchlan: – at the end of each reporting period we post all of our expenses and I'll be glad to look into any situations.

If there happens to be a case where I may have been unable to produce a receipt – but I can assure you, as I did yesterday, and assure this House, that you can make a comparison –

Mr. Trivers: (Indistinct) follow the rules.

Premier MacLauchlan: – you can make a comparison of the expenses that have been incurred on my behalf since I became Premier with any number of my predecessors, and we're running a very tight ship and a responsible ship and one that's getting results for the people of this province.

Thank you, Mr. Speaker.

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

Ms. Compton: Thank you, Mr. Speaker.

After that lengthy answer I think I'll move on a little bit here. Let's focus on one trip today. In December 2015 the Premier spent three days in the UK for business export sales development, a trip we received none of the Premier's receipts for.

In the deputy's receipts that we received there was a train journey from Cardiff to London Paddington Station, and according to your deputy's receipts three seats were booked with a government credit card – I believe Rhonda Sexton's credit card – and the travellers were the deputy, the Premier, and the Premier's partner.

Premier, why did the taxpayers of PEI purchase your partner's train ticket?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I'll be happy to look into that particular transaction on the credit card.

But I can assure you that every penny that was expended for my partner to travel was paid for out of our own pockets, personally paid out of our own pockets.

Thank you, Mr. Speaker.

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

Ms. Compton: Thank you, Mr. Speaker.

The Premier, I believe, is a world traveller and would have his own credit card. The question is – I beg to ask it: Why would your partner’s ticket be put on a government credit card?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, those travel arrangements were made through my office.

I have an office and I have a staff who do good work on our behalf, and we’re very careful about the number of staff we have, and we’re happy that they work and they work productively. I can assure you that any expense that was made through our office that was for the benefit of my partner’s travel was fully reimbursed by our personal account.

Thank you.

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

Train travel

Ms. Compton: Thank you, Mr. Speaker.

Treasury Board rules state: Every employee shall travel by the most direct route and the most economical mode of travel.

The train trip took place in first-class, and maybe some of your guilt was eased by paying for your partner’s travel, but what about your own travel and the deputy’s? It was a first-class ticket. Why did your deputy, you and your partner travel first-class on this train journey?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, it’s not my practice to travel first-class.

I travelled in commercial flights of 15 hours over night from India back to Toronto

earlier this year, so I expect it was that we got a better deal.

Thank you, Mr. Speaker.

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

Ms. Compton: Thank you, Mr. Speaker.

We realize that you’re running a parsimonious shop, is what I think you said yesterday. For those who don’t understand that, it means frugal. I’m not sure how first-class becomes frugal, but you also stated:

“But let me say that the expense claims for my own expenditures or for deputy minister, or chief of staff, are posted and are publicly available. I think all Islanders can look at that and see that we run a parsimonious shop.”

That was your statement yesterday. We understand you feel that travelling first-class on a train is frugal. There are probably 16 trains from Cardiff to Paddington Station on a daily basis. You probably could have traveled by bus for probably a twentieth or twenty-fifth of the cost, so please don’t stand up and talk about parsimonious or frugal travel or frugal expenditures.

In fact, the rules state for train travel: That employee claims shall be restricted to coach class only. But this was first-class. First-class on this train meant reclining leather seats, free refreshments, at-seat service, and an exclusive Pullman fine dining car. I think you went at 10:30 a.m. in the morning so you probably had breakfast on china plates while Islanders are struggling to pay their bills and are lucky if they can go out for a meal at Tim Hortons.

Premier, is a first-class train journey purchased by the taxpayers showing high ethical standard?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I welcome, obviously, the investigative work that the member of the opposition has done to determine if there was a better value for the taxpayer and all the work that went into looking at the schedules on those trains.

I have to say, you couldn't have looked very closely at what was available by way of eats on that train. There was a trolley went through the train and I don't even recall if we had anything. But that was indeed to travel from Cardiff to London and to do it between meetings that in either end were for the benefit and the economic development of the province.

Thank you, Mr. Speaker.

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

Meal claims

Ms. Compton: Thank you, Mr. Speaker.

I'm glad the Premier brought up the eats because during this three-day trip he spent \$1,500 on meals.

Premier, what value did taxpayers receive in paying for over \$1,500 worth of meals for your travelling party for three days in the UK?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I'm glad to look into that.

I cannot imagine, to tell you the truth, what was put in that expense that would amount to that, but I can assure you we didn't eat anything close to \$1,500 worth of food so I'll have to look into it.

Some Hon. Members: (Indistinct).

Premier MacLauchlan: I'll have to look into it, and I'll be glad to look into it, Mr. Speaker.

I said yesterday that I'd come back and show this House, in a comparative sense, how we're running such a parsimonious shop. I value the question being raised to whether we could have done things on more reasonable terms. Frankly, if there is a way to do things more cheaply, we will.

Thank you, Mr. Speaker.

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

Ms. Compton: Thank you, Mr. Speaker.

It's good to hear that you will look into that. On your public disclosure there are over \$1,500 worth of meal claims for those three days. No paperwork, no receipts.

UK deals

I'm wondering: How many deals transpired from that three-day excursion in the UK and the money that was spent on behalf of this province?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, there were meetings in Wales, two of them with companies that have ongoing relationships with our province, as there were in London where we also met with officials at Canada House.

The work that was being done there was with the prospect of a future visit to the UK by an Atlantic mission.

Let me just add this whole question of whether I'm in public life to get some kind of a free ride. I donate one-sixth of my salary to the United Way. Since I've become Premier, by the end of this year I'll have paid for \$14,000 worth of art that is given (Indistinct) this province and will stay – and by Island artists – and it will stay with the province after I'm through as Premier.

Thank you, Mr. Speaker.

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

Ms. Compton: Thank you, Mr. Speaker.

I applaud the Premier. I'd just like to say most Islanders are not in a position that you're in to donate the money that they have and to come across as someone who supports the arts. We're struggling with paying the bills, that's what we're concerned with here, and we're talking about taxpayers' dollars.

Hotel spa

During that trip to Cardiff the deputy stayed in a five-star waterfront hotel and spa. This luxury property includes comforts such as

guaranteed private balconies, fine Italian furnishings, and marble bathrooms. Treasury Board rules also say that hotel stays must be the most economical rate.

Yesterday the Premier told the House that if people do not abide by the rules there are in fact ways that he has to deal with them. Premier, how do you intend to deal with your deputy's five-star hotel spa stay?

Speaker: The hon. Premier.

Premier MacLauchlan: I'll look into that, Mr. Speaker.

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

Treasury Board rules

Ms. Compton: Thank you, and I appreciate that, Premier. I would also like to request, Mr. Speaker, that the Premier table the receipt to pay for his partner's train ticket.

We're looking for receipts for all of that trip.

The message from the Premier is clear. The rules don't apply to him or his senior officials. Premier, please follow the rules, and why do they not apply to your?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, we do follow the rules.

We post our expenses regularly, and the fact that we do and the hon. member opposite has gone through everything and found something missing indicates that we do follow the rules. If there are gaps that need to be filled or where we can help to clarify things for the benefit of the member opposite, we'll be glad to do that.

We follow one rule overall, which is to respect the taxpayers, to do our work, and to be sure that we're getting good value for everything that we're doing.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Write-off date for IIDI egaming loan

Mr. MacKay: Thank you, Mr. Speaker.

Can the minister of economic development tell the House when did the board of IIDI recommend the write-off of the egaming loan as recommended by the Auditor General?

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

Mr. MacDonald: Thank you, Mr. Speaker.

This file has been dragging out for the past year and a half. It was nine days into the mandate. The Premier sent this file to the AG for review. We came out very clearly in our mandate expressing transparency and accountability, and we followed every request from, likely, the opposition, the media, and the AG, and we're fulfilling that mandate and we will continue to do so.

On the precise date, I will have to get back to the hon. member with the precise date.

Thank you.

Speaker: The hon. Member from Kensington-Malpeque.

Autonomy of IIDI

Mr. MacKay: Thank you, Mr. Speaker.

Sections 3.6 of *Island Investment Development Act*, gives the board of IIDI the responsibility for the general management and operations of the corporation.

To the minister of economic development: Do you respect the authority and autonomy of IIDI as laid out by the law?

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

Mr. MacDonald: Thank you, Mr. Speaker.

We just went through Engage PEI where we actually went out to Islanders and asked to sit them on these very important committees. They're businesspeople and they make tough decisions on a daily basis or a weekly basis or a monthly meeting basis, whenever they meet. We consider their value very important to the economic development of PEI.

What we've done in 3.66 is: "What action will be taken? Government's consolidated financial statements are prepared and audited in accordance with the *Financial Administration Act* and Public Sector Accounting Board..." What we've also done is we've said that if there's something of the significance of the last issue that we've been dealing with for a year-and-a-half we would send it to Cabinet, Mr. Speaker.

Thank you.

Speaker: The hon. Member from Kensington-Malpeque.

IIDI egaming loan re: *Financial Administration Act*

Mr. MacKay: Mr. Speaker, the IIDI board approved the egaming loan without Cabinet or Treasury Board approval of the loan guarantee as required by the *Financial Administration Act*.

Will the minister of economic development agree that approving a loan of public money that was not compliant with the act is a case of someone doing something wrong?

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

Mr. MacDonald: Thank you, Mr. Speaker.

Based on my recollection, and I could be corrected, the IIDI board did not approve this loan.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Mr. Speaker, the new member for Summerside-Wilmot certainly thinks that is.

During his debate in Summerside he said the following about egaming: This is an issue of folks not following the process.

Minister, you're the current minister. Do you agree with the decision of IIDI's board to approve the egaming loan in non-compliance with the *Financial Administration Act*?

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

Mr. MacDonald: Thank you, Mr. Speaker.

The IIDI board is a very important board. We've seen the economic growth right across the province. From my recollection the IIDI did not approve this loan. This loan was basically said no to, and then it was pushed up the line by the minister. The minister sent a letter saying to sign it and basically that's where it ended up.

As you have heard the Premier say publicly, this is not the way this government does business. We'll continue to be transparent and accountable to the public of PEI. That's exactly what we're doing. We've brought more legislation and more rules and regulations in around transparency and accountability than any government likely in the past four or five.

I feel very comfortable as minister of economic development that we're doing everything in our power to ensure that the taxpayers of Prince Edward Island can stand out there and say: You know what? These guys are doing a good job.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

Central pillar of democracy

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

Question to the Minister of Workforce and Advanced Learning.

One of the fundamental pillars of democracy, perhaps its central pillar, is that of rule by the majority. Minister, do you agree with that statement?

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

Mr. R. Brown: Mr. Speaker, that has nothing to do with my department.

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: I didn't ask that. I just asked if you agreed with the statement, minister.

Actually, I think I know that you do because on *Mainstreet* you said this, sir: The MLA or the MP must be responsible to their constituents. I'm a firm believer in that. That's a direct quote

Do you feel that as Members of the Legislative Assembly we sit in this House as representatives of the people and that their wishes must be paramount when we vote on issues in this Legislature?

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

Mr. R. Brown: Mr. Speaker, Question Period is to the ministers on their departments.

We'll have ample opportunity to hear what I believe in in the upcoming debate, Mr. Speaker.

Thank you.

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

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

It's rare that as MLAs we have reliable data about how our constituents feel on a particular issue, but with this plebiscite on electoral reform we have more than a simple opinion poll. Although I did hear the Premier utter three times in Question Period already that we want this government to do things more cheaply to respect taxpayers and to get good value. Perhaps we should have just done a simple opinion poll if we're going to casually dismiss the results of it as this government seems intent on doing.

Minister, you represent District 11. Your constituents voted over 70% in favour of proportional representation. Will you honour the votes of your constituents by supporting the implementation of proportional representation?

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

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

This member comes to the Legislature and talks about the rules of the Legislature and how we should follow the rules of the Legislature.

He stands over there sanctimoniously talking about how he represents the people of Prince Edward Island.

I represent my district and the people of Prince Edward Island, but we have a set of rules here in this Legislature that questions to ministers must be relative to their department.

You will have ample opportunity to hear what I feel in the debate when the debate comes up.

From someone who talks about the rules of the Legislature and how we're not following the rules of the Legislature, his first question to me is about breaking the rules of the Legislature, Mr. Speaker.

Thank you very much.

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

Ms. Casey: Thank you, Mr. Speaker.

If I could just for 30 seconds indulge you for a moment, I'd like to welcome my friend Irish Mythen, a world-renowned musician, to the House. Welcome, Irish.

Some Hon. Members: Hear, hear!

Shelter ceiling subsidy

Ms. Casey: Mr. Speaker, my question today is to Minister of Family and Human Services.

Minister, many Island families are being provided with assistance for housing. I have spoken to my constituents in Charlottetown-Lewis Point who tell me there is too much month at the end of their cheque.

Minister, could you explain what is a shelter ceiling subsidy, and can you elaborate how many clients of your department are receiving this shelter ceiling subsidy?

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

Ms. Mundy: Thank you, Mr. Speaker.

This government is committed to providing supports and programs to Islanders who need it most when they need it most. Actually, all of our social assistance clients have a shelter rate that is built into their case plan.

The ceiling rate varies from person to person depending on their situation, for example, how many people are in the household. Also, the shelter ceiling rates or the shelter rates, I should say, are transportable to both homeowners and to rental units.

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

Ms. Casey: Thank you, Mr. Speaker.

Minister, some of my constituents are telling me they can't find affordable accommodations. What is the percentage of your clients who are living above the shelter ceiling?

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

Ms. Mundy: Thank you, Mr. Speaker.

Approximately 100 of our social assistance clients – that would be, I guess, about 3% – have had their shelter ceiling increased based on policy.

Thank you.

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

Ms. Casey: Thank you, Mr. Speaker.

Minister, how often does your department review the shelter ceiling subsidy level to ensure that it's keeping pace with the inflation rate?

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

Ms. Mundy: Thank you, Mr. Speaker.

The shelter rates are reviewed regularly, yearly, based on the social assistance regulations. If I'm not mistaken, the rates have increased approximately 11% over the last nine years.

As part of our platform commitment in the 2011 election we did commit to increasing the shelter rates and we still intend to do that, Mr. Speaker.

Thank you.

Speaker: The hon. Member from Charlottetown-Brighton.

Compassionate care benefits

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

My question's to the Minister of Workforce and Advanced Learning. Currently, minister, the federal government's compassionate care program provides employment insurance benefits to people that have children or family members at significant risk of death within 26 weeks. The eligibility criteria of death within 26 weeks is far too limited in scope to provide help to most caregivers. This is what I'm hearing from my constituents.

One such example would be of parent scaring for critically ill children, and they're limited to the acute state of health, yet there are many parents who may need time to provide extended care which might not necessarily be for a life-threatening condition.

My question to the minister: Has your department had any discussions with your federal counterpart about expanding compassionate care benefits?

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

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

I want to thank the member for this question that pertains to my department and abides by the rules of Legislature.

Compassionate care is a very important thing. Having a family member or child that is sick, your first thought is about that child or your parent or your loved one.

We must do everything we can to help in situations like that, and the EI program – which is worker-owned and worker paid for – is that program. The federal government has extended the program to 26 weeks, but there are other issues and other problems around the 26 weeks, and what is compassionate care, and who it extends to.

We have been away on federal/provincial meetings, and discussions are going on with the federal minister of PEI, and we are discussing this very issue with him with a lot of (Indistinct).

The EI system for PEI was changed. I think it was wrong, and we are discussing changes to the EI system that will help parents, loved ones, and parents with children especially.

Thank you, Mr. Speaker.

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

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

Again, a follow-up to the minister: Minister, has your department or this government made any recommendations to your federal counterpart in this regard?

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

Mr. R. Brown: Mr. Speaker, as I said, we are in negotiations with the federal government right now, the EI portion of it, in terms of what improvements can be made to this system.

I will ensure that this will be brought up again at the next federal and provincial meetings because, again, it's families, it's children, it's grandparents, it's parents. When they are sick their families' priorities should be about them, and we must do everything we can in order to ensure that they and their loved ones can be together in time of need.

If one thing this country can do is think about that situation and extend those benefits to the families even more, because that's the important thing here – we're here for families, we're here for parents, Mr. Speaker.

Thank you.

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Mr. Speaker, I rise on a matter of privilege.

Speaker: Yes, I'm sorry –

Dr. Bevan-Baker: After Question Period? (Indistinct).

Speaker: At the end of Question Period.

The hon. Member from Georgetown-St. Peters.

Premier and Brudenell

Mr. Myers: Thank you, Mr. Speaker.

I was going to ask questions to the Minister of Workforce and Advanced Learning, but he scared me off so I'm going to have a few for the Premier today. See if he's a little calmer the next time I get up.

Question to the Premier. This summer you attended the Law Society of PEI's annual general meeting that was at the Rodd Brudenell, and you billed taxpayers for your expense. Why did taxpayers pay for you to stay in Brudenell?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, that meeting consists of a one-night stay.

There's an evening banquet, presentations to which I'm invited as Minister of Justice and Public Safety, and the following morning there's the annual general meeting and panel sessions of the law society, and I participated in those. It made sense to stay at Brudenell for the evening.

Thank you, Mr. Speaker.

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

Auditor General letter

Mr. Myers: Thank you, Mr. Speaker.

The Auditor General told the PEI Public Accounts Committee on November 10th that she sent a letter to government in October outlining specific concerns she found in egaming.

Question to the Premier: Was this letter the first occurrence of when you learned the auditor's concerns of Bill Dow's conduct in being an investor in the same deal that he was providing legal services to government for?

Speaker: The hon. Premier.

Premier MacLauchlan: Yes, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

The auditor found government's lawyer was a shareholder in a related company while acting as government's counsel in a connected business deal.

Premier, do you agree with the auditor's concerns on this matter?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, that's the nature of a management letter, to raise those issues, and we're reflecting on the Auditor General's comments, and we'll have a response to the Auditor General.

We'd be happy to share that response with this House.

Thank you, Mr. Speaker.

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

Egaming accountability (further)

Mr. Myers: Thank you, Mr. Speaker.

While I sat in on that committee that day, I did say to the Auditor General that I looked forward to seeing what government's move would be on this, and I mean that quite sincerely.

Premier, you've told Islanders – and even I believed you at the time, foolish of me, I

suppose – that you were going to do things differently and this wasn't the way that you operated government. Now we see that you're sweeping things right under the rug and you took no action on this. This is something that I would have expected a man of your background to take immediate action on.

Premier, why are there no consequences under your rule for this blatant scandal and abuse of public trust and of the public purse?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, there are indeed consequences.

The consequences are to put in place policies, laws, to bring forward now, including this session of this Legislature, further measures to address openness and transparency. The consequence is that we are standing by the 15 recommendations from the Auditor General. We're implementing those and we are committed to running strong, open, transparent Cabinet government, and we are committing –

Mr. Trivers: Consequences. Another million dollars lost by the province.

Premier MacLauchlan: We are committing to approach any opportunity for economic development with the utmost diligence.

Thank you, Mr. Speaker.

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

Law Society of PEI re: Bill Dow

Mr. Myers: Thank you, Mr. Speaker.

It's great to hear that the Premier believes in rules and thinks they should be followed moving forward and he's going to do everything to make sure. As the Premier well knows, the Law Society of PEI has an entire code of conduct and has a section that deals with conflict and the duty to avoid conflict of interest.

Question to the Premier: When did you inform the PEI Law Society of the Auditor General's findings on Billy Dow?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I have not done so.

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

Mr. Myers: Thank you, Mr. Speaker.

The law society rules also state that members must report conduct that raises a substantial question as to another lawyer's honesty or trustworthiness.

Mr. Premier, you are the Attorney General of this province by your own admission here today. Why have you failed to report this very serious incident to the Law Society of Prince Edward Island?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, as I said previously, we have the management letter from the Auditor General and we are addressing the issues that she raised there.

I will inform this House when we have reached the point where we are reporting back to the Auditor General and where we are taking steps that flow from that management letter.

Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

Now I'm not only talking about your duty here as the Premier of Prince Edward Island and your duty to respond to the Auditor General and to take steps. What I'm talking about here now is the Law Society of Prince Edward Island.

You are the Attorney General of Prince Edward Island, so you're really responsible for the goings and comings in that area as it applies to government.

I'm not sure why you can't see how you should have taken this directly to the Law Society of Prince Edward Island. The auditor clearly states the conflict, you now clearly know about it, and the bylaws of the

law society state clearly that you have to report it.

Question to the Premier: When will you report this to the Law Society of Prince Edward Island as is your duty?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, it's important to look into the full circumstances that are raised by the Auditor General's letter, and that's in fact what we are doing.

Thank you, Mr. Speaker.

Mr. Trivers: You don't have to be a lawyer to understand those rules.

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

Mr. Myers: Thank you, Mr. Speaker.

It's my understanding that the Premier himself is a practicing lawyer. If that's the case, he has already broken the Law Society of Prince Edward Island's rules by not reporting it, seeing as he knows about it, as it's one of their rules that he has to report it immediately.

Premier, what form of openness do you consider sitting on serious proof uncovered by the Auditor General on government's lawyer acting in conflict?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, we're not sitting on it.

We have a management letter from the Auditor General that was conveyed to government precisely as a result of her review, which is why we asked her to review this situation, and we are indeed considering and addressing the issues raised in that management letter.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Georgetown-St. Peters, final question.

Mr. Myers: Thank you, Mr. Speaker.

I find it very ironic that the Premier will lecture us every day on how things are going to be different under his rule, how things are going to be better under his rule, how he doesn't do business this way. He's breaking the Law Society of Prince Edward Island's rules. He is a practicing lawyer breaking the rules that say that no practicing lawyer cannot report. He has to report. It's a duty as a lawyer to report this, the findings of the Auditor General.

Not only that, he's the Attorney General of Prince Edward Island and the Premier. You'd think somebody like that would want way better for Prince Edward Island. You'd think somebody like that would want to set an example for all Islanders, that things are going to be cleaned up here on Prince Edward Island.

Little wonder people are sick of governments all over the world. You're a prime example of why people are sick of governments.

Premier, why are there never any consequences under your rule for senior bureaucrats and government officials and government lawyers who break rules?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I don't necessarily concur with the hon. member's assertion that people are sick of government.

There are 27 of us here elected to this Legislature to look after the people's business, to give good government, to show leadership –

Some Hon. Members: (Indistinct).

Premier MacLauchlan: Mr. Speaker, there are many people who work for our government, and who work in this Chamber, and who are in the process of doing their job –

An Hon. Member: That's why they want proportional representation.

Premier MacLauchlan: Who are doing their job conscientiously, and the practice of the opposition to assert every time

something turns out other than the way they prefer that it's breaking the rules –

Mr. Aylward: It wasn't us, it was the Auditor General that brought it forward!

Some Hon. Members: (Indistinct)!

Premier MacLauchlan: – is more and more common.

Speaker: Order, please!

Premier MacLauchlan: Mr. Speaker, I am in the process of doing what I'm supposed to do in response to that management letter, and I've said I will report to the House on it, and that's exactly what I'm doing as Premier and as Attorney General, and I'm happy to complete my duties.

Thank you, Mr. Speaker.

Point of Privilege

Speaker: The hon. Leader of the Third Party.

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

I rise on a point of privilege.

During Question Period today I asked a series of questions to the Minister of Workforce and Advanced Learning who is the most seasoned MLA in this House. I imagine that he would have a better knowledge of the rules of this House than myself, who is one of the newest MLAs, but it turns out that that is not the case.

Instead of answers I got an angry tirade and accusations of not following the rules. I would draw your attention, Mr. Speaker, to Chapter 13 on questions, rule number 62:

(1) Upon the order of business "questions by members" being called, oral questions of an urgent nature relating to public affairs may be put without notice to ministers of the Crown.

I put it to you, Mr. Speaker, that in every respect the series of questions I asked to the Minister of Workforce and Advanced Learning fits under that criterion absolutely.

Thank you, Mr. Speaker.

Speaker: Thank you, hon. leader.

I will, too, look into this to see if in fact there is a *prima facie*.

Statements by Ministers

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

Celebrate Island Women: A Women's Network Fundraiser

Ms. Biggar: Thank you, Mr. Speaker.

Tonight I will have the privilege of joining a stellar group of Island artists and performers for the Celebrate Island Women Fundraiser in support of Women's Network PEI.

Women's Network PEI is a not-for-profit organization that works to support the efforts of PEI women to improve the status of women in our society.

Women's Network PEI has been doing this great work for over three decades. Tonight many Islanders will come together to provide financial support to Women's Network PEI that will give them a stable footing when they make their stand on behalf of gender equality.

This evening, the Guild in Charlottetown will host a three-part event.

First, Becka Viau will be creating live art that will be auctioned off during the intermission. There will also be comedy sketches by the talented improv troupe WITTY Mama. And the amazing Irish Mythen will be performing a set as well. I want to recognize your presence in the gallery with us today. I know you were previously recognized, but welcome again. I look forward to the performance this evening.

A lot of work has gone into this event. In addition to the entertainment, the board of directors has collected dozens of prizes that will be gathered in raffle baskets. The event is also backed by several businesses who are women's champions in our province. The amount of time and effort by the volunteers, the board of directors, and the performers, as well as the financial support from the

Women's Champions, shows how valuable this organization is to our province.

I also want to recognize Jillian Kilfoil, who is the new interim executive director of the Women's Network PEI, who is with us as well today. Betti Andric is on the board, Jenny Melanson, and, of course, Alanna Jankov. Again, welcome to Irish.

Thank you, Mr. Speaker, and I encourage everyone to come out and join the great event this evening, again, at The Guild starting at 7:00 p.m.

Thank you.

Some Hon. Members: Hear, hear!

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

Ms. Compton: Thank you very much.

I, along with the minister, am looking forward to this evening. The work that the Women's Network PEI does for all women and really for the province – I think when something benefits a woman in this province it makes them a little more powerful and have a little more confidence and we all benefit. I look forward to the entertainment tonight, to Becka Viau, to WITTY Mama, and also to – I consider a friend too, Irish Mythen. Irish I heard the first time at the old Belle River church in my own district and this very intimate setting at that particular place. She's a wonderful performer and I might also add, I would welcome her to maybe consider joining us here in the House some day as an elected official because you could really put everyone in their place.

Thank you very much, Mr. Speaker, and I look forward to and encourage everyone to come out tonight.

Some Hon. Members: Hear, hear!

Mr. MacDonald: I beg your indulgence, Mr. Speaker, for a moment?

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

Mr. MacDonald: I just wanted to recognize Irish Mythen. My (Indistinct) here showed me many of your YouTube videos and I

always say you're one of the greatest ambassadors to have in PEI because when you travel around the world, she hangs a PEI flag from her microphone everywhere she goes. I just wanted to (Indistinct).

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Third Party.

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

I, too, rise to say wonderful, what a lovely evening, and I'm sure you'll have a great time, Alanna and Irish and Becka Viau, all of my good friends who will be participating in this.

I omitted earlier to make notice of Leah-Jane Hayward who is with us today, a former NDP candidate both provincially and federally, I believe. Welcome, Leah-Jane. I apologize for that.

I only wish in this announcement that within the rail there were more women with whom we could celebrate this.

Thank you, Mr. Speaker.

Speaker: The hon. Minister of Health and Wellness.

Expansion of Out of Province Travel Support Program

Mr. Henderson: Thank you, Mr. Speaker.

I rise in the House today to announce a tremendous new partnership to support Islanders in need who require out-of-province health care services.

Given PEI's small population and our desire to be good stewards of our finances, we regularly rely on the specialized health care provided by other jurisdictions such as acute cardiac and neonatal care.

When someone in your family is ill it can be challenging both emotionally and financially. Worrying about travel arrangements can be an unnecessary added stress.

So today, I'm pleased to announce that starting December 1st, Hope Air, a charitable organization, in collaboration with Health PEI, will pay for a Confederation Bridge toll pass for those eligible Islanders who are in financial need and are travelling to a health care appointment in New Brunswick or Nova Scotia.

Some Hon. Members: Hear, hear!

Mr. Henderson: The Government of Prince Edward Island has had a long-standing collaboration with Hope Air since 1988, providing Islanders with out-of-province air travel support through our Hope Air Flights Program.

Most Islanders who benefitted from these flights last year reported that would not have been able to make their appointments without this support from Hope Air.

By expanding the out-of-province travel program to include bridge tolls in addition to air transportation, we will ensure even more Islanders are getting the health care supports they need and deserve.

In addition, our department and Health PEI will continue to review our Out-of-Province Travel Support Programs and look for ways to improve the accessibility and availability for Islanders.

Islanders will be able to apply for the program online through Health PEI's website or by calling Hope Air's toll-free number.

By providing transportation supports to Islanders in need we are helping to reduce barriers and ensure families can concentrate on what matters most, the health of their loved one.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Stratford-Kinlock.

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

While this is a great announcement and very much long overdue, I do congratulate Hope

Air for making this possible. However, as with many government announcements – before I congratulate the government on such an announcement, I will look at the details around it to see where the qualifications lie and how it is being tested.

We only have to look at the AG's report from not too long ago with regards to out-of-province expenditures where she highlighted I think it's approximately \$46 million that we're currently spending out-of-province. A large percentage of that can be attributed to the erosion of specialty services here in Prince Edward Island from this government.

We only have to look at what happened to our only vascular surgeon here on Prince Edward Island, Dr. Peter Midgley, who essentially this government ran out of the province back a number of years ago. He is now practicing in Halifax. So if an Islander needs to see a vascular surgeon, where do they go? To see Dr. Peter Midgley in Halifax.

We had a fertility specialist here for quite a few years. That service is no longer available here on Prince Edward Island and it doesn't even look like there's anything being done as far as recruitment goes on this. I recently spoke to a young family that is really emotionally upset. They are trying to start a family and to help contribute to the population here in Prince Edward Island. This family is currently spending \$14,000 to travel out of province to see a fertility specialist in Nova Scotia. That's wrong, Mr. Speaker.

Again, we just have to look at the internists here in Prince Edward Island. Gastroenterologists – Dr. Don Clark retired, Dr. Beck came in. We have Dr. Khan who was here on contracts. He was desperately looking to establish himself here with a permanent contract. He was refused by Health PEI. He has now accepted a position full-time in Newfoundland. We have another specialist in Summerside and this doctor, she is looking to retire in approximately two years. Again, and we have a backlog of Islanders who are looking to see a specialist.

The referral list is growing more and more all the time, so while we do have an announcement here today that there is going to be some assistance for individuals to

access bridge passes, I mean, you just have to question. Again, during Question Period, we talked about the Premier and his deputy who are gallivanting around Europe on first-class train tickets, but yet Islanders aren't able to get off the Island to see specialists.

Just in closing, I would like to say that I will be looking severely at the details around this and I am sure I will have many questions to come forward.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Third Party.

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

I welcome this announcement. I understand given Prince Edward Island's size and capacity that we have to collaborate with our regional partners to provide some health care services. Therefore, that will require Islanders going out-of-province to receive those services. Those people who are most economically challenged, in doing so, deserve the help of all of us.

In that respect, I welcome this announcement.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Agriculture and Fisheries.

China Mission 2016

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

Prince Edward Island businesses travelled to China recently to continue their export growth efforts into both agriculture and seafood markets.

These missions are extremely important to the development of our relations with China. China is a place of endless potential for the growth of our exports and it is important we continue to work on expanding this market for our economy.

It was great to have our own MP, the hon. Lawrence MacAulay, Canada's hon. Minister of Agriculture and Agri-Food, lead this mission to China.

It was a great opportunity to build relationships with some of my Atlantic colleagues as well, including the hon. Keith Colwell from Nova Scotia, the Minister of Fisheries and Aquaculture, and the hon. Steve Crocker, Newfoundland and Labrador's Minister of Fisheries, Forestry and Agrifoods.

While in China, Island businesses participated in a Canadian Fish and Seafood Networking event where they had the opportunity to meet with Chinese companies and explore new leads and sales opportunities, and also in the China Fisheries and Seafood Expo, where Island companies were connecting with potential buyers and established relationships with major customers.

I had the opportunity to meet with two major Chinese food retailers during the mission, BHG Market Place and China Resources Vanguard Company. BHG is one of the top 15 largest retail enterprises in China of produce and CRV is a major chain of supermarkets in China. I also met with the hon. Han Changfu, the current Minister of Agriculture of the People's Republic of China.

This meeting reaffirmed our commitment to cooperate with China in agriculture activities and continue to promote trade.

Island products were also featured in a food demonstration for perspective buyers showcasing Canadian exports. Both Island beef and PEI ice cream were highlighted.

The development of our relations with China is extremely important to our province. China is Prince Edward Island's 10th largest trading partner in 2016 year-to-date with an overall trade value of more than \$15 million each year.

Lobster remains PEI's leading export to China. Last year more than \$6 million worth of Island lobster totalling 1 million pounds was shipped to China.

One of the businesses that travelled to China was Raspberry Point Oysters. Manager James Power said upon his return home that their first experience at the China Fisheries and Seafood Expo was a very positive one and that they had great response from potential customers, and are already working towards sales to prospective clients.

I should note that over the three days of the fisheries there James opened around 1,000 oysters for the visitors there to taste. The old hand got quite a working out there.

In closing, I want to recognize the Island businesses that participated in this initiative. Their efforts to grow our province's economy show that even a small Island like ours can play a large role in the international marketplace and further demonstrate why we are fast becoming known as Canada's Food Island.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

When we talk China, China is very important for us exporting our food here in Prince Edward Island. We got to put our education system into China and show them how to eat healthier.

When we talk about our fishing and our farming, fishing and farming today, it's not like it used to be, it's a business today. It's a very important business to the fishers and the farmer today. Any time I ask questions it always come from either the fisher or the farmer. I get phone calls, and these are the topics they want me to bring up, and this is the route they want me to go. Fishing and farming are very important. China is very important to the fishing and farming here for our markets and for our sales.

I did have a phone call and next time, minister, when you do go to China or on your travels to represent the fishers or farmers – I know I got a call today from our PEIFA. Next time you go they wouldn't mind an invitation to travel along because when you're over there it's great to have

fishers on hand. Especially our number one product, as you said, is the lobster and our fishery. It's great to have fishers right on hand, right in China, and they can bring it back to their fishers. The PEIFA does represent 1,100 lobster fishers here on Prince Edward Island and they speak for the fishers, they got to answer to the fishers. The next time you go make sure they're on the list for invitations.

Thank you.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Third Party.

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

Yesterday we had an opportunity to speak to the motion on export growth, and this announcement sort of follows along those lines. I know that it's this government's thrust to increase export of our food products from Prince Edward Island. I think there is value there to be had.

But I also think that we are vulnerable if we commit ourselves too fully to any particular buyer, one particular buyer or market. China is a long way away. Shipping costs in my estimation are going to increase as time goes on, and whether we will be able to compete – lobster obviously is a very high-value commodity, but the low-value commodities that we also ship to China, I do wonder whether those are things that we should be maintaining.

I believe – and the Green Party would believe – that we need to look far more at local and regional markets. I know that the hon. Premier had a wonderful meal with Tony Geraci a couple of weeks ago, and the minister of agriculture and, I believe education also met with *Cafeteria Man*, as he's known, who is promoting the idea of a universal free lunch program for children and what that can do not only for their mental health in terms of being able to learn, but also their bodily health. The benefits would extend beyond physical health. The economic health of this province could be boosted enormously if we were to start to procure our food for that program from local growers.

Yes, international trade is important, but I think we also have to have a balanced focus and make sure that we are supporting local producers and using that locally.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Presenting and Receiving Petitions

Tabling of Documents

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

Mr. Speaker, by leave of the House, I beg leave to table written questions to the Minister of Transportation, Infrastructure and Energy and Minister responsible for Status of Women and I move, seconded by the Honourable Member from Georgetown-St. Peters, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

The hon. Member from Belfast-Murray River.

Ms. Compton: Mr. Speaker, by leave of the House, I beg leave to table the receipt for the train travel referred to in Question Period and I move, seconded by the Honourable Member from Morell-Mermaid, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Reports by Committees

Introduction of Government Bills

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act Respecting the Winding Up of Judgment Recovery (P.E.I.) Ltd.* and I move, seconded by the Honourable Minister of Transportation, Infrastructure and Energy, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: *An Act Respecting the Winding Up of Judgment Recovery (P.E.I.) Ltd.*, Bill No. 40, read a first time.

Speaker: The hon. Premier, can you give us a description of the bill?

Premier MacLauchlan: Mr. Speaker, these amendments will repeal the incorporating act of a company which is no longer active or required and repeal its related provisions.

In addition, the amendments will ensure consumers continue to receive adequate protection in the case where they are an innocent victim of an automobile accident and there is either no insurer required or to respond or inadequate insurance available.

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Premium Tax Act* and I move, seconded by the Honourable Minister of Economic Development and Tourism, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Premium Tax Act*, Bill No. 42, read a first time.

Speaker: Would you give us an explanation of this, hon. Premier?

Premier MacLauchlan: Mr. Speaker, these amendments will reduce government red tape by eliminating the fire tax on property insurance premiums.

The revenue will be recovered by a small increase to our insurance premium tax. This legislation is a modernizing of the existing legislation to reflect practice across Canada. This will have no impact on funding for fire departments or the fire marshal's office. The insurance premium tax rate was last amended effective January 1st, 1998.

Thank you, Mr. Speaker.

Speaker: The hon. Minister of Health and Wellness.

Mr. Henderson: Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to*

Amend the Adult Protection Act and I move, seconded by the Honourable Member from Alberton-Roseville, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Adult Protection Act*, Bill No. 41, read a first time.

Speaker: The hon. Minister of Health and Wellness, could you give us an explanation of this bill?

Mr. Henderson: Mr. Speaker, today we are introducing *An Act to Amend the Adult Protection Act*.

This amendment is about the safety of vulnerable adult Islanders. This amendment we are putting forward will clarify the minister's role and give the minister authority to help an adult who is or may be in need of protection to be removed from the source of potential harm.

It also adds a provision authorizing the minister to request assistance from a peace officer and outlines ways that that peace officer will intervene on an emergency basis in accordance with the act.

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

Mr. Currie: Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Teachers' Superannuation Act* and I move, seconded by the Honourable Minister of Family and Human Services, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Teachers' Superannuation Act*, Bill No. 44, read a first time.

Speaker: An explanation, hon. minister.

Mr. Currie: Yeah. The bill amends the *Teachers' Superannuation Act* to update provisions respecting benefits payable from the fund upon the death of a member or pensioner, and also to update the provisions respecting transfers of funds and service

between the fund and other registered pension plans.

Speaker: The hon. Minister of Finance.

Mr. Roach: Thank you, Mr. Speaker.

Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Civil Service Superannuation 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: *An Act to Amend the Civil Service Superannuation Act*, Bill No. 45, read a first time.

Speaker: The hon. Minister of Finance, could you give us an explanation of this bill?

Mr. Roach: Yes, Mr. Speaker.

This act would update provisions dealing with the benefits that are payable after the death of a member or pensioner, as well as transfers of funds and service between the fund and other registered pension plans. It would provide express authority for the collection of overpayments from the fund and incorporate other administrative changes.

Speaker: The hon. Minister of Finance.

Mr. Roach: Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Community Development Equity Tax Credit Act* 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: *An Act to Amend the Community Development Equity Tax Credit Act*, Bill No. 46, read a first time.

Speaker: A brief explanation, please, Mr. Minister on this.

Mr. Roach: Thank you, Mr. Speaker.

I would amend the seconder of that motion to the Minister of Health and Wellness.

The current maximum revenue threshold for a business to be registered under the Community Development Equity Tax Credit is \$25 million. The proposed amendments would raise that revenue threshold to \$50 million, and this increases the number of business that will be eligible to apply under that program.

Introduction of Government Bills

Government Motions

Orders of the Day (Government)

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the hon. Minister of Communities, Land and Environment, that the 3rd Order of the Day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 3, *An Act to Amend the Municipalities Act*, Bill No. 24, ordered for second reading.

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the Honourable Minister of Communities, Land and Environment, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *An Act to Amend the Municipalities Act*, Bill No. 24, read a second time.

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. McIsaac: Mr. Speaker, I move, seconded by the Honourable Minister of Communities, Land and Environment, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

Speaker: Shall it carry? Carried.

The Member from West Royalty-Springvale.

Chair (Dumville): 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 Municipalities Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

Some Hon. Members: Yes.

Mr. Mitchell: Could I ask permission for a staff member to come onto the floor?

Mr. Aylward: Only if it's Mr. Young.

Mr. Mitchell: No, it'll be Christine MacKinnon today.

I do ask for a bit of forgiveness, but we have to begin this bill with a request for an amendment on it. I believe the papers will be distributed.

The reason for the amendment right off the bat – it's a proposed new subsection 14.2(1) (Indistinct) under section 13 is amended to under section 12.

Mr. Trivers: I noticed that.

Mr. Mitchell: I expected that you would notice that, so we thought we'd clear that up and take care of that. It's not the best way to start off, of course, on a piece of legislation, but unfortunately sometimes typos occur and that, in particular, is one.

As a bit of an overview for this bill, I would like to begin by saying this municipal government act is not the big act that we've doing a lot of discussion on the floor of the Legislature, in the media, through the federation.

What this is is the existing act that we are required – we need to make some changes to that that will allow some restructuring to occur that discussions are ongoing already in the Province of Prince Edward Island. Namely, down east, is the one that is the furthest advanced. We don't have the ability unless we change this to allow some things that need to happen there.

As well, there are discussions in other areas of the province, so to be proactive we're going to amend the existing legislation. While we have it open to do those things

there are some other minor changes that we would like to see done in that.

In reality, with the big municipal government act that we still are working towards getting on the floor of the Legislature this sitting, even though we get it to first reading, second reading and, hopefully, third reading if we do it this session, it actually won't be turned on for – until we have the regulation to follow-up, which could be 10, 11, 12 months. We still need this one to effectively do what we need to do in regards to some restructuring that's already in process on PEI.

If that's okay with you, we can begin.

Mr. Trivers: (Indistinct) ask a question, Chair?

Thank you, minister.

Mr. Mitchell: I'll make the motion now.

Mr. Trivers: Just before you make that motion, I had a question about the actual motion itself.

Mr. Mitchell: Okay, sure.

Mr. Trivers: It's subsection 9(2), pardon me.

Mr. Mitchell: Nine two point one.

Mr. Trivers: Nine two point one. Pardon, me. No, no (Indistinct) sorry, go ahead and make your motion then.

Mr. Mitchell: I've been requested for my great help beside me to identify herself.

Christine MacKinnon Director: My name is Christine MacKinnon.

Mr. Mitchell: With that, I'd like to move that this amendment be the part of the new bill. Is it okay to say it that way?

Mr. LaVie: Question?

Mr. Mitchell: We can have copies for everybody. This hon. member picked that up much earlier, I thought, maybe he thought – discussed it with you, as well.

An Hon. Member: (Indistinct)

Mr. Mitchell: Pardon me?

Mr. MacEwen: He's a lot quicker (Indistinct).

Mr. Mitchell: Okay. Yeah, take your time –

Mr. Trivers: Can I have a question about the (Indistinct)? I just wanted to clarify: Did it only apply to section 2.1, or does it apply to all –

Mr. Mitchell: Just 2.1.

Mr. Trivers: – of 9.2.

Mr. Mitchell: Just 2.1.

Mr. Trivers: Okay, we might want to specify that in the actual motion. I don't know, may as well make it proper.

Mr. LaVie: I still have a question.

Mr. Mitchell: We can just continue discussion if you want until we have – we can move the motion of the amendment after, I suppose. Okay, so let's do it that way, then. By that time the paperwork will reflect 2.1.

Chair: I'll recognize anyone who wants to go, then we'll go to the hon. Leader of the Third Party (Indistinct) Member from Souris-Elmira.

Mr. Trivers: Thank you, Chair.

You mentioned that this is somewhat urgent to get these changes in prior to the implementation of the new Prince Edward Island municipal government act that's coming out. Specifically, you mentioned some amalgamations that are occurring in the east.

How many proposals do you have in the pipe right now across the province for amalgamations that these changes could potentially impact within the next, like you mentioned, 12 months?

Mr. Mitchell: We have one proposal, I guess, if you want to look at it that way. That's the current one that's in the east. I probably have had conversations, and I know Christine has had conversations, with four to five other communities, but they're

not at any kind of a proposal level at this point in time. They're discussing, they're trying to identify regions that would make the most sense, with the most commonalities, before they get to the point of looking for any kind of assistance within with department.

We field calls every day regarding maps and populations of neighbouring communities and that kind of thing to allow, as I have said all along, the bottom-up approach of neighbours talking to neighbours. We work with them on that level, but we don't have any paper accompanying any of those, except for what has been done in the Three Rivers proposal.

Mr. Trivers: Thank you.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you, Chair.

My first question is: Given that we have a substantial new municipal act on the way, why are we doing this? You sort of answered that –

Mr. Mitchell: Yes.

Dr. Bevan-Baker: – somewhat in your remarks to open the debate here, but can I ask you specifically what it is in here which is preventing the discussions which are ongoing in Three Rivers and other parts of the province from going ahead with that, given that if the regulations are not going to kick in for a year? Presumably we will have the new municipal act passed by then, so what is preventing those discussions from going forward?

Mr. Mitchell: I'll answer the first part of your question and I may refer some of it to Christine.

Overall, why are we doing this today? We had this on the floor of the House during the last session as a bit of a measure that we had to do because the Three Rivers was advancing quite rapidly. At that point in time we were a little uncertain about the larger municipal government act that we are working on now to be proposed on the floor of the House this year.

Of course, it has been well presented that the federation, even after we had our draft act, municipal government act ready, had some concerns and some things they wanted to address. We are currently still working on that and making great progress as well. We're doing that at Christine's level, the deputy level, and with CAOs of all the municipalities that had brought forward concerns and issues, and with the federation. We're making great strides on that.

I would indicate that we still have that on the floor of the Legislature for this session and that's a good thing. They've been looking for that back as far as 2001 and 2005 and 2012. But they did have a few concerns which we were able to work with on them and get it to the floor of the House.

Back to here are we are now with the existing, the old act –

Dr. Bevan-Baker: Yeah.

Mr. Mitchell: – that we need to address for those specific reasons of, for instance, the Three Rivers and what it has to – so the actual detail I'll refer to Christine so she can spell those out specific for you.

Dr. Bevan-Baker: Great. Thank you, minister.

Christine MacKinnon Director: Hon. member, under our current legislation we have separate processes for annexation and amalgamation, and in the Three Rivers potential scenario those processes could happen consecutively. This is an effort to streamline the requirements in the legislation to allow a scenario like Three Rivers that we never imagined in the past.

Mr. Mitchell: If I may, as well. You mentioned that this, when completed, it's enacted right away. It's the bigger act that we're changing that will not be turned on until the regulations are prepared to follow, and that's the best practice for that.

But this will be done when we get completed here on third reading. That's ready to go when Three Rivers, or any other community, is ready to make the move that I believe would be models for how this can be done across Prince Edward Island.

Dr. Bevan-Baker: Great. I appreciate that. Thanks for the explanation.

Chair: The Chair recognizes the hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Chair.

My question was just asked by the Leader of the Third Party, actually, but now that the minister mentioned Three Rivers, where is Three Rivers at?

Mr. Mitchell: Three Rivers are currently going out their public meetings. They do have a consultant that is leading that at this level, talking to all communities.

Progress has been very positive. I have had discussions with several of those leaders who feel it's working in a very productive and proactive way. We're optimistic that it's going to be done in the near future, but it would be really difficult for me to put a date on it at the moment.

Mr. LaVie: Are there any other municipalities looking at it now, too?

Mr. Mitchell: Yeah, as I said, there was a fairly substantial *Guardian* article there a couple of weeks ago about a region outside of Afton, and I'm not sure of all the communities' names. There are 12 communities that are talking, I believe, it's 12 that really are having great discussions on it.

As we were out talking about the new municipal government act across Prince Edward Island the last month or six weeks, it was very encouraging for me, as minister, to attend those and be in the room. After we had conversations about it at the podium and at the back of the room, communities were exchanging phone numbers and saying: We have got to get together and talk about that.

I think there is a desire for regions of Prince Edward Island to get bigger and to do things in a different way. I was very optimistic to see these communities exchanging phone numbers and trying to plan meetings over the coming months. It was good to see.

Mr. LaVie: Yeah, maybe during the session you and I could sit down. I have some –

Mr. Mitchell: Yeah, absolutely, any time at all.

Mr. LaVie: – (Indistinct) and you can explain it to me a little bit more.

Mr. Mitchell: If you'd like to take your assistant with you, too, that would be fine as well.

Mr. LaVie: She'd be happy to come along.

Mr. Mitchell: I'd be pleased to talk with her.

Mr. LaVie: Okay. Thank you, Chair.

Chair: I'll begin reading the act clause by clause.

1. Section 1 of the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13, is amended

(a) in clause (e), by the addition of the words “, and, for the purposes of sections 9 and 10, includes the Cities of Charlottetown and Summerside and the Towns of Stratford and Cornwall” after the words “incorporated as a municipality”; and

(b) by the addition of the following after clause (e):

(e.1) “ordinarily resident” has the same meaning as in the *Election Act* R.S.P.E.I. 1988, Cap. E-1.1;

Shall it carry?

Some Hon. Members: Carry.

Chair: 2. Section 5 of the Act is repealed and the following substituted:

5. (1) A proposal to establish a new municipality may be initiated by

(a) the Minister; or

(b) residents of an area, by means of a petition signed by at least twenty-five of those residents.

Mr. Trivers: Question.

Chair: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Chair.

Minister, I was wondering how you settled on this number of 25 residents. As you know, in the new draft of the new act it's 30% of the residents within the area. Twenty-five seems like a really low number.

Mr. Mitchell: That was existing in the act, so that's the number that we've kept. Of course, we're updating the act, as you say, and things will be reflected (Indistinct) we'll have opportunity to discuss that, but that's what was existing prior to.

Mr. Trivers: You repealed section 5 and section 5 already says 25, but you don't have any desire to change that? I'm just wondering: Why wouldn't you change that to 30% as well? Since you're making the amendment anyhow and repealing the section.

Mr. Mitchell: I guess we're waiting for the full act to come and we can have a discussion on that if you think – like, the purpose of this is –

Mr. Trivers: This is going to be in effect for at least a year, probably, before the full act comes into effect, so I'm just –

Mr. Mitchell: (Indistinct).

Mr. Trivers: – worried that there's going to be annexations and amalgamations, new municipalities that are established, where only 25 people in the area have to sign a petition to make it happen whereas even under the new act that you're coming up with it's 30%. If you have an area of 4,000 people and only 25 sign a petition for a new municipality.

Mr. Mitchell: That, as referenced, just initiates the proposal. There are still lots of criteria that have to come after the fact. It's just a beginning process.

I know you said we could be out a year. We have I'll say some areas that we know that we have conversations with that we don't feel that would be a detriment at this point in time.

Mr. Trivers: I suppose as minister, as in, (a), you can actually initiate the establishment of a new municipality anyhow

yourself, without petition from any residents. Perhaps, maybe, it's not a big deal.

Mr. Mitchell: That's absolutely correct. That has been in existence –

Mr. Trivers: Right.

Mr. Mitchell: It's not the method of choice, of course, as you know, what I've been saying all along, but it has existed.

Mr. Trivers: If one person came to you and said: I think we should establish a new municipality, and they somehow convinced you that that was the case, you would legally be able to do that, to start the process.

Mr. Mitchell: That wouldn't be a very, probably, good move to do, but I suppose if you want to get down to –

Mr. Trivers: Okay, no, that's fine. We can leave that then. I'm happy with that.

Mr. Mitchell: Okay.

Chair: (2) A proposal for the establishment of a new municipality made under clause (1)(b) shall be consistent with the principles, standards and other criteria set out in the regulations with respect to the establishment of a new municipality, and shall include

(a) the reasons in support of the establishment of the proposed municipality;

(b) in general terms, the geographical boundaries of the proposed municipality;

(c) whether the municipality is to be established as a town or community; and

(d) the services to be provided by the proposed municipality.

Mr. Trivers: Question.

Chair: The hon. Member from Rustico Emerald.

Mr. Trivers: Thank you, Chair.

Minister, I was wondering with these four different pieces that a new municipality would have to document, are you providing any support in terms of funding or services

to help new municipalities come up with these criteria?

Mr. Mitchell: You're talking restructuring in the future which I have indicated, on the floor of the House here and in other media methods, that there will be assistance for transitional costs and accounting and wind-up things, and things of that nature that municipalities don't have the ability to do. Also some feasibility studies, we can assist with those. All of those things have been indicated (Indistinct).

Mr. Trivers: Chair?

Chair: Yes.

Mr. Trivers: Looking at the existing act and the changes here, it looks like the reasons in support of the establishment of the proposed municipality is new, as well as whether it's – that's the main one. But I guess my question is not under the new act, but in the next year, if a new municipality came forward, is there any funding available to them to help with this process?

For example, I'm thinking of my district. Down in the Millvale area, for example, there are people that are talking of potentially proposing a new municipality. Would there be any funding or aid in terms of services for them within the next year or are they going to have to wait until this new act comes in and do a feasibility study and get funding that way, money that way?

Mr. Mitchell: There is assistance at the moment. You know the criteria that we put out in the new act. We'll be working under that premise as far as the restructuring piece goes. We're looking for 250 million of assets; 4,000 is the target number that we're looking for for residents. But there's flexibility to that. I've stated all along it's not carved in stone. If somebody brings something else that is still doable for the community, is feasible, is sustainable, and it can be all proven, we're willing to look at those things.

Those provisions are in place. Communities have been notified of that. The federation is fully aware of that. They're actually developing the tool box that will aid any municipalities that are thinking about moving in that direction. Believe me, there

is probably more interest now than there was 15, 16 months ago for certain. Communities are getting aware of those criteria pieces and working towards them.

Mr. Trivers: Minister, you specifically added in (2)(a): “the reasons in support of the establishment of the proposed municipality.”

But it sounds like, really, your expectation is in the next year prior to the implementation of the full municipal government act, the new one, probably Three Rivers is probably the only new municipality that you’re going to see. Is that correct?

Mr. Mitchell: I don’t have a crystal ball, but if I was predicting – other communities as I said all along, will wait to see how that works and that will become the model, I believe.

To answer your question, substantially that’s probably true to some point, but that does not limit that somebody – the district that was in the paper two weeks ago, they’re making great strides so they may get there.

Mr. Trivers: That’s good, Chair.

Chair: (3) A proposal made under clause (1)(b) shall be sent to the Minister in the form approved by the Minister.

(4) The Minister shall review a proposal made under clause (1)(b) and may request additional information to ensure its completeness.

(5) Where the Minister proposes to establish a new municipality under clause (1)(a), or the Minister is satisfied that a proposal made under clause (1)(b) is complete and complies with the regulations made under subsection (6), the Minister shall call a public meeting of the residents of the area to discuss the matters contained in the proposal.

Mr. Trivers: Chair?

Chair: The hon. Member from Rustico-Emerald.

Mr. Trivers: I like the fact that you’re required to call a public meeting. I’m wondering if it’s important to set a threshold of residents that attend that meeting before

the process can move forward. Is it enough to hold a public meeting and have two people show up? What’s your opinion on that? Or is there something else in the process that would prevent a new municipality proposal moving forward if nobody showed up at the public meeting showing support?

Mr. Mitchell: As indicated, the next clause will (Indistinct) allows us to make regulations of that nature. A public meeting that draws two people, I, as minister, would not feel that got the job done effectively that I’m trying to do to promote a new direction. I would be looking at maybe enlarging that crowd at another event when I have the possibility to do so.

Mr. Trivers: I trust you, minister.

Mr. Mitchell: I know you do.

Mr. Trivers: You’d make a good decision there.

Thank you, Chair.

Chair: (6) The Lieutenant Governor in Council may make regulations respecting principles, standards and other criteria that shall be considered in respect of a proposal to establish a new municipality under this Part.

Shall it carry? Carried.

3. Section 7 of the Act is amended by the deletion of the word “petition” and the substitution of the word “proposal”.

4. (1) Subsection 9(4) of the Act is amended by the deletion of the words “the towns of Charlottetown South and Charlottetown West” and the substitution of the words “the Towns of Stratford and Cornwall”.

(2) Section 9 of the Act is amended by the addition of the following subsection (4):

5. The Lieutenant Governor in Council may make regulations respecting principles, standards and other criteria that shall be taken into account in considering the amalgamation of municipalities under this Part, including but not limited to population and assessment thresholds.

The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Chair.

When you mention criteria, “including but not limited to population and assessment thresholds,” are you referring to some of the items that are included in section 15 of the new act? In the new act where you talk about 4,000 to form a town and 15,000 to form a city, are those the sort of things you’re talking about?

Mr. Mitchell: That’s the criteria that we are referring even today. That’s the premise we’re working with.

Mr. Trivers: Within the next year you can start using some of the criteria in the new act, that’s the idea?

Mr. Mitchell: Absolutely, that’s the intention. The municipalities that exist today will know the criteria that’s coming out in the new act. Even if it’s not turned on we’ll be working on that with assistance from what we do here today.

Mr. Trivers: Thank you.

Chair: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you, Chair.

Minister, just a question in general here. We’ve been hearing a lot over the last while, a number of years, of conflicts between IRAC and city councils on what they grant and allow in their communities, and then IRAC steps in and shoots down council.

I’ll ask you the question. I asked the minister of health at the time, I think, or minister of education, the hon. member over there, and he said that yes, maybe it is time to review IRAC. I’ll ask you the question: Do you think it maybe is time that we should be reviewing IRAC and their role when they interfere with what acts allow municipalities to do?

Mr. Mitchell: That’s a question that was put to the floor at the Federation of Municipalities back in the spring time (Indistinct).

Leader of the Opposition: Yes, I remember it.

Mr. Mitchell: It was brought forward – it’s not really covered under this act, it’s under the *Planning Act*, which we are bringing onto the floor next.

However, we’re still working on that motion that was brought forward to work through. There’s a lot of work, obviously, going on within the departmental levels. We’re taking a look at that process. I know there are municipalities that feel that councillors and the mayor know the best about the community and the residents feel they should have carte blanche on making those decisions.

As a minister, if I look at all the decisions, I don’t know if I’d want responsibility of all that decision-making personally. With IRAC being in the middle now, is that the most effective way? We’ll be taking further looks at that.

Leader of the Opposition: You will review or look at it?

Mr. Mitchell: Yes.

Leader of the Opposition: Thank you.

Chair: 5. Subsection 10(2) of the Act is repealed and the following substituted:

(2) For greater certainty, subsection (1) applies to the City of Charlottetown, the City of Summerside and the Towns of Stratford and Cornwall.

6. (1) Section 12 of the Act is amended by the addition of the following after subsection (1.1):

(1.2) Where an application to be made under subsection (1) encompasses an area of twenty or more properties, the council shall

(a) instead of the written notice required under subsection (1.1), publish, on at least two occasions in a newspaper circulating in the area, a notice that includes –

Dr. Bevan-Baker: Question.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: It strikes me that the only requirement is to put something in the newspaper. That's not going to reach necessarily all of the residents of the area, plus the cost of that over actually mailing a letter individually to them would be much higher. Is there a reason why you're doing that?

Mr. Mitchell: This would be a minimum. If they want to do mail-out flyers that wouldn't be concerned by this.

Dr. Bevan-Baker: But minister, it says: "instead of the written notice required under subsection (1.1)," which suggests to me that it's not in addition to or that it's actually instead of.

Mr. Mitchell: As it is brought to me, it's because of the number of properties and finding the information to notify them individually. I guess that becomes an issue.

Dr. Bevan-Baker: But could we not – I would suggest that we don't "instead of" but in addition to the written notice, published on at least two occasions. I realize that you may not get all of the residents, but you're certainly not going to get all of them just by putting it in the newspaper.

Mr. R. Brown: That's right.

Mr. Mitchell: Yeah, previously the only requirement, as you say, was written notice and now the only one is this announce notice –

Christine MacKinnon Director:
(Indistinct).

Mr. Mitchell: Apparently the new legislation offers the broad range. This is that short-term measure –

Dr. Bevan-Baker: Okay, so could we not make that small amendment here?

Mr. Mitchell: I think we probably could.

Dr. Bevan-Baker: Okay.

Mr. Trivers: Chair? I –

Dr. Bevan-Baker: Yes, I would like to.

Mr. Trivers: Before you make that, I think we could add in some additional verbiage in that amendment that talks about advertising in multiple mediums including the PEI government website or something along those lines. That way I won't have to make another amendment after you make this one, you know what I'm saying?

Chair, I have another question as well which could result in –

Chair: Leader of the Third Party, are you done?

Dr. Bevan-Baker: Yes, I'll write out the amendment. I think I understand from the Member from Rustico-Emerald –

Mr. Mitchell: I think if I could reference your request, we've got to keep in mind that this is community driven, it's not government driven, so to say on the government website or whatever – if the community wanted to do a Facebook page or something like that, that's a different thing, but this is –

Mr. Trivers: You wouldn't publish it on the government website?

Mr. Mitchell: This is their business, right? So do we –

Mr. Trivers: (Indistinct).

Some Hon. Members: (Indistinct).

Chair: Okay, I've got two of you talking now. Are you okay now?

Dr. Bevan-Baker: I'm okay.

Chair: I can come back.

Mr. Trivers: No, go ahead if you need to.

Chair: They're fighting over (Indistinct).

Dr. Bevan-Baker: I'm good, Chair, thank you.

Chair: (Indistinct).

Mr. Mitchell: Can I address you again?

Mr. Trivers: Yes, please.

Mr. Mitchell: We would have the ability to link to it, but to form the information should be their information, and we'll link to it. That's probably the most effective way for us.

Mr. Trivers: Right, so just to clarify, what I would like to see is when a proposal is put forward by a group that wants to form a new municipality – that's what we're talking about here –

Mr. Mitchell: Yeah.

Mr. Trivers: – that that proposal is actually published on the government website so people can find it there, as well as in the newspaper, as well as on social media through the government's social media channels.

Christine MacKinnon Director:
(Indistinct).

Chair: Does the third party have that all written down (Indistinct)?

Mr. Trivers: I hope so.

Dr. Bevan-Baker: I'm sorry, I was (Indistinct) apologies (Indistinct).

Mr. Trivers: No. I was just saying publish the proposal on the government website, even though it's not the government proposal, it's their proposal, also in the newspapers, as well as through the government's social media channels.

I do have a question just while that amendment is being written, Chair?

Chair: Go ahead.

Dr. Bevan-Baker: Why don't you carry on and I (Indistinct) still listen to some (Indistinct)?

Chair: We will carry on and you will draft the (Indistinct). Okay, go ahead.

Mr. Trivers: It says it encompasses an area of 20 or more properties. I mean, this is annexation we're talking about specifically, right? That's a very large area. I mean, 20 or more properties in rural areas, this could be – that's massive, depending on how big the

properties are. In the rural areas they tend to be larger.

I'm wondering if that's not too large. If there's going to be an annexation of any properties it'd be kind of nice if that was communicated to the public before it happened so people can see it. I know existing municipalities like the resort municipality, if there's any small change at all for an annexation or a change in property boundary it's advertised publicly, they have an email list, this sort of thing. It's just important for openness and transparency that the (Indistinct) community knows about any annexation. Not just if it's 20 or more properties.

Mr. Mitchell: I guess the problem today, as you said, like these small annexations, basically they're small, and it is easier to get that information out, I guess, if municipalities are taking out a region that they're already providing a service to or something like that.

With the larger group of, like, the Three Rivers, that becomes a little more cumbersome or significant in size, so to specifically get out information on that –

Mr. Trivers: Chair?

Chair: Go ahead.

Mr. Trivers: I'll use the resort municipality as an example. They're a relatively small municipality I suppose, in scale, but any change at all they communicate to the community at large and they do a very good job of it.

Mr. Mitchell: That's right, they do.

Mr. Trivers: I would like to see, instead of leaving that up to the municipality – this threshold of 20 or more properties annexation – if you're taking over one farm I would like to see that communicated to the public, or one property. Maybe you could make a case for that being too cumbersome, I don't know.

Mr. Mitchell: I don't have a problem with linking to things, but to have the resources to do all of it, I don't have that at the moment. As well, to spend the time of writing all of it? But we can link, if the

municipality has (Indistinct) and they want to explain it and they want to do something that their residents can see, certainly. I'd have no problem linking something like that, too, but to write it all up and do the design of it, that's a little different, I guess.

Mr. Trivers: Thank you, Chair.

Perhaps I'm misinterpreting this, but that's the way I understood it, was a municipality is proposing an annexation and they're putting together the map, the proposed annexation nature, the general terms, the hours and locations for the public meetings if needed, all this whole package. I'm just asking that the government just take that information and put it on their website and just advertise it through their social media channels. That's the big thing.

Christine MacKinnon Director: (Indistinct).

Mr. Mitchell: Yeah, I would say it's fair to say that we'll do as much of that as we can do.

Mr. Trivers: All right.

Mr. Mitchell: We've indicated in the past that we're putting as much online now as we can. We're really doing a great job of that. If there's methods that are not too cumbersome – because I don't know where you could get to based on your comment. We're certainly willing to assist communities if they call us and say: Can you help us out and put that online?

Mr. Trivers: Yeah.

Mr. Mitchell: Certainly we will do our best to figure out a place to put it. I don't have that today of maybe the specific of where it should show up but we will work to it.

Mr. Trivers: Yeah, and I've got the existing act open here and I'm reading section 12 to understand it a little bit better, but –

Mr. Mitchell: Okay, good. I'm not shutting the door on that.

Mr. Trivers: No. Do you think it would be a problem to amend it to say where an application to be made under subsection 1 –

what about just for any application to be made under subsection 1 the council shall?

Christine MacKinnon Director: (Indistinct).

Mr. Trivers: Yeah?

Mr. Mitchell: Sure.

Mr. Trivers: Okay, great.

Mr. Mitchell: I've got no issue with that.

Mr. Trivers: And in your opinion, the municipalities aren't going to lynch me for suggesting that, creating a whole bunch of work for you?

Mr. Mitchell: I would say not, but until you look at all the complexity of it I don't think that's going to create a significant amount.

Mr. Trivers: Okay.

Mr. Mitchell: That I'm aware of.

Mr. Trivers: I would like to propose that amendment as well, perhaps in conjunction with the (Indistinct) –

Chair: Okay.

Mr. Trivers: Yes, okay.

Chair, I was wondering if I could consult with the Leader of the Third Party.

Chair: I was going back to him, yes, next, so go ahead.

Dr. Bevan-Baker: I have a proposed amendment dealing with my concerns, Chair.

Chair: Okay, do you want to give yours –

Dr. Bevan-Baker: I will move that. I don't know if these – well, I will let the hon. member – so I move:

that in section 6, subsection 1.2(a), that we delete the words “instead of” and insert the words “in addition to”.

Mr. Trivers: I'll do my own amendment.

Dr. Bevan-Baker: Good luck with that. Again, my rationale for that is to use any method we can with reasonable expense to reach the people who need to know.

Mr. Mitchell: One thing that I should make clear, hon. member, in some of the cases that I've been involved with the municipality already owns the property that is outside of the municipality –

Dr. Bevan-Baker: Yes.

Mr. Mitchell: – for whatever reason, be it water and sewer or whatever, and they are trying to encompass that back in. So there is really nobody to notify except themselves in some of these cases.

Dr. Bevan-Baker: Sure, yeah, but in many cases there may be.

Mr. Mitchell: In some cases, there very well may be.

Chair: We're waiting for copies to come back.

Dr. Bevan-Baker: Certainly.

Chair: Are you ready with yours?

Mr. Trivers: (Indistinct).

Chair: Do you mind if we come back? I can continue (Indistinct).

Mr. Trivers: That would be fine with me, thank you.

Chair: We're open for debate on the amendment.

Dr. Bevan-Baker: Thank you, Chair.

Again, my reason for bringing this forward is I want to make sure that everybody who needs to know what's going on in a situation like this is given every opportunity within reason, within reasonable expense, to do that.

It seems to me that by removing the opportunity to send a letter out, then we may be missing some people that we don't need to and it's a dollar for a stamp, so I just think it's a good thing to do.

Mr. R. Brown: Mr. Chair? I (Indistinct) support his amendment. I think it's a great amendment.

Chair: Okay.

Mr. R. Brown: No insinuation here.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair.

Does this motion still allow advertising in the local paper?

An Hon. Member: Yes, it's in addition.

Mr. MacEwen: So, it doesn't, yeah (Indistinct).

An Hon. Member: (Indistinct).

Mr. MacEwen: To be fair, that's buying local when we do that, too. It still is well (Indistinct).

Thank you.

Mr. Mitchell: In regards to that, hon. member, there are municipalities that struggle now if they're looking at 1,000 letters. There is impact to the communities, I just wanted you to be aware of that. I'm not opposed to it, but –

Mr. MacEwen: Yeah.

Mr. Mitchell: – I deal with communities every day that are –

Mr. MacEwen: (Indistinct).

Mr. Mitchell: – struggling, having a tough time keeping the lights on –

Mr. MacEwen: Especially since 2007 some of them do.

Mr. Mitchell: Well, more so prior to that, but we're working with (Indistinct).

Mr. MacEwen: I understand.

Mr. Mitchell: There may be some – you may get some calls, but I'm not opposed to doing it.

Chair: Any further debate?

Shall the amendment carry?

Some Hon. Members: Carried.

An Hon. Member: Working together.

Chair: Thank you.

Working together (Indistinct) better late than never, hon. member.

Mr. Trivers: I'm very (Indistinct).

Mr. Aylward: If you want to go down that route.

Chair: Do you want us to hold up?

Mr. Trivers: If you wanted to – leave section 1.2 (Indistinct) 6.1.

Chair: Six dot one.

Mr. Trivers: You could – I'm about two minutes away here.

Chair: All right. He's happy that we could come back to 1.2.

The Clerk has advised me that we have read through section 5.

Shall it carry? Carried.

We're on page 5, section 9.

Mr. Mitchell: With that, I'd like to move that subsection 9.2 be amended to the deletion of the words "under section 13" and the substitution of the words "under section 12", the original amendment that I brought forward.

All in favour?

Chair: Shall it carry? Carried.

Going back. Continue on with reading. We're at 6.(1)(a):

(i) in general terms, the nature of the proposed annexation,

(ii) a map illustrating the proposed boundaries and indicating the area to be annexed, and

(iii) the hours and location at which information on the proposed annexation will be available to the public for inspection; and

(b) prepare an information package for inspection by the public pursuant to subclause (a)(iii) that includes

(i) a copy of the proposed resolution to annex the area,

(ii) a map illustrating the area to be annexed identifying the relevant properties by parcel number,

(iii) a statement of the reasons for the annexation,

(iv) a statement of the municipal services to be provided in the annexed area, and

(v) a statement of the financial implications with respect to real property tax and rates for municipal services.

(1.3) The requirement in subsection (1.1) for a council to provide written notice and in subsection (1.2) for a council to publish notice of an application to annex do not apply if the application to annex has been initiated by the person who is the owner of all the property or properties to be annexed.

Mr. Trivers: Question.

Chair: Hon. member.

Mr. Trivers: All right, I'm just wondering if you could explain why that information would not have to be made public in the same manner? Even if it is the property owner who is applying for the annexation, I think that it's still information that should be public in the name of openness and transparency.

Mr. Mitchell: The owner is the actual municipality, that's who it would be. As I mentioned to the Leader of the Third Party there, a lot of time it's an area just outside of the municipality's limits where they have their water and sewer system or something like that that they want to bring in for, I guess, taxation reasons to get it back, to get it in under the municipality. Often, that's the result of it.

Mr. Trivers: Now –

Mr. Mitchell: There's an occasional one, though, where the individual wants to be annexed to get the water or to get the service, so they go to the municipality to say: I want in because I want your water. I think –

Mr. Trivers: Just to be clear, the legislation does say initiated by the person, unless you're treating the municipality as a person. It's not clear that that's – yeah, initiated by the person (Indistinct).

Mr. Mitchell: Well, they're the owner, yeah. Those are those typical examples of these small annexations. It's the municipality annexing its own property, or a landowner or a homeowner that wants to be in so that they can receive service that's right there at the (Indistinct).

Mr. Trivers: Really, it should read: initiated by the entity who is the owner of all property. Even then I'm not sure why you want to put that in there. Because I would think you would still want to make that public information so that all the neighbours around know what's going on. Do you know what I'm saying?

I'm just trying to make it as open and as transparent to everyone as possible because I know as an MLA in my district, whenever there's a property change of any kind and if a municipality is taking a property next door, for example, (Indistinct) farm, they want to know what's going on, basically.

Mr. Mitchell: You know what? I'm not assuming that the municipality leaders are trying to do things without their residents knowing. That's not the case in anything that I've been dealing with to make a part of the legislation where they have to do something. We're trying to streamline, not add burden to them.

Mr. Trivers: I personally would like to see (1.3) just removed altogether. This idea that it doesn't apply – it should always apply is what I'm thinking. Convince me otherwise.

Mr. Mitchell: We can withdraw it, hon. member, if it has concern to you. It's one of those items that, it occurs now, it's been occurring for years or municipalities bring it in. No municipality that I'm aware of tries to hide things from their residents. I'm sure

residents know that: Yeah, the municipality has annexed that piece of property where the water and sewer is (Indistinct).

If you prefer to see it out of there it's not going to affect the end results, so we'll take it out. Just another amendment, hon. member.

Mr. Trivers: I'd like to move that we remove section (1.3).

Chair: The whole paragraph?

Mr. Trivers: The whole paragraph, please.

Chair: Discussion of the amendment.

Shall the amendment carry? Carried

Mr. Trivers: Chair, my other amendment is forthcoming. It's being sent down from the third floor here.

Chair: I'll read down to the end of (4), then I'll hold off there for your amendment.

Mr. Trivers: Thank you.

Chair: (2). Subsection 12(2) of the Act is repealed and the following substituted:

(2) Not less than four weeks following the sending of the written notice required under subsection (1.1) or the first notice required to be published under subsection (1.2), the council may, by resolution, determine to apply to the Minister for approval of the proposed annexation.

(3) Subsection 12(3) of the Act is amended by the addition of the words "be made in the form approved by the Minister and shall" after the word "shall".

(4) Section 12 of the Act is amended by the addition of the following after subsection (3):

(4) The Lieutenant Governor in Council may, by regulation, establish principles, standards and other criteria that shall be considered in respect of a request for an annexation under this section, including but not limited to population and assessment thresholds.

Mr. Trivers: Chair, maybe I should make the motion of the amendment while we're waiting for the copies, and hopefully they will be here when I'm done making the amendment.

The amendment would start right at the point where it says exception of (1.2). Instead of saying: "Where an application to be made under subsection (1) encompasses an area of twenty or more properties, the council shall" it would just say: "(1.2) Where an application is made under subsection (1) the council shall".

Then, in addition, immediately after the list of the five pieces of the information package in section 1.2(b), would add in:

and send an electronic version of the information package to government for publishing on the government website and sharing through government social media channels.

Hopefully a copy for everybody will be down here momentarily. Appreciate your patience while waiting for this, Chair.

Chair, I have no problem if you want to keep on reading even into section 7. I don't know if that's appropriate or not, it's up to you.

Chair: We'll continue on. I won't carry that part, okay?

Mr. Trivers: Thank you. I appreciate that.

Chair: 7. Subsection 13(4) of the Act is amended

(a) in clause (c), by the deletion of a period and the substitution of the words "; and"; and

(b) by the addition of the following after clause (c):

(d) compliance with any principles, standards or other criteria established pursuant to subsection 12(4).

8. The Act is amended by the addition of the following after section 13:

13.1 (1) Notwithstanding sections 9 and 12, two or more councils may apply to the Minister for a restructuring of boundaries

that includes a concurrent amalgamation of the municipalities and annexation of previously unincorporated areas.

(2) The Minister may, in the Minister's discretion, propose a restructuring of boundaries as set out in subsection (1) if in the Minister's opinion the restructuring is appropriate based on the principles, standards and other criteria set out in the regulations made pursuant to subsection (3).

(3) The Lieutenant Governor in Council may, by regulation, establish principles, standards and other criteria that shall be considered in respect of a restructuring undertaken pursuant to subsection (1), including but not limited to population and assessment thresholds.

13.2 (1) Where the Minister or two or more councils propose a restructuring of boundaries pursuant to section 13.1, the Minister or the councils, as the case may be, shall

(a) publish, on at least two occasions in a newspaper circulating in the area, a notice that includes

(i) in general terms, the nature of the proposed restructuring,

(ii) a map illustrating the proposed boundaries and indicating any area to be annexed, and

(iii) the hours and location at which information on the proposed restructuring will be available to the public for inspection; and

(b) prepare an information package for inspection by the public pursuant to subclause (a)(iii) providing the following:

(i) a map illustrating the proposed boundaries and indicating any area to be annexed, identifying the annexed properties by parcel number,

(ii) a statement of the reasons for the restructuring,

(iii) a statement of the municipal services to be provided in the annexed area, and

(iv) a statement of the financial implications with respect to real property tax and rates for municipal services.

(2) In the case of a restructuring proposed by two or more councils under subsection 13.1(1), not less than four weeks following the first notice published under subsection (2), the councils may, by resolution, apply to the Minister for approval of the proposed restructuring.

(3) An application for restructuring shall be made in the form approved by the Minister and shall set out

(a) the geographical boundaries of the proposed municipality;

(b) the reasons in favour of the proposed restructuring;

(c) the services to be provided and the proposed level of municipal taxation to be applied; and

(d) any other information required under subsection (4) by the Minister.

(4) The Minister shall review the application and may request additional information to ensure its completeness.

I'll open –

Mr. Trivers: Chair (Indistinct).

Chair: (Indistinct).

Mr. Trivers: Thank you, Chair, and members, for your patience here.

If you go to the section where it says exception 1.2 on page two of the bill – I'm moving that the existing words "where an application to be made under subsection 1 encompasses an area of 20 or more properties the council shall", I want to replace that with, as outlined on the paper in front of you: (1.2) where an application is made under subsection (1) the council shall.

Then, as part of 1.2, at the very end immediately after section 1.2(b), I will add in a (c) there and (c) will read: and send an electronic version of the information package to government for publishing on the

government website and sharing through government social media channels.

Is that clear?

Chair: I will open the floor for discussion on the amendment.

Are you ready for the question?

Some Hon. Members: Yes.

Chair: All in favour of the amendment?

Some Hon. Members: Agreed.

Chair: Carried.

Mr. Trivers: Thank you.

Chair: Shall we carry this section as amended?

Some Hon. Members: Carried.

Chair: Thank you.

We're back on page 5.

13.3 (1) On receipt of a completed application, the Minister shall direct the Island Regulatory and Appeals Commission to conduct a public hearing in or near the area that is the subject of the proposed restructuring for the purpose of reviewing the application.

(2) Notice of the public hearing shall be published in the Gazette and on at least two occasions in a newspaper circulating in the area, and shall state

(a) in general terms, the content of the application;

(b) the date, time and place of the hearing, which shall be held not less than fourteen days after the date of publication of the first notice in a newspaper; and

(c) that residents of the municipalities and the area to be annexed and any persons affected by the application are invited to attend and make representations concerning the application.

(3) The Commission shall determine all matters of procedure at the public hearing.

(4) The Commission shall review the representations made at the public hearing and shall make a recommendation to the Minister as to whether the proposed restructuring is justified for municipal purposes, having regard to

(a) the future development of the proposed municipality;

(b) administrative convenience;

(c) any significant loss of productive agricultural land; and

(d) compliance with any principles, standards or other criteria established pursuant to subsection 13.1(3).

Shall it carry?

Leader of the Opposition: Question.

Chair: The hon. Leader of the Opposition.

Leader of the Opposition: Am I missing something here? In that on the requirements by IRAC, should there not be something in there that they're required to provide a report or a written statement or submissions of those hearings within 30 days that there should be?

Christine MacKinnon Director: Currently, there's no timeframe for the –

Leader of the Opposition: I would like to ask an amendment be put in there somewhere that requires IRAC to report, or issue a report, within 30 days of any consultation they have with the public.

Mr. Mitchell: They deal with many complex files –

Leader of the Opposition: I'll tell you what I'm hearing, minister, I'm hearing from people in the gas industry and different industries that reports aren't coming out of IRAC in a timely manner, and it's delaying different things from happening.

I'd like to ask for a motion to be put on the floor. I'm asking for the motion that a requirement for IRAC to respond within even 45 days be required.

Mr. Mitchell: I don't know that I'm prepared to do that today. What I was prepared to do, as I said to you earlier, is to review IRAC's involvements and that type of thing. I know to put that pressure on IRAC here today, by me, would certainly be a lot of burden on them, I think. Some of these files that they deal with are massively complex.

If you're willing to accept the fact that I'm interested in your proposal of digging in a little deeper to see if there are improvements that can be made, I'm willing to commit to that. To this motion, I really struggle with that in this chair at this moment.

Leader of the Opposition: Okay, but you're willing to commit to what you just said?

Mr. Mitchell: Yes.

Leader of the Opposition: Thank you.

Mr. Trivers: Chair?

Chair: The hon. Member from Rustico-Emerald.

Mr. Trivers: Yes, I'd like to amend section 13(2) which is notice requirements. It has:

Where the Minister or two or more councils propose a restructuring of boundaries pursuant to section (13.1), the Minister or the councils, as the case may be, shall (a) –

An Hon. Member: Call the hour.

Mr. Trivers: – and then it has (b). I would like to add in a section (c) there that reads –

Chair: The hour has been called.

Mr. Trivers: Extend the hour just while I finish my amendment?

Some Hon. Members: No.

Mr. Mitchell: That'll give you an opportunity to get it drafted and (Indistinct).

Mr. Trivers: Thank you.

Chair: The hour has been called, hon. member.

Thank you.

Mr. Mitchell: 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?

Some Hon. Members: Carried.

Chair: Mr. Speaker, as Chair of a Committee of the Whole House, having under consideration a bill to be intituled *An Act to Amend the Municipalities 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. Government House Leader.

Mr. Gallant: Thank you, Mr. Speaker.

I move, seconded by the hon. Member from Summerside-Wilmot, that this House adjourn until November 17th, at 2:00 p.m.

Speaker: Shall it carry? Carried.

The Legislature adjourned until tomorrow, Thursday, at 2:00 p.m.