

# PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

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The Legislature met at 2:00 p.m.

Matters of Privilege and Recognition of  
Guests

**Speaker:** The hon. Premier.

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

Welcome, everyone, to the floor of the Legislature for another great day, and to everyone who is with us in the gallery, those watching from home, and from my current and future district as we pay attention to all those things.

I'd recognize in the gallery Colton Profitt and Courtney Rayner. Colton's a great help to us in getting the work of democracy done in the province. Ann Kelly is here; Shane Hennessey, who's in my current district; Eddie Lund; and Wilfred Richard; and the Bevan-Bakers.

Earlier today, and there were a number of colleagues who joined; I think it may have been on the order of eight or nine of us from the floor of the House who were present for the Annual General Meeting and President's Luncheon of the Greater Charlottetown Area Chamber of Commerce. I had an opportunity to speak there about the state of the province, you might say.

I want to thank, and I'm sure, do so, on behalf of everyone here, outgoing president Pam Williams; welcome the incoming president of the chamber, Rory Francis; and recognize executive director Penny Walsh McGuire and her team for the work that they do to promote economic growth and, indeed, in a broader sense, the welfare of our province.

Tonight represents the beginning – although there was an event on Saturday, I remember, at the Farmers Market – but the beginning of a series of events for the May Run Music Festival hosted by Music PEI. In particular, the Music PEI brings in a number of delegates from the music industry from all over North America to get to know the talent here on Prince Edward Island. It's a great opportunity to promote that talent and the great creative work of our Island musicians.

Finally, I want to congratulate Zaneta Ambassa, a 12-year-old student whose film *Muted* will be screened during the Toronto International Film Festival's Kids Jump Cuts Young Filmmakers Showcase this weekend. Zaneta only started making movies this year. She wants to pursue a career in film, and I'd say she's off to a great start.

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, back today.

I also want to say today, I haven't given a shout out to the media this session, so I want to thank the media for covering us, and also welcome everybody to the gallery today, especially Ann Kelly; glad you could be here.

But I'd also give a big shout out to a good friend of mine who's having a very big birthday coming up right directly, and it's Austin Gaudet in Borden-Carleton. He'll be turning 100, and he's also a World War II vet and just an old great guy to talk to, and he shares old stories and stuff like that, and a great fisherman. So, just a shout out to Austin today.

Thank you.

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

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

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

I'd like to welcome everybody to the gallery, including the Bevan-Bakers.

I'd like to mention, also, something the Premier talked about, Zaneta Ambassa, who – I watched her little films – two-and-a-half minute film this morning, but it's a really beautiful little thing. You would never imagine that it was something that could be created by a 12-year-old, and I also listened

to her on CBC this morning; beautiful, creative, articulate; obviously a young girl who has enormous talent, so that was lovely to see.

I'd also like to, again, echo what the Premier said about Music PEI and Rob Oakie and wish all of my fellow musicians here on the Island a wonderful time during May run.

Thank you very much, Mr. Speaker.

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

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

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

It gives me great pleasure to rise again today and welcome all those in the gallery. Colton Profitt, as the Premier had mentioned.

There are actually two very special ladies in the gallery, today. They are two ladies that are very dear to me. They are members of my District 22, Summerside-St. Eleanor's executive, as well. They provide such valuable insight and resource and support to me. For them to drive up here all the way from Summerside today on a very rainy day when, you know what, most people would just be staying in bed, maybe just pulling the covers up over their heads, but they came down here today to support me in my role. Each and every one of us, as MLAs, in this Legislature because they are interested in what we do, and I want to thank them from the bottom of my heart for coming up here today and showing us all their support.

Thank you, Mr. Speaker.

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

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

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

I certainly rise to welcome all of our guests in the gallery. A shout-out to Shane Hennessey, a good friend, and over the years was, I believe, a pretty dedicated coach in the Sherwood Parkdale minor hockey system. He spent a lot of time in the rinks.

I wanted to acknowledge all my constituents. I do, in District 11 Charlottetown-Parkdale, have a volume of people that watch the proceedings on a regular basis, and do get a tremendous amount of feedback. I certainly want to give them a nice hello today and hope they enjoy the proceedings.

I wish everybody a great session today, as well.

Thank you.

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

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

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

Of course, it's a pleasure to rise and welcome all my colleagues back here to the House, and everyone watching from District 18, Rustico-Emerald, as the Premier said: Both current and future.

I'd like to recognize everyone here in the gallery, as well, thanks – Bevan-Baker's, it's good to see you here, Ann Kelly and Shane Hennessey, great to see you, Michael Zimmerman back here again; always a pleasure to have you on the floor.

There was the Charlottetown Chamber of Commerce president's luncheon today. I was very pleased to attend and hear the speaker, Brendan Paddick. He was just excellent. There is a very successful telecom person.

Of course, with the issues going on with high-speed Internet, I listened intensely to him. One of the things he found out that when it was too expensive to get someone to do it for you, he said, do it yourself.

One of the things that he said, and he directed this specifically at government. He said: Their mission statement was don't predict the future; enable it.

That is something I'd like the government to really take to heart. That's what it's –

**Mr. R. Brown:** Every day.

**Mr. Trivers:** – all about. It's not about –

**Mr. R. Brown:** Every day.

**Mr. Trivers:** – picking and choosing winners, it's about creating a fair and equal playing field in the infrastructure so that everyone can be successful.

Thank you, Mr. Speaker.

**Mr. R. Brown:** While you guys are under the covers sleeping we're out working.

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

**Ms. Casey:** That's good.

**Mr. R. Brown:** Trying to come up with ideas.

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

**Mr. J. Brown:** Thank you very much, Mr. Speaker.

It's my pleasure today to stand to recognize Pam Williams as the Premier did. Pam is a partner in our law firm and somebody that I have a great deal of time for, and has helped me along in my career. Pam is on, I guess we could say, the tail end of about a 10-year run through the chamber executive. It's really a tremendous commitment to your community when you sign up to be involved, particularly, on the executive of the Charlottetown Chamber of Commerce. It's something that is a great organization for Charlottetown.

Rory Francis, who is incoming, as a constituent of mine and a very capable person, and we're very lucky to have Rory.

I'll say hi to Shane Hennessey, as well and I'll lay a little bit of claim to him to say that I've seen him at the Dunstaffnage Community Centre a few different times, which is the stomping grounds of my in-laws. Not to cause any dispute, but part of the Speaker's district currently and I gather to be part of the Premier's district. All kind of –

**Premier MacLauchlan:** (Indistinct)

**Mr. J. Brown:** Exactly, all kinds of connections back there.

Also, to say hi to Sandy MacKay, who tells me he tunes in religiously at –

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

**Mr. J. Brown:** – 2:15 p.m. every day.

Thank you, Mr. Speaker.

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

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

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

I, too, would like to welcome everybody here today. I'd like to echo the comments of the Member from Charlottetown-Brighton on the AGM of the Charlottetown Chamber of Commerce and my good friend, Penny Walsh McGuire, who's doing great work over there. Her family is great members of the district – District 7 – wonderful family.

I'd also like to welcome some people in the gallery here today. Ann, it's good to see you here today, the Bevan-Bakers, welcome and there's lots of political knowledge there in the back row too with Eddie and Shane and Wilf. Welcome, guys.

I had the chance to talk to the Morell High School law class here today and I'd like to thank the assistant clerk, Ryan Reddin for giving a tour to them today. Johnathan Murphy and his class were in here and asked wonderful questions and they got to see the courts and they came up here to the Legislative Assembly, so appreciate them coming in to see what we do and ask them some good questions.

Thank you, Mr. Speaker.

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

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

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

It's always a pleasure to rise in the House and welcome everyone into the gallery, especially those at home watching from District 1, Souris-Elmira. And the lovely press – here they come. Welcome them too.

**Mr. R. Brown:** Looking for another picture in the paper, are you?

**Mr. LaVie:** I want to give a big shout-out to the Provincial Fire Marshal's Office. You've got Dave Rossiter as fire marshal and Dave does an excellent job of what he does as the fire marshal. I know when Dave took the job as fire marshal, it was hard for him to give up the fire chief in St. Peters, but it was a big decision that he had to make and he made it. I know Dave has helped me a lot in the past and even before he was fire marshal, he helped me with being chief in Souris and he helps me to this day.

Deputy Fire Chief Robert MacKinnon from Montague – excellent guy. He's there – a phone call away. Every time you call him for a scene, he's just a phone call away. And, of course, joining them was John Chisholm. John Chisholm – excellent guy. He's on the Charlottetown Fire Department. It was a good decision to take John on board. These three guys go beyond the call of duty of what they do. I've worked – I've been in the fire service for 36 years and I've gone through 3 fire marshals now. These three guys here in the Provincial Fire Marshal's Office, they go well beyond the call of duty for what they do. Big shout-out to Dave Rossiter, Robert MacKinnon, and John Chisholm – and all the staff. The staff is a great staff that they have there, too.

So a big shout-out to the three of them and thank you.

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

#### Statements by Members

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

#### **Scott Parsons**

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

I would like to rise and acknowledge a multi-disciplined musician and songwriter. Scott Parsons has donated his time, energy, and his talents to helping many Islanders celebrate and understand more about their own history.

He is currently serving as president of the Black Cultural Society. I applaud the

organization on achieving a second successful year of celebrating Black History Month this past February.

Scott's work to educate youth is both creative and informative. He has written and recorded seven songs for a play titled *The Old Stock* about PEI black history. The material from this play is currently being taught in classrooms as part of the curriculum for kids in grade 6 to 12 across the Island. He has been a familiar face in Island schools performing his anti-bullying puppet show about inclusion of people with disabilities.

He was recognized in 2012 by being awarded the Queen Elizabeth Diamond Jubilee Medal for his service to the community and country.

His career has spanned over five decades. Scott is a talented singer, songwriter and musician. He performed two tours in Switzerland and has also made appearances throughout Canada, the U.S., England and Wales. He has taken the stage at many folk festivals across Canada.

I would like the House to acknowledge the wonderful community contributions of this gifted musician, who is willing to share his talents to entertain and educate Islanders.

Thank you, Mr. Speaker.

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

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

#### **Christopher MacLeod**

**Mr. Dumville:** Mr. Speaker, I would like to rise and talk to the accomplishments of Christopher Robin MacLeod from West Royalty Springvale, who recently wrote a book titled *Diving Through Divinity – Deep in the 100 acre woods*.

It is the path that led to Chris writing this book that I would like to talk about. Chris was diagnosed with schizophrenia about 15 years ago. In 2002, he was studying at UPEI and began writing for his own enjoyment. This was just before he was hospitalized for schizophrenia and diagnosed with having a

propensity of audio and visual hallucinations.

Chris used his writing to interpret his thought process and to help him understand what was going on in his life. He realizes that some of his poetry seems a little dark, but it depicted the highs and lows that he was dealing with inside his own head. Now that this remarkable young man has been mentally stable for the past seven years, he can look back on his writing and smile about where he is in life now.

He hopes that his book can give an insight to those who have never suffered with mental health issues. He has since heard from people all over the world who have travelled the same journey with schizophrenia and he has seen a lot of efforts in de-stigmatizing the disease. Mental illnesses are still feared and misunderstood by many people, but the fear will disappear as people learn more about them.

I would like to acknowledge the brave efforts of Christopher Robin MacLeod, for opening up more discussions on mental health issues and sending a powerful and important message in telling his story.

Thank you, Mr. Speaker.

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

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

### **Rendal Caseley volunteer work**

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

They say what makes the Island so special are our communities and what makes our communities so special are the people in them. With that in mind, I would like to recognize the tremendous accomplishments of a member of my community and a good friend, Rendal Caseley.

For close to half a century, Rendal has given back to the community through a wide range of volunteer work in minor sports, heritage, entrepreneurship and church activities, just to name a few. To do his list of volunteer work would take a lot more time than I have, but I'll try and do it justice.

Some of the many community groups that Rendal has held leadership roles over the years are: Prince County Hospital Foundation, Kensington minor hockey, Kensington figure skating, Kensington Chamber of Commerce, Kensington Heritage Festival, the Kensington Train Station Restoration, the building committee for the Community Gardens Arena, Kensington Community School, Kensington United Church, PEI Railway Heritage Association and the PEI Canada Games figure skating team.

In honour of Rendal's long-standing community service, he and his wife, Sandra, were named Kensington's citizens of the year in 2012. Rendal's community service is a source of pride and a shining example for his four children and nine grandchildren. Rendal's lifelong volunteerism and commitment to helping improve his community should be an inspiration to us all. I'm honoured to call him my friend.

On behalf of this Assembly, I want to acknowledge and thank Rendal Caseley for his many years of service to his community.

Thank you, Mr. Speaker.

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

Responses to Questions Taken as Notice

### Questions by Members

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

### **Finance minister resignation over e-gaming file**

**Mr. MacKay:** Mr. Speaker, the finance minister told the Public Accounts committee on March 1<sup>st</sup>, 2017: I will answer what I can, but my knowledge of this file is quite frankly limited to what we have all read in the Auditor General's report and to the actions, we have taken response to the Auditor General's audit and recommendations.

Yesterday's email certainly blows apart the minister's credibility and his word.

Minister: Why the delay in tabling your resignation?

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

**Speaker:** The hon. Minister of Finance.

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

From the outset of this file, I have been very forthcoming to this Legislature. In fact, I even had the opportunity to review an article that was written in *The Guardian*. I believe it was the 20<sup>th</sup> of March, 2013, in an interview where it clearly outlined in that interview that there was an MOU that I was aware of and it took place in 2012, in July.

I have been very forthcoming on this and I have looked at the emails that the member opposite from Kensington-Malpeque is referring to and there is nothing in that email that would have anything – that would leave me to believe anything he is accusing me of and I have absolutely no intention of resigning.

Thank you, Mr. Speaker.

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

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

#### **Finance minister aware of MOU**

**Mr. MacKay:** Mr. Speaker, the auditor testified to Public Accounts that the minister said in his interview he was not aware of the details of the MOU. The minister then told the House yesterday, on May 9<sup>th</sup>, 2017: I have always stated that I was aware of the MOU.

Minister: How come you're two statements don't match up?

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

**Speaker:** The hon. Minister of Finance.

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

Again, it's a pleasure to rise and speak to this. Again, I have the same email that he is referring to and as I looked through that email, there is absolutely nothing in that email anywhere that refers to e-gaming. It talks about financial services and the financial platform.

**Some Hon. Members:** Oh.

**Mr. Roach:** There is absolutely –

**Mr. Trivers:** (Indistinct)

**Mr. Roach:** – no detail in that whatsoever that would indicate anything –

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

**Mr. Roach:** – that the opposition is bringing up in this Legislature.

Thank you.

**Mr. Myers:** Quite a routine there.

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

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

The minister told the Public Accounts committee on March 1<sup>st</sup>, 2017: I think the first time I heard anything in detail about that MOU, I think there was an article written in the Toronto newspaper. That was in 2015. The minister then told this House on May 2<sup>nd</sup>, 2017: Certainly, I was aware there was an MOU. I think I have clearly stated that on a number of occasions. I read the MOU that was extended. Minister: How can your two statements that are opposite both be true?

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

**Mr. Myers:** Good question.

**Speaker:** The hon. Minister of Finance.

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

I guess to clarify, the MOU that I referred to and I'll say it again: There was nothing in that MOU that I referred to that had anything to do, or a connection to e-gaming.

I'd like to point out that in the Auditor General's report, the Auditor General clearly laid out a timeline as to how things kind of unfolded.

The e-gaming file, according to the Auditor General and her investigation, was shut down in February of 2012.



**Mr. Myers:** And you're sending emails in October.

**Mr. Roach:** Mr. Speaker, this MOU was five months after that. On the 1<sup>st</sup> of March, I did attend a Public Accounts and I was asked a number of questions by the hon. Member from Rustico-Emerald and in that response, I clearly stated in response to the question about that, I said and I have it here that I can table later, I said: July 2012.

Very clearly, Mr. Speaker.

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

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

**Mr. MacKay:** Mr. Speaker, the minister told *The Guardian* on October 19<sup>th</sup>, 2016: Shortly after I got elected and became a minister the file was, for government purposes, shut down. I had no intimate knowledge. I was never involved in any meetings with respect to e-gaming at any time.

The minister then told this House yesterday: I was aware of the MOU that took place in 2012. I was aware of it because the deputy minister came in and told me that we were going to be signing an MOU with a group to look at a financial platform, and clearly the first time I heard anything about e-gaming.

Minister: Why can't you keep your story straight?

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

**Mr. Myers:** Good question.

**Speaker:** The hon. Minister of Finance.

**Mr. Roach:** Mr. Speaker, as I clearly outlined in one of my previous answers, I clearly outlined the timeline taking place and there's no confusion here. The only confusion is with that member.

We have since moved on –

**Mr. Myers:** Sergeant Schultz.

**Mr. Roach:** – we're not living in the past, and we know that Prince Edward Island holds the strongest fiscal position amongst

any of the Atlantic Provinces. In a two-year period, this government has done that through hard work from each one of the departments and great work that's taking place by all the people that have companies and –

**Mr. Myers:** Wish you would table all of your emails.

**Mr. Roach:** – corporations and workers in Prince Edward Island. That's what this government is going to focus on and that's how we're going to get ahead by doing it that way.

Thank you, Mr. Speaker.

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

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

### Intelligence of Islanders

**Mr. MacKay:** Mr. Speaker, I have all the dates and I don't think Hansard lies.

The minister told the Public Accounts committee on March 1<sup>st</sup>, 2017, "I was actually never briefed on the e-gaming project... I think it was sometime around 2013, early in the year, that I really first became aware..."

These are the other dates the minister threw out that day: I'm going to say the latter part or sometime midway in 2012. That would have been probably sometime in 2016. My recollection, I'm thinking it was probably sometime in July, 2012.

"I guess whenever it became public. I didn't know prior to. I had no knowledge..."

Minister: Why do you continue to insult the intelligence of Islanders?

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

**Speaker:** The hon. Minister of Finance.

**Mr. Roach:** Mr. Speaker, I do appreciate very much the readings from the Member from Kensington-Malpeque, but I'll just continue on with the rest of that answer that I gave on the first of March, 2017.

**Mr. MacEwen:** Never briefed.

**Ms. Compton:** Never briefed.

**Mr. Roach:** “Well, it might have been – no, it wouldn’t have been 2012. It would have been 2013 because the current deputy minister, I think, would have been the one who advised me that there was an ongoing file between the minister, the then minister of finance, and MCPEI and that there had been a loan disbursed for \$950,000.”

Quite clearly, that was in 2013. That was the first time I became aware that there was even a loan. Even at that time –

**Mr. MacKay:** 2013 (Indistinct)

**Mr. Roach:** – that’s when I learned that was in 2013.

That’s the rest of the answer, Mr. Speaker.

Thank you.

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

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

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

Let’s get to the rest of the rest of the answer. We know that what this government has done through all of their backroom deals has made the taxpayers’ of Prince Edward Island have to face a \$50 million lawsuit for the second time.

In the original defense of the original lawsuit, Chris LeClair, the defense states that: Chris LeClair denies knowing any knowledge of the MOU.

The surviving emails that we have prove that he did.

### **Truth and government’s defense**

Question to the Premier: Why is the truth opposite to the government’s defense?

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

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, questions are now being asked about a matter that is in litigation before the Supreme Court of Prince Edward Island.

As the members opposite have reminded us several times, there are some pretty big numbers attached to this, \$50 million – big name doesn’t amount that the litigates might hope to secure from this from the taxpayers’ of Prince Edward Island.

It’s obviously in the interest of government and of the taxpayers and of our province, that the government defends this. Further, as is the normal practice of this Legislature or legislatures anywhere, we would not be discussing matters before the courts here in this Legislature.

Thank you, Mr. Speaker.

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

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

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

This is the exact lawsuit that this exact same Premier talked about yesterday, he called it vexatious.

The Minister of Finance, by funnelling information to Chris LeClair, was one of the causes of this lawsuit. The lawsuit that I’m talking about was the one that was thrown out. The defense I’m talking about is the defense that you used to have that thrown out.

In the original lawsuit government’s defense states that: Chris LeClair denied knowing Simplex was a party to the MOU.

The emails that we produced yesterday say quite otherwise.

Question to the Premier: Why is the truth opposite to government’s lawsuit defense that was thrown out?

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

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, it wasn’t the government’s defense that was

thrown out. The precise language and I'm quoting from the judgment of the court in the lawsuit that was dismissed in February, 2016.

Quite simply, and this is very precise legal language, the judge in that case said: The statement of claim constitutes an abuse of the processes of the court.

That was how that was dealt with. That's what I referred to yesterday, but it's back. This is not the place and I realize the opposition may, indeed, want to help the litigants, but Mr. Speaker, this matter is before the courts.

Thank you.

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

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

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

Unlike the Premier and your bunch, I'm not trying to help anybody's friends. I'm standing up for Islanders. I'm standing up for taxpayers –

**Mr. J. Brown:** Seem to be there (Indistinct)

**Mr. Myers:** – unlike Lionel Hutz over here –

**Mr. J. Brown:** (Indistinct) anybody (Indistinct)

**Mr. Myers:** – the great Simpsons' lawyer, who seems to have the answer for everything –

**Mr. J. Brown:** (Indistinct) boyfriend.

**Mr. Myers:** Mr. Speaker, the original lawsuit, government's defense states that Chris LeClair denied making his own proposal to government. The surviving emails prove that he did do this.

Premier: Why is the truth opposite to the defense that you had filed originally?

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

**Speaker:** The hon. Minister of Finance.

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

Again, the Member from Georgetown-St. Peters refers to the emails that were sent. I'd like to point out that the emails that I have, which are the same as the ones he had, there was never an email that I sent to anyone. I never sent an email. I was copied on emails.

The email that he refers to –

**Mr. Myers:** Are you Chris LeClair?

**Mr. Roach:** – all the time is one that I was copied on from Melissa MacEachern that went to minister Sheridan at that time.

When the member refers to the previous lawsuit, the court and the judge that ruled on that took the evidence that was being supplied and simply said: There is nothing here in this that has any weight whatsoever. It was dismissed.

Thank you, Mr. Speaker.

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

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

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

It was dismissed because the defense was full of false information. That's what my questions are about today.

If you listen really closely, I'm going to talk a lot slower so that you understand. The original lawsuit government's defense states: Wes Sheridan denied knowledge of the MOU. You go that? Wes Sheridan denied knowledge.

The surviving emails prove that otherwise.

Premier: Why is the truth opposite to the defense you filed?

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

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, what took place in that lawsuit and I say, again, that it's back before the courts so this is not the place to be arguing the merits.

Let me say, what took place in that matter was that the plaintiff's position was thrown out. Indeed, the judge, in that case in throwing it out, said: It's not for the defendants or the court to pick through what is left of the statement of claim to proceed.

Neither, when I say that it is for this Legislature to pick through this – the other positions or any positions in a matter that has now been dismissed. The only thing that the opposition could be hoping to achieve by bringing this up here is to assist the litigants in the matter that is now back before the courts.

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

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

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

What I'm insisting is, Islanders getting the long deserved truth from your government, which you seem, quite frankly, quite content with hiding because you're a hider.

The Premier also knows that I'm a politician; I'm not a lawyer, as is he. He's a politician. He's a lawyer. Neither one of us has spent a day in a courtroom.

The original lawsuit government's defense states: Wes Sheridan denied knowing Simplex was a party to the MOU. The emails that we produced yesterday prove otherwise.

Question to the Premier: Why is the truth the opposite of the defense that you filed?

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

**Speaker:** The hon. Minister of Finance.

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

Again, I'll refer back to the Auditor General just for a moment here and her timelines. The Auditor General, as I recall, when I reviewed her report, said: E-gaming was shut down in February.

So e-gaming shut down in February completely. Five months later an MOU is signed with a company to talk about a financial platform –

**Mr. Trivers:** (Indistinct) that's not what she said.

**Mr. Roach:** – we have e-gaming over here shut off. Five months later there is an MOU.

The opposition would like everybody to believe that somehow those dates were right together and there is no difference.

Mr. Speaker, there is a big difference.

Thank you very much.

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

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

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

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

Now, it's funny that the Minister of Finance didn't know anything about this file yesterday – couldn't recall a thing with his Sergeant Schultz routine, didn't know anything. He couldn't put any of it together. He called the questions conjecture. He said: Conjecture. He had no knowledge and he termed it as conjecture over here, that it was an assumption, or a guess that he had funnelled information to this other MOU that was set-up by Chris LeClair. You know it's true. I can tell by the way you're squirming in your chair. The surviving emails prove what you did.

Question to the Premier: Why is the truth opposite to the statement that this finance minister told this House yesterday?

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

**Speaker:** The hon. Minister of Finance.

**Mr. Roach:** Mr. Speaker, as I just replied a few moments ago, I referred to the Auditor General's report and that was the Auditor General's timeline, so I'm basing my answer partly on what the Auditor General gave me.

But when that MOU was signed in July of 2012, I had heard nothing about e-gaming and there was nothing about that MOU that, as a result of what I learned from reading the Auditor General's report, that was

connected. That's in the report; it's five months later.

Thank you, Mr. Speaker.

By the way, I think it's important that the correct timelines and the correct information is provided here in the Legislature so that the public knows exactly what took place.

Thank you, Mr. Speaker.

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

**Mr. Trivers:** That's exactly what we're doing. We're quoting (Indistinct)

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

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

It's really hard forever to have a clear timeline when this minister over here one day knows everything, the day before knows nothing, the next day he knows nothing again, then he knows everything. He's got to decide whether he knows this file or he doesn't know this file, and he knows the timeline or he doesn't know this timeline. It's him that's trying to confuse Islanders, not me. I'm trying to get the truth, because Islanders are getting tired of scandal after scandal from this tired Liberal government who is content to close ranks, suppress information, delete emails, and hide the truth from Islanders.

Yesterday it was uncovered that the finance minister passed details of a confidential exclusive MOU to Wes Sheridan and Chris LeClair. This is a fact. The surviving emails prove that he did.

### **Inside information and resignation of minister**

Question to the Premier: Why is passing on inside information not serious enough to warrant the resignation of this minister?

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

**Speaker:** The hon. Minister of Finance.

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

Again, the member refers to the emails that were out, and he's made the statement a number of times that it was detailed information, and I provided this to this person and I provided to that person.

In all the emails that are here, I did not send; not even one email. I was the recipient of an email that was sent by the deputy minister at the time; a very short email that talked about a company meeting to talk about a finance platform, and there's no indication in that email whatsoever about e-gaming.

I'll go back, that yes I have learned a lot about the file, as everyone has in this House, because we've all had the opportunity to read the Auditor General's report.

I stand by every statement that I made in this House, and I have no intention at the bequest of the Member from Georgetown-St. Peters to resign.

Thank you, Mr. Speaker.

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

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

**Mr. Myers:** Thank you.

You should resign. You should resign, and I'm quite serious, you should resign. You're putting words in the Auditor General's mouth. Two days in a row now you've done it.

The finance minister testified at his interview with the Auditor that he did not know any of the details around the MOU. He claimed he knew it existed but didn't know any of the specifics.

A question again to the Premier: The emails say otherwise. Why is misrepresenting the truth of the Auditor General not serious enough to warrant the resignation of this minister?

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

**Speaker:** The hon. Minister of Finance.

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

I really think that the only confusion in this room is with the Member from Georgetown-St. Peters.

The Auditor General's clearly laid out the timelines how this progressed, and the information that I've provided, that I've answered in this Legislature, is very clearly completely aligned with the Auditor General. The emails support that, Mr. Speaker.

Thank you very much.

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

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

### **State of roads due to weather events**

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

Earlier this week, an Islander driving along a paved road in St. Lawrence, Prince County, was injured and sent to hospital. A culvert had collapsed and the pavement above had fallen in, creating a crevice about a foot wide and deep, making the road impassable.

A question to the Minister of Transportation, Infrastructure and Energy: How many other points in the existing road network has your department identified that are similarly vulnerable to weather events across Prince Edward Island?

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

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

Actually, in regard to the bridge that had the incident up in St. Lawrence; that had been identified by staff on duty the night before. It was identified and marked for the travelling public that there was caution to be used, and every precaution was taken place to identify that.

That particular structure was and has been slated for replacement. Due to the big rainfall that happened over the weekend, it precipitated some extra damage that occurred which caused the indent in the road, and unfortunately, there was a person who, when they decided to cross over the area, had a mishap.

But I don't have the details of how many structures. I don't have them here in the House, and I'd have to bring that back.

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

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

### **New perimeter highway and existing infrastructure**

**Dr. Bevan-Baker:** Thanks, Mr. Speaker.

Government is spending \$32 million of provincial funds on a perimeter highway that many say we don't need, we can't afford, and we don't want.

However, there are many dilapidated highways and run down bridges all across Prince Edward Island that could instead be repaired and upgraded with these funds.

A question to the minister: Why has government placed a higher priority on building a new perimeter highway rather than updating our existing infrastructure?

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

**Ms. Biggar:** Mr. Speaker, our department is engaged with making improvements to the TransCanada Highway, which is a major corridor for our exports on Prince Edward Island.

We are making improvements to highway structure in Mount Herbert, which was a major concern for residents in that area. That tenders is out. We met with the community there. They decided with us on what project would look like down there.

We're making improvements up in Bloomfield. We're replacing bridges; the Cairns Bridge down in the Leader of the Opposition's.

We're working on Souris.

**Mr. LaVie:** (Indistinct)

**Ms. Biggar:** We're working right across. We're doing a bridge replacement in Abrams Village –

**Mr. LaVie:** (Indistinct)

**Ms. Biggar:** We are doing regular maintenance and replacement of bridges, of highways so that our Island is safe for travel.

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

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

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

I'd like to be able to tell the gentleman from St. Lawrence that our highways are safe, and I wonder how much extra work could be done with the \$32 million to make our highways safe.

**An Hon. Member:** One thousand kilometres.

**Dr. Bevan-Baker:** As our climate changes, we can reasonably expect to see more frequent and regular damage to our infrastructure –

**An Hon. Member:** Ten thousand kilometers.

**Dr. Bevan-Baker:** – from weather events, but to date, government seems to rely primarily on special warrants to cover these costs rather than planning for it in the budget.

### **Contingency fund and damaged infrastructure**

Minister, why has government budgeted \$2 million less this year than last year in a contingency fund for unexpected damaged infrastructure?

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

**Ms. Biggar:** Mr. Speaker, we have recently negotiated a new contract – a new agreement, I should say, with the federal government, that in the past there were over 500 kilometres of roads, connector roads, right across Prince Edward Island that were not eligible, which was a challenge, certainly, to make improvements to our main connections to where our high industries are, our farming and our fishing.

The road count on those in order to qualify for any kind of matching federal funds was 10,000 cars a year. We have negotiated down to 1,000 cars per year daily traffic count, and that opens up 50/50 per cent dollars to make improvements to over, and almost 500 extra kilometers, across Prince Edward Island, tip to tip.

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

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

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

My question today is for the Minister of Education, Early Learning and Culture –

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

**Mr. LaVie:** Mom's watching.

**Ms. Casey:** Minister, Prince Edward Island is known around the world for its beaches, potatoes, seafood, and, of course, Anne. We're also known around the world for our Island artists.

### **Cultural strategy consultations**

Minister, last month you announced the launch of the cultural strategy consultations.

Where did the consultations take place and what kind of response have you had so far?

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

**Mr. Currie:** Someone's got to ask me a question.

**Mr. MacEwen:** Don't be bashful.

**Mr. Currie:** Somebody's got to ask me a question.

**Mr. MacEwen:** Don't be bashful.

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

Over a month ago, we launched the beginning of the public conversation with Islanders on the creation of our cultural strategy and to date, we've had over 200 Islanders engaged, we had 30 small group face-to-face presentations with the team that

is leading the conversations. We're using a social media platform – Facebook – to continue to generate the conversation. One thing that we are seeing very clearly is that Islanders want to talk about culture. They want to talk about the future direction and we want to make sure that they have a voice in making sure that our cultural community grows and prospers for generations to come.

Thank you.

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

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

### **Public perception of cultural strategy**

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

Minister: What are people saying when you're in these coffee shops? What are they saying they'd like to see in the cultural strategy?

**Mr. LaVie:** You wrote that question (Indistinct)

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

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

**Mr. Currie:** I know what they're saying in my coffee shops too.

**Mr. Myers:** What are they saying at the Sportsman's?

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

The cultural sector in this province generates over \$125 million dollars in our provincial economy, Mr. Speaker. And certainly there's a lot of synergy and a lot of exciting conversation about Islanders having a voice about the direction. We don't have to look too far, but artists and musicians that have been raised and are performing – not only here in the province – are winning Juno Awards and being very successful at ECMAs.

The conversation is that art should be part of every child's school experience. They've got a deep sense of pride in culture and what it means to them and we need to celebrate and

encourage diversity in our cultural sector. The conversations are rich, they're full and people are excited about the direction we're moving with the strategy.

Thank you.

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

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

### **Draft report of cultural strategy**

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

Minister: When can we expect to see a draft report?

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

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

We hope to present to Islanders the conversation and the strategy by the fall. As the minister of education, I've had the opportunity over the last number of months to participate not only in Music Monday, but to watch young students perform in honours choir.

This week is the launch of Colonel Gray's play *Disney's The Little Mermaid*. We see the ongoing successes of band programs in our province and, obviously, the continuing development of young artists in our communities. We, as a province of 145,000 people have a rich culture and a wonderful potential to continue to celebrate and to develop the cultural sector here in the province and continue to put – not only Prince Edward Island on the region and on the map, nationally, but on a global stage.

Thank you, Mr. Speaker.

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

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

### **Shortage of substitute school bus drivers**

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



Mr. Speaker, my question is for the Minister of Workforce and Advanced Learning. There are approximately 20,000 students on Prince Edward Island who travel to school on a school bus. Recently we heard about a shortage of substitute school bus drivers.

Minister, can you tell the House: Is there a shortage of school bus drivers?

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

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

I'd like to thank the hon. Member from West Royalty-Springvale for the question. Hon. member, there is a shortage in substitute school bus drivers and, as a result of that, my department, along with the Public Schools Branch, has partnered with rural community learning to put on some training courses and this is a first step to try to alleviate this problem with substitute bus drivers.

Thank you, Mr. Speaker.

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

**Mr. Myers:** What do they say in the coffee shops (Indistinct)

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

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

Minister: Would you give a little more detail on what you're doing to address the shortage of school bus drivers?

**Mr. Myers:** (Indistinct) Sportsman's (Indistinct)

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

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

The department, as I'd indicated, along with Rural Community Learning Incorporated, has put on three courses in the Summerside area to hire three new substitute drivers also in West Prince and we're looking at doing that in the Charlottetown area to help alleviate this problem.

Thank you, Mr. Speaker.

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

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

**Training and job opportunities for substitute bus drivers**

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

Minister: How many are being trained? Is there more to be trained? What's already in the queue for training and is there more to be trained? Are there going to be job opportunities in the future?

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

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

This will be the first step in solving the problem of the substitution of bus drivers and if anyone wants training, they can contact Skills PEI for any future positions.

Thank you, Mr. Speaker.

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

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

**Good announcements during polling period**

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

It has come to light that the Premier has ordered all of his Cabinet ministers to find good announcements during polling period – this according to emails that were tabled by a Cabinet minister yesterday.

Question to the Premier: Premier, why do you think it's proper to manipulate a public poll in such a manner?

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

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, for the time we came to government, we said that we were committed to openness and

transparency and just last night the House leader was good enough to distribute to all members speaking points, and I know the Member from Souris-Elmira took great advantage of that and did a good job.

**Mr. Currie:** You looked good last night.

**Ms. Biggar:** (Indistinct)

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

**Mr. Currie:** You did. You're the next leader.

**Premier MacLauchlan:** You did a good job.

Mr. Speaker, yesterday afternoon, we tabled emails so that everybody will know that we're doing everything we can to get the message out to Prince Edward Islanders what a great job we're doing.

Thank you, Mr. Speaker.

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

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

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

Well, Mr. Speaker, I have to tell you I find it offensive that the Premier would stand and make light of this. Obviously, everybody in this Legislative Assembly knows that the minister that tabled this email – this confidential email – was done by mistake. It had nothing to do with being open and transparent, and Premier: You know that yourself.

We have children and youth at risk. We have Islanders struggling with mental health and addictions. We have people struggling to keep a roof over their heads and put food on the table.

Again, question to the Premier: Where are your priorities at when you're trying to milk some publicity out of programs that vulnerable Islanders need and rely on?

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

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, let me repeat and I'm not joking in the slightest.

This is about openness and transparency. It's letting Islanders know about the great programs from which they can benefit. It's about letting Islanders know how they can access programs. I'm glad this is brought up because it gives another opportunity for Islanders to know the great work of this government. One of the things, for example, that we worked hard to get the word out on and we're doing it 365 days of the year, is Be Aware & Get Your Share. We went and worked with community organizations and that's the job of government, Mr. Speaker, is to do everything we can to communicate with Islanders so that they can take part in democracy and so that they can benefit from the great work of this government.

Thank you, Mr. Speaker.

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

**Mr. Myers:** (Indistinct)

**Mr. Roach:** All year round.

**Ms. Biggar:** All year round. Every day is a poll.

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

**Ms. Compton:** Then why did you need an email? Why did you need an email?

### **Mistaken tabled email on good news announcements**

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

Mr. Speaker, I'll quote from the email: Good afternoon, last week in Cabinet, the Premier asked that each department put together some good news announcements during polling period. Not 365 days of the year – during polling period. This when we've had grandmothers in in front of committees, we've had groups in in front of committees that are essentially in tears, asking this government for help and all you want to do is try to up your numbers during the polls by coming out with good news announcements.

**An Hon. Member:** Every day is polling day.

**Mr. Aylward:** Again, a question to the Premier: Why would you instruct your ministers to bring good news announcements forward only during a polling period?

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

**Mr. Myers:** So few of them he's has to bring them up, I guess.

**Speaker:** The hon. Premier.

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

**Premier MacLauchlan:** Mr. Speaker, the polling period is 365 days of the year –

**Mr. Myers:** No it's not.

**Premier MacLauchlan:** – and the work of this government is 7/24, 12 months of the year. Because of – there's so much good work being done. There's so many programs that the people need to know about. There's so many initiatives being taken that of course it's part of getting the work – not just getting the word out, but engaging Islanders is to be sure that there's a schedule for that so that –

**Mr. Myers:** I can't wait to see your numbers.

**Premier MacLauchlan:** – so that the Islanders can know about the great work of our government.

Thank you, Mr. Speaker.

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

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

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

I feel ashamed. I feel ashamed for this Premier, that he is conducting himself in such a manner, especially in this Legislative Assembly.

Clearly the Premier is feeling the heat of discontent with his tired Liberal

government. He has lost sight of what's really important; people, not his political fortunes.

**Premier to lead by example**

Again, question to the Premier: Is this what you meant when you said you'd be different and boasted that you would lead by example?

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

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, communicating about the programs that are available to Islanders is about the people who will benefit from it, and that's exactly the reason we're here in this Legislature. It's why we have a public media. It's why we have Engage PEI. It's why we're committed to openness and transparency.

If the people don't know whether it's about housing programs or about allowances or about an opportunity to file their income tax so that they can benefit from –

**Mr. Trivers:** Must be doing laundry. This is the spin cycle.

**Premier MacLauchlan:** – provincial or federal programs, then that's what government and what people on all sides of this House should be committed to; effective communication and engagement with Prince Edward Islanders.

Thank you, Mr. Speaker.

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

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

**Needs of vulnerable Islanders**

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

When we talk about the unmet needs of vulnerable Islanders, we don't mean this Premier and his tired Liberal government.

Again, question to the Premier: Why are the needs of your failing political career more

important than the needs of vulnerable Islanders?

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

**Speaker:** The hon. Premier.

**Premier MacLauchlan:** Mr. Speaker, let me remind the members opposite – and I'm sure we all are well aware – that we started this session with a balanced budget –

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

**Premier MacLauchlan:** – a balanced budget that included \$35 million additional for healthcare for Prince Edward Islanders where the needs are greatest –

**Mr. Currie:** Big money.

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

**Premier MacLauchlan:** – \$6 million in education where the needs are great, programs – a long list of programs –

**Mr. Myers:** (Indistinct) pinkie today, you know (Indistinct) he's angry (Indistinct)

**Premier MacLauchlan:** – that are a benefit to Islanders, and family and human services –

**Mr. Myers:** (Indistinct)

**Premier MacLauchlan:** – from comfort allowances to housing programs –

**Mr. J. Brown:** (Indistinct) announcements everyday (Indistinct)

**Mr. LaVie:** (Indistinct)

**Premier MacLauchlan:** – and it's very important when you have a government that has priorities that are addressing the priority needs of Prince Edward Islanders, that Islanders know about them.

Thank you, Mr. Speaker.

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

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

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

### **Establishment of a child advocate office**

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

I'm all about working with the government. I'm all about trying to help the government do the right thing for Islanders. So, today I'm going to stand here and I'm going to give a suggestion to the Premier because, ultimately, if he does this and takes this suggestion he will, ultimately, help his polling numbers.

The question to the Premier here today: Will you stand in this Legislative Assembly today and announce the establishment of a child advocate office here on PEI?

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

**Speaker:** The hon. Premier.

**Mr. Trivers:** (Indistinct) polling period, it's okay.

**Ms. Biggar:** You had an opportunity to tell all about it.

**Premier MacLauchlan:** Mr. Speaker, that matter was discussed Thursday of last week, Friday of last week and I was pleased to see that the public media did such a great job of getting that message out to Prince Edward Islanders. It's going to be back on the floor in committee here shortly; what we're doing with the approach of first things first and putting in place the parenting coordinator, the children's lawyer, and other measures that I believe that are appreciated on all sides of this House.

But it's a great example of why it's important for Islanders to know about the services and the –

**Mr. Aylward:** So the short answer is no, you will not announce it today.

**Premier MacLauchlan:** – benefits and the programs that are available to them on the basis of the priority that's going to meet the greatest needs –

**Mr. Aylward:** So the answer is: No.

**Premier MacLauchlan:** – first.

Thank you, Mr. Speaker.

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

Statements by Ministers

**Speaker:** The hon. Premier.

**Bridge Model**

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

Government has introduced several initiatives aimed at supporting vulnerable children and families, including four pieces of legislation this spring; enabling the work of a children's lawyer, creating a parenting coordination program, adding alternative dispute resolution mechanisms to our justice system, and improving the maintenance enforcement program.

Another important element of government's initiatives to support vulnerable children and families is the PEI Bridge.

Through the Bridge, a group of dedicated professionals are hard at work helping Islanders who are at an acute risk of harm happening soon.

The Bridge helps Islanders who are experiencing urgent and complex situations involving violence or abuse, homelessness, or mental health concerns, by connecting them to all the services that can help, right away.

For example, someone at risk of domestic abuse, in addition to needing the help of police, may also need immediate housing, health, and counselling supports right away. This is where the bridge can help.

Professionals in health, education, police, family violence prevention, justice, child protection, social services, and First Nations communities, meet to proactively prevent harm before it ever happens.

They do this by offering services across agencies with everyone working together with a single goal in mind: To help in the most comprehensive way possible.

The team looks for ways to reduce risks to the affected Islander then reaches out within

24 to 48 hours to offer a combination of services.

More than 42 such situations have been considered at the Bridge Situation Table. As a result, 100 people were connected to services. More than 165 professionals have enrolled in training to support the Bridge.

Recently, Charlottetown Police Const. Tim Keizer, Gloria Dennis from Family Violence Prevention Services, and Craig Clark from the Public Schools Branch, shared their thoughts on how the Bridge is helping Islanders.

Everyone can learn more about the bridge through their video and other information at [www.princeedwardisland.ca/bridgemodel](http://www.princeedwardisland.ca/bridgemodel).

The Bridge is making a real difference, thanks to dedicated Islanders working together to improve safety and well-being for those among us who need it the most.

Thank you, Mr. Speaker.

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

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

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

I do believe that the Bridge program is a good initiative. It's a start. It's something to build on. But there's so much more needed out there in our communities, especially when we have families hurting, we have children that are being institutionalized, we have children that are being turned away from facilities that are suffering mental health issues.

You only have to go out and walk the streets and go to the coffee shops, like some hon. members here were joking about today, and actually sit down and talk to people and talk to real people and find out what the issues are out there and really get a grasp of what's happening in our communities.

Because the Bridge support program and the various other programs that the government's doing – as I said – I think they're a good program, I think they're a good start, but we have so much more to do

to support Islanders, and I think this government really needs to get out there, pay attention, and do what's right and provide the supports that Islanders need.

Thank you, Mr. Speaker.

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

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

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

I, too, welcome this announcement. Again, I want to – I think it's worth reiterating that I'm supportive of all these good measures which government is bringing forward, whether it's a bridge program, parental coordinators, a children's lawyer; all of these are important and necessary initiatives. But the one part that is continuously and consistently missing is the independence of an office in order to oversee this.

While I welcome again the announcement of a Bridge program, the office of a child advocate or ombudsperson or a combination of the two would create, not only all of these services which are required, these frontline services, but also the autonomy, the arm's-length independence which is so necessary and which is present in every other province.

Thank you very much, Mr. Speaker.

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

### **Ignition Fund Now Accepting Applications**

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

Our government is committed to encouraging entrepreneurship, expanding our exports, and growing Prince Edward Island's economy.

Our 2017-2018 balanced Budget includes approximately \$34 million in grants to support entrepreneurs and businesses across the province.

Our entrepreneurs are dreamers and doers who know how to work hard to turn their visions into reality, and we are exploring every avenue to provide opportunities for

businesses to start up, to grow, and to prosper in this province.

In that spirit, I am happy to announce that applications are now being accepted for the 2017 Ignition Fund.

The Ignition Fund offers up to \$25,000 to successful applicants who are looking to launch a new business, product or service in Prince Edward Island.

Over the last three years, the fund has supported 28 projects with \$700,000 in total grants.

Some of those projects include: Moth Lane Brewery, Heatherdale Organic, SongCat Music, and Compass Aquaculture.

Many of the successful applicants have grown, added staff, and identified new markets for their products and services.

Others continue to work through their business plans with the goal of launching in the near future.

Since 2014, we've received over 250 applications, and I expect to see lots of interest in this fund again this year.

The qualifications are simple: The applicant must either be from an existing start up business or an entrepreneur who commits to establishing and operating their new business in the province of Prince Edward Island.

The deadline for applications is July 14th.

To apply, you can visit [www.innovationpei.com](http://www.innovationpei.com).

Even if a business is not selected to receive support through the Ignition Fund, this program is a great way for entrepreneurs to connect with Innovation PEI.

They can learn about other support opportunities like our micro loan program, venture capital and seed funding, the Start Up Zone, Launch Pad, and the many other supports available.

The Ignition fund is a great example of this government's steadfast commitment to entrepreneurship as a way to grow the

economy, increase exports, create jobs, and help Islanders.

Thank you, Mr. Speaker.

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

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

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

Indeed, the Ignition Fund is a good program this government has put in place, and in fact, there have been recipients in my District 18, Rustico-Emerald: Pieter Ijsselstein with the Island Potato Soap Company; great products therewith his hand bars made from potato juice, excellent soap.

Then also, Deidre and Gabriel Mercier, Ferme Isle Saint-Jean and cheese house; an excellent set of entrepreneurs with a sheep's dairy just outside – well, just in North Rustico, actually.

So it's good, and it does benefit the people who do get the funding. There's no doubt about that.

I think that the problem is, of course, you're picking and choosing winners. And it's great, you know, \$700,000 total so far in the program, and 250 applicants I think he said, and then we've got – I don't know – probably a couple dozen winners.

But when you're picking and choosing and you're limiting funds like that, you're not able to cover everybody off, and that's why –

**Mr. J. Brown:** Oh, bradtrivers.com (Indistinct).

**Mr. Trivers:** I keep saying what I'd like to see is a tax credit for those people who are being successful.

So if someone does all the hard work, perhaps without Ignition Fund, where they don't do the pitch, they don't win the fund, but if they do the hard work, they get out there, they build their market, and they're successful, I would like to see them be able to apply for a tax credit sort of a grant.

In particular, I'm talking about businesses that are unincorporated, so your self-employed businesses.

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

**Mr. Trivers:** In fact, the Ignition Fund really is about – one of the mandates is you can apply for the Ignition Fund to become incorporated. Incorporation is actually one of the criteria they use.

I think there is a massive opportunity on PEI for self-employed people to go out there and really develop the economy a lot, especially of our rural areas. I would like the minister to think about that.

Again, the Ignition Fund is a good program. There's been some great recipients and they've done great things, but like you really took my micro loan idea and implemented it and is successful, I would also like you to take –

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

**Mr. Trivers:** – a tax credit for self-employed individuals and do that.

Thank you very much, Mr. Speaker.

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

**Mr. R. Brown:** (Indistinct) the new Conservative party or the old Conservative party or –

**An Hon. Member:** Progressive Conservative Party.

**An Hon. Member:** Green Conservative Party.

**Mr. R. Brown:** What party are you running for?

**Ms. Biggar:** The Green Conservative Party.

**Mr. R. Brown:** You're trying to get in with Peter Bevan-Baker.

**Mr. Trivers:** I'm Tory with a capital C.

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

**Ms. Biggar:** The GBC.

**Speaker:** Okay, all right hon. members, let's have some order.

The hon. Leader of the Third Party.

**Ms. Biggar:** And there is the leader.

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

It was a pleasure to attend the chamber of commerce dinner earlier today with the Member from Rustico-Emerald, who just spoke, and the Premier, who preceded him.

I have to say, I enjoyed much of what you had to say, Mr. Premier, it was a positive, optimistic outlook on where our province's economy is and is going –

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

**Ms. Biggar:** (Indistinct)

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

**Mr. Trivers:** When all else fails, keep up.

**Mr. J. Brown:** (Indistinct) looking for a new leader, too.

**Ms. Biggar:** (Indistinct)

**Dr. Bevan-Baker:** I have to say that I think that the way we are going to create a sustainably prosperous economy here on Prince Edward Island is through initiatives like the Ignition Fund.

**Mr. Roach:** That's why we have it.

**Dr. Bevan-Baker:** Exactly, and it's a great thing. It's great because it provides a small amount of money to young entrepreneurs keeping young Islanders with business savvy here on Prince Edward Island. I was wondering how the recipients, previous recipients of these funds had done. It's nice to hear. Moth Lane Brewing, I know, is just going gangbusters just now.

**An Hon. Member:** Yes.

**Mr. R. Brown:** Great.

**Ms. Biggar:** It is.

**Dr. Bevan-Baker:** I'm going to go and visit them next week, actually.

One suggestion I have; every year government spends through innovation \$20 million on such things as tax holidays. If we were to take those \$20 million, divide them up into \$25,000 increments, as the Ignition Fund works, we could create 800 Ignition Fund payments.

**Mr. R. Brown:** Hear! Hear!

**Dr. Bevan-Baker:** If we only had a 25% success rate we would create 200 new businesses here on Prince Edward Island every year. In my mind –

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

**Dr. Bevan-Baker:** – that's a far better way to use taxpayer dollars to create a sustainable prosperous, particularly rural economy here on Prince Edward Island.

Thank you very much, Mr. Speaker.

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

**Mr. R. Brown:** Great. Brad, you're going to love that party.

**Speaker:** The next –

**Ms. Biggar:** Coalition coming.

**Mr. R. Brown:** You're going to fit in good.

**Mr. MacEwen:** (Indistinct) these announcements.

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

### Coding in Schools

**Mr. Currie:** Mr. Speaker, when children learn a concept or skill at as young age, they are far less likely to be afraid of it and much more likely to be good at it. For this reason we introduced coding this year in grades 4, 5 and 6 to students in Island schools.

The new Coding Quest program helps students learn the language of computing and basic programming skills.



We aren't expecting these students to be able to write complex computer code, but we are looking to influence the way they think. Students who can code understand that anything can be counted, sorted or tracked, can be changed into something new by applying computational techniques.

Many people think coding is the new literacy and will soon become an essential skill. Today we use technology in almost every aspect of our lives and knowledge of coding is becoming increasingly important.

Our Department of Economic Development and Tourism knows that employers today are looking for people who have good computational thinking, creativity and problem-solving skills. For this reason, they collaborated with us by providing funding to help get the Coding Quest program started this year.

We are very pleased with the interest that coding has provided throughout the education system and our government remains strongly committed to investing in this valuable program.

With the support of our dedicated teachers, coding is just one of the many great things happening in Island classrooms. This fall 35 Island teachers took part in training in how to code and how to integrate coding into the curriculum.

Many of these teachers introduced coding to their students this year with the support of the Coding Quest program.

These forerunner teachers are to be commended for stepping out of their comfort zone to learn and to teach this important skill to their students.

Next week, we will have 45 students showcasing their coding and video game projects at the Provincial Coding Arcade at East Wiltshire Intermediate. I encourage the public and all hon. members to attend the arcade on May 18<sup>th</sup>, and view the amazing projects.

Thank you, Mr. Speaker.

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

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

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

When the minister of education got Robbie Vessey's email he said: I'll have to go back to some old announcement that I have announced twice already and re-announce it in the House because he didn't have anything new to announce, which is fine.

**An Hon. Member:** Great program for kids.

**Mr. Myers:** Let's talk about talk about the great program for kids.

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

**Mr. Myers:** There is an engagement level for disinterested learners that coding does bring to the school, but I would caution the minister and the education process that there is many ways to teach logic and many other subjects already teach logic, so let's not put all of our eggs in the basket of only-coders-are-logic. We all know that's not true.

**Mr. Currie:** Who said that?

**Mr. Myers:** We all come from different backgrounds. I have a coding background, as does the Member from Charlottetown-Victoria Park, as the Member from Rustico-Emerald –

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

**Mr. Myers:** There are lots of other – no, his wouldn't be as in depth, as ours, of course.

**Mr. J. Brown:** He already admitted it. He's sending smoke signals from out there.

**Mr. Myers:** There are lots of other industries that have logic.

A lot of the mechanical processes can also be learned in other places. In saying that, it's great that there are students that are interested. It is great that they are engaged in this process.

The other thing I caution the minister on, don't tweak this as a skill. If you're teaching coding you're teaching them the skill of today, not the skill of tomorrow, which has always been the problem with us being able

to get ahead, if we're not able to look outside of what technology is today.

I think I have talked about this in the House before where, if we focus on technology today we are missing out on the future, because the future is going to be much more vast than – everybody here who has a cellphone with their email and Internet on it would have laughed 15 years ago if you said you're going to be sitting here with a cellphone with computer and email on it. We have to think about tomorrow and we have to be a fast-forward thinking society.

**An Hon. Member:** We will be.

**Mr. Trivers:** (Indistinct) enable it.

**Mr. Myers:** The risk of poorly taught coding could discourage students from moving forward into the stem type of subjects later in life. If they have a bad experience at the younger ages, they could look ahead and say: Okay, this isn't something that I'm interested in, which is, in fact, something that they could be very interested in.

There is also concern that it could be used as edutainment because you have computers that are expensive and you're like: well, we should use them for something and this would be fun, so it becomes edutainment instead of education or entertainment. You're trying to cross them all together.

This, of course, does not replace proper literacy –

**An Hon. Member:** Ooka Island.

**Mr. Myers:** It doesn't replace proper numeracy. Those are still, in my opinion, the two most principled parts of our education system that can't be lost while we focus on these subjects.

That said, I'm not disappointed to see it in the system. I just think that I would use extreme caution with my excitement if I was the minister of education because there are many things that can't be replaced with simple –

**Mr. Currie:** (Indistinct)

**Mr. Myers:** – reading, writing and arithmetic. Those things have gotten people a long way.

I know from my own family, I have a 17-year-old who is self-taught everything computer. He has taught himself. He is very driven and motivated in what he is able to learn and pick up and he's very smart in that area. I would have been – at one point, in my life, I tried to help him and I felt like I was discouraging him because he didn't want to know what I wanted to teach him. He wanted to know what he wanted to know and that's what he focused on. That is why he is so intelligent when it comes to – and I'm sure many young people are the same. They just learn what they want to learn, how they want to learn it.

While the announcement, it isn't – I'm not saying that it's bad, I would urge you to use caution, because jobs in technology and the technology's future here on Prince Edward Island could bring great prosperity to Prince Edward Island. Let's make sure that we do it in a way that we're not discouraging students that are in grades 4, 5 and 6 out of a future that they could have, following in science or technology or engineering or math, for that matter, later in life.

I guess I'm 50/50. I'll give you a C. I'll grade you a C on that. I look forward to hearing more about it as time goes on and watching the program develop and hopefully we don't get a whole bunch of eggs in that basket, just in case.

Thank you.

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

**Mr. Myers:** You're happy when I'm standing. Do you want to come over here, bud?

**Speaker:** The minister's statement the hon. Leader of the Third Party.

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

Of course, understanding how computers work is very useful, but understanding ourselves and our relationship to other people and our place in community in this

world is, in my mind, a far more critical thing.

I, of course, heard in your announcement, minister, this is from grade 4 up but I think, in order for this to have its most profound benefit, we have to introduce children in the younger grades – right from kindergarten – to the idea that learning is fun – that education should be fun. Forget about literacy and numeracy for age 5 and 6-year-olds. In other countries, they do not even think about that. They work together in groups, they learn to cooperate together and they are indoctrinated with the idea that education is something positive and fun. I think that's a far more critical place where we should be putting our emphasis.

I appreciate the initiative and I think this new language – which is indeed what it is – is a critical thing for many people as we learn to navigate the new world around us. But wouldn't it be so much better if we understood ourselves and our relationships with others first.

Thank you, Mr. Speaker.

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

Presenting and Receiving Petitions

**An Hon. Member:** None today. No.

**Speaker:** No?

#### Tabling of Documents

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

**Mr. MacDonald:** Thanks, Mr. Speaker.

By leave of the House, I beg leave to table the following four documents: Mill River purchase and sale agreement, Mill River development agreement, Mill River grant agreement, Mill River management agreement and I move, seconded by the Honourable Member from Tignish-Palmer Road, that the said document be now received and do lie on the Table.

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

The hon. Leader of the Opposition.

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

By leave of the House, I beg leave to table written questions related to the operation of the Island Regulatory and Appeals Committee and I move, seconded by the Honourable Member from Kensington-Malpeque, that the said document be now received and do lie on the Table.

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

The hon. Leader of the Opposition.

**Leader of the Opposition:** By leave of the House, I beg leave to table written questions related to the operations of PEI Energy Corporation and the Crown Building Corporation and I move, seconded by the Honourable Member from Kensington-Malpeque, that the said document be now received and do lie on the Table.

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

The hon. Member from Kensington-Malpeque.

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

By leave of the House, I beg leave to table written questions for the Minister of Economic Development and Tourism related to the operations of Island Investment Development Inc. and I move, seconded by the Honourable Leader of the Opposition, 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, Mr. Speaker.

By leave of the House, I beg leave to table written questions for the Minister of Education, Early Learning and Culture and I move, seconded by the Honourable Member from Belfast-Murray River, that the said document be now received and do lie on the Table.

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

The hon. Member from Morell-Mermaid.

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

By leave of the House, I beg leave to table 83 written questions to the Minister of Workforce and Advanced Learning and I move, seconded by the Honourable Member from Belfast-Murray River, that the said document be now received and do lie on the Table.

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

The hon. Member from Morell-Mermaid.

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

Those have to deal with the student financial assistance, employment standards, labour, and workers compensation – many of the crown corps.

By leave of the House, I beg leave to table 27 written questions to the Minister of Economic Development and Tourism responsible for the Office of Immigration and I move, seconded by the Honourable Member from Belfast-Murray River, that the said document be now received and do lie on the Table.

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

#### Reports by Committees

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

**Mr. Dumville:** Mr. Speaker, as Chair of the Standing Committee on Infrastructure and Energy, I beg leave to introduce the report of the said committee, and I move, seconded by the hon. Member from Tignish-Palmer Road, that the same be now received and do lie on the Table.

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

**Mr. Dumville:** Mr. Speaker, I move, seconded by the Honourable Member from Member from Tignish-Palmer Road that the report of the Committee be adopted.

Your Committee is reporting on its activities since last reporting to the Legislative Assembly in December, 2016. Your Committee thanks all those individuals and organizations that met with it to provide

information and advice in matters of importance to infrastructure and energy in Prince Edward Island.  
Thank you, Mr. Speaker.

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

Introduction of Government Bills

#### Government Motions

The hon. Minister of Family and Human Services.

**Ms. Mundy:** Mr. Speaker, with unanimous consent, I move, seconded by the hon. Member from Tignish-Palmer Road, that Motion No. 105 be read.

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

Do we have unanimous consent?

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

**Clerk:** Motion No. 105.

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

**BE IT RESOLVED** that this House approve the 2017 Report of the Electoral Boundaries Commission as tabled by the Honourable Speaker of the Legislative Assembly on May 9, 2017.

**An Hon. Member:** Question.

**Ms. Biggar:** Question.

**Speaker:** Ready for the question?

**Some Hon. Members:** Yes.

**Speaker:** All in favour?

**Some Hon. Members:** ‘Aye’.

**Speaker:** Contrary, ‘nay’!

**An Hon. Member:** Unanimous.

**Speaker:** Motion is carried and it is unanimous.

**Mr. R. Brown:** And you know what? We didn’t need Cletus Dunn.

**Mr. J. Brown:** He's got his crayons all sharpened up (Indistinct).

**Mr. MacEwen:** You know what? To be fair, the map was based off his map.

**Mr. R. Brown:** He must have got a new box of crayons.

**Speaker:** Okay, members. Let's carry on with business here.

Orders of the Day (Government)

The hon. Minister of Family and Human Services.

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

Mr. Speaker, I move, seconded by the hon. Minister of Finance, that the 1<sup>st</sup> order of the day be now read.

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

**Clerk:** Order No. 1, Consideration of the Supplementary Estimates, in Committee.

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

**Ms. Mundy:** Mr. Speaker, I move, seconded by the Honourable Minister of Finance, that this House do now resolve itself into a Committee of the Whole House to take into consideration the grant of supply to Her Majesty.

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

I will ask the hon. Member from Charlottetown-Lewis Point to come and chair the Committee of the Whole House

**Chair (Casey):** The House is now in a Committee of the Whole House to consider the Grant of Supplementary Supply to Her Majesty.

Hon. members, I will direct you to your Supplementary Estimates of Expenditure of the Province of Prince Edward Island booklet, and we are on page five. It looks like this. We're on page five, and what we're doing is we'll be carrying the totals.

**Mr. Roach:** (Indistinct)

**Chair:** Permission to bring a stranger on the floor?

**Some Hon. Members:** Granted.

**Chair:** Great, thanks.  
We'll wait until they get settled.

**Ms. Mundy:** Chair, I would like to table a document.

**Chair:** The hon. Minister of Family and Human Services.

**Ms. Mundy:** I have a breakdown of the miscellaneous grants that was requested by the Member from Stratford-Kinlock during my estimates.

**Chair:** Thank you.

If you could just pass that to the Clerk, that would be great.

**Ms. Mundy:** I'll check it first.

**Mr. Trivers:** Be careful with that.

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

**Ms. Mundy:** Thank you.

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

**Ms. Mundy:** Double check it, right? Double check it.

**Mr. MacEwen:** (Indistinct) we're working on the buddy system.

**Mr. R. Brown:** He is in charge of records management.

**Mr. Currie:** Doing a good job, too.

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

**Mr. MacEwen:** (Indistinct) good as job as the last time (Indistinct)

**Mr. Currie:** (Indistinct) 1.4 million (Indistinct)

**Chair:** Hon. members, I'll direct you back to the supplementary estimates, schedule A.

Could you please introduce yourself and your title for the record?

**Jim Miles Executive Director:** Jim Miles, Executive Director of Fiscal Management for the Department of Finance.

**Chair:** Thank you.  
Welcome, Jim.

Hon. members, on page five – and there is more detail on page six, but I'm going to go through the titles as required here.

Employee Benefits: 6,181,400.

Shall the total carry?

The hon. Member from Rustico-Emerald.

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

Minister, if you could humor me here – we're looking back, really, two years ago to the 2015-2016. Can you just explain why we would go back two years? What supplementary estimates are about when we're going back that far?

**Jim Miles Executive Director:** The reason we're going back that far is because Public Accounts for that year is just finished, so we waited for the auditor to finish the audit of employee benefits and then in order to have the vote match what's maximum spent on employee benefits in that year, we have to do this.

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

**Mr. Trivers:** These are more than just employee benefits, but that's the main reason why you waited until the end of the year? I noticed that there are numbers in capital across the board and then there is also Innovation PEI and educational learning.

Are these –

**Jim Miles Executive Director:** When you approved the budget –

**Mr. Trivers:** Right (Indistinct) yeah.

**Jim Miles Executive Director:** – like you did yesterday for the next year, every time that we approve special warrants in between sessions we have to come to the House so for the 2015-2016 budget that you approved

a long time ago, we have come back four times – this is the fourth time that we have come back for any increases to that vote that happened in that time.

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

**Mr. Trivers:** I would assume that some of these special warrants for 2015-2016 have been approved already by this House.

**Mr. Roach:** Yes.

**Jim Miles Executive Director:** Yeah, all of your approving right now is supplementary No. 4.

**Mr. Trivers:** Supplementary No. 4?

**Chair:** Yes.

**Mr. Trivers:** This is only related to the employee benefits? Okay. I just wanted to be clear on that.

**Chair:** Yes.

**Mr. Trivers:** Thank you for that process explanation.

**Chair:** Thank you.

Shall it carry? Carried.

Now we're down under supplementary No. 4. We are down to line number interest charges on the debt.

Interest Charges on Debt: 908,800.

Shall it carry? Carried.

The hon. Member from Morell-Mermaid.

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

Minister, the interest charges on the debt in supplementary No. 4, is that typically when that appears every year? Like, if we went back to 2013-2014 and 2014-2015, does it always appear in supplementary estimates No. 4?

**Jim Miles Executive Director:** Well, hopefully it won't appear at all if we have the number right from the beginning. So no,

it doesn't always appear in supplementary No. 4.

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

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

Minister, why are we over by \$908,000 on interest charges?

**Jim Miles Executive Director:** Because the interest charges for the promissory notes was higher than we originally budgeted for the pension funds.

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

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

Minister, these interest charges are solely on the extra employee benefits?

**Jim Miles Executive Director:** Yes, they are on the promissory notes for the pension funds.

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

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

So, 908,000 on 6.1 million?

**Jim Miles Executive Director:** No.

**Mr. MacEwen:** Or is that on the 55.6 million?

**Jim Miles Executive Director:** No.

If you go back to page five, interest charges on debt is 127 million; right at the bottom.

**Mr. MacEwen:** Yeah.

**Jim Miles Executive Director:** The interest on the promissory notes was an increase of 908,000 on that 127 million number.

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

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

I see that, but you're saying the reason that we had to pay \$908,000 is pertaining to the employee benefits, right?

**Jim Miles Executive Director:** Correct.

If you go back –

**Mr. MacEwen:** So, we had \$6.1 million in extra costs associated with benefits, so the 127 million – you're saying the \$908,000 is because of the \$6.1 million in employee benefits?

**Jim Miles Executive Director:** No. That's not what I'm saying.

**Mr. MacEwen:** Okay.

**Jim Miles Executive Director:** If you go back to, again, the budget book divides interest charges on debt into two amounts. One is for the (Indistinct) costs associated with provincial debentures, treasury notes and those sorts of things. The second one is associated with the promissory notes provided to the pension funds.

**Mr. MacEwen:** Yes.

**Jim Miles Executive Director:** The total amount of promissory – the interest on the promissory notes for the pension funds is about 19.8 million, and this represents an increase of about 908,000 on that.

**Mr. MacEwen:** On the 19 million?

**Jim Miles Executive Director:** Yeah.

**Mr. MacEwen:** And the promissory notes are solely because of employee benefits?

**Jim Miles Executive Director:** Yes, they are for the pension funds.

**Mr. MacEwen:** Why is it 6.1 then if you're saying 19 million?

**Jim Miles Executive Director:** The 6.1 million in employee benefits – the increase to the employee benefits expense up top is related to a reduction in the discount rate for the pension funds for the year. How would you put that in English?

**Mr. Trivers:** (Indistinct)

**Jim Miles Executive Director:** Yeah, we expect every year the actuaries, look at the pension funds and based on what they expect them to earn over the next number of years, they estimate how much our liability is going to be and how much our assets are going to earn.

In that case, in the employee benefits number up top, what they did was they reduced our expected discount rate which is how much they expect them to earn in the future and that increases our expense.

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

**Mr. MacEwen:** Thank you.

Minister, our funds didn't do as well as we expected in that year, obviously.

**Jim Miles Executive Director:** Right.

**Mr. MacEwen:** Is that typical across the country.

**Jim Miles Executive Director:** That's typical with the markets. We've been in kind of a downturn since 2008.

**Mr. MacEwen:** Yes. Are we ahead of the curve or behind the curve in our funds?

**Mr. Roach:** We're still full.

**Mr. MacEwen:** (Indistinct)

**Jim Miles Executive Director:** We fully fund our pension fund.

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

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

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

There was a small typo there, I'm sure you saw that, 'serverance' as opposed to 'severance'.

But I was just wondering how many additional severance payments did you pay out for employee benefits?

It says: To fund additional severance payments and pension costs.

**Jim Miles Executive Director:** Right, that's a combination of two things. Severance went up as a result of the way we accounted for severance. Now we have to treat it as an expense, so that was one part of it.

The other reason that it went up is when we're doing our estimates for the budget, we have to estimate what the interest of – the bank interest rates are going to be as of April 1<sup>st</sup>, and so they were higher than we had estimated when we did the Budget, so that gave us a shortfall on that number.

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

**Mr. Trivers:** I just – when I read that: To fund additional severance payments and pension costs. It's just – I don't know, it's a little misleading because it sounds like more people left the government so there were additional severance payments, so thank you for explaining that.

But I just wanted to point that out as an example of where it would be great if we had better descriptions of what's going on in the Budget.

All right. Thank you, Chair.

**Chair:** Thank you.

Shall that section carry?

Oh, sorry, I didn't see you; the hon. Member from Belfast-Murray River.

**Ms. Compton:** Thank you, Chair.

I'm just wondering: If the pension funds are now fully funded, why are those promissory notes not cancelled yet?

**Jim Miles Executive Director:** In order for the – part of the asset for the pension funds is that promissory note which is attained over 10 years or whatever they are. That's part of the asset and that's included in why they're fully funded.

We haven't paid all the money yet, but we pay every year.

**Ms. Compton:** So, for all intents and purposes then, they can't be cancelled because it is part of that asset?



**Jim Miles Executive Director:** Pardon?

**Ms. Compton:** I said: For intents and purposes then, they can't be cancelled because it is part of that asset?

**Jim Miles Executive Director:** That's right. In order for them to be fully funded, we have to keep making those payments.

**Ms. Compton:** Okay, thank you.

**Chair:** Shall the section carry? Carried.

Total: 7,090,200.

Shall the total carry? Carried.

Grand Total: 7,090,200.

Shall the grand total carry? Carried.

Hon. members, I'll now direct you to page nine. We'll be talking about the figures in the supplementary column, and we'll go through each of the individual totals.

Transportation, Infrastructure and Energy:  
11,000,000.

Shall it carry?

**Dr. Bevan-Baker:** Question.

**Chair:** I have a question from the Leader of the Third Party.

**Dr. Bevan-Baker:** I'm wondering how much of that is for the Cornwall bypass.

**Jim Miles Executive Director:** Six point two million.

**Dr. Bevan-Baker:** Six point two? And why did that have to be done through special warrants rather than the regular estimate process?

**Jim Miles Executive Director:** Because that budget would have been approved in the fall of 2015, so it was a long time before.

**Ms. Biggar:** I can explain that if you wish.

**Chair:** We have an intervention from the Minister of Transportation, Infrastructure and Energy.

**Ms. Biggar:** In the capital budget of 2015, at the time, we just had the new federal government come into power, and that's when our discussions were happening then about the new infrastructure program, so when we did our capital budget that fall, we weren't aware that there was even going to be opportunities to open up that new funding piece for extra infrastructure dollars and that the federal government was going to be putting extra dollars into infrastructure.

So then, when the opportunity came later on in the year is when we – if we did not put our applications in and be prepared for the 2016 construction season, we would have lost a whole season in going forward with the Trans-Canada Highway extension.

**Chair:** Thank you.

The Leader of the Opposition has a question to the minister of transportation's response.

**Leader of the Opposition:** If the Cornwall bypass were to go ahead and government were to change, that government that changed – were to terminate the project.

Would there be a penalty associated?

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

**Ms. Biggar:** Or would you like to – you can take that. You probably have the details on the – it's a federal provincial partnership.

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

**Leader of the Opposition:** Thanks, Chair.

I'm talking hypothetically: This government is in power right now. Next year or this year, it signs a contract to proceed on phase whatever of the Cornwall bypass. You go into a provincial election. That government is changed and there's a new government, and that new government is, say, from a different party, and that party says we're cancelling this project and it's no longer going ahead, would there be a penalty associated to that?

**Ms. Biggar:** I can take the question (Indistinct)

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

**Ms. Biggar:** In regard to the present project and the timelines on that project, as we indicated by this fall, the contract tender will be awarded for Phase 2B, which is the final phase of the 6.8 kilometres for the final phase of that construction, which actually will be – is tentatively planned to be finished in 2019.

Now, what month, I'm not – there's no election, as you know, until 2019.

**Leader of the Opposition:** (Indistinct)

**Chair:** Hon. Leader of the Opposition, talk through the Chair, please.

**Ms. Biggar:** But just forward, Madam Chair, to that. I mean, once you sign a contract with whoever is awarded that tender, that's where you get the legal pieces going if there were a cancellation of a contract.

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

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

You're not answering the question. The question is: If the contract was awarded and new government – it doesn't – anything could happen, that the government could change or the election could happen, so if that happened and the government of the day said we are no longer going forward with that project, even though a contract was signed, is there a penalty assigned in a contract?

**Jim Miles Executive Director:** If it was written into the contract, then there would be.

**Mr. Roach:** It's if it was written into the contract, then there would be a penalty.

**Leader of the Opposition:** So Chair –

**Mr. Roach:** So in other words, if you signed a contract –

**Leader of the Opposition:** That's right.

**Mr. Roach:** – that you're going to do something and you don't do it, there generally always is a penalty or you're opening yourself for a lawsuit.

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

**Leader of the Opposition:** So, in any phases of the contract so far for phase one, two, three – whatever it is – A, B, and C, of that, was there any penalties assigned or a clause in there to do with that?

**Chair:** The hon. Minister of Transportation, Infrastructure and Energy, do you have an intervention?

**Ms. Biggar:** I'd just have to go back and look at those contracts in order to verify that. I couldn't say.

**Chair:** Thank you. The hon. Member from Rustico-Emerald.

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

So, what we're looking at here, of course, is the original, the first supplementary for the 2016-2017 year, so there's going to be three more for a total of four supplementary – I'm going into the future.

**Jim Miles Executive Director:** There could be, but –

**Mr. Trivers:** Well, they might be blank, but there's definitely going to be four out there. We don't know what they're going to be, but that's my question.

Because the Cornwall bypass was an unplanned project and it wasn't in the capital budget for 2015-2016 or 2016-2017, and so you've got the first supplementary you have to put in the special warrant because it was unplanned, right?

**Jim Miles Executive Director:** Correct.

**Mr. Trivers:** Are you going to have to do that again for supplementary two and supplementary three and supplementary four?

**Jim Miles Executive Director:** No, there will be no – there should be no more supplementaries for that capital project for 2016-2017, because all of the expenditure

for 2016-2017 are known and they would have been incurred before, basically, last December.

We've already approved the Capital Budget for 2017-2018 for capital.

**Mr. Trivers:** Yes.

**Jim Miles Executive Director:** We did that in the fall (Indistinct) Cornwall –

**Ms. Biggar:** That's in–

**Mr. Trivers:** – that included –

**Ms. Biggar:** – (Indistinct)

**Mr. Trivers:** – Cornwall bypass?

**Jim Miles Executive Director:** Yes.

**Mr. Trivers:** Okay, thank you.

**Chair:** The hon. Member from Belfast-Murray River.

**Ms. Compton:** Thank you, Chair.

We see \$11 million of supplementary for transportation and I understand part of that was for the Cornwall bypass.

What was the rest of it for?

**Jim Miles Executive Director:** The rest of it was for the collectors that were eligible, the federal government made eligible by lowering the number of vehicles per day.

**Ms. Compton:** Okay.

**Jim Miles Executive Director:** That's where almost all the rest of it is.

**Ms. Biggar:** It was other maintenance on (Indistinct)

**Chair:** The hon. Member from Belfast-Murray River.

**Jim Miles Executive Director:** One bridge.

**Ms. Compton:** Thank you, Chair.

**Ms. Biggar:** One bridge. Yes, actually the Gully Bridge. We (Indistinct)

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

**Ms. Biggar:** Sorry, Madam Chair.

The Gully Bridge was an unexpected expenditure. That was also included in there, the one that we did in Cascumpec. That had been an unplanned, required construction.

**Chair:** The hon. Member from Belfast-Murray River.

**Ms. Compton:** Thank you, Chair.

The rest was the pairing with the feds?

**Ms. Biggar:** Yeah.

**Ms. Compton:** Unplanned spending, yeah.

Thank you.

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

Total Capital Expenditures 11,000,000.

Shall the total carry? Carried.

The hon. Member from Rustico-Emerald.

**Mr. Trivers:** I know we've already passed this section, but it's just a question, if you would indulge me.

It has to do with the supplementary for –

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

**Chair:** We have already done –

**Mr. Trivers:** – employee benefits.

**Chair:** – that, hon. member.

**Mr. Trivers:** The question is –

**Mr. MacKay:** We'll just stay on (Indistinct) won't let him ask his question.

**Mr. Trivers:** Why –

**Ms. Biggar:** (Indistinct)

**Mr. Trivers:** – did it take –

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

**Mr. Trivers:** – two years –

**Mr. MacKay:** (Indistinct) asked to go back to go back to him.

**Chair:** Excuse me –

**Ms. Biggar:** She's the Chair, she can take the question.

**Mr. Myers:** And you're not.

**Chair:** I have allowed him–

**Ms. Biggar:** (Indistinct)

**Mr. MacKay:** Sorry, Chair (Indistinct)

**Ms. Biggar:** (Indistinct)

**Mr. Trivers:** Why did it take –

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

**Mr. Trivers:** – two years to write off those – expenditures.

**Chair:** The hon. Member from Rustico-Emerald, can you repeat the question?

**Mr. Trivers:** Yes.

Why did it take two years to write off those severance expenditures?

**Jim Miles Executive Director:** We waited until the financial statements for the pension funds were completed. Then, we know the amount that we're going to be short on that account. Then, we process that special warrant.

**Mr. Trivers:** Why does it take that long to complete the adjustments?

**Jim Miles Executive Director:** There are requirements in the *Financial Administration Act* basically don't require the Public Accounts to be completed as of now until January of the following year.

**Mr. Trivers:** Thank you.

I know you did say that before, but I was just not clear.

Thank you, Chair.

**Chair:** Just to be clear:

Total Capital Expenditures: 11,000,000.

We did carry that total.

We're moving on now to: Innovation PEI: 3,867,400.

Shall it carry?

We have a question from the hon. Leader of the Third Party.

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

I'm just wondering what those extra expenses were for in innovation?

**Jim Miles Executive Director:** What they are for is tax incentives. Companies in the aerospace and food manufacturing business would give corporate revenue to the Department of Finance and then they would claim it back as a tax incentive from Innovation PEI. It's offsetting.

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

**Dr. Bevan-Baker:** I'm just wondering why that shows up as a supplementary rather than in the regular estimates.

**Mr. Roach:** You still have to get a special warrant for it.

**Jim Miles Executive Director:** Yeah.

**Mr. Roach:** But it is money and then money out.

**Dr. Bevan-Baker:** Right.

**Mr. Roach:** Because the taxes are collected upfront from the businesses. Then, at the end of the year, the fiscal year, I take it, they apply for a tax rebate. Then, we would do the special warrant to send out. It's a zero.

**Dr. Bevan-Baker:** Yeah.

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

**Dr. Bevan-Baker:** Thank you.

Am I to assume from that then this is regular practice and this happens every year –

**Mr. Roach:** Yes.

**Dr. Bevan-Baker:** – that this would show up in supplementary estimates.

**Mr. Roach:** That's correct.

**Dr. Bevan-Baker:** Okay, it's just the way of the accounting goes. Okay. I've got it.

Thank you.

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

**Mr. Trivers:** That was my question, too.

**Chair:** Shall the total carry? Carried.

Family and Human Services: 6,226,100.

Shall the total carry? Carried.

The hon. Member from Rustico-Emerald.

**Mr. Trivers:** It says this amount was to fund the increase cost for disability support, social assistance, and child and family services.

Why were there increased costs? Were there more people requesting these services? Were there new programs announced? What was the deal there?

**Jim Miles Executive Director:** It's a combination. There was increased utilization on the Disability Support Program and the Child and Family Services. We have more children in care. Plus, they did a *Child Protection Act* review. That was part of that number.

In the case of social assistance, our cost per case is higher. There is more assistance provided.

**Mr. Roach:** More money being provided.

**Mr. Trivers:** Thank you.

**Chair:** Shall the total carry? Carried.

Workforce and Advanced Learning:  
6,877,200.

Shall the total carry?

The hon. Member from Rustico-Emerald.

**Mr. Trivers:** Again, so I'm looking at: To fund increase costs for infrastructure projects as post-secondary institutions. The Labour Market Development Agreement and the career preparation program, partially offset by increased revenue.

My first question is – this was a phrase used in the previous explanations of special warrant: Partially offset by increase revenue. Does that mean the expenditure amount that we're seeing in this table is lower than it would have been if it wasn't partially offset, or as you just making that as a note?

Because, like the minister was saying, it's not actually a balance out, it's actually a positive based on the estimates previous?

**Jim Miles Executive Director:** Most of them are totally offset. We have to show the gross expenditure number because that's the total increase in the (Indistinct) in spite of the fact that we're getting revenue, in this case, most of it from the federal government, through LMA and the Strategic Infrastructure Fund. We're getting that money coming in, but we have to show both the expenditure and revenue increase. It's not an added-out.

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

**Mr. Trivers:** The revenue increases in a different part of the budget?

**Jim Miles Executive Director:** Actually, it's on the next page.

**Mr. Roach:** In some instances –

**Jim Miles Executive Director:** Oh, sorry.

**Mr. Roach:** – those costs would come out –

**Mr. Trivers:** Oh, there it is: Revenue offset.

**Mr. Roach:** Those costs, it would be offset if we were involved in the federal government program, and we received those funds to use so it would zero-out.

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

**Mr. Trivers:** The Labour Market Development Agreement, does that mean more people are taking advantage of LMDA?

**Jim Miles Executive Director:** The federal government made more money available and we made sure that we spent it.

**Mr. Trivers:** Okay, very good.

**Chair:** Shall the section carry? Carried.

Legislative Assembly: 154,900.

Shall it carry? Carried.

Total Current Expenditure: 17,125,600.

Shall the total carry? Carried.

Grand Total: 28,125,600.

Shall the grand total carry? Carried.

**Mr. Roach:** Madam Chair, I move the Speaker take the chair, and that the Chair make report to Mr. Speaker.

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

Mr. Speaker, as Chair of a Committee of the Whole House, I wish to report that the committee has gone into supply to be granted to Her Majesty and has come to certain resolutions, which I am pleased to report to the House whenever it should be pleased to receive the same.

**Mr. Roach:** Mr. Speaker, I move, seconded by the Honourable Premier, that the report of the Committee be now received.

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

**Chair:** Mr. Speaker, I move that the report of the Committee be now adopted.

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

**Chair:** Thank you, minister.

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

**Ms. Mundy:** Mr. Speaker, I move, seconded by the hon. Premier, that the 18<sup>th</sup> order of the day now be read.

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

**Clerk:** Order No. 18, *Supplementary Appropriation Act 2017*, Bill No.75, ordered for second reading.

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

**Ms. Mundy:** Mr. Speaker, I move, seconded by the Honourable Premier, that the said bill be now read a second time.

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

**Clerk:** *Supplementary Appropriation Act 2017*, Bill No.75, read a second time.

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

**Ms. Mundy:** Mr. Speaker, I move, seconded by the Honourable Premier, 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. Member from Tignish-Palmer Road to come and chair this bill.

**Chair (Perry):** The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Supplementary Appropriation Act 2017*. Is it the pleasure of the committee that the bill be now read clause by clause?

**Some Hon. Members:** Just an overview.

**Chair:** The hon. Minister of Finance.

**Mr. Roach:** This is, essentially, the bill that covers all the expenditures we just discussed a few moments ago. It's the same figures that you'll see in Schedule A and B.

**Chair:** Any questions?

Shall it carry? Carried.

Shall the schedules carry? Carried.

**Mr. Roach:** I move the title.

**Chair:** *Supplementary Appropriation Act 2017.*

Shall it carry? Carried.

**Mr. Roach:** 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.

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

**Mr. Roach:** Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without amendment.

**Chair:** Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intituled *Supplementary Appropriation Act 2017*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the 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. Premier, that the 10<sup>th</sup> order of the day now be read.

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

**Clerk:** Order No. 10, *An Act to Amend the Custody Jurisdiction and Enforcement Act*, Bill No. 62, in Committee.

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

**Ms. Mundy:** Mr. Speaker, I move, seconded by the Honourable Premier, 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. Member from Summerside-Wilmot to resume the chair and carry on with this bill.

**Chair (Palmer):** The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *An Act to Amend the Custody Jurisdiction and Enforcement Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

**Some Hon. Members:** Yes.

**Mr. Trivers:** Where are you?

**Mr. R. Brown:** It's such a good bill.

**Premier MacLauchlan:** I have permission to invite a stranger to the floor?

**Chair:** Granted. Yes.

**Mr. Myers:** I don't think we read a word.

**Chair:** Nope. Not a word.

**Premier MacLauchlan:** Well, we have an hour and a quarter – and hour and twenty minutes.

**Leader of the Opposition:** We need another two hours (Indistinct).

**Chair:** 1. Subsection 1 –

**Premier MacLauchlan:** (Indistinct).

**Chair:** Oh, yeah. Sorry.

Can you introduce yourself for the record please?

**Michael Zimmerman Acting Manager:** Certainly. My name is Michael Zimmerman. I'm the Acting Manager for the Department of Justice and Public Safety in the family law section.

**Chair:** Thank you.

**Premier MacLauchlan:** If I may, Chair, I'd add – of course, colleagues had a chance to see Michael's talents last week and we have Jenny Mason, who's also a lawyer at the family law centre and another example of some of the great, young talent – or up-and-coming talent – we have in that team. Thank you.

**Chair:** We had an overview last time, didn't we?

**Premier MacLauchlan:** Yeah. Overview and under view.

**Chair:** Yeah.

1. Subsection 1(1) of the Custody Jurisdiction and Enforcement Act R.S.P.E.I. 1988, Cap. C-33, is amended by the addition of the following clauses:

(c.01) “parenting coordination agreement or order” means

(i) a written agreement, or

(ii) an order of the court under clause 5(1)(b.1), that provides that all parties shall use a parenting coordinator;

(c.02) “parenting coordination contract” means a written contract between a parenting coordinator and the parties to a parenting coordination agreement or order respecting the provision of parenting coordination services by the parenting coordinator;

(c.03) “parenting coordinator” means a person who may act as a parenting coordinator in accordance with sections 15.1 to 15.4 and the regulations;

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

The hon. Leader of the Third Party.

**Dr. Bevan-Baker:** Thank you.

I’m just wondering if there are specific situations where a parenting coordinator would be recommended.

**Michael Zimmerman Acting Manager:** Certainly. If it was upon order of a court, typically the court would be ordering a parenting coordinator to get appointed in the most high-conflict cases.

So, previously when we were talking about the 70% of court files in the Supreme Court are family law files, we would estimate that about 10-15% of those files would be considered high-conflict and that would be the particular target group that we would be using for our parenting coordinator.

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

**Dr. Bevan-Baker:** Thank you.

So as I understand it, there’s two ways that people can be referred of a parenting coordinator, or can find themselves in front, and one is voluntarily to ask for that and the other is to be ordered through the court.

Am I right in thinking that if one goes through the court that that would be a public expense covered? So those who voluntarily choose to use the services of a parenting coordinator, do you have any sense of what the cost of that might be to Islanders?

**Michael Zimmerman Acting Manager:** Certainly. When we’re looking at other jurisdictions that have private practicing parenting coordinators, particularly Ontario, Alberta or British Columbia, their hourly rate would be in line with what a private counsel lawyer would be. But when they’re hiring a parenting coordinator, both parties would be splitting the cost of one practitioner as opposed to them both paying individual counsels themselves.

**Dr. Bevan-Baker:** I have some other questions in other parts of the bill, but I’m good for now.

Thank you, Chair.

**Ms. Biggar:** Carry it.

**Premier MacLauchlan:** If I may just add, while the hourly rate might be comparable, if things work out in the way they’re supposed to, the parenting coordinator – I think it’s fair to say they’d end up spending less time with the parenting coordinator than they would with their two lawyers.

**Michael Zimmerman Acting Manager:** Certainly, yes.

**Chair:** Shall that section carry? Carried.

2. Section 3 of the Act is amended by the addition of the following after subsection (7):

(8) An incident of custody of a child or access to a child under this section may be altered by a determination of a parenting coordinator, if the determination is made in respect of prescribed matters under subsection 15.4(2).



Shall that section carry? Carried.

3. Subsection 5(1) of the Act is amended

(a) in clause (b), by the deletion of the word “and” after the semicolon; and

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

(b.1) by order may appoint a parenting coordinator in accordance with section 15.1 to determine an incident of custody or access;

Shall the section carry? Carried.

4. The Act is amended by the addition of the following after section 15:

15.1 (1) A person who meets the requirements specified in the regulations in respect of a parenting coordinator may act as a parenting coordinator in accordance with sections 15.2 to 15.4 and the regulations.

**Leader of the Opposition:** Question.

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

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

I’m interested in how much, actually, power or authority would this parenting coordinator have? Like, what would be the limit that he could impose or not impose?

**Michael Zimmerman Acting Manager:** Certainly, there are prescribed matters that the parenting coordinator can and cannot make arbitral decisions in, so any large-scale decision.

So, typically we would say large-scale decisions would be changing custody from one parent to another, relocating the child out of the jurisdiction; will all be matters that a parenting coordinator could not make decisions on.

What we typically allow – the regulations allow the parenting coordinator to make decisions on or what we call the minutiae or the incidents of custody, so those would be smaller scale things like maybe who’s taking the child on a particular holiday, what are the extracurricular activities that that child’s

going to be involved in. Those would be the prescribed matters.

But all of that would be outlined in the court order. So, if the judge has ordered a parenting coordinator to get appointed, the judge is going to say what the scope of the parenting coordinator’s authority is to make decisions and what they are not allowed to make decisions on.

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

**Leader of the Opposition:** So if a supreme court judge puts in a ruling in regards to a custody battle, then that order, I would say, would be released to a parenting coordinator, and the parenting coordinator could not go against what the judge put in place, right?

**Michael Zimmerman Acting Manager:** Right, they’re to clarify any.

We may have, let’s say, an order that says parent A is to exchange the child on Friday, but we don’t have the time, so a lot of parents will get into arguments about what time the child is to be exchanged. That’s where the parenting coordinator would get involved and help mediate collaboratively with those two parents to hopefully get them to come to an agreement. But if they can’t, the parenting coordinator could add that to the judge’s order and state, for example, that the exchange is to happen at 5:00 p.m. that Friday.

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

**Leader of the Opposition:** So he could override the judge? No?

**Premier MacLauchlan:** Clarify.

**Leader of the Opposition:** He could clarify the judge’s –

**Premier MacLauchlan:** And in fact, the role of the coordinator is to build some better nature and some regular practice or clarification into the relationship between the parties, between the parents.

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

**Leader of the Opposition:** So with that, say if that’s required to do, would that parenting

coordinator have to make a further application to the court, or would he have to notify the court of that change that he's making?

**Michael Zimmerman Acting Manager:**

Yes, so the order of the parenting coordinator would become binding on the time that the parenting coordinator says it is, and if one of the parents is not following that order, the parenting coordinator can make an application to the court and potentially hold that parent in contempt of court for not following their order.

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

**Leader of the Opposition:** Can the parenting coordinator limit or make – how do I say this?

So Debbie and I divorce, we're dealing with the child, and she feels that she doesn't have enough money to take care of the child.

Can the parenting coordinator go into my bank account or ensure that the funds are available or transferred to her to support the child?

**Premier MacLauchlan:** No, you cannot vary child support arrangements. That's clear, and that's in the regulations that the parenting coordinator, there's certain things that they can't change: The guardianship, the allocation of parental responsibilities, relocation of the child, spousal support; so those things are done by the court and not varied by the parenting coordinator.

The parenting coordinator can say: 4:30 p.m. in the Superstore parking lot, or the supervised access site at Kinkora or O'Leary or wherever there may be one.

It's more in that nature of helping the parents to regularize the things that come up. One of the things that is well known in this area – in this, family law – is that a lot of the disputes arise around, say, holidays.

**Leader of the Opposition:** Yeah.

**Premier MacLauchlan:** Christmas Eve is probably the busiest day of the year, so having a parenting coordinator –

**Leader of the Opposition:** Gone through it.

**Premier MacLauchlan:** That saves the conflict and it saves trying to figure out how to get to a judge with lawyers that – when with the parenting coordinator you can say: Look, let's do it this way.

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

**Leader of the Opposition:** With that, if the two – and we might have talked about this the other day – but is there an ability there that if a grandparent is available outside the two parents that there's provision where the coordinator can give the grandparent access or control or access to money or something like that? Is there anything to deal with that kind of thing?

**Michael Zimmerman Acting Manager:** That's a change of guardianship.

**Premier MacLauchlan:** The parenting coordinator can't give access in the sense of legal access or, in effect, guardianship of the child. But the parenting coordinator can, in taking account of the circumstances, recognize that the grandparent is available to help out –

**Michael Zimmerman Acting Manager:** Temporary care.

**Premier MacLauchlan:** Temporary care, or those sort of particular, really to take account of the full circumstances including, perhaps the resources that the grandparent may be willing – may contribute willingly.

**Leader of the Opposition:** I understand.

Thank you, Chair.

**Chair:** (2) A parenting coordinator may act only

(a) if there is a parenting coordination agreement or order in place; and

(b) for the purpose of implementing the terms of a parenting coordination agreement or order respecting parenting arrangements, contact with a child or other prescribed matters.

(3) Before assisting the parties in his or her capacity as a parenting coordinator, the parenting coordinator shall enter into a

parenting coordination contract with the parties, in the form approved by the Minister, respecting the provision of parenting coordination services.

(4) If a party who is ordered to use a parenting coordinator appointed under clause 5(1)(b.1) refuses to enter into a parenting coordination contract, the court, on a motion by the other party, may draw an adverse inference against the party who refused to enter into the parenting coordination contract and may find that party in contempt of court.

**Leader of the Opposition:** Question.

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

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

Any example of what – if a party is found in contempt of the court – what could be a punishment or what could happen there?

**Michael Zimmerman Acting Manager:** Fined.

**Premier MacLauchlan:** And an order to comply.

The main result of going back on a contempt basis would be to require – with what (Indistinct) call an injunction relief to the parent to comply and they can be fined in conjunction with the court.

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

**Leader of the Opposition:** Is there a fine schedule set up, or?

**Premier MacLauchlan:** It's under the *Judicature Act* isn't it? It would be within the scope of –

**Leader of the Opposition:** So it would cross reference over to that, basically.

Thank you.

**Chair:** Shall that section carry? Carried.

15.2 (1) A parenting coordination agreement or order may be made at the same time as, or after, an agreement or order is made respecting parenting arrangements, contact with a child or other prescribed matters.

(2) A parenting coordinator's authority to act in respect of a parenting coordination agreement or order is terminated two years after the parenting coordination agreement or order is made, unless the parenting coordination agreement or order specifies that the parenting coordinator's authority is to end on an earlier date or on the occurrence of an earlier event as specified in subsection (4).

(3) Despite subsection (2), a parenting coordination agreement or order may be extended by a further parenting coordination agreement or order, but the term of a further parenting coordination agreement or order shall be for no more than two years.

(4) A parenting coordination agreement or order may be terminated at any time as follows:

(a) in the case of a parenting coordination agreement, by agreement of the parties or by an order made on application by either of the parties;

(b) in the case of a parenting coordination order, by an order made on application by either of the parties; or

(c) in any case, by the parenting coordinator, on giving notice to the parties and, if the parenting coordinator is acting under a parenting coordination order, to the court.

The hon. Leader of the Opposition.

**Leader of the Opposition:** I don't know if this is an appropriate place for it or not, but it just came to mind, is there – did we look at any case law or precedents that have been set in a similar type setting?

**Michael Zimmerman Acting Manager:** Absolutely, when we were setting up this program we did extensive legal research on what the jurisprudence was in jurisdictions that have parenting coordinators just so we would see if there was any case law expanding or interpreting on some of the other jurisdiction's legislation. That definitely did inform part of our research when we were setting up this office.

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

**Leader of the Opposition:** What did you find? Can you give any examples of what was –

**Michael Zimmerman Acting Manager:** Sure. Typically, what most of the case law would be about is when a parenting coordinator was making orders outside of what their jurisdiction was. We would just basically be hearing from the judge that they would maybe be overturning a decision that a parenting coordinator made because they acted outside of the scope of their authority.

**Leader of the Opposition:** Okay, thank you.

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

**Leader of the Opposition:** That's fine.

**Chair:** You're good?

**Leader of the Opposition:** Yeah.

**Chair:** Shall the section carry? Carried.

15.3 A party shall, for the purposes of facilitating parenting coordination, provide the parenting coordinator with

(a) information requested by the parenting coordinator; and

(b) authorization for the parenting coordinator to request and receive information respecting a child or a party from a person who is not a party.

Shall it carry? Carried.

15.4 (1) A parenting coordinator may, in accordance with the regulations, assist the parties

(a) by building consensus between the parties, including by

(i) creating guidelines respecting how a parenting coordination agreement or order will be implemented,

(ii) creating –

Question from the hon. Member from Rustico-Emerald.

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

One of the situations that has been brought up to me several times is when you have a child placed in the care of grandparents, typically, or a third party and they don't have legal custody. They live in constant fear that the parent is going to come and just take the child at some point. Of course, they are not receiving the proper financial assistance.

Does the parenting coordinator have the ability to, not necessarily, grant custody, because you said they can't grant custody, but they can set that agreement between the parents and the grandparents and say: Look, before you go and take the child from the grandparents, you need to come to me, first.

Do they have the ability to make sure that the financial payments that are going to the parent are given to the grandparents?

**Michael Zimmerman Acting Manager:** In that particular instance, if we were looking at changing the guardianship of the child because it's in their best interest to be with their grandparent, that would a particular case that should go to the children's lawyer. The children's lawyer could make an application if it was in the child's best interest to get the grandparent custody.

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

**Mr. Trivers:** The problem is, most of the cases, child services is saying: We don't want to transfer custody. This is a short term thing until the parents get their act together. The short term thing can be a year, two years.

In that case, when you're in that gap period, where there is no determination to move the custody, can the parenting coordinator set guidelines on when the parent is allowed to take the child, and also say: The financial assistance that you're receiving as the parent, you need to give that to the grandparent because they're the one looking after the child.

**Michael Zimmerman Acting Manager:** That would have to be ordered by the court. That arrangement would be clearly outlined in the court order if they were appointing a parenting coordinator to monitor or help

facilitate a collaborative relationship between those groups that you just mentioned. Yes, they could, but otherwise the parties would need to come to an agreement. Based on the case that you're telling me, I doubt that they probably would come to an agreement to appoint a parenting coordinator.

**Premier MacLauchlan:** The difference, given the legislation that we have put through to second reading last week for the children's lawyer, is that we now have independent representation for the child. Where, up until this point, it's really the parents, kind of, fighting with each other. This now means that the children's lawyer, including the powers that were in the legislation of the *Judicature Act* that we adopted. We took a second reading last week, would interact with the parenting coordination agreement.

**Mr. Trivers:** Okay.

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

**Mr. Trivers:** I guess the bottom line is the combination of bills being introduced this session, do you believe it will provide a solution to that scenario I'm talking about?

Where you have a grandparent, who doesn't have custody, the child is living with them, they live in fear of the parent taking the child at any point, and they're not getting the financial assistance. Combination of the children's lawyer and the parenting coordinator, do you think that provides a solution?

**Premier MacLauchlan:** The ultimate standard is whether it's in the best interest of the child. If that's the case, the children's lawyer can make that application and the court can make that determination.

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

**Mr. Trivers:** That's basically: Yes, you think it does?

**Michael Zimmerman Acting Manager:** Yes.

**Mr. Trivers:** Thank you.

**Chair:** (ii) creating guidelines respecting communication between the parties,

(iii) identifying and creating strategies for resolving conflicts between the parties, and

(iv) providing information respecting resources available to the parties for the purposes of improving communication or parenting skills; and

(b) by making determinations in accordance with the regulations respecting the matters prescribed for the purposes of subsection (2).

Shall that section carry? Carried.

(2) A parenting coordinator

(a) may assist or make a determination only in respect of prescribed matters, subject to any limits or conditions set out in the regulations; and

(b) shall not assist or make a determination respecting any matter excluded by the parenting coordination agreement or order, even if the matter is a prescribed matter

Shall that section carry? Carried.

(3) In making a determination respecting parenting arrangements or contact with a child, a parenting coordinator shall consider only the best interests of the child.

Shall it carry? Carried.

(4) A parenting coordinator may make a determination at any time.

Shall it carry? Carried.

(5) A parenting coordinator may make an oral determination, but shall put the determination into writing and sign it as soon as practicable after the oral determination is made.

Shall it carry? Carried.

(6) Subject to subsection (7), a determination of a parenting coordinator

(a) is binding on the parties, effective on the date the determination is made or on a later

date specified by the parenting coordinator;  
and

(b) if filed with the court, is enforceable under this Act as if it were an order of the court.

Shall it carry? Carried.

The hon. Member from Morell-Mermaid.

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

We don't have any more questions on this bill. I know the Leader of the Opposition has some questions, or the Leader of the Third Party, sorry.

**An Hon. Member:** That was good.

**Ms. Compton:** Come on board.

**Mr. MacEwen:** Instead of reading every single line.

**Chair:** Okay.

**Mr. MacEwen:** If you want just to ask your

—

**Chair:** That would be great.

The hon. Leader of the Third Party.

**Dr. Bevan-Baker:** Thank you.

When I was looking, researching the bill, I discovered that there is federal funding available for such programs through the federal Supporting Families Fund. I'm just wondering whether any of the initiatives that are being developed here, whether it's — in this bill. Let's talk about this bill. Whether you are planning on receiving, or hoping, expecting to receive funding through the Supporting Families Fund federally?

**Premier MacLauchlan:** (Indistinct)

**Michael Zimmerman Acting Manager:** (Indistinct) law foundation (Indistinct)

**Premier MacLauchlan:** We do receive federal funding through existing arrangements, some of which we are applying to this.

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

**Dr. Bevan-Baker:** The two streams through the family justice initiative or the pilot project fund, I assume that whatever we put in place here, whether it's parenting coordinators or the children's lawyer or any other of the facets of what we're doing, that will require new funding from the federal government? Or will you be redistributing the funding that we currently get?

**Premier MacLauchlan:** We have a number of multiyear agreements between the province and the federal government in the area of justice, and that may be victims of crime, it may be in the family law, it may be in legal aid, or in other areas, and we can deploy some of those funds for this and we also have some funding from the law foundation —

**Michael Zimmerman Acting Manager:** Law foundation, yeah.

**Premier MacLauchlan:** The Law Foundation of Prince Edward Island, as well; so we're always on the hunt.

And we'll check, just in case there's something under the two programs you mentioned that we perhaps could further access, but we're generally out ahead on those.

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

**Dr. Bevan-Baker:** Thank you.

Let — how can I put this? If we are — if we do receive federal funds or we are expecting to receive federal funds in order to maintain this program, if those funds were cut, is it — do you think we have the capacity here provincially to fund what you're suggesting independently?

**Premier MacLauchlan:** Yes, this is not contingent —

**Dr. Bevan-Baker:** It's not, so the —

**Premier MacLauchlan:** — on outside funding.

**Dr. Bevan-Baker:** Okay, so the design of this program was not — had nothing to do with access to federal funding, that —

**Premier MacLauchlan:** No, it did not.

**Dr. Bevan-Baker:** Okay.

**Premier MacLauchlan:** It was really a matter of determining what could make the most difference, and in fact, the numbers for this particular initiative are manageable in terms of the incremental cost.

**Dr. Bevan-Baker:** Okay, final question.

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

**Dr. Bevan-Baker:** Thank you.

When do you expect that the act which actually come into force?

**Premier MacLauchlan:** We're hoping that the hiring of the parenting coordinator would take place by midsummer.

**Dr. Bevan-Baker:** Thank you, Chair.

**Chair:** Shall the bill carry? Carried.

**Premier MacLauchlan:** I move the title.

**Chair:** *An Act to Amend the Custody Jurisdiction and Enforcement Act.*

Shall it carry? Carried.

**Premier MacLauchlan:** 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.

**Premier MacLauchlan:** Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without 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 intituled *An Act to Amend the Custody Jurisdiction and Enforcement Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment.

I move that the report of the 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. Premier, that the 11<sup>th</sup> order of the day be now read.

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

**Clerk:** Order No. 11, *An Act to Amend the Family Law Act*, Bill No. 63, ordered for second reading.

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

**Ms. Mundy:** Mr. Speaker, I move, seconded by the Honourable Premier, that the said bill be now read a second time.

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

**Clerk:** *An Act to Amend the Family Law Act*, Bill No. 63, read a second time.

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

**Ms. Mundy:** Mr. Speaker, I move, seconded by the Honourable Premier, 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. Member from West Royalty-Springvale to come and chair this bill.

**Chair (Dumville):** The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *An Act to Amend the Family Law Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

**Mr. MacKay:** Just an overview, Chair.

**Chair:** Just an overview. Premier?

**Premier MacLauchlan:** May I have permission to invite a stranger to the floor, Chair?

**Chair:** Stranger to the floor?

**An Hon. Member:** Granted.

**Chair:** Thank you.

Could you just give your name for the benefit of Hansard, please?

**Michael Zimmerman Acting Manager:** My name is Michael Zimmerman, and I am the Acting Manager for the Family Law Section for the Department of Justice and Public Safety.

**Chair:** You may proceed, Premier.

**Premier MacLauchlan:** Chair, currently Prince Edward Island legislation does not allow for family law arbitration in our province. This legislation would amend the *Family Law Act* to add arbitration in the family law context to other alternative dispute resolution processes available to separated and divorced families in PEI.

**An Hon. Member:** Chair.

**Chair:** Okay, did you want him to finish, or?

Have you finished?

**Premier MacLauchlan:** I'll be another second or two, but in any case, this arbitration would allow parents a more flexible and efficient way to solve their disputes outside the adversarial court system, and this will be something that is encouraged by our Family Law Centre and through public education.

**Chair:** Thank you, Premier.

The Chair recognizes the hon. Member from Rustico-Emerald.

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

I'm assuming, right now, a lot of the different details that would be determined through this proposed family arbitration really happen either on their own or through the courts. Is that correct?

**Michael Zimmerman Acting Manager:** What's happening now that we don't have family law arbitrators, yes, it would be done through the courts only.

**Mr. Trivers:** Right, okay, Chair?

**Chair:** The Chair recognizes –

**Mr. Trivers:** I just – I want to follow up.

**Chair:** Okay, go ahead.

**Mr. Trivers:** And so, my main concern would be – and I believe it's in here in the power of court in section (8) – is that if the family arbitrator made a decision, the courts could still overturn it if they needed to, and they really still in the end, the powers to override the family arbitration is with the courts, basically the same – the way it is today, is that correct?

**Michael Zimmerman Acting Manager:** Correct.

**Mr. Trivers:** Okay. That was my main concern thank you, great to hear.

**Chair:** Thank you.

The Chair recognizes the hon. Leader of the Opposition.

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

What did we look at from other provinces to come up with this? Was this based on a certain province, or?

**Michael Zimmerman Acting Manager:** Yeah, so when we were looking at setting up family law arbitration, we conducted a cross-jurisdictional scan of the provinces and territories.

The particular provinces that this is most prevalent in would be Ontario and British Columbia. Ontario, it's not regulated really at all, so we didn't really want to go with that model given the serious decisions that are being made by family law arbitrators. In British Columbia, they have extensive legislation and also qualifications for arbitrators to meet, so that was the model that we selected as the exemplar program.



**Chair:** Continue.

**Leader of the Opposition:** What would be some serious decisions that were made that would cause you concern?

**Michael Zimmerman Acting Manager:** A change in custody and access, child support, spousal support, division of property; those would all be things that the arbitrator would have jurisdiction to make decisions about if the parties agreed to enter into arbitration, so we wanted to make sure that the people practicing that were heavily trained and also regulated.

**Leader of the Opposition:** Okay, Chair?

**Chair:** Go ahead.

**Leader of the Opposition:** With a family arbitration agreement, two parties are before the arbitrator and they go over the facts and details and they come up with some type of an agreement, to my understanding, right?

So, with that, what would happen if that agreement cannot be entered into or they (Indistinct) would there be a follow-up step, or would there be some other kind of?

**Premier MacLauchlan:** The agreement is by the parties to enter into arbitration, but then the arbitrator makes a ruling, makes a decision.

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

**Chair:** Shall the bill carry?

**Ms. Biggar:** Carried.

**An Hon. Member:** No.

**Chair:** No.

**Ms. Biggar:** Sorry.

**Chair:** I don't see anybody with any more questions.

**Leader of the Opposition:** We can jump forward. The enforceability side of things, sub para 6.

Can you explain that enforceability clause (Indistinct) that section.

**Premier MacLauchlan:** These are the requirements for an order to be enforceable. In fact, in order to ultimately enforce it you would go to court. The first one there is that there be an agreement. That refers back to the parties agreeing to the arbitration. The next is pretty straightforward, the formalities of it being in writing. Then, of course, the parties have to have notice of it.

**Leader of the Opposition:** General question.

**Chair:** Continue.

**Leader of the Opposition:** Thanks, Chair.

I'm thinking, so if the arbitrator puts an agreement in place and down the road from that, whatever the time limit would be, one of the parties feels that –

**Premier MacLauchlan:** Circumstances changed.

**Leader of the Opposition:** Yeah. What would be the – how would that process be brought back up or the –

**Premier MacLauchlan:** They either go back to the arbitrator and ask – make the case that there should be a variance, or they can go to court.

**Leader of the Opposition:** Okay.

**Premier MacLauchlan:** Yes, or they could actually agree.

**Leader of the Opposition:** Carry the bill.

**Chair:** Shall the bill carry? Carried.

**Premier MacLauchlan:** I move the title.

**Chair:** *An Act to Amend the Family Law Act.*

Shall it carry? Carried.

**Premier MacLauchlan:** 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.

**Premier MacLauchlan:** Mr. Chair, I move the Speaker take the chair and the Chair report the bill agreed to without 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 Family Law Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

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

Matters of Privilege and Recognition of  
Guests (II)

**Speaker:** The hon. Minister of Family and Human Services for recognition.

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

It gives me great pleasure to rise today and to welcome my daughter Erin Mundy to the gallery. She's an archaeologist and she's just coming back from a dig up in St. Peters Bay, so welcome Erin.

Thank you for coming to see us.

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

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

**Ms. Mundy:** Mr. Speaker, I move, seconded by the hon. Minister of Finance, that the 17<sup>th</sup> order of the day be now read.

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

**Clerk:** Order No. 17, *An Act to Amend the Income Tax Act*, Bill No. 73, 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 Finance, that the said bill be now read a second time.

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

**Clerk:** *An Act to Amend the Income Tax Act*, Bill No. 73, 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 Finance, 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. Member from Charlottetown-Lewis Point to come and Chair this bill.

**Mr. R. Brown:** Is this the helping Islanders bill?

**An Hon. Member:** Yes.

**Mr. R. Brown:** Yes, great bill. Helping Islanders.

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

**Mr. Myers:** (Indistinct) who is coming back (Indistinct)

**Chair:** Clause by clause, great?

**Mr. Currie:** Great (Indistinct) a B plus.

**Chair:** Order, order!

Permission to bring a stranger on the floor?

**Some Hon. Members:** Granted.

**Chair:** Thank you.

We'll wait until they get settled.

**Chair:** Welcome, could you please introduce yourself and your title for the record?

**Gordon MacFadyen Comptroller:** Gordon MacFadyen, Provincial Comptroller.

**Chair:** Welcome, Gordon to the table.

Minister, do you have an opening statement?

**Mr. Roach:** Sure.

This act, the amendment proposes to increase the basic personal amount along with the spouse and equivalent to spouse amounts by 2% for 2017.

This will raise the basic personal amount to \$8,160 this year; an increase of \$452 or 5.8% since 2015.

It is anticipated that these measures will reduce provincial income tax by a total of \$1.5 million. By comparison, the increase in Prince Edward Island, all items consumer price index over this period were 0.5%. This means that this government has raised the basic personal amount by over eleven-and-one-half-times the rate of inflation since coming into office in 2015.

We believe that this act demonstrates that we are not only preserving the values of these amounts, we are making real gains in the value of these amounts for approximately 85,000 Island taxpayers.

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

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

Minister, what province in Canada has the lowest personal tax exemption?

**Mr. MacEwen:** Good question.

**Mr. Roach:** I don't know that.

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

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

Where does PEI stand as far as the other provinces?

**Mr. Roach:** We'd be on the lower half.

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

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

Minister, is PEI the lowest in the country for personal tax exemption?

**Mr. Roach:** I can't confirm that for sure, but I'll certainly try and find that out.

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

**Mr. MacKay:** I'm wondering if we could find a little more information. I guess, my next question: Is there a limit of how much you can up the personal tax exemption a year?

**Mr. Roach:** At this point, it's whatever we can afford. Certainly, over the last two tax seasons we have raised it both times. It's something that we will be strongly considering next year.

**Mr. MacKay:** I'm all right for now, Chair.

**Chair:** Is it still the wish of the committee that I read it line by line?

**Some Hon. Members:** No.

**Mr. Trivers:** Yes.

**Chair:** Yes? No? I'm not getting a clear –

**Ms. Biggar:** No.

**Chair:** – answer.

**Ms. Biggar:** No.

**An Hon. Member:** No.

**Dr. Bevan-Baker:** I just have one question.

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

**Dr. Bevan-Baker:** Chair, some revenue measures, like property tax they're indexed to inflation.

**Mr. Roach:** Yes.

**Dr. Bevan-Baker:** But we have never done that with the basic – some provinces do that, but we have not done that.

On the revenue side you're indexing your revenue to inflation, but on the expenditure side you're not.

I'm wondering why the discrepancy.

**Mr. Roach:** It's not a piece of the legislation, but, as I said, over two years, since 2015, we have raised it at eleven-and-one-a-half-times the rate of inflation –

**Dr. Bevan-Baker:** Yeah.

**Mr. Roach:** – so I think that give a pretty good indication of where we want to get to. As our budgets continue the way they're going now we hope to be able to continue – and our plan is – to continue raising that basic personal exemption.

We felt that 11 and a half times what it's been over the last two years is a good jump.

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

**Dr. Bevan-Baker:** I agree and I thank you for what you've done, Minister. I'm just thinking down the road, wouldn't it be nice – when we drag ourselves out of the bottom half, or wherever we are in the bottom half, that we would index it to inflation so the Islanders keep up with the cost of living; that's all.

Thank you, Chair.

**Mr. Roach:** I think that – just to add on to that, I think we really have to continue to work towards getting to that point and we feel this is a good jump in percentages.

Thank you.

**Dr. Bevan-Baker:** Thank you, Minister.

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

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

Minister, I just wanted to save you the time to bring that back. I just Googled it and, actually, PEI is the lowest personal tax exemption in the country, even with the increase. I just thought I'd mention that.

**Mr. Roach:** Thank you.

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

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

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

**Mr. R. Brown:** Good old Mr. Google.

**Mr. Trivers:** I was wondering if you would consider when you're bringing in the carbon pricing, bringing it in revenue neutral and introducing similar legislation to offset the amount you bring in through carbon pricing with an increase in the personal amount.

**Mr. J. Brown:** Bradtrivers.com – he wants the carbon tax.

**Mr. Roach:** You know, as I said earlier when you brought up carbon pricing during estimates yesterday, I'll certainly consider that.

Thank you.

**Mr. Trivers:** Okay.

Thank you.

**Chair:** Shall the bill carry? Carried.

**Mr. Roach:** I move the title.

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

**Mr. Roach:** 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. Roach:** Madam Chair, I move the Speaker take the chair and the Chair report the bill agreed to without 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 Income Tax Act*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the 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 Finance, that the 8<sup>th</sup> order of the day now be read.

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

**Clerk:** Order No. 8, *An Act to Amend the Financial Administration Act (No. 2)*, Bill No. 64, 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 Finance, that the said bill be now read a second time.

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

**Clerk:** *An Act to Amend the Financial Administration Act (No. 2)*, Bill No. 64, 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 Finance, 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 again ask the hon. Member from Charlottetown-Lewis Point and the Deputy Speaker to come and chair the bill.

**Chair (Casey):** 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 Financial Administration Act (No. 2)*. Is it the pleasure of the committee that the bill be now read clause by clause?

**Some Hon. Members:** Yes, please.

**Chair:** Permission to take a stranger onto the floor?

**Some Hon. Members:** Granted.

**Mr. LaVie:** No stranger.

**Chair:** Would you please identify yourself and your title for the record?

**Gordon MacFadyen Comptroller:** Gordon MacFadyen, Provincial Comptroller.

**Chair:** Welcome, Gordon.

The hon. Minister of Finance.

**Mr. Roach:** Yes.

This is simply to bring back the date – at current, this act would establish a timeline or a deadline for tabling the public accounts – which are the financial statements for the government, including all the crown corps under the comptroller government. The current deadline establishes a due-date of January 31<sup>st</sup> of the following year – government's year end – for all years, other than a year with a fall election. In a year with a fall election, the due-date is August 31<sup>st</sup>. This legislation that we're currently looking at here would change the original from January 31<sup>st</sup> due date and back it up to October 31<sup>st</sup>. The fall election year provision would remain the same.

**Chair:** Shall the bill carry?

**Some Hon. Members:** No.

**Leader of the Opposition:** Questions.

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

**Ms. Compton:** I'm just wondering –

**Chair:** Sorry. I said Leader of the Opposition, you're next.

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

**Ms. Mundy:** The next leader of the opposition.

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

**Chair:** Premonition.

The hon. Leader of the Opposition.

**Leader of the Opposition:** Thanks, Chair.

I'm wondering why the changes are thought they're needed.

**Gordon MacFadyen Comptroller:**

Currently there were two provinces that had a January 31<sup>st</sup> – us and Newfoundland – they were the last. They got amended in March of this year, so we will be the last reporting entity in the country. Timeliness of financial information is important and having it into January of the next year has proven not that valuable for government in the past.

Having a new and earlier statutory date would improve the timeliness and usefulness of financial information.

**Mr. MacKay:** Call the hour, Chair.

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

**Chair:** Hon. members, the hour has been called. Do you want to extend it (Indistinct)

**Some Hon. Members:** No.

**An Hon. Member:** Don't extend the hour.

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

**Chair:** No.

**Mr. Roach:** Madam Chair, I move that the Speaker take the chair, and the Chair report progress and beg leave to sit again.

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

Mr. Speaker, as Chair of a Committee of the Whole House, having under consideration a bill to be intituled *An Act to Amend the Financial Administration Act No. 2*, I beg leave to report that the committee has made some progress and begs leave to sit again. I move that the report of the committee be adopted.

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

The hon. Minister of Family and Human Services.

**Ms. Mundy:** Mr. Speaker, I move seconded by the hon. Member from Tignish-Palmer Road that this house adjourn until May 11<sup>th</sup> at 2:00 p.m.

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

The Legislature adjourned until tomorrow, May 11<sup>th</sup>, at 2:00 p.m.