

# PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

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Thursday, 1 December 2016

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The Legislature sat at 2:00 p.m.

### Speaker's Ruling

**Speaker:** Hon. members, I am prepared to rule on the matters of privilege raised by the Member from Georgetown-St. Peters on November 29<sup>th</sup>, 2016.

As hon. members are aware, a Matter of Privilege is both serious and rare. *House of Commons Procedure and Practice, Second Edition*, page 141, states:

“Great importance is attached to matters involving privilege. A Member wishing to raise a question of privilege in the House must first convince the Speaker that his or her concern is *prima facie* (on the first impression or at first glance) a question of privilege. The function of the Speaker is limited to deciding whether the matter is of such a character as to entitle the Member who has raised the question to move a motion which will have priority over Orders of the Day; that is, in the Speaker's opinion, there is a *prima facie* question of privilege. If there is, the House must take the matter into immediate consideration. Ultimately, it is the House which decides whether a breach of privilege or a contempt has been committed.”

Joseph Maingot writes in *Parliamentary Privilege in Canada*, page 217, as follows:

“The purpose of raising matters of ‘privilege’ in either House of Parliament is to maintain the respect and credibility due to and required of each House in respect of these privileges, to uphold its powers, and to enforce the enjoyment of the privileges of its Members. A genuine question of privilege is therefore a serious matter not to be reckoned with lightly and accordingly ought to be rare, and thus rarely raised in the House of Commons.”

The Rules of the Legislative Assembly of Prince Edward Island are consistent with these parliamentary authorities. Once the claim of a breach of privilege has been made, it is the duty of the Speaker to decide if a *prima facie* case can be established. In doing so the Speaker must be satisfied that two conditions have been met:

(1) that the matter is being raised at the earliest opportunity and;

(2) that the matter is of such character, or that privilege appears to be sufficiently involved, to justify giving it priority over all other business before the House.

I refer hon. members to rule 45(3) which states:

“The Speaker shall not accept such a motion unless he or she is satisfied that there is a *prima facie* case that a breach of privilege has been committed and that the matter is being raised at the earliest opportunity. The Speaker's decision is not subject to appeal.”

I am satisfied that the matter was raised at the earliest opportunity.

In raising this point of privilege the hon. Member from Georgetown-St. Peters stated that the Minister of Education, Early Learning and Culture had not responded to questions taken as notice on November 25<sup>th</sup>, 2016. Further, the hon. member indicated that a local media outlet reported that the Premier did not answer a question based on the same subject matter and posed by the media outside of the House.

Hon. members, I will refer you to *Beauchesne's Parliamentary Rules & Forms, 6<sup>th</sup> Edition*, citation §31(2):

“The failure of a Minister [of the Crown] to answer a question may not be raised as a question of privilege.”

In citation §31(3):

“Statements made outside the House by a Member may not be used as the basis for a question of privilege.”

In addition, hon. members, I refer you to my ruling on November 23<sup>rd</sup> delivered in respect to a point of order concerning the quality of an answer to an oral question taken as notice. At that time I referenced *House of Commons Procedure and Practice, Second Edition*, page 510:

“The Speaker ensures that replies adhere to the dictates of order, decorum and parliamentary language. The Speaker, however, is not responsible for the quality or

content of replies to questions. In most instances, when a point of order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue. As such, these matters are more a question of debate and do not constitute a breach of the rules or of privilege.”

Based on the precedents of this House, and the parliamentary authorities, the point of privilege directed to me for a ruling by the hon. Member from Georgetown-St. Peters does not meet the test for a *prima facie* case of privilege. Pursuant to Rule 45(3) of the Rules of the Legislative Assembly of Prince Edward Island, I cannot allow the motion as proposed by the hon. member to proceed.

Finally, I remind all hon. members that suggesting false or unavowed motives is out of order. I direct your attention to *Beauchesne's Parliamentary Rules & Forms, 6<sup>th</sup> Edition*, citation §481, which reads, in part: "...it has been sanctioned by usage that a Member, while speaking, must not... impute bad motives or motives different from those acknowledged by a Member.”

Erskine May's *Parliamentary Practice* offers the following as guidance:

“Expressions which are unparliamentary and call for prompt interference include: (1) The imputation of false or unavowed motives.”

Thank you, hon. members.

Matters of Privilege and Recognition of  
Guests (I)

**Speaker:** The hon. Premier.

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

Welcome, colleagues to the House, and those in the gallery and watching from home or on the Internet.

Today, December 1<sup>st</sup>, is World AIDS Day, an important day to mark a moment and to stop and reflect on the collective support and compassion for those currently living with

or affected by HIV and AIDS, and to remember the lives that have been lost.

Members throughout the House are wearing our red ribbons to mark World AIDS Day, and this evening there will be a gathering at the Chaplaincy Centre at UPEI.

Also this evening there will be a fundraising gathering at Stanhope to support a mental wellness centre being developed at Colonel Gray High School, an important initiative, and the guest speaker at that event is Margaret Trudeau who's been a great advocate and spokesperson and a survivor for issues relating to mental health, and we welcome Margaret Trudeau to the province.

Congratulations to be extended to Mary and Bill Kendrick, long-time active leaders in the PEI tourism industry, who were awarded the Hilton Small and Medium-Sized Business Award at the Canadian tourism industry association's annual awards banquet last night in Ottawa. Mary and Bill currently operate Experience PEI. They've been involved previously in other enterprises. They've been leaders here in the province in experiential tourism and breaking that path, and I'm sure all hon. members would join me in congratulating Mary and Bill Kendrick.

Thank you, Mr. Speaker.

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

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

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

Welcome everybody to the gallery today, and everybody watching on EastLink.

I'd also like to say a big round of applause for Rebecca Green. If you might remember, her actual sister was in the Youth Rotary Parliament there on the weekend and was the culture critic. But her sister, Rebecca, was awarded the KRHS student of the month. A very athletic individual and a big participant in volleyball, so my hat off to her.

I have to be also very careful with the next statement. I will choose my words very

carefully. I am sincerely proud of an individual that's – she had a career and she put that career aside to partake in something else, and she's decided to go back into her career, and without saying who she is, I'm very proud of this lady that is going back to university and school to further her career that she took part from.

Thank you.

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

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

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

It's a pleasure to rise today. I want to give special thanks and congratulations to a group who organized a meal last night, Step Up to the Plate. I know the Premier was there and the Minister of Workforce and Advanced Learning, and the organizers doubled, literally doubled, the number of participants this year. There were 160 people there to the Step Up to the Plate dinner.

Shannon Courtney, Pauline Howard, Sally Bernard, John Quimby, and all of the others, who were involved in organizing that, I wish them well for next year and thank them for a fantastic evening yesterday.

Thank you very much, Mr. Speaker.

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

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

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

I rise today to express sadness over a fatality that has occurred on our Island roads, and serious injuries to another two individuals. It's still under investigation, but it appears it may be in regard to road conditions.

I want to remind all Islanders – and since we have started with our snowfalls last week I believe there have been probably over a dozen accidents, as contributed to the road – to the new snowfall we've had. I really want to remind people to please get your winter tires on, but please be in tune to the road

conditions, the weather, the changing weather patterns that we have been experiencing. We seem to be going from snow to rain back to snow. With that it can cause flash freezing that even though our maintenance crews are out going full-time it's hard to predict when we have an instant flash freeze.

Again, I want to extend sympathies to those who have lost an individual, but also am thinking of those who were also injured.

Please, everyone, slow down. Get your winter tires on. Be aware of the weather conditions that you are driving in and the road conditions. Drive safe.

Thank you.

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

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

**Mr. MacEwen:** Thank you, Mr. Speaker. I'd like to welcome a good friend of mine to the gallery today. Brooklyn Vail is here with us. Brooklyn is a great community leader that we have. He is a chef in our community. He's also a very talented musician in our community. He and his father and his brother play at our church most Sundays, and it's fantastic what they do. I'd also like to send out congratulations to Brooklyn as well. He was recently married this fall, as well. He's a great guy in our community.

I'd also like to say good luck to the Kings County Atom AA team as they partake in the Pownal memorial tournament this weekend. I know there are a number of teams from off-Island here, as well. I hope they all travel safe, as the minister of transportation said.

Also, to add to the minister of transportation's comments, I'd like to say thank you to all of our road supervisors out there. I know the MLAs deal with a lot of our supervisors, as the department does. It's a very busy time of the year for them and the changeover from plows and people trying to get their roads done appropriately. I'd just like to say thank you for all they do, too.

Thank you, Mr. Speaker.

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

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

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

The minister of transportation gave me a segue into what I was going to say. My son-in-law is in the RCMP and I'd like to wish him and his colleagues well with these bad road conditions. They're out there keeping Islanders safe. I wish them to be safe, and all those using the highway. Also, the maintenance people who are out there in those big snowplows. A lot of things can go wrong and we're depending on them to keep our citizens safe.

Also I'd like to give a shout-out to my granddaughter, Sophia Jeffery, she just came back with gold under U-14 in Miramichi. This is the first time a PEI team has won on the mainland in U-14 in this tournament. Their picture is in the *Guardian* today. I congratulate them all.

Thank you very much, Mr. Speaker.

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

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

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

I'd like to welcome everyone in the gallery and those people at home.

I want to reiterate what the Premier said about Bill and Mary Kendrick and their award from the Tourism Industry Association of Canada, in reference to Business Experience PEI.

It just shows the contribution even though it's small can be big in PEI. We use that term a lot, but it's starting to resonate with people and we're starting to see the results from it. To add to that, Bill and Mary are growing rapidly and their daughter is moving home from Toronto, and her partner, to help take over that business.

Also, importantly, the mentor award of the Rotary Club of Charlottetown has been given to Lawson Drake. Lawson's in my riding, a former professor at UPEI. He's a

teacher, a motivator, church elder, historian, conservationist and the list can go on. He's a real fine gentleman and his wife – I just recently had the opportunity to sit at his kitchen table and talk a little bit of politics not too long ago on their anniversary. Congratulations to him as well.

Thank you.

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

**Speaker:** The hon. Member from Souris-Elmira.

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

I'd like to welcome everyone back and especially the people in the gallery, our press. I know it's a bad day out there again today.

I want to say a big thank you to three gentlemen in the Souris area. It's the maintenance crew at the town of Souris. Its supervisor Grey Jay, assistant supervisor Danny Grant, and worker Brian Oickle. Last night when I got home they had three water breaks, after dealing with the snow and the sidewalks. Three water breaks. They worked from 6:00 a.m. yesterday morning until 11:00 p.m. last night to make sure that everyone in the Souris area had water. My hats go off to those three gentlemen. They could have just turned the water off and went home and fixed it the next day. But no, sir, they stayed until everybody had water. Especially with the long power outage and more snow coming, more wind coming.

As we speak, the power is out in Eastern Kings again. My hats go off to those three gentlemen today.

Thank you.

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

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

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

I also attended the dinner last night, Step up to the Plate, and I want to thank all the volunteers that worked there. It was a great event. The Leader of the Third Party and I attended the dinner, and the Premier.

But I want to say, there was many mixed proportions of local organic food served last night.

Thank you.

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

Statements by Members

**Speaker:** The hon. Member from Summerside-Wilmot.

**Evan Corish**

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

I would like to acknowledge a talented young swimmer, Evan Corish, who is a member of the Summerside Dolphin Swim Club. Evan also happens to be my next door neighbour and is the son of Jana and Dale Corish. He is 13-years-old and is in grade 8 at Athena School.

Evan was recently named to the 2017 Canada Games Team for swimming, which comes as no surprise, as he has been winning awards since he took to the pool.

In October Evan was awarded the Alex B Campbell Award for the most outstanding swimmer. It acknowledges the swimmer who excels at meets, was committed to their training, and also showed leadership within their team. It also recognizes the person who trained hard, improved their times, consistently attended and placed at meets, and leads by example. All of these attributes describe Evan to a tee.

This summer, Evan competed in a major competition in Calgary. He swam in four events at the Canadian age-group National Championships. As a 12-year-old, Dolphin head coach Dave Campbell noted, Evan became the youngest male swimmer to qualify for this top-level competition, which attracted between 900 and 1000 swimmers.

His coach said that: Evan is one of only a handful of Island swimmers to ever qualify for this top quality competition.

Evan currently holds a provincial record for 12-year-olds in the 50-, 100-, and 200-metre breast stroke.

At a meet in Summerside two weeks ago, Evan broke his own provincial record in the 50 breast stroke. He is now the ninth fastest 13-year-old breast stroker in Canada.

Mr. Speaker, I look forward to seeing what Evan accomplishes next, and it will be a real pleasure to watch him compete in the Canada Games in 2017.

Thank you.

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

**Speaker:** The hon. Member from Alberton-Roseville.

**Sherrill Horne**

**Mr. Murphy:** Mr. Speaker, it's my pleasure to recognize Sherrill Horne of Alberton who received the Sovereign's Medal for her volunteer work.

The ceremony was held at Government House this past August. The medal was given on behalf of the Governor General of Canada. His Honor, the Honorable H. Frank Lewis, Lieutenant Governor of Prince Edward Island, presented the Sovereign's Medal to recognize her exceptional volunteer achievements.

Sherrill has been a very active humanitarian with many organizations that work with community hunger and the elderly. She is active in her church, hospice, Maplewood Manor Auxiliary, and community school. She has been serving as a volunteer president of the Caring Cupboard for the past three years where food is distributed to needy families or individuals in the West Prince area. She shops for the groceries for the food depot, ensures volunteers are available to distribute the food each week, she arranges the board meetings, does up the minutes for the meetings, and is the main point of contact for the organization. She works at the cupboard twice a week distributing food as well.

I would like to acknowledge all of the hard work and dedication of Sherrill Horne and congratulate her on receiving the Sovereign's Medal.

Thank you, Mr. Speaker.

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

**Speaker:** The hon. Member from Rustico-Emerald.

### **Stanley Bridge History Circle**

**Mr. Trivers:** Mr. Speaker, I want to take this opportunity to recognize the Stanley Bridge Memorial Society and their recent Stanley Bridge History Circles.

The history circle is an opportunity to recount and share knowledge and stories about life in the area, and have the audio and video recorded for posterity.

The Stanley Bridge Memorial Society has held three history circles over the last year. At the first in February, those attending brought photos and artifacts to jog people's memories and add to the discussion. This first history circle featured 92-year old Buddy McEwen, who has since unfortunately passed away just this April.

A second history circle in September focused on Transporting Homes and Buildings on Frozen Rivers, and a third this November was themed Recollections of the War Years.

These history circle events have brought dozens of residents to give accounts and record their stories about this vibrant community.

These records will be used by the Historical Society Archives and can be looked back upon by future generations for a firsthand account of what life was like in Stanley Bridge.

Organizer, Joyce Phillips said: Stanley Bridge was a booming community, and quoting Lucy Maude Montgomery: It was the hub of the universe. Special guest Buddy MacEwen was able to trigger others to remember things they may have once forgotten about. Buddy pointed out that a lot of the younger people don't know the history of the area and he was more than happy to share.

There have been many changes in the area, and it was noted that in the second half of the 20<sup>th</sup> century alone the changes have been astronomical. As Annie Lee MacDonald

recalled at the first history circle, gone are the days of taking the horse and sleigh to the one-room schoolhouse.

One reason that the society feels it is so important to record the audio and the video of these history circle gatherings is that unfortunately not much local history is taught anymore.

With Islanders becoming more diverse, they wanted some way to be able to show those moving in, and remind those already living here, about the rich history of Stanley Bridge.

Congratulations to the Stanley Bridge Memorial Society for their initiative in organizing their excellent history circle events.

Thank you, Mr. Speaker.

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

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

### **Trevor Young**

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

It's a pleasure to rise today in the House to celebrate an innovative and energetic entrepreneur from District 17 Kellys Cross-Cumberland.

Trevor Young from New Haven, after finding himself a victim of downsizing five years ago, retrained and started a company utilizing his impressive carpentry skills. Trevor founded All Aboard PEI, a business which takes the end cuts of various hardwoods and turns them into beautiful cutting boards. I understand our Premier recently bought a board from Trevor and gave it as a wedding present to a friend of his. All Aboard PEI has been a huge success and Trevor is struggling to keep up with demand – the problem, of course, that every entrepreneur dreams of.

The rapid expansion of the business has meant that Trevor needs to invest in some new machinery to keep up with orders. As is so often the case with a new business, it's hard to get credit from typical funding

sources. Through approaching government, initial interactions with Innovation PEI showed that perhaps no suitable funding mechanisms were available for Trevor. However, Innovation PEI has recently met him in person and it seems that indeed they may be able to meet his needs. I'm hoping that this will indeed result in this industrious entrepreneur receiving the funding he needs to move his business to the next level.

I wish Trevor and his wife Krista all kinds of success with their new venture. It is exactly this sort of business, imagined and developed by creative, industrious, and talented Islanders, that is a model for how our rural economy can and should develop.

Thank you very much, Mr. Speaker.

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

Responses to Questions Taken as Notice

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

**Deleted government email accounts (further)**

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

Over the past several days hon. members in the Assembly have been asking questions regarding records management.

When we received the Auditor General's report we acted quickly on the recommendations. This includes strengthening the way records are managed including electronic records. We've developed a three-year strategy to modernize records management. I will be speaking to this plan and tabling it later today.

When an employee leaves the public service there's a formal questioning. The IT Shared Services disable the email account. This is good business practice. Once an employee leaves there is no business need for them to access these accounts. At the same time it means the public is not mistakenly directing inquiries to former employees that would not receive a response.

Even though the accounts are disabled, following the requests the records are backed up and stored for an additional year. Following that time the records are overwritten. This is a common practice that allows for space in the server and means the government is no longer paying license fees for unused accounts.

As I stated, these actions follow a regular process as employees leave the system. Since 2007, when government implemented a system to track these actions, there have been 2,481 accounts disabled.

This summer IT Shared Services updated its protocol so that form requesting that account be disabled must include a signature stating that the employee's records must first have been properly filed in accordance with the public archives and records act under my ministry. This will help ensure that all the email accounts have been disabled, that records have first been transferred or stored elsewhere.

The Auditor General did not name the former public servants whose accounts were disabled. If this information were to be released the appropriate means would be through the Auditor General.

The Auditor General's report points to a wider scope of work that needs to be done to modernize and enforce the ways records are stored, and I take that work very seriously.

Our new strategy will guide us in these efforts and I look forward to sharing the details of this work with members of this House.

Thank you.

**Speaker:** The hon. Minister of Agriculture and Fisheries.

**Funds for agronomy initiative (further)**

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

In response to questions yesterday from the Leader of the Third Party, I promised to take back some numbers with regards to the programs that we're happy to partnership with.

One of them being the Enhanced Agronomy program, which we do partner with the potato board and with Cavendish Farms. The idea of this, of course, is to improve the marketable yield, the profitability for the farmers and, of course, sustainability in the industry with regards to environment.

The actual numbers are, over a three-year period, 540,000, of which the department is funding 175,000 over the life of the project. This is through our SIGI fund. We're really pleased to partner there on that project.

#### **Agriculture sector spending (further)**

The other question was on supports to the potato sector in comparison with other sectors in agriculture.

It's interesting to note that our programs are funded not – in generic fashion, really. We don't give so many dollars to each commodity being potatoes, livestock, beef, hogs, or whatever it might be, but basically in programs as they come forward. Most of it is done on the Agriculture Stewardship Program. The only exception for this, of course, is the organic development program which we put specific dollars into.

It's interesting to note, as well, of the \$33 million in our budget, 65% of it goes directly back to support the industry.

Thank you very much, Mr. Speaker.

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

#### **Radiation safety regulations (further)**

**Mr. Henderson:** Mr. Speaker, in response to a question taken as notice by the Member from Stratford-Kinlock yesterday, I wish to table the following information in response to radiation safety regulations.

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

#### Questions by Members

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

#### **Compensation fund (further)**

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

I'm very concerned. Today's weather is furthering the power outage issues in eastern PEI. We're back up to 8,000 without power.

Yesterday I asked the Premier if he would consider earmarking the new tax revenue from the *Premium Tax Act* to a compensation fund for Islanders impacted by the extended power outages over the last week. The Premier said he would take this under consideration.

Question to the Premier. You've had the night to sleep on it, no doubt in a warm bed with the lights on. Have you decided to act on this suggestion?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, the power was out at our place yesterday.

I spoke earlier today with the mayor of Souris and the mayor of Georgetown and the CAO at Murray Harbour. Those communities are to be commended –

**Mr. Myers:** (Indistinct) mayor (Indistinct).

**Mr. LaVie:** (Indistinct) the people with no lights?

**Mr. Myers:** (Indistinct) who's calling Bangor? The mayor of Bangor?

**Premier MacLauchlan:** – for the good work that they're doing, for the warming centres that have been opened there and in other communities –

**Mr. LaVie:** Who's calling Fortune?

**Premier MacLauchlan:** We're well aware of the situation in Fortune –

**Mr. Myers:** (Indistinct). You don't have a clue.

**Premier MacLauchlan:** – and in other communities.

Mr. Speaker –

**Speaker:** Hon. members.

**Mr. Myers:** (Indistinct).

**Premier MacLauchlan:** – we're very sympathetic and we're very aware of the hardship that people are going through, and we endeavour to keep working with those communities to make the best and to resolve the situation.

Thank you, Mr. Speaker.

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

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

The number is 147. One hundred and forty-seven communities in Kings County are without power.

As the hours without power have stretched into days the costs for Islanders are adding up. Losing a freezer full of food and running back and forth to the gas station to fill up jerry cans are a big hit to absorb by these families, especially with the holiday season coming up and especially as the cost of living keeps going up.

Question to the Premier: Do you understand that this situation is adding a lot of stress and emotions and hitting the pocketbooks of Islanders?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Yes, indeed, Mr. Speaker, I do, indeed, understand that this is having a great impact throughout communities and in individual cases in eastern Prince Edward Island.

We're very appreciative of the efforts that are being made to respond to that situation including by the crews that are endeavouring to restore power under challenging circumstances.

We had a report first thing this morning that the homes without power were down to on the order of 1,800. I do understand that later this morning in a number of communities that had power from as long ago as Sunday that there were further outages.

Thank you, Mr. Speaker.

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

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

There are a lot of Islanders who have been out in the cold and dark for days, some for a better part of the week. They're hurting and they're looking for some leadership from somewhere.

Question to the Premier: Why do you seem so indifferent to the hardship many Islanders are facing and struggling with?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, we are fully engaged on this issue.

Our officials with emergency measures have been, since the events first unfolded on Sunday, full-time attending to this issue in collaboration with communities, with first responders, and with affected individuals.

We are far from indifferent. This is a serious situation. We understand that –

**Mr. Myers:** Have you toured the area?

**Premier MacLauchlan:** – people are affected and people are experiencing considerable –

**Mr. LaVie:** (Indistinct).

**Mr. Myers:** (Indistinct) down and have a look.

**Premier MacLauchlan:** – difficulties. We are very interested –

**Mr. Myers:** Instead of hiding in Charlottetown.

**Premier MacLauchlan:** – to see the situation resolved in the Legislature.

Thank you, Mr. Speaker.

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

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

The people are looking for leadership. The new tax revenue from your insurance premium bill will put as much as \$1 million to the provincial coffers. Some kind of rebate for Islanders who have been in the dark for almost a week could help them with things and make a difficult time better.

Question to the Premier: Will you commit, today, to implementing a \$500 rebate for Islanders who have been without power for days as a result of this storm?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, I said yesterday that we would consider if there were a need, or if there were measures that could be taken to respond to the suggestions that have been made.

We have, in the past, taken steps that I've asked our folks in emergency measures to review in terms of the administrative issues that arose with that experience and what our experience may be. It may well be that the most useful way to proceed would be through a community organization that would be in a position to distribute funds where they're most needed.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Souris-Elmira.

### **Souris Hospital chapel**

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

A question to the health minister: Minister of health, can you tell me if the chapel at the Souris Hospital is going to be closed?

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

**Mr. Henderson:** Mr. Speaker, I can inform the hon. member the chapel is not going to be closed, but we are doing some renovations at the Souris Hospital to better accommodate patient care and to allow more of a multipurpose use of what was the chapel area so that we can provide a better sense of accommodations for restorative care at that location.

**Speaker:** The hon. Member from Souris-Elmira.

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

Another question to the minister of health: Who ordered this renovation to be done?

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

**Mr. Henderson:** I wouldn't know that specifically, Mr. Speaker, but I can find that out for the hon. member.

But I would assume it would be the administrator of the facility in, once again, trying to accommodate patients and the delivery of good, solid restorative care to the patients of the Souris Hospital. It's just, really, a renovation to the facility, Mr. Speaker.

**Speaker:** The hon. Member from Souris-Elmira.

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

Question to the minister of health: Is this happening in any other hospitals across PEI?

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

**Mr. Henderson:** Mr. Speaker, I would reiterate that we do renovations in all our hospitals periodically to try to better accommodate staff, to better accommodate patients.

As far as restorative care, restorative care is a service that is provided, I know, at Community Hospital in O'Leary, Souris, and I think there probably are a number of other facilities that we provide that as well. In past, it was felt that the chapel was somewhat underutilized and this is a way to expand the service, to expand patient safety, and for better utilization of that facility for restorative care, Mr. Speaker.

**Speaker:** The hon. Member from Souris-Elmira.

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

I take offence that the chapel was underutilized. I've used that chapel myself.

We have palliative care at the Souris Hospital and families do use that chapel, so I take offence of that being underutilized.

Minister of health: Will you assure the people in District 1 that that chapel will remain in the Souris Hospital?

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

**Mr. Henderson:** Mr. Speaker, just to reiterate, I guess when I was referring to the chapel being underutilized, all of the space that was assigned to the chapel wasn't utilized.

So we are still going to be having a chapel. The new renovations will accommodate many multipurposes to be used at that facility including services like for chapel-type services, as well as there will be a space that will be adjacent to the multipurpose room that can be used specifically for smaller chapel experiences for religious purposes.

**Speaker:** The hon. Member from Souris-Elmira.

### Souris walk-in clinics

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

A question to the minister of health. The Souris walk-in clinics have recently been closed again under this government.

Minister of health: Can you explain why the walk-in clinics in Souris continue to close?

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

**Mr. Henderson:** Mr. Speaker, I'd probably have to get a bit more specifics from my department on that.

I mean, there are many reasons. Sometimes it is staffing issues, sometimes it's utilization again as well, but I'll get back to the hon. member with more specifics to the Souris walk-in clinic.

Thank you, Mr. Speaker.

**Speaker:** The hon. Member from Souris-Elmira.

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

I'll give him an update on it myself. Our walk-ins did close and he said staffing issues. The doctor in Souris offered his free services to have the walk-in clinic open. Free. He wouldn't charge you. Why did you close the walk-in clinics in Souris?

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

**Mr. Henderson:** Mr. Speaker, I have to say I don't have the specifics of the Souris walk-in clinic, but I'd be happy to get back to the hon. member with that information.

**Speaker:** The hon. Member from Souris-Elmira.

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

When there are 3,000 people up there with no doctor and no walk-in clinic I would be assured that the minister would be aware of this situation.

Not only did the doctor offer his free services, minister, the nursing staff and the mid staff offered their time for free services. Why did you allow the walk-in clinics to close at Souris Hospital?

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

**Mr. Henderson:** Mr. Speaker, once again I said I'll get back on more of the specifics on Souris in that particular regard.

But I will say I am aware that we've just we have just attracted a new physician, Dr. Verdejo, who'll be practicing in that area. We have three doctors that are practicing out of the Souris facility.

I was down there recently, and just added new diagnostic imaging services that will be there, expanding the equipment and modernizing it. I think the people of Kings County will be well pleased with the services. We have also added, once again, more ambulance services there, and they have actually now some of the best response times of ambulances in the province, Mr. Speaker.

**Speaker:** The hon. Member from Souris-Elmira.

### **Souris fourth doctor**

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

Now that the minister brought it up about the three doctors, Premier, you came into Souris, you promised four doctors. You just added a complement of one more doctor in Montague for 16,000 people. You promised us four doctors for 7,000 people.

**Premier:** When is that fourth doctor coming to Souris?

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

**Mr. Henderson:** Mr. Speaker, we do have a complement of 12 physicians in Kings County to try to recruit for.

We do have some vacancies, and we will continue with the recruiting and the retention to encourage physicians to look at the Souris area, as well as anywhere in Kings County, or to fulfill any of the vacancies in Prince Edward Island.

I am quite confident that we will achieve those goals in the future, Mr. Speaker.

**Speaker:** The hon. Member from Rustico-Emerald.

### **Medical specialists**

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

One issue I hear about all the time from my constituents is about the long wait times to see medical specialists. This question is for the minister of health. I know every MLA hears about the long wait times.

**Minister:** Why are we turning away medical specialists?

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

**Mr. Henderson:** Mr. Speaker, I would say we're not turning away medical specialists in this province.

We have about 250 physicians that are practicing here in Prince Edward Island and we, once again – but we do want to make sure that any of the physicians that are practicing here in Prince Edward Island meet the prerequisites of the positions that they're applying for, especially specialty positions, as well as – I also want to reiterate that the college of physicians is the regulatory organization that affirms the qualifications of any of our physicians, Mr. Speaker.

**Speaker:** The hon. Member from Rustico-Emerald.

### **Retention of GI specialist**

**Mr. Trivers:** Mr. Speaker, I beg to differ.

There was a GI specialist that was recently turned away. I mean, we hear time and time again about the difficulty of recruiting and retaining medical specialists. Wait times drag on for months and even years for some specialties.

A question for the minister of health: Knowing how long the wait times for specialists are, why did your department go to such lengths to discourage GI specialist Dr. Khan from being retained?

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

**Mr. Henderson:** Mr. Speaker, we have actually 17 internal medicine positions here in Prince Edward Island, of which there's five at Prince County Hospital and 12 at the QEH.

We are short one gastrointestinal position of which we have specific prerequisites of the two gastrointestinal positions here in this province. We want to make sure that they are up to speed in providing all the competent services that the patients would expect here in Prince Edward Island.

**Speaker:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** Mr. Speaker, a GI, or a gastroenterologist, specializes in the function and diseases of the whole gastrointestinal tract, from the esophagus

and the stomach right through the pancreas and the liver and everything in between.

Many Islanders need the help of a GI specialist, and Dr. Khan's patients want to know where they will get help since we are losing Dr. Khan to another province.

Question for the minister: If Dr. Khan provided top-quality health care and indeed wanted to work here permanently, then why didn't your department keep him?

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

**Mr. Henderson:** Mr. Speaker, back in 2012 we did have one gastroenterologist position here in Prince Edward Island.

When a request was made to the Physician Resource Planning Committee for a second gastrointestinal physician here it was granted, but it was also granted that both positions have specific training called ERCP – don't ask me to pronounce that, the words are pretty long, but – and it was felt that that training should be provided in both positions. It's a prerequisite.

The doctor in question was a locum physician. He was hired on a short-term basis. It was extended. I can assure all the people that were going to Dr. Khan that we will have other locum services in the short-term and hopefully a full-time position in the long-term.

**Speaker:** The hon. Member from Rustico-Emerald.

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

You say that Dr. Khan needed ERCP training, and your department publicly stated that the reason for Dr. Khan's departure was that he didn't pursue specialized training in this area. This statement was strongly rejected by the head of internal medicine at the QEH. In fact, to quote what was said, and it may be ruled unparliamentary so I apologize in advance, Dr. Khan's boss called your department's public statement: "...a bold-faced lie."

**Speaker:** That is unparliamentary language.

**Mr. Trivers:** That's a quote, Mr. Speaker.

Question to the minister –

**Speaker:** (Indistinct) withdraw this statement (Indistinct).

**HW re: Dr. Rajal Khan**

**Mr. Trivers:** I'll withdraw the statement, Mr. Speaker.

Question to the minister: Why did your department publicly misrepresent the facts around Dr. Khan's departure?

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

**Mr. Henderson:** I would take some offence to the comment that our department has misrepresented the facts, Mr. Speaker.

The reality is that particular doctor in question was offered a locum position and was notified that to get a full-time position, for that to be filled, they would have to have this ERCP training.

We did extend that individual a little bit longer. I think the person is still practicing. I believe sometime mid-December that he will be leaving, and we will have another locum – we're already in the process of confirming that – that does have ERCP training, and that is because if you – many Islanders were going off-Island to get that service provided.

**Speaker:** The hon. Member from Rustico-Emerald.

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

When we hear from the head of internal medicine at the QEH, language like a bold-faced (Indistinct) or something of that nature, this is very strong language and the minister must take responsibility.

Now, we want to know: Did you make the final call to mislead Islanders about the facts behind Dr. Khan's departure? Was that you?

**Some Hon. Members:** Oh, oh!

**Speaker:** Hon. member, that's twice you've said "mislead." Mislead means lie, so withdraw that statement.

**Mr. Trivers:** I will, reluctantly, withdraw that, Mr. Speaker.

**Some Hon. Members:** Oh, oh!

**Mr. Myers:** You think that's the worst that you fellas ever heard over there?

**Ms. Biggar:** (Indistinct).

**Mr. Myers:** Oh, please (Indistinct).

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

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

I can assure Islanders and I can assure this House it's my responsibility as minister to make sure that Islanders are receiving appropriate care that's of the highest quality and safety measures that are in place. We want to make sure that the people that are working on Islanders for their health care needs, Mr. Speaker –

**Mr. Myers:** (Indistinct)!

**Mr. Henderson:** – are receiving –

**Speaker:** Hon. member.

**Mr. Henderson:** All the proper procedures and treatment that is available, Mr. Speaker.

With that, in this particular case, the physician recruiting committee identified that ERCP training was a prerequisite for that particular position, and it was to reduce the amount of Islanders that were going off-province to get those particular services.

With that, I'm quite confident that we will replace that and Islanders will get proper care.

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

### HW management issue

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

I'd like to follow up on what the hon. Member from Rustico-Emerald was just saying.

Disturbing news report this morning about the loss of one of our two gastroenterologists on PEI has left many Islanders with a queasy feeling in their stomach. The convoluted and sad story reveals one thing, however, very clearly. When it comes to delivering health care services, PEI has a systemic management crisis.

When a department manager in Health and Wellness is accusing upper-level bosses in Health PEI of what he said –

**Some Hon. Members:** (Indistinct).

**Dr. Bevan-Baker:** – it's impossible to come to any other conclusion.

A question to the Minister of Health and Wellness: What will you do to address this acute management issue?

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

**Mr. Henderson:** Mr. Speaker, it may not be a matter of what we will do, but it's what we've already done.

In fact, actually, we have made some changes in our management structure at the situation where one particular doctor, Dr. Dada, is not with us anymore and we have now Dr. Tom Dorran is in charge of medical affairs. Hopefully things will continue to evolve and we'll only see more improvement of services here in Prince Edward Island, Mr. Speaker.

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

### Retention of doctors

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

The loss of experienced doctors is traumatic for patients, but it's also extremely costly to the health services. Our province's retention of newcomers is the lowest in Canada, and it appears that this inability to entice people to become permanent residents of Prince Edward Island extends, too, to medical personnel.

Minister, we know that much effort and money is expended on recruitment of new

doctors to PEI, but what does your department do to make sure that these doctors who we do attract here are encouraged to stay?

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

**Mr. Henderson:** Mr. Speaker, once again, when we are in the process of recruiting and retaining high-end professionals here to the Province of Prince Edward Island we do work with the newcomers association, we do work with Workforce and Advanced Learning, to make sure that they comply and meet all of the procedures to actually work here in this province.

I'm quite proud to say that we've, once again, done a great job in attracting physicians. We have more physicians practicing here in Prince Edward Island than for some time, and we're also filling vacancies that are in the specialty field which are very difficult to recruit for.

We will make sure that any Islanders that are receiving services in gastroenterology will be followed up with a locum, once again, and we'll continue on with hopefully recruiting a position in the long term.

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

### Family doctor access

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

Of course, gastroenterology is not the only medical field on PEI where recruitment and retention are problems. An hour before the House opened today we heard that the PEI family doctor of the year, Garth Slysz, is leaving Prince Edward Island. As we know from earlier questions, we have a deficit of family doctors in Souris. We have a deficit of family doctors all across the Island.

Can the minister tell this House when every single Islander can expect to have access to a family doctor?

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

**Mr. Henderson:** Once again, Mr. Speaker, to the hon. member's question, we do have

some vacancies on Prince Edward Island, but, once again, we have more doctors practicing.

We have continued to fill vacancies as doctors retire and as doctors choose other locations to practice. That's their prerogative.

But once again, it's to make sure that the physicians that we are filling these positions with do have all the proper prerequisites and competencies that Islanders would expect, and that's a role that we work with with the medical society, as well as the college of physicians, to make sure that we're giving the highest quality of health care in this province, Mr. Speaker.

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

### Post-secondary students and EI

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

My question today is for the Minister of Workforce and Advanced Learning. Hard-working Island students are looking for help to better themselves in post-secondary education, and over this past summer and fall I spoke with the minister extensively about helping to ease the burden of these educational costs by offering the ability to collect EI while attending post-secondary school for university students.

Would the minister update the House today on our conversation?

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

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

That was a great question, and I want to thank the member for his work in this area.

One thing that the Workforce and Advanced Learning want to do – and all of government – is want to give every opportunity for everyone that wants to get a higher education on Prince Edward Island. People that have entered the workforce to get experience, and then later on want to go back to university, as long as they're eligible for EI we will work with that student in

order to see if they can continue to collect EI while they're taking their studies.

We are committed to helping each and every person on Prince Edward Island that wants to advance their skills and trades.

**Speaker:** The hon. Member from Tignish-Palmer Road, your first supplementary question.

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

That's great news. It's great that the minister not only takes suggestions but he acts upon them.

Minister, I would just like to ask you a question. How do these students become eligible for this program? Because in Nova Scotia and New Brunswick they have it implemented for third- and fourth-year students attending university.

Thank you.

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

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

Yes, each and every province has an ability to assist university students in collecting unemployment insurance while they are attending university. I don't know why it wasn't done before, but through the smart efforts of the member from Tignish we have investigated it, and we are working with the staff at the LMDA program in order to see how we can implement this as fast as possible.

Thank you.

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

### **Food Tax Credit (further)**

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

My question today is to the Minister of Agriculture and Fisheries. Minister, yesterday during my member's statement I spoke about the generosity of farmers and fishers who donate product to our local food banks. As you're aware, a number of provinces including Quebec, Ontario, and

British Columbia have a fresh food tax credit in place, and I posed a similar question on a food tax credit for Prince Edward Island during the spring session.

Will you update the House on the development of the fresh food tax credit for our province?

**Speaker:** The hon. Minister of Agriculture and Fisheries.

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

An excellent question and an excellent champion for this topic. The Member of Charlottetown-Lewis Point did raise this I guess about a year ago and our department took it under advisement, and we are working on it very closely with some of the other provinces available.

We did find out in our research that there is a tax credit available from registered charities such as the food bank, things like that. If a farmer or fisher donates food to the food bank they can receive a tax credit for that and claim it on their tax return.

We are looking and working on the fresh food tax credit and we hope to have that in place, but right now we're meeting with interested parties and hope to have that legislation soon.

Thank you very much, Mr. Speaker.

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

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

Minister, you talk about your department working on the development of the fresh food tax credit and I've been speaking about this, as you said, for about a year. What is the timeline for the introduction of this fresh food tax credit?

**Speaker:** The hon. Minister of Agriculture and Fisheries.

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

We have two of our staff that are working on this, putting a considerable amount of time into this very topic. We are working with the department of education, department of health, because they are very important parts to it as well because we want quality food in our health care system and also in our school system.

We think this is perhaps one of the most exciting pieces of legislation we'll be bringing forward. I know it certainly is of great interest to ourselves and to the other members in Cabinet. The plan right now is to have this legislation in place by 2018.

Thank you very much, Mr. Speaker.

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

### **Deleted government email accounts (further)**

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

Yesterday the Premier admitted that he does not know the name of the senior government official who deleted the emails contravening the Criminal Code of Canada.

Premier, the obvious question is: Why have you not made it your priority to find out?

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

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

Today I responded to the Member from Georgetown-St. Peters. I must add, the Member from Georgetown-St. Peters worked in IT Shared Services before he moved to public life. Very aware of process. Since 2007 there's been approximately 5,000 email accounts that have been disabled and there's a process around that. I look forward to tabling the strategy in response to the Auditor General's report, Mr. Speaker.

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

### **Egaming briefing**

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

The minister might be surprised to find out that in IT lots of things happen. I would have no idea what goes on with email service because I was a computer programmer and a data analyst for the province and never, ever would be near a server, ever. So you learned something today.

The Premier here professes to work 18 hours a day, yet he can't be bothered to uncover the names of whose emails were deleted.

Question to the Premier: How have you failed to be briefed on this vital link of the egaming deletion scandal?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, the question I've been asked on a number of occasions has been: Do I know the names or will I reveal names of public servants whose email accounts have been disabled?

As the minister –

**Mr. Trivers:** (Indistinct) was deleted (Indistinct), not disabled.

**Premier MacLauchlan:** Disabled. As the minister has –

**Mr. Trivers:** It was deleted, not disabled. Big difference.

**Premier MacLauchlan:** – told us today there have been in the order of 5,000 accounts disabled going back to 2007.

**Mr. Trivers:** Disabled is not (Indistinct) question. Deleted. I noticed that when the response came (Indistinct).

**Premier MacLauchlan:** This is the normal work of government, Mr. Speaker, and it's not my view of my role as Premier to stand in the House and reveal the names of public servants who –

**Mr. Trivers:** Don't try and (Indistinct). We understand the difference between disabled and deleted.

**Speaker:** Hon. member.

**Premier MacLauchlan:** It's not my view of my role as Premier, Mr. Speaker, nor of the

role of this House to stand here and reveal the names of public servants –

**Mr. Trivers:** Sure it is. Absolutely it is

**Premier MacLauchlan:** – who've done the proper thing.

Thank you, Mr. Speaker.

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

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

Twenty-two months you've been in office, Mr. Premier. Why in 22 months have you decided that you don't want to know whose email accounts were deleted in the egaming scandal?

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

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

As I indicated at the start of Question Period, there is a process that IT Shared Services has. As the Minister of Education, Early Learning and Culture, I have the Provincial Archives and Records Office, which provides oversight with the legislation across all government.

Very pleased to acknowledge the work of IT Shared Services. When any of those 5,000 employees decide to retire or leave government that information is archived. There's an application process in July. IT Shared Services have put in oversight with the signature and that information, the actual email account is –

**Mr. Trivers:** Deleted. Deleted.

**Mr. Currie:** – disabled. Actually, for 12 months following, all that information is stored.

Thank you.

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

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

The Premier's failed to learn all the facts of the email deletion scandal (Indistinct) could have broken the Criminal Code of Canada.

However, in the first sitting day this fall the Premier volunteered the information that it was two senior officials, and he spoke about the time period which he believed it happened in.

Question to the Premier: How did you come to learn this, but not the names of the people whose accounts were deleted?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, that was the first sitting day, as the hon. member has noted, and I may have been a little rusty in accepting the premise of the question.

I believe what I said is that it was my impression that there were two senior people. I gained that impression from reading the Auditor General's report. I'd encourage all members to read it, and to bear in mind that that report was tabled on the 5<sup>th</sup> of October, and here we are today as a government, seven weeks later, coming forward with a three-year plan with resources and with a program and a policy to build the culture and to set in place the practices that will respond to the issues raised by the Auditor General.

Thank you, Mr. Speaker.

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

### **Deleted government email accounts (further)**

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

Somebody told the Auditor General that two email accounts of senior government officials were deleted. She, in turn, would have reported her findings back to government about the detail of (Indistinct) correspondence. Both of these happen to be under this Premier because he ordered the audit and the deletions all happened in his office. Then the auditor had to report back to Cabinet.

Question to the Premier: Why do you continue to cling to this fantasy that you don't know who deleted the emails?

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

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

I want to add to the line of questions. Back in 2007, when I was part of the government that did come in, during that summer we were quick to initiate a tracking system to start documenting the number of disabled email accounts. Since that, there's been over approximately 5,000.

As I've said numerous times, I am the minister that provides oversight for how records management is conducted all across the province. As I indicated, I take that work very seriously.

But I also want to add, too, that we will be bringing forward investments and recommendations to modernize the way we do our business in records information management.

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

### **Email retention time**

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

I want to clarify on this little game that's being played today. The Auditor General said: deleted. We're not talking about disabled email accounts, we're talking about deleted. You all know whose were deleted, every single one of you.

We began questioning this government yesterday on the guidelines for email records. This Premier reissued the rulebook in March 2015. Then, he issued it a second time in March 2016. I'll table both of them today.

These guidelines state: Email records must be scheduled and retained for an appropriate period of time.

How long were the senior officials supposed to keep their egaming emails for?

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

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

As I did share to the House, since 2007 approximately 5,000 employees who have retired or left government have respected the process and policy, which is to sign application for IT Shared Services to delete, disable, the email account, but most importantly, that their records are kept for a 12-month period before they're overwritten by IT Shared Services which is a very natural process.

I look forward – and I take the work and the recommendations of the Auditor General very seriously.

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

### **Email records management and Premier's office**

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

As I stated, I'm going to table the two rulebooks, the ones that the Premier has changed twice since he's been in government. In 2007, since 2007, all you fellows have been operating under these guidelines. This all happened, all these deletions happened, under the guidelines that your government created.

Question to the Premier about these books: Why is the Premier's office not found in either copy of these two rulebooks for email records management?

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

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

I did read the Auditor General's report because I am the minister responsible for Education, Early Learning and Culture and I do have the responsibility of records information management.

I have been clearly directed by the Auditor General – who I take that work very seriously, and that responsibility to respond

to the recommendations. But if you read the Auditor General in respect to this discussion, she refers to the word ‘to removed’ not deleted, Mr. Speaker.

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

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

I guess I’ll understand from the minister over there that that and disabled are the same word. Removed and disabled are now the same word. You should work for Webster’s Dictionary. You may reinvent the whole entire English language for us right here this afternoon.

**Destruction order re: emails (further)**

Question again to the Premier: Premier, why have you failed to bring back and table the destruction order approved by government to delete the egaming emails?

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

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

As I indicated, being a Cabinet minister for 10 years in government I’m very familiar with the important work that the Auditor General does and the quality of her staff.

I also take those recommendations over the course of those 10 years, and my role as minister, very seriously.

We will be looking at existing legislation, policies, and procedures. We’ll be hiring full-time staff positions to be hired to facilitate departmental records management compliance. All government staff will be trained. Currently, we’re doing assessments on how government departments are performing. We’ll have sufficient capacity and growth with secondary site storage.

We are very committed to bringing records information management into the 21<sup>st</sup> century. We’re very serious about that.

I’ll be tabling that document and that strategy very shortly, Mr. Speaker.

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

**Deleted government email accounts (further)**

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

Since 2007 you fellows have had rules, and we all know what happens when Liberals have rules. They apply to everyone but them. That’s exactly what happened in this email deletion scandal.

The Auditor General said deleted, by the way – correction – and I find it hard to believe that you guys think that the public actually believes that none of you know whose emails were deleted.

Question to the Premier. Once and for all, come clean with Islanders. Whose emails were deleted?

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, the hon. member opposite asked yesterday about what he referred to as destruction orders, and I have taken that under advisement.

That is dealt with by a committee under the *Archives and Records Act*. And I’ve endeavoured to set in motion the inquiries that would lead to that coming back to the House.

I have given a response to the question about naming names. Those are in the Auditor General’s report. I don’t speak for the Auditor General, but I am happy to speak – just gotten word from Maritime Electric that thousands of households have had their electricity restored throughout Prince Edward Island, and notably in Kings County, since Question Period started, so we accomplished something in the last 60 minutes.

Thank you, Mr. Speaker.

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

**Speaker:** Hon. members, before we go to Statements by Ministers I’m going to ask the Deputy Speaker to take her seat in the Speaker’s chair as I will be leaving for a while.

Statements by Ministers

**Speaker (Casey):** The hon. Premier.

**French Language Services Act Annual Report 2015-2016/Loi sur les services en français Rapport annuel 2015-2016**

**Premier MacLauchlan:** Madam Speaker, thank you.

*Merci madame la présidente.*

First, Madam Speaker, may I recognize in the gallery Colleen Soltermann qui est présidente du Comité consultatif de la communauté acadienne et francophone.

Colleen Soltermann is the president of consultative committee on the services for Francophone and Acadian Affairs, and our employees from the department of Acadian and Francophone Affairs, Diane Arsenault, Rachel Lapointe and Isabelle Dasylyva-Gill.

*Le gouvernement de l'Île-du-Prince-Édouard a promulgué la Loi sur les services en français en décembre 2013. Depuis ce temps, le gouvernement poursuit sa mise en œuvre, tout en harmonisant les priorités de la communauté acadienne et francophone avec la capacité du gouvernement à offrir des services y répondant.*

The Government of Prince Edward Island proclaimed the French Language Services Act in December 2013. Since then, the government continues to advance the implementation of the Act, all the while aligning the priorities of the Acadian and Francophone community with government's capacity to provide services that meet these priorities.

*C'est avec plaisir aujourd'hui que je dépose le Rapport annuel 2015-2016 sur la Loi sur les services en français. Le rapport offre une vue d'ensemble des activités et du progrès du dernier exercice financier, mais aujourd'hui, j'aimerais partager avec l'Assemblée quelques initiatives clés qui sont en cours en 2016-2017.*

It is my pleasure to table the *French Language Services Act Annual Report for 2015-2016*. The report provides an overview of last fiscal year's activities and progress, and today I would like to share with you

some key initiatives underway in 2016-2017.

To enhance the collaboration between the Acadian and Francophone community and government, the working group between the Société Saint-Thomas-d'Aquin and the Acadian and Francophone Affairs Secretariat will be expanded. Among others, the chair of the Acadian and Francophone Community Advisory Committee, who was with us today, the complaints officer, and a representative of the Prince Edward Island French Health Network will be invited to join the group.

Also, the Public Service Commission is leading an initiative aimed to increase government's capacity to offer services in French through targeted efforts to identify bilingual employees within government, and subsequently have their oral French language skills assessed. As a result, since April 1st of this year the number of assessed bilingual employees in government has increased from 236 to 260.

Finally, the launch of the new government website is making it possible to offer more online services in French and to increase the amount of communications and information published in French. As of today, there are seven online services and more than 750 pages of the Web site available in French.

These initiatives will ensure a consolidation of our shared vision, with the ultimate goal being the continued development of the Acadian and Francophone community of Prince Edward Island.

*Toutes ses initiatives assureront une consolidation de notre vision partagée, dont le but ultime est l'épanouissement de la communauté acadienne et francophone de l'Île-du-Prince-Édouard.*

*Merci madame la présidente.*

Thank you, Madam Speaker.

**Speaker:** Thank you. *Merci.*

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

**Speaker:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** *Merci beaucoup*, Madam Speaker.

Thank you very much, Madam Speaker.

Thank you, and welcome to the gallery, to those members.

*Bienvenue et bonjour.* Welcome and greetings.

The *French Language Services Act* is an important one and it's great to hear this report saying that there has been good uptake.

*Moi, j'apprends le français, sur l'Act aussi.*

I'm learning French, and about the act too.

I am in the beginning of my studies so I hope to continue to learn, but I did want to mention what the act does cover. The Premier talked about that – I mean, the key aspects of the *French Language Services Act* are the principles of aligning the service priorities of the Acadian and the Francophone communities with the service capacity of the government. The act requires some government services to be brought, provided in French, and it establishes a complaints mechanism to ensure its implementation.

*Les principales caractéristiques de la Loi sur les services en français - la Loi s'appuie sur les principes de l'harmonisation des priorités de la communauté acadienne et francophone en matière de services en français avec la capacité du gouvernement à offrir ces services. La Loi rend obligatoire la prestation en français de certains services gouvernementaux et met en place un mécanisme de plaintes afin d'assurer sa mise en œuvre.*

So it is a very good thing and it's great to be here.

*Merci beaucoup.* Thank you very much.

Thank you.

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

**Speaker:** *Merci beaucoup.* Thank you very much.

The hon. Leader of the Third Party.

**Dr. Bevan-Baker:** *Merci, madame la présidente.*

Thank you, Madam Speaker, I mostly got up so I could say that.

But I thank the Premier for this report. Of course it is always important to support diversity in our Island culture and particularly Francophone and Acadian elements of Prince Edward Island who have such a rich history here.

Thank you very much, Madam Speaker.

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

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

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

Before I speak, with your indulgence, can I correct? I made a statement during Question Period, I referred to approximately 5,000 emails, which would have been 2,500, so I wanted to clarify that.

**Mr. LaVie:** Getting rusty too.

**Mr. Currie:** I'm getting a little bit –

**Mr. Myers:** (Indistinct).

**Mr. Currie:** Twenty-five hundred.

**Mr. LaVie:** (Indistinct).

**Mr. Currie:** Thank you, Madam Speaker.

### **Records Management Plan**

As Minister of Education, Early Learning and Culture I have the responsibility for oversight of records management legislation and policy for all government departments.

In her latest report, the Auditor General made recommendations to improve records management policies and procedures and to ensure that government records are properly retained and securely stored.

In response to her recommendations we have developed a three-year strategy to modernize the management of our paper and

electronic records which I will be pleased to table today.

The plan will formalize policies and procedures, increase consistent compliance, and set high standards for accountability for record management schedules in each department of government.

As part of the plan, we will introduce amendments for the *Archives and Records Act* this spring 2017 which will mandate compliance. Also in spring 2017 we will open a second secure Records Centre to add needed capacity for the secure storage of paper records.

In the fall of 2017 we will work with ITSS to pilot a new Electronic Records Management Program which will greatly improve records retention and management. Full-time positions will be created to support the work.

All government employees will receive records management training when they are hired and on an ongoing basis.

All departments will submit an assessment of their records management programs to the provincial archives by the end of this year. Each and every year after they will submit an annual report to me, and I in turn will table a report in the House.

Together, these actions will ensure that government records are properly retained and securely stored as recommended by the Auditor General.

We appreciate her excellent recommendations and I want to assure the public that our staff are making excellent progress in modernizing the management of government records.

Thank you, Madam Speaker.

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

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

**Mr. Myers:** Thank you, Madam Speaker.

A couple of things. In 2007 this government did this very thing, and the whole scandal that caused him to rewrite it this time was

because they ignored it, so I don't see anything in this that's going to keep you fellows from ignoring it.

In 2015 the Premier updated it, in 2016 the Premier updated it, and I will table it here after.

On the records management facility, I know we're going through the Capital Budget here now, and there's \$150,000 set aside, which is set aside every year, and it already has an allotment, as the Minister of Finance has indicated to this House. I'm not sure if this is new money, if he's going to make an amendment to the Capital Budget so he can show us where the money's coming from, or if they're going to operate the way they did with the \$65 million highway out there and just make money come in out of thin air to spend, which would further make the capital budgeting process here suspect as far as whether or not we're debating the real number because the number changes after this House closes.

I have a lot of concerns, not only with the records facility, but the fact that there has been a management plan in place and you fellows have ignored it since 2007, and that's why you have yourself embroiled in a scandal.

Thank you.

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

**Dr. Bevan-Baker:** Thank you, Madam Speaker.

I want to echo some of the comments of the Member from Georgetown-St. Peters.

When the minister was answering questions during Question Period – or maybe it was right at the beginning when the House opened – he talked about the fact that costs of maintaining these email accounts and storage space on servers was part of the problem.

Now, I fail to see that that is a legitimate reason for disabling or deleting or whatever. I mean, once you close an email account there is no longer any cost, and these days, with the size of backups that we have on computers, the amount of space taken up by

emails is just so incredibly small that I find that hard to imagine.

Also in his comments he just said he was hoping there would be “increase[d] consistent compliance.” Of course, that infers many things. It infers that there’s either inconsistent compliance or perhaps no compliance at all, I don’t know. But this is not the first records management idea that this government has come up with, and clearly they have not complied consistently with previous ones, and therein lies the real problem. It’s not with the rules. It’s with the attitude and behaviour of people surrounding them.

Thank you, Madam Speaker.

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

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

### UPEI Agreements

**Mr. R. Brown:** Madam Speaker, I’m pleased to rise in the House today to recognize the great work and collaboration by the University of Prince Edward Island and its Faculty Association in coming together to reach a four-year collective agreement.

This agreement covers faculty members, librarians, sessional instructors, and clinical nursing instructors through to June 2020.

The agreement contains year-over-year salary increases, workload considerations, as well as cost-sharing on retirement benefits.

By coming to a consensus for a four-year period, UPEI has taken great steps towards a sustainable future for faculty, staff, and students.

The university has also reached a pension agreement which has been ratified by all unions and approved by the board of governors.

It is not only the good news that is coming out of UPEI. In August there was more good news coming out of UPEI. In August the university opened its School of Sustainable Design Engineering. The first class of this new school would graduate next May. The

province was pleased to attend the official opening and show its support by providing a \$16 million grant toward the creation of this fantastic facility.

Recently, the Association of Atlantic Universities released a report that showed UPEI’s enrollment has increased by 3%. This is even more remarkable considering that enrollment across the Maritimes has actually fallen for full-time students. UPEI enrollment growth exceeded that of every other Atlantic school. This is driven by UPEI’s international students recruitment effort which saw an estimated increase of 20%.

It is hard to believe with all this recent success at UPEI that the university still manages to retain one of the lowest student tuition rates in the Maritimes and in Canada.

With all this being said, I would like to congratulate UPEI, its faculty, and staff for its achievements and efforts to making UPEI one of the best universities in Canada.

Thank you, Madam Speaker.

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

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

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

I won’t speak to the contract. My sister and my father both would be involved with that.

But I do want to speak to the wonderful news about the school for sustainable engineering. The minister and I have been out there a number of times for announcements and for planning days and it’s just amazing. I’ve talked to the staff and the professors there a lot. They are – I don’t want to say surprised. They hoped this would happen, but it’s been better than expected for enrollment.

They’ve had community engagement days where they’ve had businesses in to take a look and see if they want to partake in some of the many programs that they offer where students go right into business and do projects. The demand for that day was overwhelming too, so it’s a good news story,

and I encourage the government to keep up the good work on it.

Thank you, Madam Speaker.

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

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

**Dr. Bevan-Baker:** Thank you, Madam Speaker.

This is a wonderful announcement and I welcome it. I look back to April or May of this year when it looked like we were on the verge of another nasty strike, and so it's great for all kinds of reasons that this has managed to come to an amicable conclusion.

As far as the school of sustainable engineering is concerned, unfortunately I was out of the province for the opening of that, but Allan Dale gave me a personal tour of the place, and my goodness, what a fantastic facility that is. It holds great promise for the future.

Of course, the health of the University of Prince Edward Island has a huge impact on the health of the whole of Prince Edward Island, and it's really important that we've managed to get this agreement. Thank you for your work on this, minister.

Thank you, Madam Speaker.

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

Presenting and Receiving Petitions

#### Tabling of Documents

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Madam Speaker, by Command of His Honour the Lieutenant Governor, I beg leave to table Acadian and Francophone Affairs *French Language Services Act* Annual Report 2015-2016/ *Affaires acadiennes et francophones Loi sur les services en français* Rapport Annuel 2015-2016 and I move, seconded by the Honourable Member from Evangeline-Miscouche, that the said document be now received and do lie on the Table.

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

The hon. Member from Georgetown-St. Peters.

**Mr. Myers:** Thank you.

Madam Speaker, by leave of the House, I beg leave to table the Managing Electronic Mail document from March 2015 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.

**Mr. Myers:** I have another.

**Speaker:** The hon. Member from Souris-Elmira.

**Mr. LaVie:** (Indistinct).

**Mr. Myers:** I have one more.

**Speaker:** Sure, I was going to go to him and then go back to you.

The hon. Member from Georgetown-St. Peters.

**Mr. Myers:** Thank you.

Madam Speaker, by leave of the House, I beg leave to table the Managing Electronic Mail document from March 2016 and I move, seconded by the Honourable Member from Souris-Elmira, that the said document be now received and do lie on the Table.

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

The hon. Member from Souris-Elmira.

**Mr. LaVie:** Thank you.

Madam Speaker, by leave of the House, I beg leave to table the questions to the minister of education and early learning 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. Minister of Workforce and Advanced Learning.

**Mr. R. Brown:** Thank you.

Madam Speaker, by leave of the House, I beg leave to table the Design Your Future, the School of Sustainable Design Engineering and I move, seconded by the Honourable Minister of Health and Wellness, 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

Motions Other than Government

**Speaker:** The hon. Member from Kensington-Malpeque.

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

Opposition would like to call Motion No. 47 to the floor.

**Speaker:** Hon. members, it has already been read.

The debate was adjourned by the hon. Member from Rustico-Emerald.

There was an amendment to the motion. We're now speaking to the amendment to the motion.

The hon. Member from Rustico-Emerald, you have the floor.

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

It is my pleasure to speak to this bill. Perhaps, just for the record because everyone here in the House is very attentive and listening closely, I will just remind you, in fact, what the motion is in case you haven't looked at it in a while. The motion is urging the province to exempt all forms of home heating from the HST. I also wanted to mention that the amendment was adding a whereas clause.

It was:

And whereas the Standing Committee on Education and Economic Development recommended – so this is one of our standing committees – in its report to the

House – this was the last sitting – that government consider extending an exemption to the provincial portion of the HST to energy efficient forms of home heating.

Really, what that amendment is all about is – in fact, the recommendation of the Standing Committee on Education and Economic Development is perfectly in line with what this motion is trying to achieve.

I think I have said before I do support this motion for a number of reasons. First of all, I just wanted to go back and make sure we all understand the history of the HST on PEI.

This government in 2012, very shortly after the 2011 general election – where, in fact, this government had campaigned against the HST – in January 2012, I believe it was, a bill was introduced – sorry, it would be the spring session of 2012 – a bill was introduced in this House to bring in the HST almost immediately after the government was elected that promised they were not going to bring it in.

When I look across the floor today I realize that a huge number of members across the floor were a part of that election in 2011 and sat in that same government.

First of all, we have to go back and look at the fact that this HST really shouldn't have been brought in the first place. It was not the will of Islanders. In the general election in 2011 the party that was elected actually campaigned and promised they would not bring it in.

It was, really, in 2013 that the HST came into effect. What we saw with the HST was a combined tax of 14% on goods and services. It's really important to note when we're talking about exempting HST from all forms of home heating that when this HST was brought in, in 2012-2013, it was not brought in in a revenue neutral fashion. In other words, the HST was brought in to give the government \$25 million or so extra revenue that they didn't have before the HST was introduced.

This was really a game contrary to the reasons for an HST to being brought in at all. First of all, the government of the day in

the general election in 2011 campaigned they weren't going to bring in the HST. Then when they brought it in they said they brought in the HST because it was going to help small businesses and it was going to help businesses that had locations in multiple provinces compete.

The idea was you could, if you were a business, claim that tax back. So businesses were locating elsewhere because they couldn't claim back the provincial sales tax of that day –

**An Hon. Member:** They can.

**Mr. Trivers:** – but they can.

However, right away the government didn't bring it in revenue neutral. They tacked on an extra \$25 to \$30 million worth of tax on Islanders. I would say that that immediately negated any positive impact that the HST was purported to have.

So here we are. This is important. It's so important, especially for the Minister of Workforce and Advanced Learning, to understand the history of HST. I know the minister was here at the time –

**Mr. R. Brown:** Yes.

**Mr. Trivers:** – and I'm not sure he entirely recalls that time period.

**Mr. R. Brown:** (Indistinct) I'm rusty (Indistinct).

**Mr. LaVie:** You're (Indistinct).

**Mr. Trivers:** The government of the day said the HST –

**Mr. LaVie:** You're a dinosaur.

**Mr. Trivers:** – was going to bring more money into PEI because businesses were more likely to set up here instead of other provinces because it would be a level playing field and they would be able to claim their HST back.

However, they brought it in –

**Speaker:** Hon. members, the hon. Member from Rustico-Emerald has the floor. I'm trying to hear what he is saying.

Thank you.

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

**Mr. LaVie:** He's got the facts.

**Mr. Trivers:** Really, what it ended up being was a \$25 to \$30 million tax grab. It was really quite shameful, in my opinion.

Here we are. We're looking at that. Not only was this \$25 to \$30 million tax grab brought in, any argument for not making the HST revenue neutral had to do with balancing the provincial budget. Do you think that this government has balanced the provincial budget?

**Mr. LaVie:** Not once, did you?

**Mr. Trivers:** Absolutely not.

**Mr. LaVie:** Not once.

**Mr. Trivers:** It has been promise after promise after broken promise. A \$25 to \$30 million tax grab whose only justification was possibly to balance the budget, and the budget has not been balanced.

Then, to add insult to injury, in the 2015 general election this government again campaigned on not increasing the HST, and what did this government do as soon as they were elected? They announced they were increasing the HST again another 1%.

**Mr. R. Brown:** Harmonized (Indistinct).

**Mr. Trivers:** Yet another tax grab reaching into Islanders' pockets and taking the money. Here we are. We have got a 15% HST, it's arguably not giving the benefits that it's supposed to give, and the balance has not been budgeted.

In fact, we had a great statement from the Minister of Finance the other day about how the deficit is less than originally predicted, but that is still not a balanced budget. Even with the additional revenues from an extra 1% in HST that came in last October.

**Mr. MacEwen:** (Indistinct) left that part out (Indistinct).

**Mr. Trivers:** The reason I mention this is this is extremely important to understand the context of this motion.

When we say we want to exempt all forms of home heating from the HST, this is very important because Islanders are putting out more money on heating their homes than the people in the rest of Canada that they're comparable to.

Also, maybe perhaps even most importantly, when it comes to oil heat this government did exempt oil heat from HST –

**Mr. R. Brown:** Yes, great job.

**Mr. Trivers:** It's a great job if you want to increase the use of fossil fuels on PEI and you want to encourage that.

You say: If you want to use electric heat, guess what? An extra 15%. If you want to use oil, go right ahead, we're going to give you a 15% discount. They're doing the exact opposite, de-incentivising the use of green energy –

**Mr. R. Brown:** (Indistinct) okay.

**Mr. Trivers:** This is a good question.

**Speaker:** Hon. Minister of Workforce and Advanced Learning, the hon. Member from Rustico-Emerald has the floor and he should be the only one speaking at this time.

**Mr. R. Brown:** Well, I was just (Indistinct).

**Speaker:** Thank you.

**Some Hon. Members:** Oh! Oh!

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

I'm really glad the Minister of Workforce and Advanced Learning is listening. I think he probably will learn something from this talk on the motion today.

What we have now is a case where, in fact, green energy has been de-incentivised by the government. It's better to use fossil fuels, oil heat, to heat because you get a 15% discount than to switch to renewable forms of heating.

I've noticed the Minister of Communities, Land and Environment is watching. I know this is a subject that is near and dear to his heart. I know that he has the best of intentions. But let's remember that the road to hell is paved with good intentions. What we need is good actions.

**Speaker:** Hon. Member from Rustico-Emerald, I know you have a very vast vocabulary. That word you just used is unparliamentary and I'd ask you to withdraw it.

**Mr. Trivers:** Right away, Madam Speaker. Sorry, that was (Indistinct).

**Some Hon. Members:** (Indistinct).

**Mr. Trivers:** I know, I know. Pardon me. I do apologize, Madam Speaker, to the House as a whole.

This is a subject I get very passionate about and I apologize.

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

**Mr. Trivers:** What we need, Madam Speaker, is we don't need good intentions, what we need are great actions, actions that are going to help Islanders bring green energy into this province and help them save money at the same time. That's what this motion is all about.

This is also why the amendment was so important. The Standing Committee on Education and Economic Development – this is a standing committee who's been specifically tasked with developing the economy of Prince Edward Island – has recommended that, indeed, HST be removed from renewable energy resources.

What really confuses me –

**Mr. R. Brown:** Energy efficient forms of home heating.

**Mr. Trivers:** Energy efficient forms of home heating which include renewable energy resources, absolutely. What we're talking about here is removing HST, that's what we're talking about. We're not talking about adding HST to home heating resources, we're talking about removing.

I just want to clarify just for the Minister of Workforce and Advanced Learning the difference between adding and taking away. Adding and removing.

**Some Hon. Members:** (Indistinct).

**Speaker:** Minister, you're not (Indistinct).

**Mr. Trivers:** Our Standing Committee on Education and Economic Development has said they would like to see HST removed from home heating oil. They don't want to see money removed from Islanders pockets. They want to see HST removed from home heating oil.

What really confuses me is when the PEI Energy Strategy Consultations took place – I was at several of the energy strategy consultations – people said: Yes, we want to use renewable sources of energy to heat our homes. We want to use solar generated electricity. We want to use heat pumps. We want to use these clean sources of home heating.

Somehow, if I'm not mistaken, the recommendation in the PEI Energy Strategy says: Let's add HST to home heating oil and leave the HST on all the other types of renewable heating sources.

That doesn't make any sense. The standing committee and the people of Prince Edward Island are saying: Let's remove HST from all sources of home heating.

Just to be very clear, this means heat pumps, electric boilers, electricity, wood pellets and indeed, all types of wood burning, solar heat, and other forms of technology. Right now the policy of this government with HST on those home heating sources but exempting oil heat is discriminating against those other heating sources. That's why it's so important it's removed.

The reason why it's important we have these clean and alternative – that is, non-fossil fuel – and renewable heating sources is because, as this government has said time and time again – and their counterparts at the federal government level – what we really need to do is we need to reduce greenhouse gases in this province. We need to reduce our carbon emissions because carbon emissions

contribute to greenhouse gases so that we can reduce global warming.

In fact, this motion is really all about reducing global warming carbon emissions and greenhouse gases. That's what we're talking about here, that's why this is such an important motion. You have to peel back the layers on this. I'm not sure that all the members in this House fully appreciate how profound this motion actually is and how much it affects.

In this province when we talk about carbon emissions and reducing greenhouse gases, the federal government has given us an ultimatum. They have told us: Either you put in carbon pricing or we will force you to put in carbon pricing. We, of course, are forced to move ahead with that agenda. I know the Minister of Communities, Land and Environment is looking at that very closely. I know the Minister of Economic Development and Tourism is wondering what is this going to do to the bottom line of Island businesses because he must be very concerned about them.

The fishers and the farmers who right now have very few alternatives but to use fossil fuels in the work they do, they're probably also very concerned about how Prince Edward Island is being evaluated in terms of measuring its reduction to carbon emissions.

We're one of the provinces in Canada that has done the most to reduce our carbon emissions already. Yes, the Minister of Workforce and Advanced Learning is taking credit for that. I'm not all that surprised.

The good work that Islanders have done, the way that this carbon pricing is being brought in, is actually penalizing Islanders because we've done good work in 2009, and perhaps the Minister of Workforce and Advanced Learning can correct me if I'm wrong. In 2009 we already had a very large portion of our electricity on PEI being produced through wind power, a lot of it. When they say that we have to reduce our carbon emissions based on 2009 or 2010 levels, we are going to have a much more difficult time doing the reduction than our neighbouring provinces who hadn't already taken those proactive steps. It's not really a level playing field, and I really hope that the Minister of

Communities, Land and Environment will fight for that.

One way that we can really make sure that Islanders do their best to contribute to reduction of carbon emissions and greenhouse gases is by incentivizing the use of clean and green renewable energy. That includes wood pellets and boilers and things like that, electric boiler, heat pumps.

Just by taking HST off of all sources of home heating we are going to automatically incentivize the reduction of greenhouse gasses. In fact, this is a fantastic way to work towards a reduction of carbon emissions.

I just want to urge all members of this House to take a really good look at this motion and consider the broad-reaching ramifications of what we're talking about here, because they are broad-reaching. It's an extremely important motion, and it's a motion that's been endorsed by the Standing Committee on Economic Development and Education. It's a motion that's been endorsed by Islanders during the PEI Energy Strategy consultations. This is something Islanders are asking for. It would directly hit the pocket of every Islander that needs to heat their home, which is essentially every Islander. Especially the lower income Islanders, it would hit them proportionally more. In other words, it would be more beneficial to them on a percentage basis.

I want to urge every member in this House to strongly consider voting in favour of this motion.

Thank you, Madam Speaker.

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

**Speaker:** The hon. Member from Belfast-Murray River, speaking to the amendment.

**Ms. Compton:** Could I have the podium, please?

Thank you very much, Madam Speaker.

The first thing I'd like to say is the power is back out in a number of communities across PEI, so we're moving forward, one step forward and two steps back.

Quite happy to stand and speak to this amendment to the motion on removing HST from all heating sources.

When you talk to Islanders they're very concerned with the amount of tax that they pay, and that includes the HST on heating sources. I know all Islanders are concerned. They want to be treated fairly when it comes to heating their home with all different kinds of energy sources. I think we can look at the power outages we've experienced across the province in the last week and a number of those homes are heated with furnace oil. Just imagine if maybe they would have had an alternate source that they weren't going to be charged HST on. They would probably consider that. Look at young families in Iona with a young family with a new baby, and seniors.

I know when this was discussed beforehand a number of the seniors, when they get older it's harder to heat your home with wood, which is a source that we use a lot in the country, and so they turn to electricity. I remember having this conversation with a number of seniors who felt they were being punished by this province because they were paying the HST on electricity as their form of home heating. With many seniors, most seniors, they're on a fixed income, and when you reach back into their pocket for more money – and increasing the HST is doing that this season – this winter they're going to feel that, especially those that are heating with something other than oil.

There have been many editorials written about this and lots of talk about it in the media. We've heard from Islanders at legislative committees. We've seen them on t.v. asking this government to come through and be fair to all Islanders. We've also heard from young families about, as the hon. Member from Rustico-Emerald talked about, the carbon footprint that they're creating and how they want to make a difference to this province and indeed to the country.

We know, federally, that the prime minister is all about removing and reducing our carbon footprints, so as a province it would be great if we could be forward thinking and look at the amendment that we're adding to this motion.

Again, I mentioned Islanders want to be treated fairly. This tax fairness in home heating has fallen on deaf ears. It appears that when it comes to this issue government is not listening.

The PEI Real Estate Association in one article, for example, urged the province to exempt all forms of home heating from the HST, not just oil. We hear it over and over again, and I think the onus is on this government to ensure that we look at that, and not only look at it but carry through on it.

The real estate association suggested that over the past decade homebuilders have been switching to more efficient and environmentally friendly heat sources like heat pumps and electric boilers. I think that that shows that Islanders are concerned with the form of heat that they are using.

Again, it was stated by the association that Island homeowners feel that they are being punished by this government's policy. It charges 5% HST on heating oil, which is now 15% on everything else. Our opposition simply does not understand why this government wishes to punish Islanders who are trying to heat their homes more efficiently. Islanders who are utilizing heat pumps or wood pellets, for example, feel they are being penalized by this government.

Doesn't this government want to lower its carbon footprint? We know there is going to be a carbon tax implemented. It's what we keep hearing from the federal government and it sounds like we as a province are going along with it, so this is a way to reduce our carbon footprint.

The high price of oil in the past has driven many Islanders and apartment owners to move to electric heat, like I stated earlier, and especially seniors. I know that they look at their bill every month and say: Wouldn't it be great if we could save that amount of tax off our bill?

Government encourages the use of alternative heat sources and then punishes people for choosing those sources. I find it interesting that Maritime Electric's website, for example, talks about the benefits of utilizing ground source and air source heat pump installations for home and business

space heating. These sources run solely on electricity, produce no emissions on their own, and use less energy than their electric baseboard or electric boiler counterparts, choices that Islanders are making on their own as an alternative, paying more tax to reduce their carbon footprint.

Pellet fuel is another choice that we can look at. Pellet fuel appliances burn compacted pellets, usually made of wood. But they can also be derived from organic materials. Some models burn nutshells, corn kernels, and small woodchips. Pellet fuel appliances are more convenient to operate than ordinary woodstoves and fireplaces and much cleaner, and have much higher combustion and heating efficiencies. As a consequence of this, they produce less air pollution. In fact, pellet stoves are the cleanest solid fuel residential heating appliance, so again, reducing our carbon footprint by less air pollution.

Their discriminatory stance on tax fairness for heat extends to heating fuel, natural gas, propane, firewood, wood pellets, coal, kerosene, solar, and firewood. Minister, your HST tax policy is flawed. Islanders want to see a change.

I know right now in my own district – I saw it on Facebook – people applauding the fact that they finally had power after 75 and 86 hours and how they were cold. A number of my neighbours moved into Charlottetown so that they could stay warm, and it's very concerning because most of them do have oil as a heating source. I think that if they had another heat source they would have been fine to stay in their own homes.

What our party and our caucus is seeking is fair and equal treatment of heating sources for all Islanders. This government's unfair tax policy hurts all Islanders who heat without heating oil.

We now have a two-tiered HST when it comes to heating our homes in this province. It's unfair and, frankly it's frustrating that this government just refuses to listen, to be fair to our citizens.

Previously one of our members talked about a retired Island couple who wrote a letter to the editor in 2013 saying: "By exempting oil from this new tax, the government of PEI

has created an unfair and unequal and biased policy.” Also referred to a *Journal Pioneer* editorial that stated: “If heat is so vital” – which we all know it is, especially in the last week – “that those who use oil benefit from an HST rebate, then it only stands it reason that the same apply across the board, be it electricity, wood pellets, or recycled French fry oil.”

Government must see the irony in their position.

I found it interesting to read the minister of energy’s presentation to the Standing Committee on Infrastructure and Energy. In her presentation she indicated that:

“The new energy strategy will be based on three fundamental principles: security of supply, responsibly sourced, and fairly priced. These will provide residents and business with a sustainable energy strategy that will provide significant economic and environmental benefits in the years to come.”

She further stated that:

“In the meantime as a government, we will continue to work with all Islanders to engage them to use energy more efficiently, to implement conservation measures to save money, and to take other steps that reduce their environmental footprint.”

If the energy minister truly believes this, then government needs to take action. Take action on the amendment that we have in this motion and take action on the motion. They need to make sure that alternative sources of energy receive the same tax benefits as home heating oil.

It is quite shocking to know that while the previous PC government developed incentives to get Islanders to switch to green energy by ensuring that PST would not be charged on geothermal units, woodstoves, and furnaces, and exemptions on biomass fuel such as wood pellets and firewood, what did this government do? It turned around and cancelled those rebates, and then clapped those heating sources with HST.

I have one constituent who built a lovely new home and spent the money on a geothermal heating unit because it was

going to be greener. She was going to conserve energy. She thought she was doing her part for the province, and she would say the world, and lo and behold, spent the extra money to put in the geothermal heating unit and then gets slapped with HST on her electricity to heat her home. Very upset about that. I’ve had a number of conversations with her. It’s no wonder Islanders have lost trust in this government.

This extra nine percentage points of tax on an average heating bill of \$4,500 has cost Island households an additional \$1,250 out of their pockets. Imagine how much food that would buy with all the freezers that have been without electricity and all the food that’s had to have been thrown out in the last week.

This tax burden on Islanders who are trying to be environmentally responsible is overwhelmingly wrong. It’s time for government to acknowledge its mistake and ensure that all home heating fuel is HST exempt.

The Premier of this province spent thousands of tax dollars flying around the world to talk about global warming, increasing his global footprint. Yet he lands back on PEI and thinks nothing of brushing off the fact that he is encouraging global warming by encouraging Islanders to use oil to heat their homes, while discouraging Islanders from using more efficient heating methods.

There appears to be a high level of hypocrisy amongst the members of the current government when it comes to their concerns about energy conservation and global warming. If you look to your federal counterparts who are pushing us to implement a carbon tax and implement reducing our carbon footprint you should be very concerned.

While this government pretends it will someday balance our budget, Islanders are burning oil because their government makes it beneficial for them to do so.

Opposition is asking for government to be open to policy change and to allow all forms of home heating sources to receive the tax benefit that oil does. I would ask all Members of the Legislative Assembly to

support this amendment to this motion and to support this motion.

Thank you very much, Madam Speaker.

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

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

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

I'm asking for everyone to support this motion because, I think, we need to go back and look at Islanders and the hardships that they are feeling. They are feeling the hardships.

I had one minister tell me one day: I don't know what you're getting so upset about, it's only 1%.

You take 1% out of somebody's pocket who is only making \$19,000-\$20,000 in a house, 1% is a lot. You take that 1% and you add it onto every other thing that that 1% applies to from 14%-15% and it adds up to a lot: 1% on every litre of gas; 2.3% on Maritime Electric rates back in April with another 2.3% this April coming up.

It's fine to sit in here and think it's not important, or think that it's not going to really make much of a difference, but to somebody, a single mother with three or four kids – and I know of instances in Bedeque – 1% is a lot of money.

We talk about carbon footprint and climate change, that we must take action to change the way we do business in the world. Yes, we do, but how can we expect people to bring in these changes if they can't afford to do it because we keep on taking money from their pockets? I think that's reality.

I'm very sincere about this. I think we've gotten away from thinking of the basic needs of Islanders – the families and the seniors who are trying to stay in their homes, they're trying to support their kids, trying to provide the best life they can to them, but we keep on taking more.

We look back last week when we talked about this new insurance premium act. There is going to be a little bit more money

coming out of every Islander's pockets because of this act. It may not be much. It might only be \$10 or \$20, or maybe \$50 a year. That \$50 amounts to something for low-income Islanders.

If you think of all the people down east right now that have no power and they're forced to go to a gas station to get gas to keep a generator running, or they're forced to throw food out, that's a lot to those people. Yet we don't really do anything to put money back in their pockets.

I think we should be taking the HST off of all forms of heating going into someone's house whether it be electricity, whether it be a pellet boiler, or whether it be stove oil or furnace oil. We need to put money back in Islanders' pockets so that they can spend it on their families.

I think this is a very serious motion and I think that we need to consider how actually hard times Islanders are having.

Thank you.

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

**Speaker:** The hon. Member from Kensington-Malpeque.

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

Our opposition brought forward this motion in the interest of tax fairness to Prince Edward Islanders who are paying some of the highest heating costs in the country.

As stated previously, government's decision to make heating oil exempt from HST was certainly appreciated, but unfortunately there are many Islanders who use other sources of energy to heat their homes and their needs were completely ignored.

This Legislative Assembly is well aware that our province is heavily dependent on fossil fuel for fuel-based energy, most of which comes from off-Island sources. According to our own energy minister, imported oil accounts for about 75% of Prince Edward Island's total energy supply. That comes to a total cost of more than \$500 million annually.

During a presentation to the Standing Committee on Infrastructure and Energy the minister warned, at the time, that: "Despite the current drop in the price of fossil fuels, we know that in the long term these costs will continue to rise." She argued: "... continued use of fossil fuels threatens to undermine the social, economic, and environmental well-being of this province and its people." She pointed out: "As well, the use of fossil fuels is having serious adverse consequences for climate change and other environmental issues."

I found her words somewhat ironic in that her government's HST policy seems to fly in the face of Islanders desiring to utilize cheaper and more environmentally friendly energy sources.

The minister was quite adamant in her desire to see this province move away from fossil fuels as a form of energy source. In fact, she stated: "That this is why renewable energy, clean and green, is not only an option for the future, it is the only option for the future..."

If government continues to discriminate against Islanders who are trying to find cheaper and more efficient forms of energy to heat their homes, then I do not see where clean and green will become the norm in our future.

The minister states that clean and green is the path that the province must pursue, while at the same time we see her supporting a policy that does not direct that.

The hon. minister seemed very proud of her presentation to the committee. I must say it was an excellent presentation. She would be proud, but unfortunately by giving a tax break for fossil fuel users, while punishing those who utilize other heat sources, she's essentially talking out of both sides of her mouth.

Our provincial energy minister talked frequently about her Liberal counterparts in Ottawa and their commitment to use the words clean, renewable energy sources. She said their policies reflect the province's energy priorities, but I fear those are only fancy words. They certainly lack sincerity if one looks at the current policy on HST when it comes to home heating.

Why does the minister not push her government to provide an incentive for utilizing alternative forms of home heating sources and provide the same break as they apply to oil? In her Cabinet post as energy minister I have yet to have heard her talk about the inequity, although she has talked about everything else. It will be interesting to see how she votes when the vote comes up on this motion.

I don't know how she could, in good conscience, vote against our motion. Anyone, who reads her lovely presentation on the energy committee would certainly question her sincerity.

Our energy minister talks about the new energy finance report which indicates that with bold policy action zero-emission sources of energy will make up 60% of the added world's energy capacity within 25 years. Minister, I have my doubts that given this government's energy policy on HST we will be a part of a global energy success.

In Prince Edward Island oil heats 81% of Island households. Surely that is not a figure we should be proud of. I would gather that the other 19% of Islanders no doubt resent the fact that they are being taxed unfairly for utilizing other heat sources.

The former minister and current Minister of Finance have both suggested they would look at providing tax fairness to Islanders who use heating sources that are not oil, once they balance their budgets. After consecutive deficit budgets under this government Islanders are skeptical that this will ever happen. They are tired of getting their hopes up that government will keep its promise to balance its budget every year, and it never happens.

Your government knows that your policy is not fair. You know it is not progressive nor is it encouraging Islanders towards energy efficiency and green energy sources. One thing I noticed, which was a big eye-opener for me when I was going door to door, one of the big things when I came to a seniors' home or a low income, they had to pick and choose whether they got food that week or medication that week or how to pay the bills. All of the bills never got paid and their concern was: How were they going to get through the week on the little that they had?

I give credit where credit is due to them because on what people are surviving on right now in Prince Edward Island, I think the last number was 72% of Islanders are one paycheque away from bankruptcy. They are living within their means. If somebody was to get sick or they couldn't get to work for a few days, they are behind. They might be able to take something off their credit card or a line of credit, but for those who don't have that luxury they go without, and it was a big eye-opener for me.

I always scratch my head when you stop to talk to seniors that are taking in \$900, \$1,000 or \$1,200 a month and surviving on that. It is remarkable that they're even doing it, but these are the people that have built our great nation and our great province, and I think they deserve to be treated better than that.

One thing I did notice, too, and I talked to a gas station owner – he said over the last few years he has seen things really bad. People are showing up at his gas station with jerrycans and they're not filling the jerrycans, they were putting \$5 or \$6 of heating oil in just to get through the next day. He said there's not one or two going through, he said there's a lineup every day. What he said to me, he said 10 years ago there'd be the odd one, but you couldn't see people like that. But he said now it's happening daily.

I would ask all members in this House to support the amendment on this motion and urge government to take immediate action to address this tax inequity.

Thank you, Madam Speaker.

**An Hon. Member:** Hear, hear!

**Speaker:** The hon. Member from Souris-Elmira.

**Mr. LaVie:** Thank you, Madam Speaker.

It is a great motion when we're talking about the pockets of all Islanders, especially when we're taxing the province that is broke. This government got us in a deficit. The HST that people can't afford.

Our motion simply seeks a level playing field. At standing committees we heard from

different organizations. We heard from people. We heard from seniors. Lots of presentations, lots of concerns, HST. We see it in the paper, editorials in the paper. We read them daily, HST and heating oil. These people are living from day to day, barely putting groceries on their table. Some of these people are not buying their medicine. Something has to go and it's usually the medicine that goes because people need heat, they need food, and they need clothing. Some of these families are young, with young kids. Some of these kids are going to school hungry. Some of these kids are going cold.

I know a senior couple living in a home, no oil barrel and no furnace. I spent two and a half hours there with them. They were burning wood in the kitchen, going outside and cutting trees down out of the backyard. That's what they were burning in the kitchen stove. I was sitting in the kitchen with them and I was cold. They had no hot water because they had no oil. They couldn't afford the new oil tank and they couldn't afford the oil to go in the oil tank. Both of them on medication and they couldn't afford that. Both of them are sick.

Their granddaughter was over with them one evening and a commercial came on t.v. of a movie that was being advertised at the cinema, and the granddaughter said she would love to see that movie. This senior couple saved up their money to take their granddaughter to the movie. They saved up for quite a while because not only did they have to save for the movie, they had to save for the gas and had to save for a lunch for the granddaughter. When they went to the movie the grandparents didn't eat and they had a voucher for popcorn.

When we raise HST it doesn't sound like much, but when you get a family like that it's a lot. I was out to visit this couple again to see if things were any better, and they weren't. If anything, it got worse. They shut their t.v. down. They had no t.v. They were telling me they were just doing well to hang onto electricity and their car. That's one thing they don't want to lose is their car. They live out in the country, and when they lose their car how do they get groceries? It's a couple, our seniors, and they don't want to put anybody out of their way even if it is

their kids. They just don't want to be a burden on anybody.

Tax fairness for all Islanders is falling on deaf ears, for sure, as the hon. member said before me. This government, this finance minister, you didn't listen. You wouldn't listen. You were just worried about your own account. You were worried about your department. You weren't listening to opposition.

We heard another hon. member speaking about the real estate on Prince Edward Island, asking the province to exempt HST from heating oil. We heard another speaker say the homebuilders. They suggested that over the past 10 years homebuilders have been switching to more efficient and friendly heat sources like heat pumps and electric boilers. We see heat pumps. Islanders are shifting over to heat pumps.

Again, raising the HST fell on deaf ears and the minister of finance did not listen. This Premier did not listen.

Actually, it's going to be hard to get back to Mr. Speaker after saying Madam Speaker for so many years and then we went Mr. Speaker and now we're back to Madam Speaker. It's going to be hard to get used to. This government has not only got the people of Prince Edward Island dizzy from HST, you're going to have your own members dizzy.

The homebuilders stated that people who buy home are being punished. That's coming from the homebuilders. I know the government doesn't want to listen to opposition, but when you're hearing it from your own people right across Prince Edward Island, when people are stating that people that run the economy across PEI – and the minister of economic development should be listening to the people of Prince Edward Island.

**Ms. Biggar:** (Indistinct) here listening.

**Mr. LaVie:** He should be listening to the people.

**Mr. R. Brown:** He is.

**Mr. LaVie:** If you don't want to listen to us, listen to the people. The homebuilders are

being punished by the government policies and that's coming from the homebuilders.

Opposition just doesn't understand why government would up the HST. You're not listening to the people and you're not listening to opposition.

People want to heat their homes. People deserve heat in their homes. People do not deserve the HST. A lot of heat pumps go in, a lot of pellet stoves. The people figure they're being penalized for what they think is doing right. They are. With heat pumps, pellet stoves, that's a move in the right direction. We always talk about lowering the carbon footprint, and when people do it we penalize them. We penalize the people for what we're asking them to do.

The high price of oil drove many Islanders and apartment owners to move towards electric heat. They did that, and what did we do? We penalized them with HST, people that can't afford HST. Somebody has got to pay this. Who's going to pay it? It's the poor people that are paying the rent. That's who ends up paying.

Any time somebody makes a change to lower our carbon footprint should not be penalized. Whether it be pellet stove, electric car –

**Ms. Biggar:** Thousand dollars for a pellet stove.

**Mr. LaVie:** It is \$1,000 for a pellet stove.

**Speaker:** The hon. member has the floor.

Thank you.

**Mr. LaVie:** It is expensive and it's clean. But let's say – and the Minister of Finance there, you can do the math on this – let's say a bag of pellets – this is going to be a rough estimate – a bag of pellets is probably \$6.00.

**An Hon. Member:** Six twenty five.

**Mr. LaVie:** Six twenty five, let's not make it difficult. Let's say \$6.00. Just say a pellet stove, a bungalow on an average day –

**Some Hon. Members:** (Indistinct).

**Speaker:** The hon. Member from Souris-Elmira has the floor.

Thank you.

**Mr. LaVie:** Madam Speaker, they got it all figured out and I haven't given them figures yet. Everybody got it figured out. That's what is wrong with this government, you don't stop and think.

Now, listen, pellet stove, just your ordinary three-bedroom bungalow. A bag of pellets is 6.25. Let's say 30 days in the month. That's \$6.00 a day, 30 days, so what we have got? How much money does it cost?

**An Hon. Member:** One hundred and eighty.

**Mr. LaVie:** One hundred and eighty, there you go. It will cost them \$180 a month-plus to heat with a pellet stove. So, \$180 a month is expensive. What's the HST on that? Minister of Finance, you got the calculator out. You can let me know when you find out.

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

**Mr. LaVie:** When you say it fast, say it by day, it doesn't sound like much. But 30 days at \$6.00 adds up. It doesn't sound like much when you say \$6.00 a bag. You go 30 days and then go six months. What happens is these people that got to heat their homes, something has got to lack.

God rest his soul, he's gone now for three years now – I remember my father was sick, he had heart problems, he had 20% of his heart. But he came home from the hospital and his medications and everything would be paid for while he was in the hospital so he was doing well. You could see him going down and down each month. What would happen? He had to have heat and he had to have food. He couldn't afford the medication. That's exactly what happened. Every three to four months he would go to the hospital. They'd get him fixed up and you'd see him slip into that. That went on for a couple of years. The doctor did tell us that: Someday your father just will drop if he keeps that pace up. That's exactly what happened, what the doctor told us.

When we're talking about people on Prince Edward Island that can't afford HST, it's

serious. It goes on. You guys see it. We see it every day in our districts as we're out.

Last Monday I was at a house. A pretty sad situation, I thought. It was a sad – not even thought, I know, it pretty near had me in tears, and I'm a pretty sentimental guy. They called me up. I was there for two and a half hours. Nice people, I knew the people for years, they're a couple who moved here back, I'm going to say, 30 years ago in the fish dragger days. He was a fisherman. Real nice couple, and she's a real nice lady. He couldn't work anymore because of health problems. He was on three puffers. When I was sitting there talking to him you could tell he was on three puffers, and he was out of puffers. He was on disability; \$725 a month.

She, a real nice lady – if I was to hire a lady, this would be the lady. She's nice, she's a hard worker, she's got everything going in a worker. She has a skin disease and it's genetic. It goes right down from her mother to her to her grandchildren and her kids. She wasn't working.

We have got \$725 going into that household monthly. He had a grandson that committed suicide in Newfoundland. They couldn't afford to go to Newfoundland. Worse than that, they couldn't even afford to send a card. They were down and out.

He had a roof over his head. They had a roof over their heads. When they cooked a meal it lasted for three days, that one meal. They made sure they got the last piece of meat off the bone. This is the kind of stuff, not only I hear it, you guys hear it, everybody hears this in their districts. It's out there.

We shouldn't have people out there, low-income families living off of \$725 a month. When the oil man comes he's charged HST. HST in whatever he buys. Gas for his car.

We have got to reconsider our HST. Please, Premier, finance minister, would you please reconsider the HST? Minister of Finance, if we need to tax people to make revenue on Prince Edward Island we're in trouble. The minister of economic development is not doing his job.

**Mr. R. Brown:** He is, that's a bad (Indistinct).

**Ms. Biggar:** (Indistinct) great minister.

**Mr. LaVie:** If we have to raise taxes to get revenue on PEI the minister of economic development is not doing his job.

**Mr. R. Brown:** He came in (Indistinct) 20 points (Indistinct)

**An Hon. Member:** (Indistinct) that's a great point (Indistinct)

**Mr. LaVie:** You're listening to the feds –

**Speaker:** The hon. Member from Souris-Elmira has the floor.

**Mr. R. Brown:** He asked me a question –

**Mr. LaVie:** Minister of Workforce and Advanced Learning –

**Speaker:** That's not how it works, hon. member.

**Mr. LaVie:** You're reading too many federal books back in your office. We're in provincial now.

I mean it when I say it, if we have to raise taxes to get revenue we have a problem. This is not the first time I have seen taxes raised in the five years that I have been elected. What's changing? This is the second tax hike I have seen this government raise for revenue.

You just heard me speak about two families, seniors and low-income. The first family was after the first election. The second family was after the last election. The situation is the same.

What we need is for economic development to bring work to Prince Edward Island. People need work, not raised taxes on them.

This HST tax hurts all Islanders who heat with heating oil. The worst of it is it hurts the low-income Islanders harder.

We see the low-income Islander parks his car. He can't even afford to run the car. I see them with my own two eyes, people shutting off their televisions. I have seen that. I was at another lady's house with the t.v. shut off.

Members talk about a retired Island couple who wrote a letter to the editor when HST was coming in to effect. What this couple wanted was removing oil from the tax, the HST. But this Minister of Finance and this Premier wouldn't listen to the people when they spoke across Prince Edward Island. Wouldn't listen to opposition. Opposition was listening to the people. We didn't want to see a tax.

If we have to raise taxes on PEI the second time, the minister of economic development can't be doing his job. The Premier should have somebody in that position – somebody should be in that seat that will bring work to Prince Edward Island.

**Mr. R. Brown:** We've got the best person in the seat right now. (Indistinct).

**Mr. LaVie:** Madam Speaker, no.

Minister, when you hear of taxes going up you should be squirming in your seat because people are being taxed on PEI because of your failures. You should be able to bring it. We put a Confederation Bridge in. What's happened since the Confederation Bridge came?

**Mr. R. Brown:** Good things.

**Mr. LaVie:** Good things. What's happened since that Confederation Bridge came? We were supposed to be the booming Island. We were supposed to be booming.

**Mr. R. Brown:** The 'Reverend Colin LaVie.'

**Some Hon. Members:** (Indistinct).

**Speaker:** The hon. Member from Souris-Elmira has the floor.

**Mr. LaVie:** Thank you, Madam Speaker.

When the Tories went out you had a bank account. You had a bank account.

**An Hon. Member:** Two point one million.

**Mr. R. Brown:** The cupboards were bare. I was there. (Indistinct).

**Mr. LaVie:** No they weren't. No.

**Mr. R. Brown:** We opened them up. The blue books showed – and there were a few mice running by, Mike Currie and Pat Binns.

**Mr. MacEwen:** Surplus.

**Mr. J. Brown:** Boxes with nothing in them. (Indistinct).

**Some Hon. Members:** (Indistinct).

**Speaker:** Hon. members, the hon. Member from Souris-Elmira has the floor.

**Mr. LaVie:** Actually, Madam Speaker, if my memory serves me right, and some of you won't remember this, you were probably still in school, I think our government came up with five surpluses since 1981.

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

**Mr. LaVie:** I imagine you'll be researching that when you go back to your office, but I think I'm right. I think.

**Ms. Biggar:** Fact check.

**An Hon. Member:** Eighty-one.

**Mr. LaVie:** I think since 1981.

**Speaker:** The hon. Member from Souris-Elmira, are you speaking to the amendment?

**Mr. LaVie:** Yeah.

**Some Hon. Members:** (Indistinct)

**Speaker:** Hon. members, we have about 12 minutes left.

**Ms. Biggar:** Let's listen.

**Speaker:** Thank you.

**Mr. LaVie:** Madam Speaker, get back on track.

**Speaker:** Thank you.

**Mr. LaVie:** Madam Speaker, I, too, have found it very interesting to read that the minister of energy presentation to the Standing Committee on Infrastructure and Energy, she indicated that a new energy

strategy would be based on three fundamental principles: security of supply, responsibly sourced, and fairly priced. Fairly priced, so what happened?

**Mr. R. Brown:** Can we answer him, Madam Speaker?

**Mr. LaVie:** The HST happened, Madam Speaker.

You weren't counting on the Premier and the finance minister to raise the HST. Or were you when you made that statement? She also stated that she'll work with all Islanders. She'll work with all Islanders and she'll engage them in energy more efficiently.

**Ms. Biggar:** Efficiency PEI.

**Mr. LaVie:** Yeah, but then you couldn't have known that the Premier and the finance minister were going to raise the HST, or did you? You probably knew. You were in Cabinet so you would know. All Cabinet knew, all Cabinet members knew. You all raised it. These decisions are made at the Cabinet table.

You fellows knew it was coming, the HST, when people of Prince Edward Island were saying no, especially the most vulnerable people, the seniors, the low-income families.

The energy minister truly believes this, that government needs to take action. They need to make sure that alternative sources of energy receive the same tax benefits as home heating oil. Home heating oil has HST on it.

It's quite shocking to know that while the previous Conservative government, our government, developed initiatives to get Islanders to switch to green energy – and people are (Indistinct) heat pumps, we've got the pellet stoves. Actually, I was talking to one of the salesmen up my way probably six weeks ago, and he said the eastern end of the Island is probably his busiest for heat pumps. Yeah.

**Ms. Biggar:** Great, make sure they apply for the rebate.

**Mr. LaVie:** Yeah, but you're charging them HST. Am I right? That's why you want

them to buy it, so you can get your HST. That's where the economic development minister is failing. If he'd do his job you wouldn't be looking for the HST raise.

No wonder the people have no trust in this government. This is the second raise in taxes in my short stint here.

**Mr. J. Brown:** You've been here too long.

**Mr. LaVie:** This tax burden on Islanders who are trying to environmentally be responsible is overwhelming and wrong. It's wrong, Mr. Speaker – Madam Speaker, sorry.

Good job you (Indistinct) if you had to stop and correct me every time I said that, or slap my fingers, I'd have broken fingers.

The Premier of this province spent thousands of taxpayers' dollars. He travels. When Christmastime is coming and people can't afford Christmas because of the taxes, the HST we put on them.

Even our food banks are up. Yes, the minister of economic development, the way he looks at me – sorry, but that's out there. Those food banks are up. Minister, why are those food banks up? Maybe those are some good questions; maybe we can get some good questions out of this for Question Period. Some good questions coming up here.

Here we are taxing the province for revenue, but we don't mind spending \$65 million on a highway that wasn't even in the capital budget: We'll just tax them, we'll pay for that, we'll find the money somewhere.

You guys know where the money is coming from, you just raise taxes. That's what we do in PEI, we raise taxes.

You started off in 2007 with just over \$200 million surplus –

**Mr. J. Brown:** Oh, go on.

**Mr. R. Brown:** No.

**Mr. J. Brown:** Go on.

**Mr. LaVie:** You did.

**Mr. R. Brown:** No.

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

**Mr. Myers:** No, no.

**Mr. LaVie:** You were still in school.

**Mr. J. Brown:** (Indistinct).

**Mr. LaVie:** You were still in school.

You started off with a surplus and look where we are at today.

**Ms. Compton:** Wouldn't you love to have (Indistinct)?

**Mr. LaVie:** That's in 2007.

**Some Hon. Members:** (Indistinct).

**Speaker:** The hon. Member from Souris-Elmira has the floor.

**Mr. R. Brown:** We spent about six months patching that hole.

**Mr. J. Brown:** (Indistinct) the treasure chest got buried.

**Mr. LaVie:** Okay, anyway, it's costing – the Minister of Finance will probably shake his head 'no' at this –

**Ms. Compton:** He probably will.

**Mr. LaVie:** The Minister of Finance is costing us \$32,000 a day in interest.

**Ms. Biggar:** He is shaking his head right now.

**Mr. LaVie:** Sorry, \$332,000.

**Ms. Biggar:** He is shaking his head.

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

**Mr. LaVie:** See, he is shaking his head.

**An Hon. Member:** Three hundred and thirty-two thousand dollars (Indistinct).

**Mr. LaVie:** I knew he would. I knew he would disagree with me, but that's what it is costing us. That's what it is costing us.

**Mr. Trivers:** I had to go to bradtrivers.com to find out.

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

**Ms. Biggar:** (Indistinct).

**Mr. LaVie:** So \$332,000 a day interest. The Minister of Finance is shaking his head, but it is true.

**Ms. Biggar:** Yes, he is shaking his head.

**Mr. LaVie:** He is.

**Some Hon. Members:** (Indistinct).

**Speaker:** Hon. Member from Souris-Elmira, are you finished?

**Mr. LaVie:** No.

**Speaker:** Sorry, (Indistinct) talking.

**Mr. LaVie:** I'm just waiting until everybody else finishes up.

**Mr. R. Brown:** We'll leave and come back and he'll still be talking.

**Mr. LaVie:** Madam Speaker, it all boils down to it.

On Prince Edward Island we raise taxes for income. That's how we do it.

**An Hon. Member:** They do.

**Mr. LaVie:** Yes.

**Ms. Biggar:** (Indistinct) for health care.

**Ms. Compton:** This government.

**Mr. LaVie:** For health care?

**An Hon. Member:** We do, he said it. We do.

**Mr. LaVie:** You're spending \$65 million on a highway. You put in the hills of Borden up there, you put 16 bulldozers – you spent \$30 million up there on just – for how much?

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

**Mr. R. Brown:** Come on now.

**Mr. LaVie:** Oh no, this is on the highway up there.

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

**Speaker:** The hour has been called, hon. members.

Hon. members, this House is in recess until 7:00 p.m. this evening.

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

Matters of Privilege and Recognition of  
Guests (II)

**Speaker (Watts):** The hon. Minister of Communities, Land and Environment for recognition of guests.

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

Before I begin tonight I'd like to recognize some very important visitors in the gallery tonight. Of course, we have Christine MacKinnon and Samantha Murphy, members of my great staff –

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

**Mr. Mitchell:** – who will be assisting tonight.

As well, my sister Judy Hughes and her granddaughter, Hannah Richard, are in the gallery tonight, my grandniece. Hannah is doing a project for school about learning outside the classroom. She thought she would come down here tonight to see how laws get made for Prince Edward Island and how debate occurs in here. I think it would be a very educational evening for you tonight, Hannah. I think everyone will be on their very best behaviour because you're here tonight, as well.

Thank you, Mr. Speaker.

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

Orders of the Day (Government)

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

**Ms. Mundy:** Mr. Speaker, I move, seconded by the hon. Minister of Communities, Land

and Environment, that the 4<sup>th</sup> order of the day be now read.

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

**Clerk Assistant and Clerk of Committees:** Order No. 4, *An Act to Amend the Municipalities Act*, Bill No. 24, in Committee.

**Ms. Mundy:** 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.

I will call on the hon. Member from West Royalty-Springvale to come and continue chairing this bill.

**Chair (Dumville):** The House is now in a Committee of the Whole House to take into consideration a bill to be intitled *An Act to Amend the Municipalities Act*.

At our last meeting we just continued with progress and there are a couple of items in regards to the hon. Member from Rustico-Emerald.

I'll give the (Indistinct) the minister for an overview.

**Mr. Trivers:** Yes, please, that would be great.

**Mr. Mitchell:** Hon. members, as you recall, on this particular bill, the act to amend the municipal act that has been in place for a number of years, the purpose of the amendments that we had brought forward from the department were to allow us to continue working with some communities that are working on becoming larger regions.

While the bill was on the floor there were some amendments brought forward by the hon. Member from Rustico-Emerald. We reviewed those. We brought them to Legislative Counsel and we've determined that those amendments can stand. They will be added to the bill.

With that we are fully in agreement to allow those amendments to move forward with that bill.

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

**Chair:** Shall the bill carry with those amendments?

**Ms. Biggar:** Carry that section.

**Chair:** Easy, easy, I can't hear everyone at once. I know I'm good, but not that good.

**Mr. Trivers:** I just wanted to clarify, we're carrying the act to amend the existing municipalities act?

**Mr. Mitchell:** That's right. It is *An Act to Amend the Municipalities Act*, Bill No. 24.

**Mr. Myers:** He's right to question (Indistinct).

**Chair:** *An Act to Amend the Municipalities Act*, Bill No. 24.

**Mr. Trivers:** I'm willing to carry that act.

**Chair:** I'm going to pose the question.

Shall it carry? Carried.

**Mr. Mitchell:** I move the title.

**Chair:** *An Act to Amend the Municipalities Act*.

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

**Mr. Mitchell:** I move the enacting clause.

**Chair:** Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

**Mr. Mitchell:** Mr. Chair, I move the Speaker take the chair and that the Chair report the bill agreed to with amendment.

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

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intitled *An Act to*

*Amend the Municipalities Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same with amendment. I move that the report of committee be adopted.

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

The hon. Minister of Family and Human Services.

**Ms. Mundy:** Mr. Speaker, I move, seconded by the hon. Minister of Communities, Land and Environment, that the 26<sup>th</sup> order of the day be now read.

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

**Clerk Assistant and Clerk of Committees:** Order No. 26, *Municipal Government Act*, Bill No. 58, ordered for second reading.

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

**Ms. Mundy:** 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 Assistant and Clerk of Committees:** *Municipal Government Act*, Bill No. 58, read a second time.

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

**Ms. Mundy:** 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.

I will ask the hon. Deputy Speaker if she would mind coming to Chair this bill.

**Chair (Casey):** The House is now in a Committee of the Whole House to take into consideration a bill to be intitled *Municipal Government Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

**Some Hon. Members:** Sure.

**Chair:** They hon. Member from Kensington-Malpeque.

**Mr. MacKay:** Can we get an overview page by page, instead of reading (Indistinct)?

**Chair:** Permission to take a stranger on the floor?

**Some Hon. Members:** Granted.

**Chair:** Good evening. Could you introduce yourself and your position for the record?

**Samantha Murphy Manager:** Samantha Murphy, manager of municipal affairs.

**Chair:** Welcome.

Minister, I'm going to turn it to you maybe for an opening statement.

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

Of course, as was referenced yesterday when the bill was laid, and in several occasions before when I had opportunity, the reason for this new legislation is to replace three existing pieces of legislation today: the *Municipalities Act*, the *Charlottetown Area Municipalities Act*, and the *Summerside act*.

With this, this is a complete and total modernization of this legislation. Been in the works for many years now with complete collaboration from the Federation of Prince Edward Island Municipalities, as well as a committee of mayors made up from all across PEI who have done a considerable amount of work over the years on this, with collaboration with department staff.

As of this week we did get endorsed by the federation of municipalities to proceed on with this new legislation and they're looking forward for us to get it passed through here. As mentioned before, it won't actually get turned on till the (Indistinct) get completed which will begin as soon as the process ends.

I guess we do have to begin with an amendment to the act. The amended section

– I think I will do it now, with pleasure of the members.

Moved that:

1. (1) Section 33(4) of Bill 58, is amended by the deletion of the words “a person” and the substitution of the words “Subject to subsection (6), a person”.

(2) Section 33 of Bill 58 is amended by the addition of the following after subsection (5);

(6) In addition to the requirements of subsection (4) respecting candidates in the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico, an individual who has an ownership or membership interest of at least 25 per cent in a corporation or an incorporated co-operative association that is a non-resident property elector may be nominated as a candidate if the individual also meets the criteria specified in subclause 33(4)(a)(i) and clause 33(4)(a)(b).

The municipality resort is a bit of a unique situation on Prince Edward Island. In the winter there are not that many residents there, but in the summer it’s significantly multiplied. The makeup of their council has always been three from the community, three that have owned land and are business owners primarily in their area. That was a bit of an oversight in the existing draft so we are remedying that through this amendment.

**Chair:** Shall the amendment carry?

We have a question from the hon. Member from Rustico-Emerald.

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

I also just wanted to comment on this and thank the minister for bringing that forward. I know the Resort Municipality has been in existence for almost three decades now. When it was formed their understanding was they would be able to continue to operate as they formed into the foreseeable future and it would mean great changes to the Resort Municipality if you hadn’t made this amendment. I thank you for that, and in particular wanted to thank the chair of the Resort Municipality, Matthew Jelley, for his input into this amendment.

**Mr. Mitchell:** I, as well, would thank Matt, too, for his (Indistinct).

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

**Dr. Bevan-Baker:** I, too, would like to express my thanks to the minister and Samantha and Christine for the meeting we had the other day on the explanation that we had of this particular amendment. We didn’t have it at that time but we knew it was coming forward.

I do have one question on this. The criterion here is that membership interest of at least 25% corporation. Is it possible that somebody who would meet those criteria would not actually be a resident of those municipalities?

**Mr. Mitchell:** Yeah, and that exists today and has existed for the last 30 years within their confines of their municipalities. It works really well for them and it’s something they’re very certain that they need to continue so that owners of businesses have their equal say.

I can value that. They have considerable investments in that region during those summer months. I see a lot of reasons why we should continue that and that’s why the amendment – which was a bit of an oversight in the original bill.

**Dr. Bevan-Baker:** Thank you, Chair.

**Chair:** Shall the amendment carry?

The hon. Member from Morell-Mermaid.

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

I wasn’t privy to the briefing, but could we just have a brief explanation as to why those communities are listed?

**Mr. Mitchell:** Yes, hon. member, and thank you. I know you tried your very best to get to that briefing and I appreciate that as well.

**Mr. MacEwen:** I appreciate your effort, too, trying to make the schedules work.

**Mr. Mitchell:** Those particular communities fit under the resort umbrella today. Those are the only specific ones that fit under that,

so therefore, are encompassed by their community names.

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

**Mr. Mitchell:** Thank you, hon. member.

**Chair:** Shall the amendment carry? Carried.

Thank you.

Hon. members, your wish is that the minister go through this bill, not line by line, but page by page.

We'll start with number 1, on page 2. If there are any questions on page 2, please direct them through the Chair and I'd be happy to put you on the speaking order.

Minister, we'll ask you to answer the questions once we get there.

**Mr. Mitchell:** Absolutely.

**Chair:** Page 2 is basically definitions. Any questions on page 2?

Page 3, continue with the definitions. Any questions?

The hon. Member from Rustico-Emerald.

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

I was just wondering, are all these different entities definitions that existed in one of the three acts that this new act is replacing? Or are there new entities that have been introduced?

**Samantha Murphy Manager:** By entities, are you asking if the existing municipalities are continued?

**Mr. Trivers:** No. I mean, for example, you defined 'absent', 'Commission', 'controlled corporation', 'council', etc. I was wondering if there were any definitions in this act or are these just the definitions that were –

**Mr. Mitchell:** You're wondering if they're carryovers.

**Mr. Trivers:** If they're carryovers, yeah. Or are there new definitions? For example, list of electors. Was that in any of the previous three acts?

**Samantha Murphy Manager:** No, most of them are new, and in many cases the existing legislation there was sometimes where it was not clear. They're added for clarity.

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** I see here that you defined 'controlled corporation' but I don't see where actually corporation is defined. If that's the case, I'm wondering why you don't define corporation?

**Samantha Murphy Manager:** Corporations are covered under the *Interpretation Act*.

**Mr. Trivers:** Okay, that's elsewhere.

**Chair:** Shall the page carry? Carried.

Page 4.

Question, page 4, the hon. Member from Morell-Mermaid.

**Mr. MacEwen:** Actually, with your indulgence, I'll go back to that other page.

Can you repeat that again, which act is the corporation?

**Samantha Murphy Manager:** The *Interpretation Act*.

**Mr. MacEwen:** Can you give me an explanation on the *Interpretation Act*?

**Samantha Murphy Manager:** The *Interpretation Act* sets out the primary ways in which the various pieces of legislation will be interpreted if there's a question.

**Mr. MacEwen:** What would that definition be of a corporation?

**Samantha Murphy Manager:** I don't have that act with me. I can get back to you.

**Mr. Mitchell:** We can bring that back, hon. member. We'll probably be here for a couple of days.

**Mr. MacEwen:** Thank you.

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

**Dr. Bevan-Baker:** Thank you.

In definitions here, I see there is a definition for municipality right at the bottom of page 3 and rural municipality is mentioned within that. Is there a specific definition of rural municipality in the act? I know it says subsection 15(2), but I don't see anything there that would sort of clarify that.

**Samantha Murphy Manager:** The rural municipalities are listed in section – it's in Part 2. Sorry, I'm just trying to find the exact section here. Section 11(1)(c) speaks to the rural municipalities. Any community existing today as continued as a real municipality, or if a municipality is created that doesn't meet one of the thresholds set out, then they would be created as a new rural municipality.

**Dr. Bevan-Baker:** Thanks.

**Chair:** We have already carried page 3 so we're on to page 4.

Any questions on page 4? Page is carried.

Any questions on page 5?

The hon. Leader of the Third Party.

**Dr. Bevan-Baker:** In section six –

**Mr. MacEwen:** So (Indistinct).

**Chair:** Sorry, hon. Leader of the Third Party, just a clarification here.

The hon. Member from Morell-Mermaid.

**Mr. MacEwen:** This is a very long bill and a lot of us are getting into it for the first time and taking a brief look at it. If nobody says carried, does that mean it automatically –

**Chair:** Yeah.

**Mr. MacEwen:** Like, if nobody has questions does that mean it's carried?

**Chair:** Yeah, that's what I'm assuming as the Chair. So by all means, if you have a question just stop me.

**Mr. MacEwen:** No, I appreciate that.

**Chair:** I –

**Mr. MacEwen:** And I do have –

**Mr. Myers:** I thought we were going to get an explanation for the page (Indistinct).

**Ms. Compton:** For every page.

**Mr. MacEwen:** A question for the minister –

**Chair:** Okay, we can do –

**Mr. MacEwen:** If we don't get a full explanation for each page, are you okay if we happen to go back to a page, if we just –

**Ms. Compton:** It's hard (Indistinct).

**Chair:** Okay. All right, let's slow it down then.

**Mr. MacEwen:** Perfect.

**Chair:** Let's slow it down. I know it's going to be long. Let's slow it down and I will ask the minister – instead of me saying it's just definitions, I will –

**Mr. MacEwen:** And I understand, like, for definitions we can get through that quicker –

**Chair:** Sure.

**Mr. MacEwen:** - but just if this process continues when we get into the meat of it –

**Mr. Mitchell:** We probably –

**Mr. MacEwen:** I wouldn't want to skip through (Indistinct) –

**Chair:** Okay, thank you, hon. member.

If there are any questions, don't hesitate to ask.

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

**Mr. Mitchell:** Hon. member, we probably don't have it where we have a page-by-page breakdown –

**Mr. MacEwen:** No, I know.

**Mr. Mitchell:** We can do an overall. We can do a clause-by-clause. We will try our best to do a page-by-page, but on those specifics Sam will do her best to do the full page and we'll hopefully not miss anything.

But if indeed we do, that's not a normal breakdown, especially for something this size –

**Chair:** Sure.

**Mr. Mitchell:** We're trying our best and if you see anything that we miss, feel free to ask.

**Mr. MacEwen:** It's just more important when we get into the meat of it that we don't skip through.

**Mr. Mitchell:** Sure.

**Chair:** Sure.

I'm going to ask the minister if he has an explanation for the page and then we will continue that. We'll get into a groove once we do that.

Hon. Leader of the Third Party, you had a question?

**Dr. Bevan-Baker:** Thank you, Chair.

My question surrounds section 6 here and it's about the – the wording is that the most recent census acceptable for the minister. I'm just wondering what acceptable means? Because there are census done every number of years, full census done, and then sometimes there are ones done in between. Would you consider a sort of census done in between as acceptable?

**Mr. Mitchell:** I'll try and if I'm mistaken – I would expect that I would be using the most recent with the best data. If there was a huge discrepancy between one previously that there are questions upon we would have to review that, but one would anticipate that the last census would have the latest, best information. I'm assuming that would be –

**Samantha Murphy Manager:** If I could add to that as well, many of our municipalities are not reported on by Stats Canada based on their boundaries, so in those cases we have to develop estimates. They're not the same as Stats Canada data, but it would be for the minister to say we think this is best a number that we can achieve.

**Mr. Mitchell:** We try to arrive at the absolute best number.

**Dr. Bevan-Baker:** Chair?

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

**Dr. Bevan-Baker:** Thank you. That sort of work that you have to do to figure out for the municipalities from the Stats Canada census that you get, is that done by the department?

**Samantha Murphy Manager:** Currently it is done in collaboration with civic addressing. We do a lot of the civic addressing numbers and GIS analysis.

**Mr. Mitchell:** It would be within government departments.

**Dr. Bevan-Baker:** The reason I'm bringing this up – well, two-fold. One is that I thought the wording was slightly odd that it would be acceptable to you and I'm not sure what that meant. But also the municipalities in my District 17, there is a lot of question as to whether the numbers attached to those municipalities are indeed accurate. In fact, none of the municipalities I spoke to felt that the number was representative.

I'm wondering if there's a mechanism where we can use the Stats Canada numbers that we get and make them accurate.

**Samantha Murphy Manager:** We do use the Stats Canada data – it's reported on the lot basis and then we have to do a bit of math based on the number of civic address points, so it is an estimate. We are working with Stats Canada to try and change the way it's done in the future so with any luck in the future it will be more accurate anyway.

**Dr. Bevan-Baker:** Thank you, Chair.

**Chair:** The hon. Member from Rustico-Emerald.

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

I'm just wondering, on page 4, the purposes of this act section, as well as the moving onto page 5, the application of act, purposes of municipal council (Indistinct) powers. I'm thinking these are such important

clauses in the bill that I would like to see those clause by clause.

**Mr. Mitchell:** Okay.

**Chair:** Okay.

**Mr. Trivers:** Because I think they're sort of the meat of what we're trying to accomplish here.

**Chair:** Hon. member, could you give me the numbers that you would like read?

**Mr. Trivers:** Yes, starting at 2(1).

**Chair:** Perfect.

**Mr. Trivers:** Purposes of this act on page 4.

**Chair:** 2. (1) The purposes of this Act are

(a) to provide a legal framework and foundation for the continuation, establishment, restructuring and dissolution of municipalities;

(b) to provide councils with the authority and powers to fulfil their purposes in accordance with this Act;

(c) to provide councils with the flexibility to respond to the different needs and changing circumstances in their municipalities in the performance of their duties under this Act; and

(d) to ensure that councils are accountable to the people they serve and to the Government of Prince Edward Island.

(2) This Act applies to all councils and municipalities.

Shall the section carry?

**Mr. LaVie:** Question.

**Chair:** Question from the hon. Member from Souris-Elmira.

**Mr. LaVie:** These municipalities have bylaws of their own, right?

**Mr. Mitchell:** Some do, yes.

**Mr. LaVie:** Some do, yes? So these municipalities will have to change their bylaws if this act goes through?

**Mr. Mitchell:** No, they would have to meet the province's minimums as they have done in the past, but any further bylaw or any new ones can go to that level and beyond if they deem that's the best thing for their municipality.

**Mr. LaVie:** But if their municipality grows wouldn't they have to change their bylaws?

**Mr. Mitchell:** No doubt if your municipality grows you would be looking at adding bylaws that would become necessary for various reasons.

**Mr. LaVie:** Like, if you take a municipality that doesn't (Indistinct) livestock, say, in their municipality?

**Mr. Mitchell:** Do you mind addressing that concern particularly?

**Samantha Murphy Manager:** Sorry, can you repeat the question?

**Mr. Mitchell:** Livestock.

**Chair:** The hon. Member from Souris-Elmira, could you repeat the question please?

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

Say if there is a municipality with a bylaw stating that they don't allow livestock inside the municipality, once they expand and there's a farm outside, how do they –

**Samantha Murphy Manager:** Livestock, in particular, are often dealt with through zoning bylaws and so you can have different zones. As you expand your boundaries to take in more rural areas, you can have agricultural zones or different zones that are permitted.

Essentially, where a municipality is looking at expansion, those discussions about how they would be regulated would be part of the conversation before they ever make a proposal to the province so that they can talk to the people who would be affected and say: What is it that you wish to retain as we go forward and what considerations do we

need to make? That would be an ongoing discussion with the people affected.

**Chair:** The hon. Member from Souris-Elmira.

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

If this act is approved do the municipalities have to amalgamate?

**Mr. Mitchell:** Amalgamate?

**Mr. LaVie:** Yes.

**Mr. Mitchell:** No. This is about modernizing the legislation for those existing municipalities.

I guess to your point, if two existing municipalities come together they would probably have to look at both sets of bylaws and see which ones apply or which ones don't, or they may have to make some changes because of the establishment of a new municipality.

**Chair:** The hon. Member from Souris-Elmira.

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

You say two municipalities coming together. What happens to the unincorporated area?

**Mr. Mitchell:** This is about existing municipalities. This does not cover unincorporated areas. This is the *Municipal Government Act*. If in fact, as what's going on in the east end with the seven existing municipalities and a region of unincorporated, they are at the table discussing that, and the unincorporated area has now brought forward two representatives for those discussions, but the unincorporated areas, this does not apply to them. We have other legislation that applies, that we are responsible for in those unincorporated regions that we deal with (Indistinct).

**Mr. LaVie:** (Indistinct).

**Chair:** The hon. Member from Kensington-Malpeque.

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

Minister, what happens if an existing municipality can't deliver the level of service contemplated in the new act now?

**Mr. Mitchell:** What we've suggested to some municipalities, we will work with them, in some cases, already based on the consultations that we've had across PEI. Obviously, some communities that felt they would have some challenges have already begun especially discussing this with their neighbouring communities.

There are options for a municipality that can't perform maybe all of the things, can share service, can share the experts, can share those employees that need to do various things. Like, we're looking at the minimums of fire, emergency measure services, land use planning. Does every municipality need to have a planner? Not necessarily. Three or four or five municipalities can share that service but still maintain what needs to be done. These are just options.

But, in fact, there are communities that are talking to other municipalities about that in particular, or about even growing and looking at something bigger in a restructuring.

**Mr. MacKay:** Thank you.

**Chair:** The hon. Member from Rustico-Emerald.

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

When I read through the purposes of this act as defined, it doesn't mention unincorporated areas but it specifically talks about, of course, councils and municipalities. This is one of the concerns I have is really – as I've said before – reviewing this act through the eyes of people who are not part of a municipality. They're in an unincorporated area.

I'm just wondering if you gave any thought to putting a statement within the purpose, maybe like an (e): 2(1)(e) section that talks about acting in the best interests of unincorporated areas or something along those lines. Have you had those sorts of discussions?

**Mr. Mitchell:** As a province we are acting in the best interest of unincorporated areas, and we do all of this service that they need. We do their land planning, we do their building permits, we do their plumbing and electrical inspections. We handle that now as a province. We are looking after their best interests.

**Mr. Trivers:** Chair?

**Mr. Mitchell:** The purpose of this particular act is about the 73 existing municipalities and the dealing with those, to bring them a modern piece of framework to work under. A lot of it's been very (Indistinct) dealing with very vague pieces of the legislation. They often contacted the department for some clarity, and it's difficult when you're dealing with legislation that – some of it was made in the 1940s. We've come leaps and bounds beyond those levels, and this is about the 73 existing, giving them some strength so that they can do what they need to do.

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** Thank you, minister, and I do understand that and I appreciate where you're coming from.

But I'm looking at 2(1)(d): “to ensure that councils are accountable to the people they serve and to the Government of Prince Edward Island.”

That sort of statement is one you could say: of course councils are accountable to the people they serve and government of PEI. But you still explicitly state that in the act. I guess that's what I'm talking about. It'd be to ensure that councils are accountable to the people they serve, the Government of Prince Edward Island, and unincorporated areas that they may be adjacent to. That sort of idea.

**Mr. Mitchell:** Right now, hon. member, you are the council for your unincorporated areas. It's the MLA that is responsible for this. You're representing your unincorporated areas, and you're doing it very well, as every member of this House does.

These councillors that we're talking – they're bound by their municipal boundaries now. They have to work within their constituencies there. You're the responsibility for the unincorporated areas, and that's the way it is at this point in time, until those areas decide that they'd like to join in and explore benefits and explore other areas of maybe economic development. Then the conversation starts. When they come within the boundaries of these councils, the councillors are responsible for their best interest.

**Chair:** The hon. Member from Rustico-Emerald.

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

But as we saw when we were reviewing the act to amend the existing municipalities act, and we were looking at the rules around annexation and notifications and things like that, there were situations there where the legislation was allowing municipalities to annex properties without any notification at all.

In that case I would expect, of course, that the municipality would have the best interests of that area they were annexing in mind, and I appreciate that that's an implied item, and I would just – perhaps it's not needed in the legislation, but I'm thinking it should be something top of mind.

I know that you really consulted very well, and it's over many years, with the federation of municipalities, but I think you'll probably see a common thread with my questions.

**Mr. Mitchell:** And that's (Indistinct).

**Mr. Trivers:** I want to make sure that the people in the unincorporated areas also have had their say into the act.

**Mr. Mitchell:** To your point, when those residents of unincorporated areas have conversations with existing municipalities and decide it's the right thing for their community to join in, they will be bound by the rules of this document as a municipality. The councillors representing them will be bound by the rules of this document.

You mentioned about the methods under the old act regarding – and specific to seven communities. Yes, (Indistinct) this is a streamline of what occurred down there. This gives continuity to the methods of whether it's annexation, amalgamation, or indeed incorporation. All three are built the same when administering legislation, whereas the previous legislation, some came to the minister, some came to IRAC, some came to the Cabinet, our Executive Council.

This is much more productive. It's streamlined. Every municipality understands what the methods will be, and so will unincorporated areas. It will be the same for everybody.

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

**Chair:** The hon. Member from Alberton-Roseville.

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

Maybe I'm a little too early here into this with my question, but I've heard from two smaller municipalities up in my district that what they are having problems with is the requirement for 20 hours of an office clerk a week in the really small municipalities, and they say they don't have the resources to do that. What happens if they don't do it? Is there a penalty for them?

**Mr. Mitchell:** I think, hon. member, as the act gets adopted, as I said, we're asking for (Indistinct) to provide more service within the local municipalities, you know, fire, and some of them were already doing that on their own. Emergency measures, some are doing that on their own. The land use planning will be new to some.

But as they evolve and get bigger and more service, they will (Indistinct) they may be getting by on a certain amount of office hours now, but as they're doing more of the service, they will need more office because more people will be coming to see them about various items or construction issues or whatever.

As I mentioned, there is opportunity for – perhaps the two communities you speak of are probably fairly close, if they're in your riding. Sharing some of those services. As their MLA, I would encourage you to have

that conversation with them about talking together, seeing what they can share and work towards.

As I said in my very first opening statement, we're willing to – our lines of communication are open to all of these municipalities to have that conversation. Listen, we've got a lot of valuable resources, one sitting beside me and one sitting in the gallery, that can help transition these communities very effectively.

**Chair:** The hon. Member from Alberton-Roseville.

**Mr. Murphy:** What happens if they don't go or they decide they don't want to participate and they want to stay, basically, doing what they're doing?

**Mr. Mitchell:** It's been brought up by the federation about dissolution. We're certainly discouraging dissolution. But that's what I said. We will work with them to transition effectively.

I think, hon. member, when you're asking them to do more and as more services they become interested in providing, they will see a lot of benefit in this on their own. And it's early days for sure with some of these. They do have some questions, but we've been doing a great job of answering the phones. I'd strongly suggest you contact them and let them contact the department and we'll try to work with that.

Dissolution would be the absolute last resort. We're not even discussing it, I guess. We want to really work with them to build and strengthen. That's the plan and focus.

**Mr. Murphy:** Thanks.

**Chair:** The hon. Member from Kensington-Malpeque.

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

Two questions, minister. Has there ever been any discussion of how much it would cost for the existing municipalities to conform, basically, to the requirements of the act? Has there been a cost figure associated with it?

**Mr. Mitchell:** Cost for municipalities –

**Mr. MacKay:** Yeah.

**Mr. Mitchell:** – to join? I could speak to the ones that are looking at it. They do do feasibility studies to determine what it – what would the numbers be, based on the numbers that we have to provide, what kind of services would they look at, what is their taxation regions now, various other things.

There is one that has gone through that process now and are working, actually, off of that feasibility study as (Indistinct) the tables.

**Mr. MacKay:** Okay.

**Mr. Mitchell:** Others have indicated they have some interest. We have indicated that we have some support for that. Early on we'll certainly be able to help as best we can. The latecomers we will also try to work with, but I think communities understand that we're there to help transitions, we're there to help fund some of these things. That if they have to wind down their books, and start up a new one, we're going to help with that. It has been very helpful and productive on the seven communities. People understand that. Even other communities that are coming to watch what's going on, they know. I've committed that at the federation meetings and everything.

**Mr. MacKay:** Okay.

**Chair:** The hon. Member from Kensington-Malpeque.

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

Minister: Has there been negotiations lately on the revenue sharing?

**Mr. Mitchell:** Yeah, that's actually, under work right at the moment.

**Mr. MacKay:** Okay.

**Mr. Mitchell:** Of course, I don't know, the system that used to be in place was a tax credit system. That slipped away a number of years ago to a grant system. A grant system doesn't give them any predictability moving forward. It doesn't allow for any room for growth. We're transitioning back now to a tax credit system.

There are a few details they're looking to get ironed out, which is great. We will get there, but a tax credit system gives them that ability that, if these communities grow, get larger, bring in more tax assessment under their umbrella, then they will see the benefit of that. That's the really big goal of it. I think they're being very appreciative of it.

In particular, the funding piece falls under another piece of legislation, not this one, but they kind of go down the road together. They understand, the municipalities know, the work going on there is sincere and we're working towards that. They're not interested in holding this piece up because of that.

**Mr. MacKay:** Perfect. Thank you.

**Chair:** The hon. Member from Souris-Elmira.

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

Minister, we're doing the municipality act, then we're telling the people in unincorporated areas this is what you get?

**Mr. Mitchell:** You mean the province is telling them that?

**Mr. LaVie:** You just stated that unincorporated areas, this is going to be the act –

**Mr. Mitchell:** This does not affect unincorporated areas –

**Mr. LaVie:** No, it doesn't, but if they join in, say, I don't know, Chepstow goes in with the municipality of Souris. Then Souris has this municipality act, then the community of Chepstow, that's unincorporated, this is what they get.

**Mr. Mitchell:** They would fall under (Indistinct).

**Mr. LaVie:** They have to fall under this.

**Mr. Mitchell:** Yeah.

**Mr. LaVie:** Wouldn't we go and see what communities want to join together, and then do an act that suits all?

**Mr. Mitchell:** This is an act that has been developed, worked on, determined a good

act by those municipal leaders that you speak of.

**Mr. LaVie:** Yes, but this doesn't speak for the unincorporated areas that will be becoming a part of a municipality.

**Mr. Mitchell:** Obviously, the municipalities – and I'll use Souris for an example. They've been working as a municipality for a long time. They've been working under the old act –

**Mr. LaVie:** Yes.

**Mr. Mitchell:** There are a lot of good points in here for Souris, as other municipalities, but they've been working under for a long time.

If, indeed, Souris, the leadership, the council members, the mayor, go out to other regions around them and say: Look, here's what we can offer you, here's why we should talk, here's why you should join, about economic development, about long-term vision, about building your communities –

**Mr. LaVie:** Okay, it's up to the municipalities to sell it.

**Mr. Mitchell:** That's who is going to get the benefit. They're going to increase their numbers. As I said, the tax credit system will allow them to increase their revenues –

**Mr. LaVie:** The municipalities will get the benefit.

**Mr. Mitchell:** That's who they're going to work with, right? The whole region will get the benefit. The whole region of whatever the new boundaries look like. Initially, the existing municipalities will be working under the new act.

As I said, there are regions now that are discussing larger restructuring –

**Mr. LaVie:** Yeah.

**Mr. Mitchell:** – pieces, and that's great. When they get to a point – and I made the commitment and staff has made the commitment – when you get to the point where you're out and you have identified who you would like to talk to, you know the communities that have the common interest

of yours, they come in, they use your rinks, your churches, your stores, hospitals and all those types of things –

**Mr. LaVie:** Yeah, I understand that.

**Mr. Mitchell:** – those are the people you should be going to get, to go to talk to, right? When you decide who it is we'll be at the table with you and discuss the good virtues of it, and we'll listen to debate from both sides. There is no – as a media writer wrote this week: We're coming with a hand, not with a hammer. We're trying to entice communities to grow, get stronger, bigger, better.

**Chair:** The hon. Member from Souris-Elmira.

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

Just one more question. I'm trying to get it all around my head. I probably have a lot of questions.

Right now, as the province and unincorporated areas look after, say, unsightly premises or culverts or cut the grass on the sides of the road, would that come under the municipality now if I want a culvert?

**Mr. Mitchell:** It depends. Sam might correct me –

**Mr. LaVie:** Does the province still look after that?

**Mr. Mitchell:** I'll use Souris, for instance, and snowplowing. Souris does some of their snowplowing, I believe, the province does some. The same in Montague. Services that the province is already dealing with in those existing municipalities – and some don't do any of their own plowing and things like that – we're not looking at not doing our parts or assisting with police services or whatever like that. This doesn't necessarily mean that because you've become bigger you got to take on all the services. That not the means of it.

**Chair:** The hon. Member from Souris-Elmira.

**Mr. LaVie:** Is that on paper? Where just because you become one big community, you don't have to take on all the services?

**Samantha Murphy Manager:** The act contains three mandatory services. The rest that are listed as services and powers that they have are permissive. They have the option to take on nuisance, unsightly premises, those sorts of things. It's up to the council.

**Mr. Mitchell:** They'll determine that.

**Chair:** The hon. Member from Souris-Elmira.

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

There are three mandatory. That's probably farther down the line, is it?

**Mr. Mitchell:** It probably is, but we'll address it. Do you want to address it there?

**Samantha Murphy Manager:** It's in section 14 of the act.

**Mr. LaVie:** We'll get to that.

**Chair:** We'll get there.

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

**Chair:** Thank you.

3. The purposes of a council include, among other things,

(a) providing good government in its municipality;

(b) providing services, facilities or other things that the council considers necessary or desirable for all or part of its municipality;

(c) providing for stewardship of the municipality's public assets;

(d) developing and maintaining its municipality as a safe and viable community; and

(e) encouraging and enabling public participation in matters affecting the municipality.

Would you like me to continue to read?

**Mr. Trivers:** I think for this page.

**Chair:** Okay, sure.

4. (1) A municipality is a corporation and has, for the exercise of its powers under this and any other Act, all the rights and liabilities of a corporation as set out in the *Interpretation Act* R.S.P.E.I. 1988, Cap. I-8.

(2) In addition to the rights and liabilities referred to in subsection (1), a municipality has, for the exercise of its powers under this Act, the capacity and, subject to this Act, the rights, powers and privileges of a natural person.

(3) Despite subsections (1) and (2), a municipality shall not establish another corporation to do anything that the municipality does not itself have the legal power, right or duty to do.

(4) A municipality shall not be a shareholder or member of another corporation for the sole purpose of doing anything that the municipality does not itself have the legal power, right or duty to do.

Shall that section carry? Carried.

5. Where there is an inconsistency between a bylaw of a municipality and this Act or another enactment, the bylaw of the municipality is of no force or effect to the extent of the inconsistency.

Shall that section carry? Carried.

6. A reference in this Act to the population of a municipality or other area means the population of the municipality or area as shown by the most recent census acceptable to the Minister.

Shall that section carry? Carried.

7. Except in relation to things done or required to be done under Part 3, where the time for any proceeding or for doing anything in the office of a municipality falls or expires on a day when the office of the municipality is not open to the public, the time is extended to the next day on which the office is open to the public.

Shall that section carry? Carried.

8. (1) A council may, in writing, apply to the Minister for an extension of time for the doing of anything required under this Act and the Minister may, in writing, extend the time subject to any conditions the Minister considers necessary or advisable.

(2) The Minister may, on the Minister's own initiative, make an order extending the time required to do something under this Act.

Shall the section carry? Carried.

**Mr. Trivers:** Question.

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** My question deals with this minister's order. I was wondering if you can just give an example of a time when the minister under his own initiative might want to extend the time required to do something under this act.

**Chair:** (Indistinct).

**Mr. Mitchell:** Oh yeah, good point. We spoke about this in the House a couple of years ago. We had some major snowfalls and some of our municipalities were overextended on their budget because of snow clearing. That's something that the minister could allow them to extend their – I'll say carry a deficit into a specific period of time so that they can get that cleaned up, as a result of an event that's out of their control.

**Mr. Trivers:** Thank you.

**Chair:** Shall the section carry? Carried.

9. The Minister shall consult with the Federation of Prince Edward Island Municipalities respecting any substantive amendment that the Minister proposes to this Act or the regulations under this Act.

The hon. Leader of the Third Party.

**Dr. Bevan-Baker:** Not all municipalities are members of the federation. Would you also be consulting with them or just through the FPEIM?

**Mr. Mitchell:** Hon. member, where we can we will consult. As we referenced to you, sometimes we have a little trouble finding and getting in touch with that particular individual that may be the chair or (Indistinct) the existing chair, so we try to (Indistinct) –

**Dr. Bevan-Baker:** So efforts will be made.

**Mr. Mitchell:** Yes, absolutely.

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

**Dr. Bevan-Baker:** Is there a duty to consult in the province with the municipalities if you change the regulations or policy related to this act, or is it just –

**Mr. Mitchell:** It's part of Section 9: The Minister shall consult –

**Dr. Bevan-Baker:** Or the regulations. I'm sorry, I see that now.

**Mr. Mitchell:** Yeah, "...respecting any substantive amendment that the Minister proposes to this Act..." Falls under Section 9, hon. member.

**Chair:** Would you like me to read Section 9, hon. member?

**Dr. Bevan-Baker:** No, I'm fine. I'm sorry. I just did not read to the end of the sentence. My apologies.

**Chair:** That's okay. No worries.

Shall that section carry? Carried.

**Mr. MacEwen:** Question.

**Chair:** Do you have a question on that section?

**Mr. MacEwen:** I do.

**Chair:** The hon. Member from Morell-Mermaid.

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

With this, it seems odd to put this type of thing in there. I understand why. Was this something that the federation asked for or is this something that was in a previous act, or

is this something that was new, not (Indistinct)?

**Mr. Mitchell:** The part where we let them consult with them if we're making amendments, is that the part you mean? Or –

**Mr. MacEwen:** Yeah, the whole thing about the consult – you know, common sense would say: Obviously we're going to consult with the municipalities. For it to actually be in the act kind of reads to me like that's something they might have asked for, one of those conditions.

**Mr. Mitchell:** It is. They, like every other Islander, want to be consulted. It does affect a lot of their business. We agreed to it, it is new, and I think it's a very worthy process to have in place where if there's going to be anything done they should be fully aware and addressed.

As with this whole document, they had an opportunity to review it and made some really good – brought forth some really good changes that we made quite easily.

**Mr. MacEwen:** Absolutely.

**Chair:** The hon. Member from Morell-Mermaid.

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

I get that. Is this common in legislation to do that, because I know on the standing committee we had the federation of agriculture in for example, and they were very passionate about trying to get their voice in the mix and trying to push their agenda and make sure that their voice was concerned.

If you start including these types of clauses, do you open the door to say: You're including the federation of municipalities, but you're not including the federation of agriculture? Do you see where I'm getting?

**Mr. Mitchell:** The federation of municipalities is actually an architect of this. They should be. They are a governing body, I guess, for lack of a better term. They're important stakeholders in this. Therefore they have a higher responsibility to make sure that what's in there also suits their needs.

As far as others, we entertain and talk to others on a daily basis, and that doesn't always reflect in legislation, of course, but there's opportunities where we allow and have a great discussion with them too.

That's not to shut the door on (Indistinct).

**Mr. MacEwen:** No, I understand, I know you wouldn't.

**Chair:** The hon. Member from Morell-Mermaid.

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

Is that common in other acts to put a clause in that says: We shall consult with a group?

**Mr. Mitchell:** Within a *Municipal Government Act* it is common in provinces to do that, so if you're building off the same model it is commonly.

**Mr. MacEwen:** I know opposition isn't mentioned there, but I'm assuming you'll always consult with us, at least for the next two years anyway, on stuff that comes through.

**Mr. Mitchell:** On a daily basis, hon. member.

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

**Chair:** The hon. Member from Rustico-Emerald.

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

I think this a good time to ask my question.

I know, as you've already mentioned, you have – they're the architects of this document, the Federation of Prince Edward Island Municipalities. You've consulted with them. Up until very recently they had concerns about items that were not in the act and they originally had asked this be postponed until the spring sitting of the Legislature – brought to the floor. My understanding is that last Friday the federation met and decided that they could move ahead and they issued a letter to you, and thankfully you provided me with the letter.

But I was wondering if, for the record, you could talk about the decision of the federation of municipalities to actually give you the go-ahead to bring the act to the floor as it is today.

**Mr. Mitchell:** I'll talk in a general sense. Sam will add on the technical piece at the end there.

In anything of this size and nature, and those as a – I'll say a sole architect. They weren't the only architect. There was staff involved, the federation, the committee of mayors that played significant roles in this.

When it was brought back there were some things that did come into play. One thing, as I referenced earlier, was the funding piece that where they were wanting to see a little more about that. When we had that discussion about how it would go forward, and they agree with the sincerity of it, well, that becomes less of a hurdle.

There's other specific pieces to this, as was just alluded to, in a case like that. Others – there was probably 10 or 12 that we were able to do it, but some that we weren't. At the end of the day it is a negotiation, I guess, and we didn't get everything that we wanted, and perhaps they didn't either, but we came to a concession that made sense to them, made sense to us.

If you need a little more specific, Sam will maybe reference a couple of them.

**Speaker:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** Yes, I would love to hear the pieces that you've had to move forward with the act without putting them in.

The requests from the federation of municipalities that are left out of the act at this point that hopefully will be acted on in the future, I don't know if you have a full list of those. I would love to hear the full list. I know I've heard a couple of examples in our briefing before today, but –

**Mr. Mitchell:** I think what would be fair in the essence of the act and in the essence of discussion, I think probably the more overarching ones that we're agreed to might be prudent from Sam.

**Samantha Murphy Manager:** There were some items that will come under other pieces of legislation related to planning, some how the water and sewer utilities operate, and some of those are pieces of work that'll happen down the road.

There were some changes, wording, phrasing, that the federation was looking for that we felt we couldn't do, just due to the nature of the relationship between the federal government and provincial government.

But we found other ways to try to recognize and state the important of municipalities within the province and the role they play for our communities. In the preamble you'll see that reference to accountable governments.

They, I think, spoke publicly about the desire to see a timeline to have the municipalities get bigger and cover the entire province. We don't have a deadline for that in the act. There were a few things that just didn't fit with the model we went with.

**Mr. Mitchell:** Sam alluded, too, to like the entire first part of the preamble as it's called, that's something that perhaps is not normally written into legislation of 2016 on the first draft back through, but was existing back when those architects designed this, had the preamble in there. It was deleted because that's not the way legislation gets written today.

We had to do some work to reduce that, so it's not a burden to the legislative writers. We came to an agreement, and now it's a very important aspect to them that that continue to remain. That was, actually, the number one thing that they brought to me as a concern.

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** I'm assuming that the federation did make a written list of their requests to you. I don't know if you have – would be willing to table a list of those items you have to exclude? I think it would just be good information in the interest of openness and transparency, so that everyone knows the pieces that were left out by

bringing the act forward now, so, that we can watch those going into the future.

**Mr. Mitchell:** Yeah, like a lot of this discussion was verbal, you know.

**Mr. Trivers:** Was it? Okay.

**Mr. Mitchell:** They may have listed something in one of their request letters. The request letter of take a pause, take your time. I can't recall if it was specific. A lot of this was just meeting conversation, as these things occur.

**Mr. Trivers:** Okay.

**Mr. Mitchell:** If there is something that we can grab, I'm not opposed.

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

Just a comment. The Member from Morell-Mermaid just said: Perhaps what we should do is get a briefing from them as well –

**Mr. Mitchell:** The federation? I think a phone call or something to Bruce –

**Mr. Trivers:** Yeah, that might be a better way –

**Mr. Mitchell:** – MacDougall or John Dooley would certainly be helpful for you at your end.

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

9. The Minister shall consult with the Federation of Prince Edward Island Municipalities respecting any substantive amendment that the Minister proposes to this Act or the regulations under this Act.

Shall this section carry? Carried.

10. The powers conferred on municipalities and their councils by this Act shall be interpreted broadly in accordance with the purposes of this Act as set out in section 2 and in accordance with the purposes of councils as set out in section 3.

Shall the section carry? Carried.

Would you like me to continue reading section by section?

**Mr. Trivers:** Just one more, Chair. I just want to look back at the –

**Mr. Mitchell:** If you prefer, Sam can condense page by page just by –

**Mr. Trivers:** I'm thinking that perhaps, if you go right to the back of the bill and you look at the explanatory notes that go section by section –

**Mr. Mitchell:** Yeah.

**Mr. Trivers:** I don't know what hon. members think, but maybe that's a good way to approach the act? I don't know. Any comments on that?

**Dr. Bevan-Baker:** I don't know, I kind of like to do the bill front to back (Indistinct).

**Mr. Trivers:** I'm definitely willing to continue, I don't know –

**Mr. Mitchell:** Are you agreeable to Sam – we don't have a complete breakdown page by page, but she can – she'll do her absolute best –

**Dr. Bevan-Baker:** As long as, you know, we can (Indistinct).

**Chair:** Sure.

**Mr. Mitchell:** Absolutely.

**Chair:** If we're explaining, if you think we're going a little too fast for your liking –

**Mr. Mitchell:** Yeah, just slow it down.

**Chair:** – slow it down and we'll go back and read a clause out if you want to do that.

Part 2 – Municipalities

Samantha, would you like to explain – I think we're looking at sections 11-13 would finish off page 6.

**Samantha Murphy Manager:** Absolutely.

This first division of Part 2 is about the structure of municipalities, the different types of municipalities that we have, and the thresholds if a municipality wanted to change from one class to another, or a group of residents wanted to create a new

municipality. We are moving to cities and towns and then the continuation of communities as rural municipalities.

You will see in section 13 that we do have thresholds that did not exist previously. Those are for towns and cities for population and real property assessment. That would bring us – the subsection (2) of 13 also allows for exceptions or flexibility if a proposal doesn't quite meet those thresholds.

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

**Dr. Bevan-Baker:** Thank you, Chair.

That is a change from the earlier draft, if I remember right, or at least communications about minimum, in terms of population and tax base for the smaller municipalities. Not the towns and cities, but for the rural municipalities.

Maybe you can't put a figure on this, but I'm glad, by the way, that you have some wiggle room in here, minister. Do you have, in your mind, like a minimum number that you would consider for a rural municipality?

**Mr. Mitchell:** I guess I've been brought forward, had discussion with people, municipal leaders, that have indicated that growing from 150 to 300 – I don't think that would provide the health for growing that they need.

I've had other communities that indicate that: We think that we can get to 2,000, possibly 2,500. I think that's a worthy thing to take a look at and have ultimately said: If you get there, come and give us another call, we'll work with you on that.

This 4,000 number, as I have mentioned before, it's kind of a proven number that makes good sense for the municipality to get its business done, yet not break the bank of the constituent that provides the great revenue, expenditure stream, that makes it healthy.

If, indeed, a community thinks they can exist with a little less, I've indicated we're willing to work on that. I don't think communities of 100 growing to 200 will achieve that, but we're open, we're having conversations. There are several that say: I

think I can get to a couple of thousand. I said: Keep going, see how it goes.

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

**Dr. Bevan-Baker:** If there was a small municipality, which had a really active council, felt that they could take care of all of their own concerns, and meet the requirements of the act, in terms of minimum number of councillors and all of the other minimum things that were required, you would be prepared to live with that?

**Mr. Mitchell:** Are you talking less than 2,000?

**Dr. Bevan-Baker:** Yeah.

**Mr. Mitchell:** I would look at it. Obviously, we've had the Bedeque situation already that was growing from up to I think it was 300 or something around that line. I discouraged that. They understand the reasons why and are in discussions with other communities to look at an alternative option.

If I'm thinking about what you're thinking, I might have already had the discussion with the group that you are mentioning and have indicated that: Keep going. I know they have the vision. I know they have abilities right now, if I'm on the same page as you are. I've indicate to them to keep on looking and we'll have further conversations.

**Dr. Bevan-Baker:** Thank you.

Thanks, Chair.

**Chair:** The hon. Member from Morell-Mermaid.

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

“11. (1) The following classes of municipalities may be established under this Act”.

Number one, could you give the current definitions of municipalities? Number two, does that mean that all current municipalities will now be one of these three? Excuse my ignorance on the definitions. Right now, do we have cities, towns, and rural municipalities?

**Chair:** Samantha Murphy.

**Samantha Murphy Manager:** We have cities, towns, and communities currently –

**Mr. MacEwen:** Yes, that's what I was going to say (Indistinct) communities.

**Samantha Murphy Manager:** The communities are going to be restyled as rural municipalities. Part of that is to address the confusion that sometimes happens with the communities that are not incorporated, and the public not knowing whether or not there's a municipality.

**Chair:** The hon. Member from Morell-Mermaid.

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

The community of Morell, they will now just be automatically called the rural municipality of Morell?

**Mr. Mitchell:** Yeah, rural municipality as far as the act goes. I'm sure in the community you'll still call it the community, but as far –

**Mr. MacEwen:** Actually, we'll still call it the village.

**Mr. Mitchell:** The village –

**Mr. MacEwen:** Two or three (Indistinct).

**Mr. Mitchell:** Which, you know, those things never change. As far as the act is concerned, they will be a rural municipality.

**Mr. MacEwen:** Okay.

**Chair:** The hon. Member from Belfast-Murray River.

**Ms. Compton:** Thank you, Chair.

On that same line I've got a community council in Belfast and we have a village in Murray River and a village in Murray Harbour. Especially the village of Murray Harbour is a very small part of that area. I'm just wondering, moving forward, how that's going to change (Indistinct) my community? I know we're trying to join these communities together.

**Mr. Mitchell:** They'll all be considered rural municipalities now and they all have their own identities and they all have their own pieces that they provide today. I think it's fair to say that I think some of these communities have already been in discussion with the neighbouring communities. Discussion takes time sometimes, and I think over time they may become more intent on having more meetings, which is great. But in the meantime they will all have their own identity as rural municipalities individually.

**Chair:** The hon. Member from Belfast-Murray River.

**Ms. Compton:** Thank you, Chair.

Community council versus a village, they're all basically the same.

**Mr. Mitchell:** Yeah, councils with mayors, too. They won't be chairs, they'll be mayors.

**Chair:** The hon. Member from Belfast-Murray River.

**Ms. Compton:** I know the perimeters and again, forgive my ignorance, but I know they've changed as far as what government expects for those communities as far as having hours, and having a stand-alone office, all of those details which I think is going to put a lot of strain on a community like Belfast which does not have that now. I'm just wondering how the province is going to help with that.

**Mr. Mitchell:** As I said to the other hon. member opposite here, I do realize that there are more duties that they will be taking on as a result of that. They will need probably some more resources to deal with people. It's not a negative.

Land use planning. For instance, as I referenced to you before, we have the screwdriver and the tool box, but the municipalities that do land use planning today are very effective at it. We'll have templates to assist if they want to look at things like that. We'll have templates to say: This is how you do it, this is how you get there. I think, especially when I think of Belfast and those other communities, there's a lot of good benefit to taking on that land use planning. But only to do it in different

ways than today. They run their councils today.

We're working towards those transitions. They don't need to get there tomorrow, and we'll work with them to get there. There are allowances. This is pretty new and we're early days and we're trying to encourage things. Bigger vision, I guess, and it takes awhile for everybody to get there.

**Chair:** The hon. Member from Belfast-Murray River.

**Ms. Compton:** Thank you, Chair.

Templates, that's great. These are going to be money, I guess, is the bottom line. Or is it totally through property taxes? We're going to have to increase them to provide that service, which is going to be – the onus is going to be on the community to adhere to the act.

**Mr. Mitchell:** To the resident, there's a big benefit to that, too. There's lots of protection that can come under some of these things that we're asking communities to visit as a responsibility. There is benefit to the resident and it's important that that message gets out too, over time – it'll take time – to reiterate the value of that and that would reflect in taxes.

For instance, in the community I live at, that belongs in the city of Charlottetown, my taxes reflect the services I get and I'm really pleased with the services I get. The residents in your community should be pleased with the services they get. That's the objective and the goal.

**Chair:** The hon. Member from Belfast-Murray River.

**Ms. Compton:** Thank you, Chair.

Again, I don't think you can compare concentrated area like Charlottetown or Montague, or even Morell, with Belfast because we really don't have that village centre that other communities would have. It's really hard (Indistinct).

**Mr. Mitchell:** I think my reflection of comparing communities, it's about the services that are provided are reflected by the resident, but there's value in those

services. It's not a negative, it is a positive. That's the only comparison I meant to draw there, hon. member. I didn't mean to draw (Indistinct) of communities. I'm sorry if –

**Chair:** The hon. Member from Belfast-Murray River.

**Ms. Compton:** I understand that, minister. It's just different when you're looking at an area that's very concentrated population versus a fairly large geographical community.

I'm just wondering. I think you're well aware of the communities that are in District 4. Some of them are interested in coming to the table and some of them aren't, and how we get from where we are to where we need to be. Is the onus going to be on you, minister, if they do not come to the table, that you'll make that decision for them?

**Mr. Mitchell:** I have no intentions of that. I have intentions of working collaboratively, having a discussion. At the end of the day if somebody really cannot see the benefits – and there are many – and they really struggle getting over there, I don't plan on strong-arming anybody into anything. But I will explain the virtues.

I've worked in rural PEI. I know there's communities in rural PEI that are declining, and if there was ways to counteract that by making the community stronger, why would anybody object to looking at those? That's my role as minister and that's the role that I will take out with communities as they try to get larger.

I've seen it from both sides and there's real opportunity here. I just want to lay it on the table. If people don't appreciate that, I can move on.

**Ms. Compton:** Thank you.

**Chair:** The hon. Member from Morell-Mermaid.

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

Minister, I appreciate hearing your comments about don't want to strong-arm, you'll show the benefits or you'll do whatever you can to show the communities the benefits.

Correct me if I'm wrong. This act does give you, as minister, the power to mandate or direct me to go with the municipality of Morell, or anybody to incorporate for another incorporated area to incorporate.

**Mr. Mitchell:** That particular reference that you just made existed in the previous act. I just had one extra step to do, bring it to IRAC – hearing at IRAC. That's the only difference. That's always been in place.

**Mr. MacEwen:** Sorry, can you explain the difference, the powers of the minister in the old act versus the powers of the minister in the new act?

**Mr. Mitchell:** I'll refer to Sam because she has the best technical explanations on that.

**Mr. MacEwen:** You'll have to get up to speed on this, too, because you'll have that power.

**Mr. Mitchell:** I'm up to speed pretty good there.

**Mr. MacEwen:** I know you are, I appreciate the help (Indistinct).

**Chair:** Samantha Murphy.

**Samantha Murphy Manager:** Currently if a municipality were to be changed by the province it would have to be through legislation. When the city of Charlottetown was amalgamated in 1995 it was through legislation. By doing a proposal this way it ensures that the conversation happens through the same hearing at IRAC, the same public conversation that you would have with any other proposal.

At the end of the day it will come to Executive Council.

**Mr. Mitchell:** To bring that example back to 1995 when Charlottetown brought in the other communities of West Royalty and Hillsborough, basically the legislation, it stopped today and started off tomorrow on the Charlottetown municipalities act. No meetings, no discussion. This will allow for IRAC and a public meeting to occur.

But again, that's not the intention. It's not the correct way to do things and history has told us that. This is a way of enticing

communities to look at something in a positive manner as opposed to – I'll use the term again – a strong-arm man.

**Chair:** The hon. Member from Morell-Mermaid.

**Mr. MacEwen:** Thank you. I appreciate that, minister. I honestly don't believe you would actually ever do that. But I wonder, what's the reason for keeping it in the act if there's no intention to ever do that strong-arming or to ever doing it? What are the reasons for leaving the power to the minister to say: Nope, you guys are together?

**Mr. Mitchell:** I guess it's just for future flexibility, I suppose. These acts don't get open every day, of course. Some clauses like that because – although you're saying you don't know, we don't know either what things need to occur when the Member from Rustico-Emerald takes the chair of the Minister of Communities, Land and Environment or something like that.

**Mr. MacEwen:** We're only two short years away, too.

**Mr. Mitchell:** That's 10 or 12 years down the road, of course.

**Mr. MacEwen:** I'm not so sure I want him with that power either, to be quite honest.

**Chair:** Are you finished, hon. Member from Morell-Mermaid?

**Mr. MacEwen:** No, I have another question if you don't mind, Chair.

Do all ministers across the country have that power?

**Samantha Murphy Manager:** (Indistinct).

**Mr. Mitchell:** It is a range. Some do, some probably not, according to Sam.

**Chair:** The hon. Member from Morell-Mermaid.

**Mr. MacEwen:** Sam, could you bring back or ask someone to bring back who has that power and who doesn't have that power?

**Mr. Mitchell:** Absolutely.

**Mr. MacEwen:** I appreciate that.

**Chair:** The hon. Member from Morell-Mermaid.

**Mr. MacEwen:** 13(1): “The criteria for the establishment of a new city or town are as follows...”

Do any current cities or towns – would they have to change their designation based on these population and property assessment values?

**Samantha Murphy Manager:** They will continue as they are.

**Mr. Mitchell:** They will remain as they are, continue as they are.

**Mr. MacEwen:** So there’s no city or town right now that would have to change their designation because of these numbers. For example, if you’re a town now you don’t have to change to a city or you don’t have to change to a rural municipality. If you’re a town now, all current towns fall under these –

**Mr. Mitchell:** Yes, it shows up on Section 29, which is a little bit down the line there.

**Mr. MacEwen:** Perfect. Thank you.

**Chair:** The hon. Member from Rustico-Emerald.

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

I’m looking at 11(2): “For the purposes of this Part, a new municipality is established,” and you have (a) and (b) criteria, so one is when a municipality moves from one class to another. Obviously if they grow and they go from being a city to a town you have to change their name or – or a town to a city, pardon me – or if they shrink and they go from a city to a town.

I understand if there’s unincorporated areas that are incorporated you have to have a name, but it seems to me there’s a third case where you have multiple municipalities that are amalgamating, wouldn’t that have to be a new municipality? Are you saying you have to take one of the names of the existing municipalities?

**Mr. Mitchell:** No, we’re not saying that at all. Actually, we encourage to take a new name like Three Rivers. Like Stratford when they did it.

**Mr. Trivers:** I’m just thinking you might need a third option there. I don’t know.

**Mr. Mitchell:** Depending on the size of the population, if they grew to a city they’d be a city. For instance, if we use the Three Rivers notion of 7,700 people, they’d become a –

**Samantha Murphy Manager:** Town.

**Mr. Mitchell:** Town.

**Mr. Trivers:** Right, but what if – I’ll try and use an example that may or may not happen – but let’s say the town of North Rustico – I’ll use something that I know would never happen – but –

**Mr. Mitchell:** Grew to 40,000?

**Mr. Trivers:** No, let’s say they amalgamated with the Resort Municipality, and so – but they still had less than 4,000 people. That would be a case where they’re not moving from one class to another and they’re already a town, so they would need a new name but the legislation doesn’t allow for that.

**Mr. MacKay:** Not too much gets by (Indistinct).

**Mr. Mitchell:** That’s why he’s going to be there in 12 years.

**Mr. Trivers:** It’s going to be a long 160 pages.

**Mr. Myers:** (Indistinct) your Christmas shopping done?

**Mr. Mitchell:** So your question, so I’m clear, you’re saying I can’t rename it?

**Mr. Trivers:** Yeah. If you look at (2), “...a new municipality is established...” That’s the wording. A new municipality is only established when it’s moved from one class to another, or if it’s a municipality established from one or more unincorporated areas. But I’m thinking of the case where multiple municipalities

amalgamate and they don't actually change classes.

**Samantha Murphy Manager:** That's a restructuring.

**Mr. Mitchell:** Yeah, that's a restructure. I'm not –

**Mr. Trivers:** Okay, that's not a new municipality.

**Mr. Mitchell:** No, that's a restructuring (Indistinct). It will take on a new municipality name. So that fits under the definition of restructuring, what your question is.

**Mr. Trivers:** Chair?

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** Perhaps that's my misunderstanding. What does the phrase "a new municipality" mean? I assumed that you would actually have to incorporate a new municipality, like, it would be a new incorporation. Maybe I should let you answer that question: What does "a new municipality" mean?

**Mr. Mitchell:** You go ahead, Sam.

**Samantha Murphy Manager:** So we –

**Mr. Mitchell:** I think you're over-thinking.

**Samantha Murphy Manager:** We differentiated between the starting point and the end product. The starting point is that you are changing class where you have no council currently, you're unincorporated, and that's considered new.

Even if the restructuring results in a new boundary, a new municipal corporation, if it's still within the same category as the previous, so there was a town already there, then it's a restructuring within the same class.

Even though the end product involves something new, we define it as when they make the proposal, what is the starting point. It does get confusing, but that's why we did Section 11(2). Subsection 11(2) was to clarify that.

If you look in the definitions at the very start of the act, the definition of restructuring explains everything else.

**Mr. Trivers:** All right, I'll have to – which section is restructuring? I'm just reluctant to carry this section until I understand that.

**Mr. Mitchell:** Back in the definitions, is it, (bb)?? (Indistinct).

**Mr. Trivers:** Means "changing a boundary or boundaries of a municipality and includes an amalgamation" – okay. Perhaps, Chair, if –

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** With your indulgence, maybe you could give an example. So you have municipality A with 1,500 people, municipality B with 1,500. They amalgamate. What are they forming?

**Samantha Murphy Manager:** If they're under the thresholds, then they would be forming a rural municipality.

**Mr. Trivers:** All right, let's use the exact numbers then of 2,000 –

**Mr. Mitchell:** Well, use 4,000 then –

**Mr. Trivers:** Four thousand, 2,000 and 2,000. Municipality A, 2,000, municipality B, 2,000. What do they form when they come together?

**Samantha Murphy Manager:** So two –

**Mr. Mitchell:** It's still a rural municipality. You have to go to 30,000 or 20,000 to become a city. I apologize. I steered you in the wrong direction. You have to get up in over 15,000 –

**Mr. Trivers:** How about we just say that 2,500 people and 2,500 people – A and B – and they come together to form a new entity of 5,000. So is that a new municipality?

**Samantha Murphy Manager:** That would be a new – because they'd be coming into the town status.

**Mr. Trivers:** Right, I understand. What if they were a town of 4,000 and a town of

2,000 that amalgamated together to form a new town?

**Samantha Murphy Manager:** That's a restructuring because they're already in the town class.

**Mr. Trivers:** Okay, thank you. I don't think I'm quite understanding this, Chair, but perhaps as we go through the bill it will become clear.

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

**Dr. Bevan-Baker:** Thank you, Chair.

I want to ask a couple of questions about – because this is where the sort of thorny part is, that cities and towns will carry on pretty much as they have done, but it's in this bringing together in rural areas of adjacent municipalities and unincorporated areas, as is happening in the Three Rivers area, for example.

My question is about any studies that have to be done in order to accomplish that. The Wood study, for example, in the Three Rivers area. A pretty extensive study and probably quite costly. The full cost of that, is that borne by the department?

**Mr. Mitchell:** Currently, yes, and as I said early on we'll be dealing with communities on a case-by-case basis to try to assist with that.

The whole goal is to show others the benefit. Why would we not support it, right? That's where we are today and working towards that.

**Dr. Bevan-Baker:** Is there anywhere in this act that guarantees that the full cost of whatever studies and things that are incurred –

**Mr. Mitchell:** No, that's not borne in the act –

**Dr. Bevan-Baker:** It's not, so –

**Mr. Mitchell:** We've had lots of discussion with the federation, and they actually have their toolbox pretty well ready to go. That'll be helpful, and I understand that we're looking at costs associated with the study of

this. At this point, the study, that's not a forever. I'll say that. We've –

**Dr. Bevan-Baker:** Sorry, minister, what do you mean by that's not a forever? You wouldn't cover the costs of a study for each –

**Mr. Mitchell:** I don't have the money in my budget today for three years down the road so I can't say that it would be there forever to cover the costs of these studies. Those that have interest today, we're working with them and we're looking for some successes. The more successes you have that you enable to get started, the more you will have as you move along.

I'm committing to working with the groups that I'm working with today. Those know what we're able to assist with and they're happy with that and we'll continue to do that, but it's not inherent in the act, no.

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

**Dr. Bevan-Baker:** Thank you, Chair.

Because it's an awkward enough process as it is and there are lots of reasons why municipalities may not want to sit down together and try to figure this out, but if they don't have the assurance that any costs that are going to be incurred – these are small municipalities without big budgets.

**Mr. Mitchell:** The very first discussion that we have is about that so they will be clear and they will know what we're willing to work with them on. As I referenced to you earlier, like in some cases, the case that's working in the east, it's involving seven plus some unincorporated. But there are others that are just amalgamated, or municipalities that exist today that are working together, and my advice to them is if that's the better process that you see, do that first, and then begin discussions on a broader range. We'll help with that.

They're looking at that, some of them, too. It's a process. We don't have the manual. We're kind of working it as we go and we're trying to get some successes that will lead to more successes.

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

**Dr. Bevan-Baker:** Is there a pool of funds sort of set aside for this or do municipalities shoulder the cost of this and then present you with a bill at the end of whatever process they have done?

**Mr. Mitchell:** In the case of what's going on down east we're just working in parallel and where are you at, what do you need – that's how that one is going. It seems to be working well and they appreciate the support. They indicate to us what they need and we say: Keep moving, and it has been working well.

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

**Dr. Bevan-Baker:** Thank you, Chair.

On a topic that went earlier, Sam was explaining about the difference between the process that occurred when Charlottetown came into being and how these potential amalgamations are going to occur and previously, because it was in legislation, I assume then it had to come to the whole Legislature in order for that to be approved, but now it can be just done in Executive Council. Is that correct?

**Mr. Mitchell:** No, it goes through IRAC initially and then back to the minister, then to Executive Council. That's the new way.

**Dr. Bevan-Baker:** Okay, but it would not come before the Legislature as a whole, though? It would be just dealt with –

**Mr. Mitchell:** No, it's Executive Council like other pieces (Indistinct) am I right in saying that?

**Samantha Murphy Manager:** (Indistinct).

**Dr. Bevan-Baker:** Okay, I'm fine for now.

Thank you, Chair.

**Chair:** Hon. members, Samantha Murphy has just read and we have discussed sections 11, 12 and 13 which brings us to the top of page 7.

Shall those sections carry? Carried.

Thank you.

Sections 14 and 15 bring us to the end of page 7 and 8, so, Samantha, would you like to explain sections 14 and 15?

**Samantha Murphy Manager:** Yes. Section 14 is the one that we referred to earlier about the minimum services that municipalities would be providing, including fire protection, which is currently already provided either directly or through a contract. We have a five-year timeframe for land use planning and a three-year timeframe for emergency management.

Section 15 deals with the steps that would be taken to put together a proposal for a new municipality, a restructuring or a dissolution. It talks about the requirements that would go into that application, who can do it, and the information they would have to provide.

Would you like more detail?

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** I have a couple of questions on 15(1), a proposal to establish a new municipality

The first one is: Can you give me an example of where the minister might want to establish or initiate the establishment of a new municipality? Hypothetically.

**Mr. Mitchell:** It's just one of those down-the-road flexibility options. There is nothing specific in regards to that. I suppose if the existing municipality came to me and thought something (Indistinct) we talk about it, but it's not the intention of (Indistinct), I guess.

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** I'm looking at 11(1)(c), "a group of at least 30 per cent of the persons who meet the requirements of subsection (6) and whose names appear on an accompanying petition."

A scenario that was brought to me is where you have, say, multiple municipalities that encompass as well unincorporated areas. For the sake of this example, we will say there are three municipalities and in between them

is an unincorporated area. Those three municipalities get together and say: Okay, we want to form a bigger municipality but we also want to include the unincorporated area. They do a viability study, they come up with some boundaries, and 30% of the people agree to sign a petition to start that new – well, it would be restructuring, I suppose, under the strict definition – but none of those names actually come from the unincorporated area because the majority of the population actually resides in the existing municipalities.

The concern is that the people being annexed in the unincorporated area will essentially not have a voice or a choice in the matter. This is the scenario that was brought to me.

**Mr. Mitchell:** That particular provision only involves a brand-new municipality. Those three existing municipalities, it's a different set up for them because this is a brand-new (Indistinct) so they would have to be –

**Samantha Murphy Manager:** (Indistinct) restructuring.

**Mr. Mitchell:** Yeah, it would be restructuring. They had to be driven from that unincorporated I guess, probably, as well. It would be driven from there.

**Mr. Trivers:** Driven from where?

**Mr. Mitchell:** By the unincorporated for this new restructuring, I guess?

**Samantha Murphy Manager:** (Indistinct).

**Mr. Mitchell:** Basically, if there were, as you said, the three existing municipalities, they don't need to do this 30%. They can just begin the process of discussion.

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** I guess the concern that was raised to me is the voice and the agreement of the people in that unincorporated area. If a few municipalities get together and decide these are going to be the new boundaries, this is where we're going to go and they restructure, how are those people in unincorporated areas engaged? Do they have a say in the process? Or is it just simply they

read in the paper or there is a public meeting held and they say: This is what's going to happen, now you're going to be a part of this restructured municipality, and this is going to be the new name, here are the new rules?

**Mr. Mitchell:** I think if you're an existing municipality and you're looking at growing your boundaries, first of all you have to identify who that is, so they begin that process.

**Mr. Trivers:** Right.

**Mr. Mitchell:** If they did move on to the viability study and they say: Who should we be talking to?, that will identify that area, then they begin the process like they are down east of going out and holding public meetings, which they did. Then the next part of the process was to say: Look, we have seven representatives from our amalgamated areas, provide us with a couple from your unincorporated, which they did.

That's how the process goes step by step down, so nobody swoops in and takes an unincorporated area and says: You're part of this now. That's not how it happens.

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** The process you refer to, is that in the legislation?

**Mr. Mitchell:** No.

**Mr. Trivers:** So –

**Mr. Mitchell:** This only deals with municipalities. It doesn't deal with unincorporated areas.

**Chair:** The hon. Member from Rustico-Emerald.

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

By definition, because it deals with annexation, I think it has to deal with unincorporated areas. That's the concern. I'm raising this concern because that's (Indistinct).

**Mr. Mitchell:** The annexation allows an unincorporated to become a part of a municipality, which becomes part of the act.

Until they agree to the annexation, or say I'm in, then the act doesn't apply to them.

**Mr. Trivers:** Chair.

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** If the *Municipal Government Act* doesn't encompass that process, then what piece of legislation does?

**Mr. Mitchell:** Right now unincorporated areas fall under all legislation of the province. We provide all the services that they get.

**Mr. Trivers:** Chair.

**Chair:** The hon. Member from Rustico-Emerald.

**Mr. Trivers:** By that definition, does that mean it's the minister who should be leading the amalgamations of multiple municipalities along with the annexations required – when new boundaries? Right now you have the municipalities that are leading that. This is, I think, where the problem lies.

**Mr. Mitchell:** I think I indicated to the best of our ability that we'll sit with the municipalities and go out and have these discussions and talk about virtues. Obviously, it's the municipality that will reap the benefit within their boundaries. They're going to get larger, bigger, do more service, be able to provide the service to the community. Why would they not be out there trying to talk to people about the good reasons why they should be joining them?

We'll assist, but what benefit would it be for me to be the lead role when I can't tell you the benefit of moving to your neighbour? Who better than those that are your neighbours?

**Mr. Trivers:** Chair.

**Chair:** The hon. Member from Rustico-Emerald.

I have others on the list, then I'll come back to you if you have more questions.

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

I understand what you're saying. In practice that may be the way it works, but –

**Mr. Mitchell:** Currently, for you –

**Mr. Trivers:** – we're talking about the legislative responsibilities of the municipalities, that's what the *Municipal Government Act* is about. Right now the municipalities don't have that responsibility to go out and amalgamate with and annex, and really that falls, like you said, under the provincial government. They're the ones who are sort of representing the unincorporated areas.

I'm just worried you could get into a situation where, in fact, municipalities are trying to go out and, for lack of a better word, expand their boundaries, we'll say, and there are no processes that they have to follow. In fact, it's up to the department to lead that in that process, it sounds like –

**Mr. Mitchell:** Here's the process, as best I can spell it out to you, that's going on right now.

It's seven leaders talking to those seven communities. They went beyond that. They're talking to the unincorporated. They've brought in a couple of members of the unincorporated to be part of their larger table. Staff attends these meetings. Staff is assisting the meetings.

The part that we play right now is what we have been asked to do: Stay away from this. We know a plan. We're going to do what we're doing on our own. Assist us with that hand. Leave the hammer home. It's working really well in the east end of PEI.

There's no reason to question that what they're doing is wrong because what they're doing is right. Those leaders of the seven communities know that in order for them to maintain their strength and be sustainable that this has to occur and they, in my opinion, know it, live it, eat it, dream it, sleep it, and are going out and talking about those virtues in a very productive way.

They know it's not easy. They're being met with some opposition from particular individuals, but they're being embraced by others, which gives them the courage and

strength to go out the next night and have another meeting.

It is being effective. It's working.

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

**Chair:** The hon. Member from Georgetown-St. Peters.

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

Just on 15(1), I guess I'll start with that, the "proposal to establish a new municipality may be initiated by the Minister."

I don't know why you would want that power. It appears heavy-handed. That, at best, is – it would be threatening to anybody who is staring down the barrel of it. Do you think this is a necessity in the bill?

**Mr. Mitchell:** I think certain powers of ministers – and I've been sitting here for 10 years and I see powers of ministers come through on bills constantly over each session of the Legislature.

In this particular case, I, as minister, have no intention that I'm enacting on those powers. I believe that they are there as last resort. There is a last resort in every aspect of life.

Whatever minister, in my opinion, who decides to go out and take the hammer will not be a minister very long. That's not my intention. It's not an effective method. To be sitting at a table encouraging and supporting and doing all you can to those people who are sitting there, that's the way you're going to get it done. That's the way it's going.

**Chair:** The hon. Member from Georgetown-St. Peters.

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

Do you have any issue with me amending it to take your name out of there if you have no intentions of using it?

**Mr. Mitchell:** Based on advice from my technical person, again, that would be something that we'd have to – you can make your amendment. I would ask that I could take it to legislative and legal and counsel to see if that's – as I did with the prior bill. I'll take it under advisement. I will also take the

amendment if you choose to make it and have it vetted.

**Chair:** The hon. Member from Georgetown-St. Peters.

**Mr. Myers:** If you would vet it and come back, I'll not make the amendment –

**Mr. Mitchell:** Okay, I'm willing to do that, too. (Indistinct).

**Mr. Myers:** – if we can get, whether or not it (Indistinct).

I'll tell you why. Because I've gone to some of these meetings and there is a group in my area that is – it's not all in my area, but there's a good chunk of it that would be the area I represent and the area that I live in. The message that's kind of been out there is: If we don't do this, government's going to do it on us or for us. I'm not sure that that's the message, but it's a shotgun wedding message, and nobody's pregnant. They're meeting on their own. Why put the gun to their head? That's what I feel like it is.

Then I have the other side. There's a large part of the area that I represent that is unincorporated. They're saying: Hold it, who speaks for me and how do I get a say? I know this week they had two meetings to elect somebody from the unincorporated area to give a voice so now they will.

I think there are still a lot of questions out there about how does somebody in an unincorporated area have a voice. Who gets to decide that: Hey, you're just going to be dragged along with us because we're saying so?

If elected municipalities want to meet and say we're joining together, great, but when they're dragging in the people in the middle, why are they voiceless? I guess, really, they're not because they have me, but –

**Mr. Mitchell:** Yeah, and the intention – I guess you are the representative. Good leaders lead, obviously. I'm assuming that you understand other communities that – sustainable futures is their vision. I know you want that for your communities that maybe need a little support to get there.

No doubt, well, obviously, some of them are incorporated, that you represent that feel that they need to do this, and, obviously, some of them are, perhaps, the unincorporated regions that can benefit with that. You as the leader would be the person, the front line, that would discuss those virtues with them and be a part at the table at these meetings that aid, to get representation to that table.

In the case down there, it took a while for that to get to that level because they had to go through the process, but now that they're there I think it's the right process, and I'm hopeful – I think you agree with it, that they need to have a voice. But each one will be a little different because there is no playbook, there is no handbook, and we're just kind of out there discussing and talking. It's the process.

**Chair:** The hon. Member from Georgetown-St. Peters.

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

I do talk to a lot of people and there is an appetite for it. I don't think it's nearly as big as people are being led to believe it is. I'm not sure if there was an open vote in that area that it would come anywhere near passing. I think part of the reason is a lot of the people – not just the people who live in unincorporated areas but people who live in some of the communities, are like: I don't see the benefit. You're telling me that there is more gas tax for what? What do we need? We're quite happy with what we have. The people that live in the unincorporated areas are like: Stay away from me, I don't want a sidewalk, I don't want a street light, I really live here because I want you to leave me alone.

I heard that at a meeting and somebody actually said that. They said: Wow, who said I was unhappy? Who said I wanted you down here in my business? I moved here, I got a big piece of land, I'm living off it, and I'm really happy. The life that I'm living makes me happy. I don't need more government to make me happy, I'm already happy.

**Mr. Mitchell:** You know what? That's a very fair thing to say, that that individual considers the long-term vision and the areas around. Right now they're going to do their

daily business or go to the school or go to the hospital. If they don't remain healthy and don't exist, then what is there for that person in 30 years' time, or 25 years' time? Probably nothing. They're happy today. You're giving them a vision of tomorrow, and if they can appreciate that, great. If they can't, that's fine too. I'm not trying to convince anybody. I'm just trying to put the information forward and hope that they can see the vision and the value of that.

I'm certainly not interested in changing anybody's mind, but we'll put the information out in a very productive way to say: This is what your community can look like in 20 years. Your children don't have to go to the west. Your children can live here in the vibrant community with a thriving community. That's what it's about. It's not about taxes, sidewalks, and streetlights, that's not what it's about at all. We'll continue to put that message out. The seven communities are doing that in a fantastic way at the moment and we're trying to help them do that.

**Chair:** The hon. Member from Georgetown-St. Peters.

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

I guess, for myself, I have a rough time seeing it as well. I have the same vision where I want people to live there, I want there to be a tomorrow. I don't know how adding a layer of government to somebody who lives in the woods in Launching will do that. (Indistinct).

**Mr. Mitchell:** All I'm suggesting, hon. member, is if you and I got in my truck and we went for a drive and we went to communities that were thriving 30 years ago, there was stores everywhere, lots of communities, residents doing everything, that aren't like that today. We can go through Prince Edward Island all over the place.

We're just trying to look at the big picture to make communities healthy so that everything is not coming into the urban areas, they can be healthy in other areas of PEI. That's all we're working towards.

**Chair:** The hon. Member from Georgetown-St. Peters.

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

Not to get too far off track, but I think it's Liberals that started that through the Comprehensive Development Plan of Alex Campbell where they started moving people into the cities and closing down small farms and taking away the small way of life that we had. That's why those communities disappeared. It wasn't because they didn't have a mayor, it wasn't because they didn't have a councillor, it's because Liberals decided bigger is better when I believe that it's not.

I believe that smaller is really good and I believe in small farms. I'd love to see people going back to where they were prior to the Comprehensive Development Plan, where they had chickens of their own and a cow of their own, and they raise their own meat. Mixed farming where they were actually sustaining a life that didn't require them to live in a condo in downtown Charlottetown to do it. If we all could vision that as a future I think that's a future that Prince Edward Island could quite easily represent for a lot of people. I think there is a surprising amount of people who share that vision, and there's a group in there in their 20s and 30s that really share that vision that are looking for a simpler life.

I just don't see how giving them a mayor gives them – I really don't. I'm not against the communities meeting and saying: Now we need to combine, I'm not against that at all. I think there's people who are trying to get away from the establishment and we're taking the establishment to them, and where do they have left to run?

I'm just going to represent my district. If you go out through some of the back parts of my district, through Launching and DeGros Marsh, there are people who moved there in the 1960s to get away from everything. They stayed there and made great lives for themselves and are happy the way they are. I just have trouble seeing how giving them a mayor is going to make them any happier. They already have me and then at the federal level they have Lawrence MacAulay.

I guess my question is: How many politicians do they need to be happy, in your opinion?

**Mr. Mitchell:** Probably, hon. member, if you want to undertake the role of land use planning for that person that is trying to live in that way that you say, in that long driveway by themselves, and all of a sudden a corporation or something who comes and buys the property beside them, as far as the province is concerned, you got good per cent tests, you got good sightlines, you got all that, that gets allowed.

If you want to take on the responsibility – which would come under a municipality – of land use planning to protect those people that you just referenced, then you're welcome to do that. But this is the role these councils and mayors take on. That's just one. That's part of that.

I know you want to be part of the solution, I know you do. We've had great discussion on it. But there are a lot of things that people have to look at, all aspects, be open-minded. I'm not saying have to agree because they all won't, but at least be open-minded to listen to it. Because in some place it's for your protection and benefit, and just be open-minded to hear those discussions.

**Chair:** The hon. Member from Georgetown-St. Peters.

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

On that note, I'll go back to another premier who did those very things, Angus MacLean. He brought in land use policies for the first time ever. I don't think it's beneath the provincial government to have their own land use to limit those things.

If you're saying a municipality can, why can't you? Toronto can do it and we're 150,000. We can't as a province? I mean, come on. You can't sell me that. I will not buy that as an argument because Angus MacLean led this province at least into this century or into his own century by stepping outside the box and saying: No, we can be, smaller is better, and we can protect our land because he did it.

**Mr. Mitchell:** Hon. member, I understand where you're coming from, but in reality, this transcends politics. This is about Prince Edward Island being sustainable, long-term vision, growing, enhancing. If your vision of

that is different, I'm fine with that. I really truly am.

**Mr. Myers:** It's all about politics though, because you want to give people more politicians and I don't.

**Mr. Mitchell:** You're bringing back Angus MacLean and Liberals messed it up and Tories did better.

We're above that today. We're trying to do the right thing.

**Mr. Myers:** It was you that went back to the small communities years ago, it wasn't me that talked about how great the communities were years ago. I'm just telling you what started tearing them apart. It was the Comprehensive Development Plan, and any historian will tell you that.

You can move on, Chair, I'll come back (Indistinct).

**Mr. Mitchell:** Thank you, hon. member.

**Chair:** The hon. Member from Kensington-Malpeque.

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

I've got two questions, minister, I'm just going to throw them into one here. 14(b): "within five years after the coming into force of this Act" – just regarding the official plan. So every municipality in five years basically has an official plan in place, is that right? From previous experience, I guess, official plans can get quite expensive after awhile. Is there going to be any funding towards municipalities for that?

**Mr. Mitchell:** We have indicated that we will assist with that, yeah.

**Mr. MacKay:** Chair, final question.

The official plan. So after a municipality puts their official plan in place, what's the next step? Does it go for government approval or is it automatically –

**Mr. Mitchell:** The minister does approve of the official plan.

**Mr. MacKay:** Minister approves the official plan, okay.

Thank you.

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

**Dr. Bevan-Baker:** Thank you.

I'm actually asking questions on exactly the same sentence as Kensington-Malpeque. I have a couple of questions about definitions because the wording is "within five years after the coming into force of this Act..." It's this bit that I'm not sure about, "municipal planning services." Are you talking about land use there? Municipal planning services is not a term that appears anywhere else and I'm just not sure what you mean by that.

**Samantha Murphy Manager:** That would be an official plan, bylaws, and the administration and anything that comes along with it. They might do secondary plans. When you get into more detail it's up to each municipality and what level of detail they want to get in to.

**Dr. Bevan-Baker:** It says after that –

**Mr. LaVie:** Call the hour.

**Mr. Mitchell:** Madam Chair, I move the Speaker take the chair and the Chair report progress and beg leave to sit again.

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

Mr. Speaker, as Chair of a Committee of the Whole House, having under consideration a bill to be intitled *Municipal Government Act*, I beg leave to report the committee has made some progress and begs leave to sit again. I move that the report of the committee be adopted.

**Speaker (Watts):** Shall it carry? Carried.

The hon. Member from Evangeline-Miscouche.

**Mr. Gallant:** Mr. Speaker, I move, seconded by the hon. Member from Tignish-Palmer Road, that this House adjourn until Friday, December 2<sup>nd</sup>, at 10:00 a.m.

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

Have a good evening.

The Legislature adjourned until tomorrow,  
Friday, at 10:00 a.m.