

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

Published by Order of the Legislature

Standing Committee on Communities, Land and Environment

DATE OF HEARING: 2 FEBRUARY 2017

MEETING STATUS: PUBLIC

LOCATION: POPE ROOM, COLES BUILDING, CHARLOTTETOWN

SUBJECT: WORK PLAN

COMMITTEE:

Kathleen Casey, MLA Charlottetown-Lewis Point [Chair]
Dr. Peter Bevan-Baker, Leader of the Third Party, MLA Kellys Cross-Cumberland
Sonny Gallant, MLA Evangeline-Miscouche
Sidney MacEwen, MLA Morell-Mermaid
Pat Murphy, MLA Alberton-Roseville
Hal Perry, MLA Tignish-Palmer Road
Bradley Trivers, MLA Rustico-Emerald

COMMITTEE MEMBERS ABSENT:

none

MEMBERS IN ATTENDANCE:

James Aylward, MLA Stratford-Kinlock
Steven Myers, MLA Georgetown-St. Peters

GUESTS:

none

STAFF:

Emily Doiron, Clerk Assistant (Journals, Committees and House Operations)

Edited by Parliamentary Publications and Services

The Committee met at 10:00 a.m.

Chair (Casey): Good morning, everybody. Welcome to the Standing Committee on Communities, Land and Environment.

Just as a housekeeping item, I'd ask you to silence your phones so they don't disturb the proceedings. Also, before you speak, for the record we want to make sure that comments that you are making to the committee are attributed to you so to help us, please identify yourself. I would like to welcome people in the audience who are with us today. Just a friendly reminder that there is no participation in the meeting, you are more than welcome to be here and we welcome you to the Communities, Land and Environment committee. For those of you who don't know me, I'm Kathleen Casey and I am the Chair of this committee.

Members, I have the agenda in front of you and I'm looking for adoption of the agenda.

Mr. Trivers: So moved.

Chair: So moved by Brad Trivers, thank you.

Hon. members, before we get into the discussion, seeing that we have a number of guests in the audience today and you see that 3(c) is we have received a letter request from the hon. Jamie Fox on proposed Myers Industries Recycling Facility, I was wondering if you would all be in agreement that we move that up to the front of the agenda to discuss that first before we move on to the rest of the agenda.

Mr. Trivers: Sure, fantastic.

Chair: Okay, thank you.

Who is speaking to it?

Mr. Trivers: I was going to say, I was speaking with Jamie and he is definitely asking –

Chair: Who is the lead on this?

Mr. Trivers: I'll take the lead on it.

Chair: Thank you.

I will ask Steven Myers to speak to 3(c).

Mr. Myers: Thank you, and thanks for moving this up on the agenda too, I appreciate it.

First of all, this proposed facility is in the district that I represent and I believe everyone that's in the gallery today who is not being paid by the Legislative Assembly is here because of this. There's quite a bit of information ahead, but I'll move right to what Jamie is looking for.

There are some considerable issues that caused the opposition to this particular facility. There are traffic concerns on that road and for those of you who aren't familiar with the road, it's a long straight road that has many dips in it and it creates a lot of blind spots, particularly for slow-moving vehicles to pull out of this facility, which is – there's a blind spot right at this particular facility.

Over the past year and a little better, a lot of Amish families have moved into the community so when you drive down that road now there are a lot of children walking on the road. There are very big families there. There are a lot of horse-drawn wagons on that road now so it's really changed the dynamic of that particular area as well. Increased heavy truck traffic, in our opinion, is going to cause more danger on that road.

The request is, first, to ask Minister Mitchell from refrain from issuing a building permit until this committee has received some public input on the project and he is requesting that the developer, himself, be asked to appear in front of committee and explain their plans and allow the committee to ask questions.

He is also looking to have a presentation on the environmental assessment that was done on that particular site so that committee members can ask questions on that and that a representative of highways come to committee and talk about the increased volume of traffic.

Since he sent this letter, there was another public meeting out there and I, myself, learned a lot about the future plans of the Amish community in that area and I would also like to add, maybe one of the key

players in the development of the Amish communities or their future plans to come. I believe Kerry Taylor was the person who spoke at the meeting, so if we could have somebody like Kerry come in and explain to committee the importance of not having the facility there versus – and how it could impact the future plans of the Amish community that is settling there.

I guess that pretty well covers their request. I know there's additional information and I know other members have been out to view it. I think Peter has been and I think James, you have been out too so –

Chair: Thanks.

Mr. Myers: That's all I have (Indistinct)

Chair: Thank you, Mr. Myers.

Also, there has been some additional information that was just put at your place this morning. It's a letter from the acting chair – it's from Ryan McKenna, the acting chairman for the St. Teresa and Area Development Corporation, so that's additional information that you would have received this morning. Would anybody else like to speak to the issue?

Peter Bevan-Baker.

Dr. Bevan-Baker: Thank you, Chair.

As members know, it's unusual to have anybody in the gallery, never mind the crowd that we have here today, and I think that speaks to the real depth of concerns that the community has about this project and I believe that they have some very legitimate concerns.

Ryan's letter, which I received yesterday and have read thoroughly, is a very well-researched written document. The concerns that the neighbours have, the community have, can kind of break down into two, and Steven has articulated this pretty well this morning, the two areas.

One is the suitability of the site, both from an environmental and a social point of view, and the second issue is safety. As Steven said, the increasing number of Amish people and the traffic on that particular road lends

itself to, I think, some very profound safety potential, safety concerns.

I'm in full agreement with Jamie Fox's suggestion that we do some real – we dig down deep into this and figure out what's going on because there is an alternative site in the vicinity which would be much more suitable. I'm really glad this has been brought forward and I fully support the ideas contained in the letter.

Chair: Thank you.

I have Brad Trivers and then I have Pat Murphy on my list to speak.

Mr. Trivers: Thank you, Chair.

I wanted to echo both what Steven Myers has said and Peter Bevan-Baker and thank you for all coming here and standing up and showing your concern because indeed that's the way democracy works; that was said to me earlier today. It's interesting, because this is the sort of issue that typically, if there was an incorporated area, would be looked after by the council within that municipality. It's interesting how that ties back into it.

For unincorporated areas, of which I live in as well in District 18, it really is the Legislative Assembly, the minister and the MLAs who need to play that role and so this is great to see the process unfolding the way that it should.

I wanted to say as well that in my district, in fact it's the road I live on, is St. Mary's Road, it's RTE 224 and we actually have a C&D site on that road and the increased traffic because of the C&D site is significant and I understand the concerns from a personal perspective that way. You worry when your kids are out waiting for the bus and the big tandem trailers are going down the road one after the other.

In fact, there was unfortunately a bad accident just a few years ago where a father, I believe it was of four children, was killed when one of the trailers became unhitched. I understand those concerns and that's why it's so important that they are addressed with a level of detail and I think it's fantastic to see the Standing Committee of Communities, Land and Environment doing the work that really needs to be done.

Chair: Thank you.

Pat Murphy.

Mr. Murphy: Thank you.

I can understand the concerns here, too. I have no problem getting the appropriate bureaucrats in to answer questions or the applicant. I might also say that I have a recycling facility – well, not really a facility. It's basically where they were dealing with shredding the tires and stuff up there and I'm still dealing with that trying to get that place cleaned up so tread carefully, not the tires (Indistinct)

Chair: Thank you.

Sidney MacEwen.

Mr. MacEwen: Thank you, Chair.

I really appreciate all of you guys being here today. There is a really strong push from the community on this. Chair, I would like to push forward if the committee could move this to the top of our priority list. I know we have a number of big issues going, but I know this one is time-sensitive and in honour of the big push that the community is doing to a number of our MLAs and to our committee, if the committee would agree that if we could kind of push this forward to the top of the agenda at the earliest possibility, next week, whenever our next meeting is. Hopefully we could do that.

Chair: Everybody in agreement to make that a priority?

Some Hon. Members: Yes.

Chair: Great. That's been done.

James Aylward.

Mr. Aylward: Thanks, Chair.

I just had a comment as well and I'm just reading Ryan's letter for the first time here and he has some excellent points. I guess one of my questions would be, first and foremost, we need to ensure that the environment is protected and it appears here that the EIS that was done doesn't really address all of those issues.

But, I guess my other question would be: Currently, where does Myers industry truck their waste to? Is it going to the provincial site? And if so, why is there a need to build a completely new facility? If you read the facts in this letter, they do not meet all the provincial standards, so I guess that would be one of my main questions, is: Why all of a sudden is there a requirement for another facility when we have a state-of-the-art facility already in operation?

Chair: Thank you.

I think everybody is in agreement to make this a priority as soon as possible. Is there anybody else who would like to speak to it? We're just having a little sidebar here about – let's confirm the list of people that we want to come in with this group. If anybody could make sure you could kind of direct who you think should come in before our committee as soon as possible. We could direct them to the clerk, then we would add them to the list and contact them and set up the meeting as soon as possible.

Steven Myers.

Mr. Myers: Would you like me to say a few now just so you can get started on it?

Clerk Assistant (Doiron): I have Steven's list whenever you did your –

Mr. Myers: Okay, you do?

Clerk Assistant: I'll just read them back and then if there's any clarification –

Chair: If there are any additions, too.

Mr. Murphy: I got somebody that could answer James' question there if you –

Chair: Okay.

Clerk Assistant: We have the developer of the facility, a presentation on the environmental assessment that was done in the area, a representative from the highway to discuss the increase in traffic volumes. Then you had mentioned Kerry Taylor who was working kind of with the –

Chair: With the Amish community.

Clerk Assistant: With the Amish community. Okay.

Mr. Myers: Yes.

Clerk Assistant: Those are the four groups that you had mentioned and I'm wondering –

Chair: What about the community itself?

Mr. Myers: The community itself and there was the Morell watershed co-op. I can't remember the name of it. Is that what they're called?

Mr. MacEwen: (Indistinct) management (Indistinct)

Mr. Myers: Because part of the Morell River starts right beside the facility, so to get their ideas.

Clerk Assistant: To add in the Morell River Management Cooperative and then also public input at one of the meetings?

Chair: Yes, well, we've also received a letter from –

Clerk Assistant: Yes.

Chair: – Mr. McKenna from the community so we would probably invite them to come forward as well?

Any further information or any further input?

Mr. Myers: Yeah, I think that the facility that's over on the highway there, the fish hatchery, I think they stock that part so I'm not exactly sure who operates that.

Mr. MacEwen: (Indistinct) biodiversity (Indistinct)

Mr. Myers: Yeah, do you know who runs it?

Mr. MacEwen: Yeah, it would be Abegweit First Nations.

Mr. Myers: Okay, so maybe the First Nations, because I know they stock that area too, and it would be interesting to hear if there's any impact or they feel there could be any impact (Indistinct)

Chair: On the fish hatchery?

Mr. Myers: Yes.

Chair: Okay.

Clerk Assistant: So, Abegweit First Nations?

Mr. Myers: They stock it so they actually put fish in the river there.

Chair: Thank you.

Pat Murphy?

Mr. Murphy: What about Island Waste Watch? Should they come in – should we hear on them if there is actually a need for another facility?

Chair: There was also mention of a letter sent to the department of environment. I know in some of the earlier discussions – Steven, I think you mentioned a letter to the department of the environment to put a stop to this before – so we can have some people in. Should we have a motion –

An Hon. Member: It's in Jamie's letter.

Chair: It's in Jamie's letter, okay. Do we need a motion?

Mr. MacEwen: If the committee would agree, we could send a letter asking the minister to refrain from issuing (Indistinct) until we have our public consultation, if the committee was agreeable.

Chair: That's what I'm thinking, thanks.

Did everybody hear that?

Some Hon. Members: Yes.

Everybody in agreement to that?

Some Hon. Members: Yes.

Chair: Thank you.

Any further discussion on this issue?

Mr. MacEwen: If we have any other witnesses, like you say, send them to (Indistinct).

Chair: Absolutely. If anybody thinks of somebody in the next few days that might want to be added to the list, by all means send the suggestions to the clerk.

Any further discussion?

Brad Trivers.

Mr. Trivers: I just had a thought. I mean we have these representatives from the community here today and we have the committee meeting here today. And perhaps – I'm just going to fill this out as a suggestion – after our work plan is complete and that part of the meeting is over, maybe it would be worthwhile considering, if there's anyone from the community that wants to say a few words to the committee even as early as today since we're all here; perhaps adding that. I know we've already approved the agenda and it'd be like having another meeting after this one. But I thought I'd just throw that out there for discussion since we're all here right now; if there was anyone that wanted to say a few words, not a great big formal presentation.

Mr. Murphy: I'd say they'd probably want to be prepared.

Chair: My gut feeling is let's let it run the course. Let it run the course, like we usually set up a meeting with the minister and then everybody else and have it all done in one presentation, but I appreciate your suggestion.

Mr. Trivers: I'm just not sure if all the people who are here today will be able to make it again in the future. I thought I'd throw that out there but I understand the committee's feelings on that as well.

Chair: Everybody okay with that?

Thank you for that. Thank you everybody for coming. We'll do that as fast as we can. Thank you. We didn't make you sit through the whole meeting.

Mr. Trivers: But you can stay if you want.

Chair: We'll recess for five minutes, everybody.

[Recess]

Chair: All right, everybody, we'll bring everybody back to the agenda and number 3(a) is the PEI Human Rights Commission appointments. I'm actually going to turn it over to the clerk to lead the discussion on this.

Clerk Assistant: There is a couple of supporting documents kind of after the agenda about the human rights commission. This committee is charged with making appointments to the Legislative Assembly; in the *Human Rights Act*, it's the Legislative Assembly on the recommendations to the standing committee that makes appointments to the human rights commission.

This year we have four commissioners whose terms are expiring in May 2017. The act provides that there be between three and nine commissioners. The terms are up to three years and re-appointment is possible.

The last time we did ads for the human rights commission was 2014. There are some commissioners that may be interested in re-appointment but there is probably still room for new appointees as well. I might recommend that the committee put out ads to see who is interested in applying to be a commissioner on the human rights commission.

The second document there is kind of a position profile that has been done up by the human rights commission, their staff there and approved by the commissioners.

I've also been in touch with the executive director Brenda Picard, who said that herself and the chair would be interested in kind of providing an overview of the work of the human rights commission to the committee at a meeting at some point this winter, if that's of interest to the committee as well.

Chair: Any discussion?

Brad.

Mr. Trivers: Thank you, Chair.

Sorry I missed that. Does this fall under Engage PEI as well?

Clerk Assistant: It does not. In the act itself, it is a committee that does kind of the

outreach and sending out the ads and then actually deciding who becomes the commissioner and then it's decided by the Legislative Assembly.

Mr. Trivers: My thought is Engage PEI is set up to do exactly what we're talking about. Instead of trying to do that outside and have our own set of processes, maybe we should work with them to make it happen.

Clerk Assistant: I think at this point because it is within the act and this does fall with under the responsibility of –

An Hon. Member: Change the act.

Mr. Trivers: Are you allowed to change the act?

Clerk Assistant: No.

Mr. Trivers: I was thinking use them as sort of to provide that service to us as a group and say: Can we use your processes, your forms, your website to go out and recruit these people? I mean we had a presentation on Engage PEI and it's a fantastic process. I think we would get a broader range of more qualified individuals if we had all the tools in place and methods that they have. If it's not possible because of legislation I understand that.

Mr. Murphy: Don't they have to apply through Engage PEI?

Clerk Assistant: With certain boards, commissions and agencies, they do run through Engage PEI. But since the human rights commission, I guess, is an extension of – so it's the Legislative Assembly that makes the recommendations and Engage PEI, I think, is more of an Executive Council-led initiative. Because it's the Legislative Assembly that makes the recommendations from the work of a standing committee, it kind of has to go through the process that's in place in the legislation.

Mr. Trivers: I'm just looking for any efficiencies we can get so we get the best candidate as possible. These people are experts at doing this, exactly what we're trying to do, even though it's a committee that we're going to appoint, not them.

Would it be worthwhile seeing if that's a service they could provide to us?

Chair: I think there's a difference between kind of the executive branch and the legislative branch of government and I think because it's under the act it has to be done. Because it's an act there are specific rules that you have to follow and I think they set out the rules quite clearly.

Mr. Trivers: Could I suggest maybe we just take a look at that just to see?

Chair: Sure.

Mr. Trivers: Because I really think it could provide a great advantage to us if we can. If we can't, we can't.

Chair: Emily, if you could seek that out and reasons for or against why we're doing that.

Clerk Assistant: Sure, I can, yes.

Chair: Maybe what we could do is – the first thing I think I'm hearing is we need to advertise and Emily is going to seek out some info with the Engage PEI stuff and why we can or cannot do that. Then I hear that the human rights executive director is interested in coming in to actually give us an overview of what they do; because we're going to be choosing their members, it will be nice to know what their mandate is. Everybody in agreement with that?

Any further discussion?

Pat Murphy.

Mr. Murphy: I'm just wondering, I guess they can answer that question about the mandate when they come in. I was just wondering is there any geographic considerations for the appointees?

Chair: Good question.

Brad.

Mr. Trivers: Thanks, Chair.

Are there any members of the committee, veteran MLAs that have heard the human rights commission presentation before?

Chair: No.

Mr. Trivers: Then it's absolutely essential for them to present, yes.

Chair: Everybody in agreement with that?

Some Hon. Members: Yes.

Chair: Thanks.

Now moving on to 3(b), Motion No. 50, calling for a review of the *Freedom of Information and Protection of Privacy Act*.

Emily, do you want to lead the discussion on that?

Clerk Assistant: Sure.

Again, there is some additional information kind of on the next page over. There was Motion 50 that was passed unanimously by the Legislative Assembly this fall, calling for the review of the *Freedom of Information and Protection of Privacy Act*, which I have also attached that motion just behind.

I've given kind of an overview – there have been some reviews of this legislation in the past by committee. The act was originally proclaimed in 2002. So in 2004, the Legislative Assembly referred it to a committee to review and there was another review in 2009. I kind of just outlined who came in to talk to the committees at those two points. This would be the first review done by a committee on this act since 2009.

Chair: Who were the leaders of that, was that Sid? Sid, did you move that?

Mr. MacEwen: Brad moved it and I seconded it.

Chair: As far as a review, are we looking to have the Information and Privacy Commissioner come in and review the act? What was the – can you talk to that?

Mr. Trivers: Chair, I'm going to speak to that.

Definitely, that would be the place to start with the Information and Privacy Commissioner; possibly, people that are involved with the whole administration of the process. The name that comes to mind is Kathryn Dickson, if that's appropriate. That

would be the place to start. Then I think once we hear from them, we will probably come up with other witnesses that make sense. Also, I'm in the midst of working with our caucus to come up with a list of witnesses that we think would be good.

I know this is going to be a process to review this, that's going to take some time; it can't be done quickly. We have lots of items that we have to look at. I'm pretty confident that we'll have time to get that list of witnesses together as we go over and hear from the Information and Privacy Commissioner and perhaps Kathryn Dickson, as well.

Chair: Do you see this review on Motion No. 50, being a separate meeting than – like when we set up meetings for the review of Motion 50, do you see that being set up as a separate meeting or incorporated into our regular meeting? I'm just asking the question.

Pat.

Mr. Murphy: I'm just wondering is this the appropriate committee for that?

Chair: It was sent from the Legislature to this committee.

Clerk Assistant: Yeah, it was referred to this committee, yes, in the motion.

Chair: Brad Trivers.

Mr. Trivers: One of the things I was struggling with when I was thinking of witnesses to ask for review of this, was how do you engage people in the public that have used the process to get their feedback on it.

One of the things it does say in the motion as well: "...through expert witness and public testimony..." Maybe that's what you're getting at. Are you saying: Do we need to have a committee meeting that allows members of the public to come forward and present?

Chair: I think what I was thinking of is, as you said, this is going to take some time. Do we need to put a focused effort on to just having this topic in a separate meeting apart from our regular Communities, Land and Environment committee meeting? That

would be the only thing on the agenda that day. I'm open for suggestions.

Mr. MacEwen: If we wanted to put a notice out to the public that we were doing this because it was a motion to the Legislature that was passed unanimously. We could put a notice out to the public that if you wanted to present on this topic or testify, or whatever you want to call it kind of thing, we could see what the response is and then book an afternoon for that.

Chair: Sure.

Would you be agreeable for us to have the Information and Privacy Commissioner come in first and then from her presentation we may take another tack of as to who the witnesses are that we have.

Mr. Murphy: Probably a good start.

Chair: That a good starting point?

Mr. Trivers: That works well.

Mr. MacEwen: When you mention the name, that's the representative from government that is in charge of FOIPP?

Mr. Trivers: That's my understanding, yes, that's her role, I mean just to verify that.

Mr. MacEwen: I'd say the privacy commissioner and then also the person from government that the requests go to.

Clerk Assistant: Access to privacy coordinator (Indistinct)

Mr. MacEwen: That's right, yes.

Chair: Start with them?

Mr. MacEwen: Start with them and then we can bring in witnesses after that.

Chair: Any further discussion? I know Brad you're searching something there but we'll add it to –

Mr. Trivers: Looking at Kathryn Dickson's title here.

Chair: We can find out who the person is that's responsible.

Mr. Trivers: Kathryn Dickson is the provincial manager with respect to the FOIPP act. So she would be – sounds like a really excellent –

Chair: They would be the two people that we would start with. Everybody in agreement?

Some Hon. Members: Agreed.

Chair: Thanks.

Any further business?

Mr. Trivers: (Indistinct)

Chair: Yes you do?

Mr. Trivers: Definitely.

Chair: Brad Trivers.

Mr. Trivers: There were a couple of things – just getting some updates on where we're at with the first draft of the water act. I'm not sure we need to have anyone come in and testify, but perhaps maybe just sending a letter to the minister. I know that first draft of the water act was going to be out in the fall and then it was delayed till the winter and we haven't seen it yet. I think it's really important that we get that water act in place soon, but it has to go to public discussion as well, so we need that draft out right away.

There's lot of activities as we know going on with respect to our water. I mean we heard of a water bottling, there is irrigation ponds being built, there's people that want to put in new wells, these sorts of things. I think part of what we should do in that letter to the minister, I would suggest that we ask for a status update and urge him to get the first draft out as soon as possible.

Chair: Everybody in agreement?

Some Hon. Members: Agreed.

Chair: Any further business?

Sidney MacEwen.

Mr. MacEwen: Thank you, Chair.

The Workers Compensation Board – I know all MLAs hear a number of issues and

inquiries from constituents. I know myself, and our caucus is hearing a number of concerns from the constituents on how claims are handled. On a few notes here, we've heard some issues from physicians that don't have anything to do with workers compensation patients in the province because of treatment and diagnosis that are being overruled by the WCB. We've heard concerns about back to work programs. I know there is a number of provinces that have recently, or are in the midst, of doing reviews, Ontario, Alberta, Manitoba and New Brunswick.

I'm wondering if we can have our committee examine the issue and call in representatives from the Workers Compensation Board for an update? I also wonder about adding the medical society, perhaps claimants and even employers, to that witness list on our work plan if the committee was so agreeable.

Mr. Murphy: I've often wondered about that if there would be (Indistinct) – Workers Compensation Board.

Mr. MacEwen: Great questions, appreciate it.

Yes, this committee does cover it.

Chair: I know this committee is a collector of all committees. I just wanted to make sure (Indistinct)

Mr. MacEwen: It's under justice and we cover justice.

Chair: Perfect.

Everybody in agreement we'll add that to the list? Yes?

Mr. Trivers: I think it's very important.

Chair: On this topic, James, or another topic?

Mr. Aylward: On another topic.

Chair: Okay, perfect.

Everybody in agreement to adding that to the work plan?

James Aylward.

Mr. Aylward: Thanks, Chair.

I guess one of the current topics that's being discussed primarily here in Charlottetown but it affects all of Prince Edward Island, is the outlaw motor gangs, motorcycle gangs, the OMGs. I did attend the press conference that was held by Premier MacLauchlan and the RCMP and various other law enforcement agencies on PEI and there was some discussion about measures that were going to be looked into with regards to wearing the colours or the rockers into public establishments like bars and restaurants and things like that. As of last week there was a news story on CBC with extensive coverage from the same type of legislation that was brought in in Saskatchewan and it was basically challenged by a Hell's Angels member in court and it was struck down.

I guess I would like to get an update from the province as to the direction they're going here and what's taking place because as we move forward every day that passes, these groups are getting more entrenched into our, I won't say social fabric, but certainly into our communities so I thought it would be advantageous to maybe get an update on that before we get into the Legislature because I'm hoping that any legislation that is forthcoming will be brought in in the spring because it is such an important issue.

Chair: Thank you. Emily, do you have that?

Clerk Assistant: Yes.

Chair: Good, thank you.

An Hon. Member: Thanks, Chair.

Chair: Any further business?

Do you want to add it to the agenda or do you want to send a letter to somebody for an update?

Mr. Aylward: I think receiving a letter would be a good start for an update and then we'll see where it goes from there and if we feel that we need to bring in – or if this committee feels that you need to bring in more qualified individuals such as Andy Cooke from the RCMP or Brad McConnell from the city police then maybe we would go that route.

Chair: Thank you.

Mr. Aylward: Thank you, Chair.

Chair: Any further business?

Mr. Trivers: Yes.

Chair: Brad Trivers.

Mr. Trivers: One thing that I think is important is that this committee gives some feedback to the Legislative Assembly in recommendations on carbon pricing, and based on the information we've already found out.

As well, as I think we could probably learn a little bit more and by that, I mean specifically, the implementation of carbon pricing in the British Columbia jurisdiction is one I think we could learn a lot from, and understand what their experiences is. I have heard conflicting reports on whether it was successful or not successful, but most of them say it was successful.

In particular, I'd like to hear about it, really, from both the environmental perspective, if did it actually decrease carbon emissions, and then from an economic perspective as well, how it impacted the economy of the province. I had some thoughts on the sort of people we could probably get in to present to the committee, but I wanted to hear the thoughts of the committee on that first.

Chair: Committee members, anything to add?

Mr. Trivers: Okay, Chair?

Chair: Brad?

Mr. Trivers: Ideally, I'd like to have somebody from British Columbia who has worked either, ideally, within the provincial government that is involved with the details of the process and procedures and the impacts, or maybe multiple people present to us. Now, I don't know if it's feasible to, you know, fly someone in from British Columbia to speak to the committee. It might possibly, but we do have a lot of modern technology here. We have great screens and perhaps we could set up some sort of video conference using a variety of tools out there.

Dr. Bevan-Baker: Lower carbon footprint as well.

Mr. Trivers: It would indeed, yes indeed. Good point.

Chair: Would people in our own department have studied the BC example and would they be able to provide us some information on that, do you know?

Mr. Gallant: It may be a good idea, Chair, that we bring somebody in from the department: Where are they at with this? What's happening?

Mr. Trivers: Yes.

Mr. Gallant: What information they have that they can share with us?

Chair: And in a letter of invite to the department, would you suggest that if they could reference, if they have any information on the BC example, answering your questions from an environmental: How has it affected the environment and how it's impacted the economy of the province? Could we include that in the letter?

Mr. Trivers: Yes.

Chair: Would we start with that?

Mr. Trivers: I think that would be fine, yeah. I would be happy with that. The other part of it – I use the general term how it impacted the economy, but also how it impacted or did not impact the different groups of people within the population of BC from a socio-economic perspective. I think that's important. That's one of the areas of concerns that I know I have and I'm sure we've all talked about it a lot. If you're on a fixed income or low income there's a perception, at least. It seems logical that you would be impacted more, but I'm wondering how BC – what actually happened in British Columbia.

Clerk Assistant: Did the committee want to start with inviting someone from the province in to discuss or –

Chair: I think it was agreement that we would invite somebody from the province in and in the letter of invitation we might actually also state if they had any – if they

were aware of the BC example, if they could comment on the BC example as well, right?

Mr. Trivers: Just to be clear again, the sort of information at least that I'm looking for, is this idea of being revenue neutral versus fiscally neutral and I know you've heard me talk about that before. In BC, the methodology they use to make sure that the carbon pricing was revenue neutral and I'm interested in that mechanism and how it was actually implemented as well. Did it cause a lot of overhead? Is it a lot of administration; these sorts of things, as well. Again, whoever comes in from our provincial department – maybe they did look into that specifically.

Chair: Any further business?

Mr. Aylward: (Indistinct)

Chair: James Aylward.

Mr. Aylward: Thank you very much, Chair.

This one, I don't quite know how to approach it because it's an extremely sensitive one. It has definitely a negative impact on the environment, but it could also harm low-income Islanders as well.

I was talking to an individual recently that delivers oil, home heating fuel, and we had the discussion about individuals going to service stations with the jerry cans to get furnace oil to take home to heat their homes. I guess I was just always under the assumption that probably the vast majority of these individuals were doing so because they couldn't afford to get the fill-ups even though Feasible Fuels is rapidly growing their business here in PEI, and serving a need. But what this individual actually told me is the vast majority of these cases are because their tanks have expired and the tags are no longer valid so the oil companies, including Feasible Fuels, can no longer deliver.

This individual told me: If you want to talk about oil spills, that's where you need to look. Because with people transporting in jerry cans, although they are supposed to be government approved or whatever, CSA, but when they do get them to their abode and they're pouring them in the pipe, he said: I personally saw many cases of oil spills from

that. So again, it's quite sensitive. I don't know how to approach it, but it is a grave concern with regards to the environment. I just wanted to bring that up and see what the committee thought about it.

Chair: Steven?

Mr. Myers: Another topic (Indistinct)

Chair: Oh sorry. Let's finish this one and then – anybody have any suggestions how we approach this?

Mr. MacEwen: We could bring someone in from the province to just ask those questions? To see: Are they hearing examples of what's going on? Find out their experiences with it. What do we do?

Mr. Murphy: It's probably an issue, too, if their tanks are outdated. That could be an issue in itself, right?

Mr. Aylward: Well that's what I'm referring to, yeah, because their tanks are outdated so the inspection tag on their fill pipe –

Mr. Murphy: The oil companies won't deliver to them.

Mr. Aylward: Exactly.

Chair: Would you prefer to write a letter and ask them the questions instead of having them come in? Would that be a more sensitive way to deal with it and then –

Mr. Aylward: I think that there might be – I don't know if you could ask all of the questions in a letter as you're receiving responses. I guess I would rather see somebody from the environment come in to discuss that.

Chair: Great, everybody in agreement that we bring somebody in?

Steven, you've got a new topic. Is this on the same topic, Sonny?

Mr. Gallant: Yes it is.

Chair: Same topic? Sonny.

Mr. Gallant: I think it's important what you said. There is, to my knowledge and maybe

it has changed, there were programs for seniors to get some assistance with replacing their oil tanks. Maybe we need to have the department in here and do an educational program on this because this is serious if people are dumping it on the ground and I'm sure they're not doing it on purpose.

Mr. Aylward: No, no.

Mr. Gallant: But if their tank is expired, we need to try to help them to get a new tank.

Mr. Aylward: Yeah.

Mr. Gallant: And if the province could do that through some program or an educational –

Yeah, I think we should have somebody in.

Chair: Awesome.

Mr. Aylward: I guess along that same line too, back a number of years ago my tank expired. I spent a little extra money replacing the tank by getting a fiberglass tank, which I thought I was doing a wonderful thing, but then the fire chief from Souris who actually sits around our caucus table said: What did you do that for? I said: Well, it's the thing to do. He said: What happens if there's a fire in your basement, what's going to happen to that fiberglass?

He said: It's going to melt and the oil is gone into the ground. I'm like, jeez.

Chair: I think I did (Indistinct)

Mr. Aylward: Where were you three weeks ago? So again, but it's public perception that a fiberglass tank is good. Maybe not so much.

Chair: Thank you.

Mr. Gallant: Maybe, if I may, Chair?

Chair: Sonny Gallant.

Mr. Gallant: Maybe it's something we need to explore with the department. Maybe these fiberglass tanks should be put outside in the future, not inside.

Chair: All right.

We will gather our conversation around tanks and –

Mr. Aylward: Thank you, Chair. I appreciate your time.

Chair: You're welcome.

Emily, you good?

Clerk Assistant: Yes.

Chair: Steven, you had another topic?

Mr. Myers: Yeah I did. I know you've added a lot of things to your agenda and –

Chair: Well, hon. members, we do have eight weeks before the House opens up so we're going to – we're adding all of this and I'm happy to add things to the list, but I think at some point we're going to have to prioritize where we're going to start.

Mr. Myers: That's fine.

Chair: Steven?

Mr. Myers: I guess my topic has to do with the schools and how the loss of the schools would impact a community, and I'm wondering if the committee would be interested in having some community leaders in to talk about that. I know in Georgetown, Louie, the mayor, would come in. They have a community council in Belfast. I'm not sure who the head of it is, but I'm sure they would come in. I'm sure that Mitchell Tweel would come in. He spoke last night. I'm sure somebody from the City of Charlottetown would speak about St. Jeans and –

Mr. Murphy: You would probably have a hard time getting somebody from up west (Indistinct)

Mr. Myers: Yeah, they're a quiet bunch about it all. But, I'm just wondering if there is any value in the discussion because I have long said when it comes to the school issues, that it shouldn't be viewed in isolation. I know the education system has been given the responsibility to make these decisions, but I believe that the decision has a much bigger impact on communities and the future of those communities. So I guess this is probably the committee where that would –

the communities' part of that would lie. I know in the education committee we're dealing with some of the factual parts of it that have to do specifically with the education system, but what are your thoughts on that anyway?

Chair: Any thoughts, people?

Hal Perry.

Mr. Perry: Thanks, Chair.

I agree with Steven. I think with the recommendations – it's only recommendations at this stage, but it's potential that the school closures could happen in these communities and I think it would be nice to hear from the communities to see what impact it may have on them, or what concerns they may have.

Mr. Murphy: I concur.

Chair: Pat Murphy.

Mr. Murphy: I concur with bringing somebody in, too. I think it's going to have a – it's not going to be a positive impact on the communities that lose their schools for sure.

Chair: Thank you.

Brad Trivers.

Mr. Trivers: I think it's important not to limit it to communities where the schools may be closing –

Mr. Myers: Oh, I agree.

Mr. Trivers: I mean, for example in St. Peters, there is a school that's no longer a school and there are all kinds of businesses in there -

Chair: Sure, Jim MacAulay might be interested in coming.

Mr. Trivers: Right, exactly, that sort of a presentation and that would give an example of a successful case that could be shared across the rest of the province as well.

Chair: Okay, thank you.

Mr. MacEwen: Chair?

Chair: Sid MacEwen.

Mr. MacEwen: Thank you.

I think it's a great idea, especially with the education committee. You're right, dealing with the nuts and bolts of it, bringing in Bob Andrews to talk about the specifics but then having the community aspect of it discussed here is a good idea and timing wise. As the disposal site is an issue, if the committee was interested we probably should push this one near the top of the agenda, too, just because of the sensitive timing with the number of days they have to respond and in the public and that kind of thing.

Chair: Thank you.

Any further discussion?

Peter Bevan-Baker.

Dr. Bevan-Baker: Chair, I absolutely support the suggestion from Steven and I'd just like to point out that there will be some experts on that connection where the intersection of education and community will be on the Island from February the 15th to the 19th. They're already slated to appear before the education committee, but since their area of expertise is how school closures impact communities, exactly what Steven is talking about and probably there is some overlap. Some of the members of this committee are also on the education committee, but if members were agreeable we could invite those people to also come and speak to this committee. It's just a suggestion.

Chair: Instead of having the presentation done twice, would it be – and some of us are all on that committee, would it be more prudent that if the members who are not on the education committee, that are on this committee, join that committee for the day -

Dr. Bevan-Baker: Absolutely.

Chair: – and then that way instead of having two presentations to two different committees, that we would go into that committee and even if we just sat in the audience or sat around the table -

Dr. Bevan-Baker: I think that's a great suggestion, Chair.

Thank you.

Chair: Okay. All right.

Clerk Assistant: Is the committee going to move forward inviting representatives from the other communities in? And I guess, how would the committee like to go forward with that? Invite the schools that have been recommended to close or to invite – I'm just wondering – I don't want to exclude any communities, but how would you like those invitations to go out to the various affected communities?

Chair: Steven Myers.

Mr. Myers: If I could suggest that the communities that would be most impacted by the five closures be put on the list, so you folks from up west could identify those communities better but –

Mr. Murphy: (Indistinct) family of schools, like the Westisle family and –

Mr. Myers: Maybe, and then –

Mr. Murphy: – the Georgetown family.

Mr. Myers: – down east I know we have an eastern chamber that would deal with kind of – I know you're getting into the economic impact of it then, too, and maybe that's better for the education committee. I don't know if they have a community link or whatever, but definitely the ones that are down east, they would have their own community council.

Chair: May I suggest that the members from the families of schools that are on this committee, if you know somebody in your area that you would suggest that would come in, if you would give that name to Emily so she could contact them to set up that meeting that would be great. We have Alberton –

Mr. Perry: St. Louis.

Chair: St. Louis, Georgetown and anywhere else?

An Hon. Member: Belfast.

Chair: It was also mentioned about St. Peters having the alternate site and then also,

we're going to do the Hub model, the group that's coming into the province between the 15th and 17th and we'll find out that – we'll get that information out to you so that you can attend that meeting.

Brad Trivers?

Mr. Trivers: One thing I wanted to mention is it would be interesting to hear the difference in impact, if there is any, between unincorporated and incorporated areas. If there are schools in municipalities versus schools that are not in municipalities. I'm thinking for my district, for example, if you've got Central Queens Elementary, that's in the incorporated village of Hunter River, versus a school that's in a community that's not incorporated and whether – I would like to hear both perspectives to see if there's a difference.

Chair: You want to make sure that when we invite people in that we have a representative from an incorporated and an unincorporated area?

Mr. Trivers: Yes, exactly.

Chair: Perfect, thank you.

Mr. Murphy: It's going to be hard to get representatives from an unincorporated area. There are no elected bodies or nothing there.

Mr. Trivers: Yeah, that is the trick all right. We had some visitors today that were from the – it was Ryan McKenna was their main representative and I believe he was with the St. Teresa and Area Development Corporation. So there are groups like that within unincorporated areas that we might be able to tap into.

Chair: May I suggest, Mr. Trivers, if you have any ideas of who those groups might be, if you forward the names to Emily.

Mr. Trivers: I'll look into that.

Chair: Thank you. Any further –

Mr. Murphy: Sorry, can I just –

Chair: Yes, Pat Murphy.

Mr. Murphy: What Brad is talking about there, like Bloomfield is an unincorporated

area and I wouldn't have any idea who to – who would speak on behalf of that unincorporated area.

Chair: Thanks.

Mr. MacEwen: (Indistinct)

Mr. Murphy: Who?

Mr. MacEwen: (Indistinct) seriously.

Mr. Murphy: Well, Pat Mella is the sister.

Some Hon. Members: (Indistinct)

Chair: Brad Trivers.

Mr. MacEwen: (Indistinct)

Mr. Trivers: I mean, maybe it would make sense to have someone who is within the Home and School association at Bloomfield speak. I don't know. What do you think of that idea?

Mr. Murphy: Oh yeah.

Mr. Trivers: Because they would have an idea of the impact of the school on the community.

Mr. Murphy: Right.

Mr. Trivers: Potentially. It might be a place to start.

Mr. Murphy: Yeah.

Chair: Thank you.

Mr. Trivers: Okay.

Chair: All right. Now we do have only eight weeks before the –

Mr. Myers: You're full.

Chair: – and I know this committee's done some great work over the last term, but I'm hearing that the priority was the group that we had in. Is that going to be our number one priority? What would you see as being the number two priority so at least we can get – and we have to do the human rights thing because that is timely. That's certainly a priority.

What would you see as the next priority? Would you see it being the school, the impact, the economic impact on school closures in a community? Would you see that up there?

An Hon. Member: Yes.

Mr. Trivers: Yes.

Chair: Okay.

So those would be the top three, right?

An Hon. Member: Yes.

Clerk Assistant: The FOIPP was (Indistinct) –

Chair: Oh, and then Motion 50 has to do it –

Mr. Trivers: That would be four, I would (Indistinct)

Chair: Okay, all right.

Clerk Assistant: Looking at the estimate of how many meetings there would be for each subject, that would probably bring us to eight meetings. So human rights, we'd have the human rights commission, that would be a meeting. How the process would normally work for that is the ads would go out, and then everybody that has applied, the committee would meet and that would be in camera, it would be discussing personnel. So that would be another meeting there, although that could also be on the end of a different meeting.

FOIPP would probably be two meetings, having the commissioner and the coordinator in, and then having maybe some public input.

The facility in Baldwin Road would probably – with the number of people that were listed, it would probably end up being two meetings, I would assume, or it would be one really –

Chair: Long one.

Clerk Assistant: – long –

Mr. Myers: Can I make a suggestion?

Clerk Assistant: – meeting.

Chair: Steven Myers.

Mr. Myers: Thank you.

I'm wondering, given the Baldwin Road facility is isolated to Baldwin Road, if there'd be any interest in the committee in having it in the evening in St. Teresa's hall like we've done with other meetings. Then there's no travel for the – the only people that really have to come are the government people who we've asked to, who have to travel any distance, and of course, you all.

But I'm wondering, then if you booked it like an evening and we just tried to fit it in that evening and have it like a one-nighter?

Dr. Bevan-Baker: I like that idea, Steven.

Mr. Myers: Bring it to the people, because they're the ones that are concerned the most.

Mr. MacEwen: That would limit it to one evening and it wouldn't take up an afternoon meeting, too, so –

Mr. Myers: Yeah.

Mr. MacEwen: – we could get more done.

Mr. Myers: It would free you up in the afternoon to do another topic.

Chair: Everybody in agreement with that?

An Hon. Member: Yeah.

Chair: Okay.

Clerk Assistant: Then we have the schools, which would be kind of one or two depending on the scheduling with all the different groups; and then we have the Workers Compensation Board, the oil spill and the carbon pricing topics. That would probably be one meeting each.

Chair: We'll leave it to Emily to try and – she knows what our top two or three, four priorities are. I know it's going to take a scheduling trying to get people in, so we'll leave it to Emily – will we leave it to Emily to set these meetings up and see if we can move forward?

Mr. Trivers: Sure, and Chair, I think it's important – I have a couple of other new business items to add as well, but I think it's important that some of the other ones that are lower in priority, we work on setting up meetings for them even if it is not till June.

Chair: Okay.

Mr. Trivers: We make sure that we have those lined up so as soon as the spring sitting is over we can continue with our work.

Chair: All right. Can you let us know what your other –

Mr. Trivers: Yes, please.

Chair: – business items are?

Mr. Trivers: Just waiting for us to get there. All right.

The next one that I wanted to bring up, I'm not sure if you're familiar with the grants in lieu of property taxes that exist right now?

Mr. Murphy: That's for hospitals and stuff (Indistinct) –

Mr. Trivers: Yeah, yeah, and at one time they also were available for service clubs like the Lions Clubs, for example. In fact, there's a provision in there where some Lions Clubs in particular and other organizations – Lions Clubs in my district – are grandfathered in.

I just thought that was a fantastic way to help our service organizations that do so much for our communities. I'm just interested to find out more about the reasoning behind the grant in lieu of property taxes, why it's set up the way it is, and whether it would make sense for this committee to recommend that it change at all so that those grants would be available to service organizations in terms of – I would like to hear someone from the province talk about that.

I just think it'd be a fantastic way to move forward and help those groups within our province. Considering it's a grant that's already in place, it was available and is available to some service clubs already; it

would be a relatively easy thing for the government to implement.

So I wanted to bring that up as a topic. Again, it's not in the top three or four, but I want to make sure it's on the list and we get someone in from the province to tell us about it.

Chair: Thank you. Do you have another item, Brad Trivers?

Mr. Trivers: Yes, I do. The other one I wanted to bring up, it had to do with Motion No. 29 that was unanimously passed in the Legislature last sessions, urging support for improved PTSD services for Prince Edward Islanders. It was encouraging to many people that I've talked to, to see that motion pass unanimously, but I think people are wondering what are the next steps and what's going to happen on that file. I think it would be useful, again, for this committee to make recommendations to the Legislature on that file so we can give them some direction.

I've got a list of some suggestions for witnesses that could come and present to the committee here, ones that we had talked about in our caucus.

Chair: Sure. Before you go further, the topic of PTSD, would that be something that would be more suited to the health committee? In my humble opinion, I think it is, and I think that that might – and I'm not saying it's not important, but I want to make sure that the right committee –

Mr. Trivers: Oh, it is.

Chair: – is dealing with it because we have eight weeks and we know the topics that we have, that maybe I would suggest that that go to the health committee.

Mr. Trivers: And again, I don't look at it as us having eight weeks. I look at –

Chair: Oh, no, sorry.

Mr. Trivers: – (Indistinct) having –

Chair: Sorry, no, I know that, but I just want to make sure that that might be a – their list of priorities might not be as long as

ours and you might be able to get to discuss it further, faster.

Mr. Trivers: Well, we do, Chair, have the Chair of the Standing Committee on Health and Wellness here as well. Maybe we could ask his opinion.

Mr. MacEwen: I think one of the reasons –

Mr. Trivers: Aren't you the Chair?

Chair: No.

Some Hon. Members: No, no.

Mr. Trivers: Well, we have a member. How many of you guys sit on the health and wellness committee?

Mr. Aylward: I sit in your caucus, not the other caucus.

Chair: (Indistinct)

Mr. Trivers: The Chair of Public Accounts.

Mr. MacEwen: I think it was sent to this committee because of the justice area, right? It was police representatives, it was –

Chair: Was it actually sent to this committee?

Mr. MacEwen: Yeah.

Chair: Oh.

Mr. MacEwen: It was –

Mr. Gallant: (Indistinct) copy of the motion. You got a copy of the motion (Indistinct) –

Chair: No, Emily's (Indistinct) –

Mr. MacEwen: (Indistinct) – the fire service people –

Chair: Emily's going to print it for us.

Mr. MacEwen: Maybe not sent, but recommended.

Chair: No, (Indistinct)

Mr. Trivers: Yeah, it doesn't –

Chair: Yeah, no, (Indistinct) –

Mr. MacEwen: Maybe that's –

Mr. Trivers: The motion doesn't – within the motion, actually –

Mr. MacEwen: Okay.

Chair: It doesn't send it to any committee.

Mr. Trivers: – specify a committee, but I'm not sure if there was a motion put forward.

Chair: No, there was – it wasn't sent to –

Mr. Trivers: No. It wasn't sent –

Chair: I'm looking at it here. It wasn't sent to any specific committee, but –

Mr. Trivers: I, so –

Chair: My gut feeling –

Mr. Trivers: – you think health and wellness?

Chair: My gut feeling is the health and wellness committee is probably the best committee to deal with this.

Mr. Trivers: All right. I'll definitely bring that up with them.

Chair: Thanks. And did you have another issue?

Mr. Trivers: I do, Chair. And –

Mr. Aylward: You want to wait until there's (Indistinct) –

Mr. Trivers: So –

Chair: No, we're going to send it to health, so thanks.

Mr. Trivers: Thank you.

Chair: It's going to go to health. Thanks.

Mr. Trivers: So when I was looking at that grant in lieu of property taxes and doing some research there to see how that could potentially be used to help service clubs, and noticed some were helped and some weren't; and also, during the 2011 and 2015

elections and in between, there's many constituents who have come to me and they're really concerned about how their property taxes have increased over the years. Sometimes I think it's not fully understood how that happens and why it happens and sometimes it seems to – it's perception, anyhow, that when a house is sold, the property taxes can increase for the new owner, these sorts of things. It's just a big issue out there.

I think it's important that – and again, if it falls within this committee, and perhaps it doesn't – but I think if it does fall within this committee I think it would be important to make recommendations – well, learn about how property taxes are determined and if they have been increasing and why they have and when they increase so we could make recommendations back to the Legislature if we think there are areas for improvement on that. I wanted to bring that up, and I'm talking about property taxes in general.

One of the other concerns, where people are saying that they felt in some cases the property taxes in unincorporated areas seem to be higher than the property taxes in incorporated areas, and they varied. I think it's important that the committee understand why those variances exist, and again, so we can make recommendations back to the Legislature.

Chair: Are you suggesting we have somebody from the taxation department in to talk about property taxation?

Mr. Trivers: I think that would be a great start.

Chair: Everybody in agreement?

Mr. MacEwen: Yes.

Chair: Thank you.

We'll add it to the list. Anything else? Any further business?

Being none, I would thank you for your input in the meeting. I always enjoy – this is a great committee, and enjoy your input.

Looking for a motion for adjournment?

Mr. Murphy: (Indistinct)

Chair: So moved.

Thank you, Pat Murphy.

Have a great day.

The Committee adjourned