

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

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The Legislature sat at 2:00 p.m.

Resolution of Sympathy

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, with permission of the House, I would like to move a motion, seconded by the hon. Leader of the Opposition and also by the Leader of the Third Party calling on the Legislative Assembly to express our shared grief in honour of Brodie McCarthy and I have copies of that motion.

Speaker: Hon. members, do we have unanimous consent?

Some Hon. Members: Yes.

Speaker: Go ahead, Premier.

Premier MacLauchlan: As that's being distributed, I'll read the motion, Mr. Speaker.

WHEREAS Islanders are deeply saddened by the loss of an extraordinary young Islander, Brodie McCarthy;

WHEREAS Brodie was a bright young man who excelled in academics and sports and was highly respected by his teachers, coaches, and many friends;

AND WHEREAS his family, his teammates, and his school community need the support of all Islanders to make it through this difficult time;

THEREFORE BE IT RESOLVED honour and remember Brodie McCarthy and those who continue to mourn during this time of tragedy.

Thank you, Mr. Speaker and after others have spoken, I'd suggest that we have a moment of silence.

Speaker: Shall the motion carry? Carried.

Premier MacLauchlan: Mr. Speaker, I was wondering if others want to speak to that motion and then I'll continue with recognition, is that okay with you?

Speaker: Sure. That's fine.

The hon. Leader of the Opposition.

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

There are a lot of comments on social media, especially since this unfortunate occurrence happened over the weekend and I'd like to commend Islanders for coming together and supporting the McCarthy family.

Brodie will certainly forever be remembered as a tremendous son, brother, friend, classmate, and athlete. Since learning of the news, I spent a lot of time thinking about Brodie's parents, Lisa and David. As a parent, I myself, cannot even begin to fathom the hurt and the emotions that they must be going through at this time.

Unfortunately, this is not the first time that the students and staff at Montague Regional High had to deal with such tragic loss. I especially want to recognize the staff at Montague Regional High School. The staff will, of course, be mourning alongside the students, but the staff will also be the support system that's there to help the students in this time of their need, not only in the coming days, weeks, but months.

My thoughts and prayers are with the staff at Montague Regional High School and the graduating class of 2018 during this tragic time. I'd also like to remind the members in this Legislative Assembly that one of our pages working here today, Robin, was a classmate of Brodie, so if you could extend, as well, to her your courtesies and condolences.

Thank you very much, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

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

I want to thank the Premier and the Leader of the Opposition for working together on a motion which really says what we're all feeling so elegantly and so beautifully. It's always difficult to rise and talk at a time of tragedy like this and of course our hearts go out to Brodie's family. Also to the various communities of which Brodie was a part; the community of Montague, of Montague

Regional High School, and indeed of this province – a very tight-knit community indeed we are.

I have so many memories of sitting or standing at the edge of a rugby field watching my children play, never for a moment imagining that something as horrific and tragic as this could occur out of nowhere. For me, one of the small bits of something that we can take from this is that Brodie, in response to the Humboldt tragedy of just a month ago, had explicitly talked to his parents about donating his organs, which indeed was done – small comfort, of course, in such a terrible moment. I join the rest of this House and indeed all Islanders in expressing our deepest sympathies to Brodie and Brodie's family.

Thank you, Mr. Speaker.

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

Ms. Compton: Thank you, Mr. Speaker.

As the MLA representing the community the McCarthys live in, I just want to reach out to Dave and Lisa and Brandon and his twin brother, Justin and just give them my sympathy and my love. It's a wonderful family and Brodie was a shining star. His light was put out way too soon. If we could all just remember the family and what they're going through and I have to say, the community is really rallying around them.

Thank you very much.

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

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

In my capacity as minister of education, I would also rise and offer my condolences to the McCarthy family. In particular, to the school community in Montague; the larger community and the rugby community that he was a member of; I should say the sporting community that he was a member of. I'm sure it's a very, very tough time for them. For them to know that we're all here with them, I think, would mean a lot.

Thank you.

An Hon. Member: I was going to suggest –

Speaker: A moment of silence, yeah. Go ahead.

[Moment of silence]

Speaker: Thank you, members.

Shall it carry? Carried.

Matters of Privilege and Recognition of
Guests (I)

Speaker: The hon. Premier.

Premier MacLauchlan: Thank you, Mr. Speaker.

Good afternoon everyone here on the floor and in the gallery and viewing from afar as we begin, what we could call our seventh week in the House.

Welcome to colleagues. Welcome, in particular, some folks in the gallery; a former member of this House, Eva Rodgers. Eva represented the O'Leary area in a couple of sessions of the Assembly. We had a meeting with Eva yesterday in her capacity as chair of the O'Leary hospital foundation. She continues on to do great work for the community. I saw her out walking her dog as I was leaving O'Leary yesterday. Great to see you here, Eva.

Recognize Father Phil Callaghan; a great advocate for the community in all respects. Great to see you here, Phil. Others, who have been with us before. I want to acknowledge Roberta MacLean, Erin Mundy and Helen Kristmanson are here as part of a project that I'll be speaking about in a ministerial statement later.

But to, of course, recognize that Erin Mundy has a particular connection to the House as her mother sits on this side of the rail. She may be recognized in that capacity before we finish up.

This is National Police Week. I'm sure all members of the House would join us in thanking Island police officers for their commitment and for the good work they do to keep our communities safe, at the municipal level and the provincial forces attached to the RCMP.

I'd like, in particular, to acknowledge the 2018 PEI Crime Stoppers Police Officers of the Year. The Municipal Police Officer is Deputy Chief Sinclair Walker of the Summerside Police Services. I know Sinclair well and the work he does in that capacity and in the community; and, Sgt. Chris Gunn of the Kings District RCMP, as the 2018 RCMP Officer of the Year. Congratulations to both Chris and Sinclair and thank them for their great work.

Yesterday, the Greater Charlottetown Chamber of Commerce had its annual general meeting. A great opportunity for the community to come together, and it was the biggest attendance that we've seen at that event. This was the 131st annual general meeting for the Great Charlottetown Area Chamber of Commerce. I congratulate Jennifer Evans as the incoming – as the now president of the Chamber.

May 15th is International Day of Families. A day that was proclaimed by the UN General Assembly in 1993, when opportunity hearkening back to the motion that opened our session today on the importance of family and all of the ways that families contribute to the strength and the great achievements and the sad times in our community.

I mentioned, of course, that at 5:15 p.m. following our afternoon sitting, we will have an opportunity to have the launch of the volume two of *Minding the House* and the biographies of members who have served here in this House since 1993 and I congratulate everyone who has had a hand in that project. There will be an opportunity to mention them when we have the reception later to acknowledge the invitation from you, as Speaker, Mr. Speaker, and George Webster as Chair of the Association of Former Members of the Legislative Assembly of Prince Edward Island.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thanks very much, Mr. Speaker.

It's a pleasure to be back again this week and to welcome those that may be watching

via the Internet or EastLink, as well to recognize some individuals that have joined us here in the gallery: Dan Larter, close to becoming a regular here, Dan. It's good to see you here. Of course, Eva Rodgerson, who the Premier has already mentioned, has joined us. It's great to see Eva here. Dean Fields, just very inconspicuously sitting there, but he's from Stratford and a friend of mine; Erin McGrath-Gaudet as well from the CFIB.

I'd also like to recognize Father Phil Callaghan who is a very good mentor of mine in various ways over the years. Father Phil, it's wonderful to see you here.

I'd also like to just mention a couple of events that happened over the weekend. It was an extreme honour and pleasure of mine on Saturday to actually be a stage guest to attend both the morning and the afternoon convocation exercises at UPEI, and it was tremendous to see the graduates all come across the stage and the different courses and degrees and certificates that were passed out.

I'd also like to thank Islanders that came out on Friday evening in Rustico to support the Lennon Recovery House. There was a tremendous benefit that took place with a silent auction, a live auction, and a dance that followed as well. My understanding is that there was considerable generosity shown at that event.

Also, as the Premier said, this week we're celebrating a couple of significant – sorry, I'm at a loss for words. I'm still thinking about our motion that we discussed a few minutes ago.

I would like to recognize, as well, the National Police Week and the dedicated professionals that keep us safe in our communities.

Mr. Speaker, with that, I thank you very much.

Speaker: The hon. Leader of the Third Party.

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

I would like to welcome, of course, everybody back to the House for another week, and particularly those joining us in the gallery today. To Dan Larter, to Eddie Lund, our most regular viewers here, and also Susan Hartley is here; Erin McGrath-Gaudet, and Erin Mundy in the front row; lovely to see you all.

And behind me, I would like to also welcome from the New Democratic Party of Prince Edward Island, Joe Byrne, the leader, and beside him, Father Phil Callaghan and Campbell Webster.

This Friday is Bike to Work Day and Campbell is a great example to all of us because every day is Bike to Work Day for Campbell, and I see him in all weathers and all seasons on his bike and I want to commend him and thank him for that.

Thank you very much, Mr. Speaker.

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

Mr. Dumville: Thank you, Mr. Speaker.

I, too, would like to give my sympathies to the McCarthy family, and I would also like to welcome everybody here today. But, being as most people were introduced, I'll pick on a couple of special people, basically Erin McGrath-Gaudet. She a Rotarian in my club and she does a lot of great work. I'd also like to recognize Eva Rodgerson because I think her and I went to class together a few times in O'Leary, which was all good.

I want to say that this National Police Week that was celebrated on Friday with the two officers, one RCMP and one community town police officer. It was fantastic. It was well run and kudos out to Don Reid who put an awful lot of work into that. It was a wonderful dinner and it was great to recognize those people like they were recognized that day, Mr. Speaker.

Thank you very much.

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Thank you, Mr. Speaker.

I, too, want to acknowledge a constituent. I don't often get many constituents here to the galley, but Eva Rodgerson, a strong advocate for her community. In fact yesterday we met with the Premier, in her capacity as chair of the Community Hospital foundation of O'Leary and she gave us a bit of a long list there, so I was hoping you would give me a few more hours to get that list completed Eva. But I have been in consultation with the minister of health on that list and we're working on it. Also, Eva has many other capacities that she's participated in; she's no stranger to this Legislature. She represented the riding of West Point-Bloomfield, actually, for two terms in the House here. She's very active in her church and she's also active at the O'Leary Co-op, as well as works for Gorrill Produce Company; lots of contributions to the agriculture community.

Also want to acknowledge Helen Kristmanson and Erin Mundy. The reason I'm acknowledging them is that they have done some archeological digs on my property in the past. (Indistinct) found anything of massive interest or not, but I know Helen's husband, David, seemed to be always excited about getting around the beaches of the (Indistinct) and Fredericks Cove. We'll see what historical significance comes of it in the future, Mr. Speaker.

Thank you very much.

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

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

I, too, would like to rise and welcome a few people to the gallery. Firstly, Campbell Webster, I'd like to congratulate – Sunday was the opening of Anne and Gilbert this year. It's a long running success. It's meant a great deal to The Guild, which is of course, I guess a monument really at this point, to our cultural community in Charlottetown. Congratulate him on that success.

Recognize, I believe, it's Cpl. Dean Field here on Police Week keeping a watchful eye over us and we thank him very much for that, as we do all the Charlottetown City

Police officers that are in throughout the time we spend here.

Dan Larter too; say hi to Dan.

Statements by Members

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

MJ's Bakery

Mr. Perry: Thank you, Mr. Speaker.

When talking about a bucket list, some people like to travel to different places of the world, do different things, or see different people.

[phone rings]

Mr. Perry: I'm sorry about that. When I put the phone down it started to ring. I'll tell (Indistinct) in a moment.

For Judy Morrissey-Richard, her bucket list involved; only a railway car and turn it into a café, and none other than Tignish, Prince Edward Island.

Already a successful business, MJ's Bakery was just not enough for her, as she dreamed of having a caboose as a nice spot for customers to relax in and have a meal. When her brother Tommy was able to find a CN caboose 79601 in Nova Scotia last year, her dream became a reality. After restoring and refurbishing both the inside and the outside of the caboose, the end result was a beautiful café. Her innovation and creativity never ceased to amaze me and now she has something that her and her family can be proud of for years to come.

Open roughly five months of the year; it has become one of the most unique experiences here on Prince Edward Island.

It takes great leadership and courage to start your own business, let alone expand it, like Judy has done. She has shown her community leadership in doing so and I wish her the best of luck as the caboose opens for another summer season.

All aboard!

Thank you.

Speaker: The hon. Member from Borden-Kinkora.

Police Officers of the Year Award

Mr. Fox: I'm pleased to rise today and recognize two police officers who were recognized at the annual PEI Crime Stoppers Police Officers of the year award this past Friday at a luncheon at the Charlottetown Rodd.

This week is National Police Week. Crime Stoppers hold this event each year to recognize and thank our fine members and support staff that keep us safe every day. Often police officers go above and beyond to make their communities a better and safer place to live. Police work hard on a daily basis to eliminate crime across this province.

They work to preserve our values that we treasure as Islanders, respect for our neighbours and property and an inclusive society.

Awards were presented in two categories; one to a member of the Royal Canadian Mounted Police and one to a member of Municipal Police Services.

The award for 2018 Municipal Police Officer of the Year went to Deputy Chief Sinclair Walker, an individual I have known for over 27 years, of the Summerside police department. Also, Cpl. Jennifer McCarron, of Charlottetown Police Services was selected as a runner-up for this award.

The 2018 Royal Canadian Mounted Police Officer of the Year is Sgt. Chris Gunn of the Kings District RCMP. Cpl. Jerrie MacLeod of Prince District was selected as a runner-up.

Summerside Police Chief Dave Poirier was the guest speaker at the luncheon this past Friday. I have known Dave for a long time and I know he's a man of integrity and honour and I wanted to also recognize him this week.

I want to thank our police officers for the work they do each day to keep us safe. They put themselves in harm way and go above and beyond to perform their duties as a police officer. We are all very grateful for their work.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

South Shore Soaps

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

Today it is my pleasure to rise and to celebrate a small rural enterprise in District 17 Kellys Cross-Cumberland, that is truly a family business and which produces some lovely and healthy products. South Shore Soaps is located in DeSable on the corner of South Melville Road and Old Tryon Road.

The McGrath family started their business almost by accident and they have expanded substantially since then, now selling their products all over the Island and beyond.

I most recently saw them at the Etsy market a couple of weekends ago, where their stall was particularly busy. Originally, they used the goat milk from their three animals to make cheese and yogurt and to have food to feed their dogs.

They now maintain a small Alpine herd of approximately 15 goats. Stephen had some skin issues and found that using the goat milk soap helped to significantly improve his eczema, sparking a desire to make their unique products more widely available.

As Stephen's wife, Molly says: the journey to becoming a professional soapmaker has been both challenging and rewarding. The goal was to develop soaps that are for everyday use and they have developed their own soap recipes that they now trust and love.

All three of their children are actively involved in the business. Hunter, Daphne and Norah help with daily chores around the farm, creative input when they develop new artisanal products, and as their website says: as professional goat cuddlers.

I wish South Shore Soaps, Stephen, Molly and their kids, both two-legged and four-legged, every success as they continue to grow this lovely rural business.

Thank you, Mr. Speaker.

Responses to Questions Taken As Notice

Questions by Members

Speaker: The hon. Leader of the Opposition.

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

A promissory note is defined as an enforceable promise between two parties to pay back a financial obligation.

Promissory note re: financial obligation

Question to the Premier: If a person were to write a promissory note or some would call it an IOU to themselves, would that mean that they have more money?

Speaker: The hon. Premier.

Premier MacLauchlan: I'm really not sure, Mr. Speaker, if that has anything to do with my portfolio so, perhaps, we'll wait and see where the Leader of the Opposition is going with this.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thanks, very much.

If a person writes themselves an IOU, it doesn't, in fact, mean they have more money in the bank.

Question to the Premier: How does your government write itself a promissory note, AKA an IOU note, totally \$535 million for its pension funds resulting in more money in those plans?

Speaker: The hon. Minister of Finance.

Mr. MacDonald: Thank you, Mr. Speaker.

It's unclear. I'm not quite sure what the hon. member is asking either, but as we proceed through the Question Period I'm sure I'll come to the recognition of what he's asking and if I need to bring something back to him, I certainly will.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

I'm referring to the audited financial statements for the province. The province's financial statements contain promissory notes issued to itself for its pension funds. In this case a promissory notes the province is both the borrower and the lender.

Promissory notes in financial statements

Question to the Premier: Do any other provinces, territories, or even the federal government, issue themselves promissory notes or IOUs in their financial statements?

Speaker: The hon. Minister of Finance.

Mr. MacDonald: Thank you, Mr. Speaker.

Through the Public Service Commission, and through our pension act, we abide by all the terms and regulations laid out in the legislation in regards to that. If there's something that the hon. member thinks that we're doing wrong or we're doing illegally, please, it would be nice to forward it to us.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thanks very much.

This is a government that we have repeatedly asked them: just follow the rules. It's as simple as that: follow the rules.

The provincial government of Prince Edward Island is, in fact, the only jurisdiction in all of Canada; provinces, territories and the federal government that actually writes promissory notes, or again, IOUs to themselves.

Question to the Premier: Can you explain why PEI is so far out of step with other governments?

Speaker: The hon. Minister of Finance.

Mr. MacDonald: Thank you, Mr. Speaker.

Our pension plans are, obviously, extremely important to everyone, everyone involved that pays into it. The Canadian Pension Plan enhancement, just recently, is extremely as important as well.

We'll take the line of questioning into consideration. If there is something I have to take back to the hon. member, I certainly will.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

I think it's fairly easy for Islanders now, to understand how the government can stand up and say that we've got three years of balanced budgets. It's not too hard when you're writing an IOU to yourself for \$535 million and essentially cooking the books.

Some Hon. Members: Oh! Oh!

Leader of the Opposition: It comes down as basic and as simple as this: essentially, say a person wrote themselves a cheque for \$200, then walked down to the Royal Bank, deposited in the ATM, and then withdrew the same amount from the ATM. That type of transaction would certainly raise eyebrows.

Government writing IOUs

Question to the Premier: If a person writing themselves an IOU would raise eyebrows, then why is it that your government is okay with writing an IOU to yourselves for \$535 million and thus making the books look a lot better than they actually are?

Speaker: The hon. Minister of Finance.

Mr. MacDonald: Thank you, Mr. Speaker.

I'm not sure where the hon. member is going with cooking the books, but we have –

Mr. Myers: They're still hot (Indistinct)

Mr. MacDonald: – an Auditor General. We have –

Mr. Myers: – it's still cooking (Indistinct)

Mr. MacDonald: – all kinds of accountability. We brought in public interest disclosure and whistleblower legislation. We brought in a new *Archives and Records Act*; ethics and integrity commissioner, and they continue to go on that we're not transparent and accountable. If they want to take that up with the Auditor General, by all means, take it up with Auditor General, but we have balanced budgets. I know it's not sitting well with the opposition. I can tell you, Mr. Speaker, it's sitting well with the province of PEI.

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

Mr. Myers: Thank you, Mr. Speaker.

Residence of 600 immigrants

Staying on the topic of things that are cooked, question to the immigration minister: Do you have an answer today where close to 600 immigrants, who claimed the Sherwood Motel was their home and you guys nominated, are living?

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

Mr. Palmer: Thank you, Mr. Speaker.

Again, we take these charges very seriously. We are not under investigation. I will tell you, that our retention rates are getting higher every year; in 2014 –

An Hon. Member: (Indistinct)

Mr. Palmer: – they were 53% and in 2015, they're 57% –

Mr. R. Brown: Oh great, 57% (Indistinct)

Mr. Palmer: – our goal is to attract the best and brightest immigrants here to PEI and we're doing that, Mr. Speaker.

Thank you.

Mr. R. Brown: Oh, great.

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

Mr. Myers: Thank you, Mr. Speaker.

So he doesn't know where they are currently at, which is scary. I think all Canadians should be scared of that. The federal government knows exactly where these people are. The Longitudinal Immigration Database is an administrative database that combines their administrative landing file, and their T1 family file, so they're matched through and identical linkage in the federal government.

Longitudinal Immigration Database

Question to the minister: Why are you not aware of this database and its content relating to thousands of PEI PNP clients that you guys sponsored for entering into this country?

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

Mr. Palmer: Thank you, Mr. Speaker.

We regularly review our database for common elements such as addresses. We will work if there is any –

Mr. Trivers: (Indistinct)

Mr. Palmer: – patterns found in there.

We now use a qualified third-party verification process to further assist our office. The charges that they're speaking of –

Mr. Myers: BC Tony –

Mr. Palmer: – they're related to individuals allegedly giving false information to the federal government, Mr. Speaker, not to our office. Our province is not under investigation.

Mr. R. Brown: No.

Mr. Palmer: Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

Of course it's because they gave false information to the federal government. It's the federal government who caught it when all these immigrants were coming in through Vancouver and didn't know that they were on the other side of our entire country when they were giving their home address. That's why it was caught, so you guys aren't investigating it. That's the only reason why you guys didn't catch it, because you're not investigating it.

The most recent data that's available on this file was published in 2016 and it was the federal immigration department and they did an interprovincial mobility study on provincial nominees. It covered PNP clients who landed between 2008 and 2013. So the only data that exists are people who landed in that period. There was 7,360 people nominated to Prince Edward Island here in that time, including spouses and dependents and that's just in five years.

PNP retention rate and federal stats

Question to the minister: Can you tell Islanders what the PNP program retention rate was for that period that the federal government released stats on?

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

Mr. Palmer: Thank you, Mr. Speaker.

It's our understanding the charges filed in court are related to the 2008 program, which is vastly different than the program we have today. In 2009, the program was reviewed by the Auditor General – all recommendations were implemented. In 2010, the Auditor General did a follow-up review – all recommendations were implemented. In 2012, Grant Thornton was hired to review the program and all the recommendations were implemented. In 2015, we reviewed the program with Grant Thornton again – recommendations were all implemented.

The program continues to evolve and we are meeting with agents now to review their activity as it relates to the immigration program.

Thank you, Mr. Speaker.

Mr. R. Brown: Great.

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

Mr. Myers: Thank you, Mr. Speaker.

So the minister forgot one important date. In 2018, federal government rolled in and laid fraud charges. Add that to your list because I think it's important. It's the only reason we're talking about this is because federal government has laid fraud charges. But to answer the question that he didn't even attempt to answer: it's one in five were retained in Prince Edward Island. So that's 20%; 20% of nominees from this government's program between that period of 2018 and 2013 stayed in this province. So, 5,875 people who were vetted by this province disappeared into thin air.

Location of PNP sponsor clients

Question to the minister: Where are these 5,875 people that were PNP sponsor clients by your government who don't live in this province?

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

Mr. Palmer: Thank you, Mr. Speaker.

These charges are serious and they are not –

Ms. Compton: (Indistinct) check we don't care.

Mr. Palmer: We are not under investigation of the province. The most recent tax filer information is 2015; note the one year retention rate is 57%.

Mr. R. Brown: Ah, great.

An Hon. Member: One year.

Mr. Palmer: We have the information here. The two year retention rate is 53%.

Thank you very much, Mr. Speaker.

Mr. R. Brown: (Indistinct) better; they're coming back.

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

Mr. Myers: Thank you, Mr. Speaker.

So there are 5,875 people missing that this government here vouched for to bring into our country and the minister doesn't even take an attempt at answering the question. That should worry you. The 5875 people who are missing should worry you. These are immigrants that are vetted through this province and this government's program. They were sponsored and they were supposed to enhance and contribute to our province and our economy. Those were the terms that these immigrants signed on the dotted line for.

PEI address on applications

Question to the minister: What PEI addresses did these 5,785 use on their application to you?

Mr. Fox: Walmart.

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

Mr. Palmer: Thank you, Mr. Speaker.

Our immigration program continues to grow. We continue to learn as the program evolves. We are changing our information all the time. We're getting more regulations that we can make sure that we get the very best immigrants coming here to PEI. We have a new expression of interest model that engages municipalities to meet with immigrants to understand their business plans and their plans for the future and they will make a recommendation if they – an endorsement to have them come to their community. Our program continues to grow and we're proud of our program.

Mr. R. Brown: Great.

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

Mr. Myers: Thank you, Mr. Speaker.

So, 3,090 of these people are now living in Ontario; 2,280 of these people are now living in British Columbia. That's alone. This minister wants to get up and expel the virtues of the program, and the great work that they're doing, and how they're growing this economy, and how they're vetting – the

process is vetting, but over 5,000 people just disappear into thin air, right off the map. They were nominated by this government.

Active role in Canadian residency fraud

Why, minister, are you continuing to defend the fact that your government played an active role in Canadian residency fraud?

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

Mr. Palmer: Again, I'll have to say: We're not under investigation. But I can tell you we are continuing to attract immigrants here. Our retention rates are 57% in 2015, so we continue to attract new immigrants and all you have to do is look around Charlottetown and you can see that our population is growing, there's jobs being created, and labour gaps being filled across the Island.

Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

Well I see high rents and high retail prices, businesses rolling over once their one year is up. I see 600 people who are supposedly living in a motel in Stratford, 285 people who are living in a bungalow in Beach Grove; that's what I see and that's what Islanders see. It's fraud. Quite frankly, it's fraud. It's embarrassing that he gets up and he uses the 57% number. The only known number of retention is 20% – it was released by the federal government. So you can say whatever you want until there's audited figures come by the federal government then Islanders don't believe anything you say and you don't deserve them to believe anything you say. You haven't been honest at all with this whole program, that's why fraud is being committed.

Provincial enforcement of PNP clients leaving province

Question to the minister: Why has there been no provincial enforcement of these cases where PEI PNP clients left PEI when these people got to renew their residency card here?

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

Mr. Palmer: Thank you, Mr. Speaker.

These charges are in relation to individuals who allegedly gave false information to the federal government, not our immigration office. The province is not under investigation. We continue to work with border services. If they ask us for information, we're happy to give it to them. We take this serious and we want to get to the bottom of it and we have full cooperation with border services.

Thank you, Mr. Speaker.

Speaker: Member from Borden-Kinkora.

Mr. Fox: Thank you, Mr. Speaker.

The South Shore Health and Wellness Inc. is a community corporation that has come together for their neighbors in the area, advocating for this government to fill a physician vacancy in Crapaud. They met with the health minister last week.

Meeting results re: physician vacancy in Crapaud

Minister: What was the outcome of this meeting?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

There is a group of community residents from the Crapaud area that have a good focus that the health needs of their residents need to be met and I agree, as minister, that that is the case. We're working very collaboratively together on workable solutions for that region. As I said, they're very focused, they know what needs to happen, and those discussions will continue and I'm very pleased to say that this group is one that you can collaborate well with and I know that that will continue into the future, Mr. Speaker.

Speaker: The hon. Member from Borden-Kinkora.

Mr. Fox: Mr. Speaker, the only thing I heard over there was a lot of stuttering.

Minister: Why are you against having a doctor to fill Dr. Visser's former practice in Crapaud?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

Dr. Giordani deciding in the last several days that he would like to leave his family practice was part of that discussion. Dr. Giordani is leaving that family practice for personal reasons, but he is remaining on the Island and he will be working in another area of the medical field.

That being said, we are indeed out looking for a doctor replacement for Dr. Giordani, whether that is a full-compliment doctor, or a locum in the short-term. The residents of that area do need this medical coverage and we are working closely with that community to find a workable solution, whether it's a doctor, whether it's a nurse practitioner and we will work very closely into the future.

Speaker: The hon. Member from Borden-Kinkora.

Mr. Fox: Well that was another very shaky answer. Health PEI's networks are supposed to provide primary care services to residents within 30 kilometers of their house. Crapaud was the only location that will meet the requirements of his department.

Contingency plan for South Shore residents (further)

Question to the minister: Will you commit to the South Shore Health and Wellness Inc. and the people of the area that a Health PEI clinic staff or the necessary staff will be funded and open by the end of the summer?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

All options, all solutions are being discussed at that table. Another option is kind of grouping that area into the East Prince collaborative approach that we have going

on there. They are receptive to that. Nurse practitioners will be coming out of the East Prince complement and going to several communities that are neighbouring on Crapaud, and this is a possible option in the short term.

No options are being left off the table. It's very important that Islanders' needs from that region are well met as far as health care and as minister, I'm committed to look forward to doing that, Mr. Speaker.

Speaker: The hon. Member from Borden-Kinkora.

Mr. Fox: Well, Mr. Speaker, we're going to switch.

The Health PEI primary care clinic has a huge wellness impact and a huge economic impact on rural PEI. This government refuses to support rural PEI in health care services.

A collaborative primary health care centre in Crapaud is a community-led opportunity that provides a real solution to a rural community for primary health care and economic development.

Economic impact on South Shore region

Question to the Minister of Rural and Regional Development: What do you think the economic impact of the clinic would be for the South Shore region?

Speaker: The hon. Minister of Health and Wellness,

Mr. Mitchell: Thank you, Mr. Speaker.

As part of discussions that we had just on Friday, a proposal was brought forward and as minister and as a department, we are looking very closely at that. It was a good proposal, and we had great discussion on that.

But, our primary concern at the moment is to identify doctors to come to Prince Edward Island to take up all the vacancies that are here. Currently, we have, as it was stated on the floor of the Legislature, about 11 vacancies and we're working very closely to try to recruit doctors and obviously Crapaud

is one area that we are looking at as well, Mr. Speaker.

Speaker: The hon. Member from Borden-Kinkora.

Mr. Fox: Thank you.

Support for rural health care services

To the minister responsible for rural PEI: Are you supportive of rural health care services?

Speaker: The hon. Minister of Rural and Regional Development.

Mr. Murphy: Thank you, Mr. Speaker.

Of course, I mean I've been a well-known advocate for rural health care long before I became minister. I remember having to fight the other side when they wanted to close the hospitals in Alberton and O'Leary.

I continue to –

Ms. Biggar: One hospital.

Mr. Murphy: – I continue to support rural health care in rural Prince Edward Island and I think it's a necessity.

Thank you, Mr. Speaker.

Mr. Myers: (Indistinct)

Speaker: The hon. Member from Borden-Kinkora.

Support for health clinic in Crapaud

Mr. Fox: Thank you, Mr. Speaker.

To the minister: Will your department support this initiative and provide the necessary resources and financial support to provide health care in the Crapaud region?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

All of these discussions have been had with those representatives from that community with a very strong vision of their residents'

needs when it comes to health care on Prince Edward Island.

We are looking at that option as an opportunity, but as I said to the committee: Our first and foremost concern is identifying a doctor to go to the region. If after we have identified a doctor that will take on those patients, absolutely we will look at a clinic in that area. That would be how that process would unfold and we will continue to work closely with those representatives so that good outcomes will be had for the patients of that region.

Speaker: The hon. Leader of the Third Party.

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

On Friday, I asked the Premier to explain the legal basis upon which his referendum act can bind future governments in violation of the principle of Parliamentary sovereignty.

The Premier responded, and I quote: Mr. Speaker, the referendum will take place in conjunction with a general election and there will be people who have their names on a ballot in that general election, and I expect their electors will have an opportunity to ask them whether they intend, those on the ballot, to go through with the result of the referendum. That is really the foundation of Parliamentary democracy, is to hold an election at which people can put forward positions and come back, those who are elected, to live up to what took place in the course of the election. That is the ultimate in democracy and in Parliamentary democracy, Mr. Speaker.

Legal actions and referendum act (further)

I was unable to find an answer in his response so again to the Premier: Can you explain the legal basis upon which your referendum act can bind future governments in violation of the principle of Parliamentary sovereignty?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, let me put the answer that was just read in several words. Those who are elected come

to this Legislature to live up to the platform on which they campaigned.

You can twist that to say it's binding a future Parliament. Why would anyone be on the ballot if they don't intend to go to the next Parliament and do what they promised to do?

Thank you, Mr. Speaker.

Mr. Myers: (Indistinct)

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

Ms. Biggar: (Indistinct) not going to honour (Indistinct)

Dr. Bevan-Baker: Thank you.

Of course, we've never had a government in the history of Prince Edward Island who has promised something that they didn't commit to and then follow through on. Of course, that's never happened.

I also asked the Premier about the lack of public consultation on his referendum act and in his response he seemed quite concerned that I didn't sign his letter to the Electoral Boundaries Commission.

Public consultation and MMP map

A question to the Premier: How exactly does the commission's preparation of the MMP map relate to your lack of public consultation when drafting your referendum act?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, the initiative to invite the Electoral Boundaries Commission to prepare that map was indeed an opportunity to engage the public, to have meetings throughout the province, to put forward two maps, to present those, hear comments, and that was indeed to prepare Islanders, to engage Islanders, to decide the question that is now on the referendum.

I noted earlier in this House that those maps – or that map of the commission – was tabled by you for five weeks or four weeks before anybody on the other side of the House said a word about it.

Thank you, Mr. Speaker.

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

Dr. Bevan-Baker: Thank you.

Indeed, there was consultation on these maps; very well-attended consultations. I attended at least two of them and I know there were many members of the opposition and of government attended those consultations. But, we're talking about consultation on Bill No. 38, the referendum act.

I also asked the Premier to provide us with all the written legal opinions he has received to ensure that this referendum would survive a court challenge and again, his answer was less than enlightening.

Written legal opinions for Bill No. 38

Once again, Premier: Will you table any written legal opinions?

Speaker: The hon. Minister of Justice and Public Safety, and Attorney General.

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

We have heard kind of time and again from the opposition member in relation to this legislation. We have numerous examples of his coalition that has written in *The Guardian*. We were around to numerous consultations throughout the course of about 14 months on democratic renewal. Out of all that we've put a bill together that will be debated on the floor of this Legislature and everybody will have their opportunity to provide the input they've heard from their constituents –

Mr. Trivers: When was the last (Indistinct)

Mr. J. Brown: Prince Edward Islanders, and if they have legal issues they'd like to bring to the floor, we'd certainly like to hear about them then.

Thank you very much.

Speaker: The hon. Leader of the Third Party.

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

So, I appreciate the Attorney General standing up to answer that previous question, but I'm still confused around the issue of Parliamentary sovereignty and when the government uses – they've made a big deal of making this question in the next referendum or plebiscite, that it be a clear question and a binding question.

Binding, to me, is something that's very seminal to this bill before us.

Legal actions and referendum act (further)

Question to the Attorney General: Can you explain the legal basis upon which the Premier's referendum act can bind future governments in violation of the principle of Parliamentary sovereignty?

Speaker: The hon. Minister of Justice and Public Safety, and Attorney General.

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

What I will do – I'm going to quote from the Supreme Court of Canada in the Quebec succession reference case and perhaps that will give us a sense of what we're talking about. They said: A clear majority vote in Quebec on a clear question in favour of succession would confer democratic legitimacy on the succession initiative which all of the other participants in Confederation would have to recognize.

The principle is simple. It's the same principle at play here, and basically what we are saying is there's a piece in there that would trigger a requirement for the next government to act and the question would be clear. The answer would be clear and as it says in here, the participants would have to recognize it. That's how this works. Every law is the same in this province.

Thank you, Mr. Speaker.

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

Dr. Bevan-Baker: I find that very interesting that the Attorney General is equating the leaving of a country with the

changing of a voting system; that those two things are of the same magnitude.

The Attorney General of any jurisdiction has a special role to play in advising the Cabinet to ensure that the rule of law is maintained and that Cabinet actions are legally and constitutionally valid.

Explanation of Parliamentary sovereignty

Again, to the Attorney General: How did you explain the principle of Parliamentary sovereignty to your fellow Cabinet members?

Speaker: The hon. Minister of Justice and Public Safety, and Attorney General.

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

I'll use another example from the Quebec secession reference case because, apparently, this is a hard one to get our head around, "The referendum result, if it is to be taken as an expression of the democratic will, must be free of ambiguity both in terms of the question asked and in terms of the support it achieves..."

That's exactly what we're looking to do. We're looking to put a very simple question to Islanders. We're looking to get an answer that's supported by Prince Edward Islanders. That's really the fundamental principle of democracy.

Thank you, Mr. Speaker.

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

Mr. MacEwen: (Indistinct) junior shut-down-Brown.

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

I mean, I, and I think everybody else, who has listened to the responses for the last couple of days, can be left with no other impression other than government has not sought an outside legal opinion on whether this legislation could withstand –

Mr. Roach: The Supreme Court of Canada .

Dr. Bevan-Baker: – Charter challenge.

Again, to the Attorney General: As legal advisor to government, are you comfortable putting your professional reputation behind the constitutionality of the Premier's referendum bill?

Mr. Myers: He's not the legal advisor, Spencer is.

Speaker: The hon. Minister –

Mr. Roach: (Indistinct)

Speaker: – of Justice and Public Safety, and Attorney General.

Mr. J. Brown: Mr. Speaker, I find this question a little bit ironic, in that the hon. member is asking if we sought an outside legal opinion in relation to this matter. I think here about three weeks ago he was saying we shouldn't be going outside for anything.

Dr. Bevan-Baker: That's not what I said.

Mr. J. Brown: What I have said, and what I will continue to reiterate is that we've put a bill forward. As the hon. member, has indicated, in the past we would expect that the hon. members of this House will participate in a fulsome debate of that legislation. We've put considerable effort into preparing that bill. We think it speaks for itself. We'd certainly be open to any commentary as we go forward in the spirit of every debate that we have in this House.

Thank you.

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

Mr. Perry: Thank you, Mr. Speaker.

My question is to the Minister of Agriculture and Fisheries.

Issues with lobster bait

Minister, I have been hearing from fishers about issues with bait for lobsters this spring. Can you tell us what the situation is for lobster bait for the spring?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Mr. Speaker, indeed, there are some challenges around the bait fishery, as well as to access bait for some of our lobster fishers. Part of that is – has happened with some of the flooding that's happened with the Saint John River, affecting gaspereau catches.

You know, fishers are having a hard time. We've seen prices of bait actually increasing and a lot of fishers have been out there trying to catch their bait, as well as to freeze and keep that bait for the coming season.

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

Alternative bait sources

Mr. Perry: Thank you, Mr. Speaker.

Minister: What is being done to look to alternative bait sources for fishers?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: Mr. Speaker, actually our department has been working – we happen to have a staff person, who is working on their master's for their educational perspective. They are working with the PEI Fishermen's Association to try to come up with some alternate sources of bait that may be just as successful as traditional herring, mackerel, gaspereau.

In fact, they've tried some experiments in LFA 25, where they've worked with perch, tried perch, as well as tried rock crab. We're also aware of some studies that have done in New Brunswick, as well as in Maine. We're monitoring those outcomes.

Speaker: The hon. Member from Tignish-Palmer Road, your second supplementary.

Mr. Perry: Thank you, Mr. Speaker.

Minister, you mentioned rock crab. Presently, the rock crab season opens in, I think, it's late June.

Rock crab season

What about opening the rock crab season earlier to accommodate bait for lobster fishers?

Speaker: The hon. Minister of Agriculture and Fisheries.

Mr. Henderson: It's a very good point. The hon. member is bringing up a point, actually, that a number of fishers, the rock crab industry from the western Northumberland Strait have made a request to DFO. Myself, as minister, have also supported that request to see if we could look at starting the season a little bit earlier.

I might note that the rock crab fishery is a quota fishery. This would not have any, necessarily, impact on the amount of rock crab harvested.

I have to say, unfortunately, at the moment, the minister responsible for fisheries and ocean has denied that request, Mr. Speaker.

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

Mr. Dumville: Thank you, Mr. Speaker.

As a member of this Legislature, we are granted certain privileges, rights and protection not afforded to our citizens.

The Liberal chief of staff told me I could not speak to the press. On April 28th, 2017, the former minister of finance stated in this Legislature that it would be inappropriate for an MLA to have direct contact with a police investigator.

On May 1st, 2017, in this Legislature, the minister of justice complained about my right to speak about a cozy relationship between the enforcement wing of government and the Premier's office.

MLA rights to speak to press

My question is to the Attorney General and minister of justice: How is this an open and transparent government if an MLA does not have the right to speak to the press?

Mr. LaVie: Good question.

Speaker: The hon. Minister of Justice and Public Safety.

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

I'm not sure that this question is within the purview of my portfolio. I will say that certainly I am not aware of having ever been told that we can't speak to the press when we wish to. Certainly, every piece in our team that we have discussed would be that we're working together and that we're open, and that we're open to convey the messages that we would see fit as we represent our constituents.

Thank you, Mr. Speaker.

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

MLA rights to speak to RCMP

Mr. Dumville: Question to the Attorney General and minister of justice: How is it open and transparent government if a member of this Legislature does not have the same right as a Canadian citizen to speak to the RCMP?

Mr. Fox: Yeah.

Speaker: The hon. Minister of Justice and Public Safety, and Attorney General.

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

I'll say again, as far as I'm aware, we are free to speak with whoever we wish to, including on the floor of this Legislature.

If the hon. member does not feel that that's the case, he could bring that forward in other appropriate forms, but I will say, from what I have seen, and the team that I am here with, I have not heard that kind of commentary. I feel free to express whatever I would feel appropriate on behalf of my constituents. I think that's important and it's valued in our team, Mr. Speaker.

Thank you.

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

Role of MLA to hold government accountable

Mr. Dumville: My question is to the Attorney General and minister of justice: How is this open and transparent government if I do not have the right in this Legislature to expose troublesome relationships within government as a requirement of my role as an MLA to hold government accountable?

Speaker: The hon. Minister of Justice and Public Safety.

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

I really don't know where – I'm not trying to belittle the hon. member's comments, but he's asking me questions specific to him. Maybe, I'll say it like this: The hon. Minister of Rural and Regional Development, as an example, was a very vocal proponent of his constituents –

Mr. LaVie: (Indistinct)

Mr. J. Brown: – he's certainly been out there and spoken with the press on issues he felt important –

Mr. Trivers: (Indistinct)

Mr. J. Brown: – to him –

Mr. Trivers: (Indistinct)

Mr. J. Brown: – and I would think he would be proud of that. He is certainly welcomed as a member of our team, Mr. Speaker.

Thank you very much.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Back in December government issued a request for proposal for the preliminary design and costing of a province-wide fibre optic network, the so-called high-speed Internet backbone that was hastily announced last fall as part of this government's latest attempt to make good in its promise of high-speed Internet access for all Islanders.

Stantec consulting won the work for just under \$50,000 and presumably has

completed the preliminary design and costing.

Status of fibre op backbone project

A question to the finance minister: What is the current status of this project and will you table the preliminary design and costing, especially a map of where this fibre optic network backbone will be deployed?

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

Mr. Palmer: Thank you, Mr. Speaker.

Fast and reliable Internet is important to business and residents alike on PEI. We are working to develop that network across PEI and improve the business case to help drive Internet deeper into the communities in PEI.

We are continuing to work with a number of consultants. Stantec being one of those to really understand this complex business case and do mapping across PEI to make sure that the money is spent in the best places that it can be spent.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Once again, this government refuses to share information. You've got to be more open and transparent.

Right now the government has fibre access through the infamous Bell contract that expires in 2020. My sources tell me that the preliminary design of the high-speed Internet backbone, which you won't table, covers a significantly smaller part of the Islanders than the map included in the original RFP. It won't even reach most parts of the Island where lack of high-speed Internet is most relevant. In fact, I'm hearing it's basically a duplicate of the existing backbone. The whole point of this project is to protect government access to high-speed Internet when the Bell contract expires.

Coverage of new fibre optic network

A question to the Minister of Economic Development and Tourism: Will this fibre network be expanding new coverage, or is it just a replacement of the expiring contract's existing coverage?

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

Mr. Palmer: Thank you, Mr. Speaker.

We continue to work with consultants across PEI and with providers across PEI to make sure that we get the best bang for the buck. To make sure that we are getting the coverage across PEI, we work in collaboration with existing ISPs planned for rollout; that we want to make sure that we have the connectivity and we're working towards that right across PEI. And we've worked with communities like Seawood Estates and Rattenbury Road to be able to move their Internet delivery further. Thank you, Mr. Speaker.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

I really wish this government and this minister would come clean with Islanders and let them know what's going on. When a legislative standing committee looked into the Internet issue, we learned that the real challenge is what's known as the 'last mile' that connects fibre to homes. If this project is to implement only a backbone, so-called transport fibre, then the last mile fibre that delivers high-speed Internet to a consumer's home or business will have to be put in place afterwards by private Internet service providers.

Question to the minister: Is your fibre backbone network last mile fibre to homes, or is it simply transport fibre?

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

Mr. Palmer: Thank you, Mr. Speaker.

Mr. Speaker, the last mile's been the challenge since the Internet started. That's the area that is very costly and that we're working with Internet service providers for them to deliver the last mile and we can

have connectivity through the province – that we can deliver high-speed Internet right across PEI.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

So in the meantime, consumers and businesses, really across this province, are without access to a basic service and they can't run their business and they can't live their everyday lives the way that some others in the province can.

This government has no problem issuing millions of dollars of loans to help their friends buy hotels. Also, we have a vibrant network of Internet service providers and I think you agree with me, minister, in this province, locally-owned businesses building our communities. Even with the existing high-speed Internet backbone that we have right now on PEI, there are local Internet service providers that are looking to provide real, reliable, high-speed Internet to all Islanders. And in the process, create dozens, if not hundreds of jobs.

Loan dollars to Internet industry in province

A question to the Minister of Economic Development and Tourism: Why aren't you making loan dollars available to this industry through a competitive process to get this project done now?

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

Mr. Palmer: Mr. Speaker, to build a network across the province takes some planning. I've been involved in fibre networks in the past – high-speed Internet delivery across a couple of provinces. I have experience in that and I understand from that experience, planning is the most important part. You need to know where you're going so that you can drive –

Mr. Trivers: (Indistinct) Islanders are tired of waiting.

Mr. Palmer: – and get the Internet down to the last mile so that ISPs can deliver to get that high-speed Internet to the homes and to the businesses and we are working with all ISPs on PEI to deliver just that.

Thank you, Mr. Speaker.

Mr. Trivers: (Indistinct)

Statements by Ministers

Speaker: The hon. Premier.

Archaeology in Action National Award

Premier MacLauchlan: Thank you, Mr. Speaker.

First, let me recognize in the gallery Dr. Helen Kristmanson, Erin Mundy, and Roberta MacLean who've worked on the project that I will now speak to and it's a great pleasure that I welcome them today in the gallery and make a statement on the subject of Island archaeology and making it more accessible.

Along with the three individuals I've welcomed, the talented artist Liam McKenna and summer student, Rebecca Blakeney, who can't be with us today and I believe are watching from home, have been a great help to us – and then the team at TechoMedia and the publication.

Archaeology is a very interesting field of study. It studies human past. Islanders are proud of their heritage and the work done by our archaeological team can help us to understand more about our heritage and our history.

This past summer, Helen Kristmanson and her team of collaborators published the first edition of *Archaeology in Action/l'archéologie en action*. All the hard work that has gone into this publication has not gone unnoticed.

The Canadian Archaeological Association has just named the Aboriginal Affairs Secretariat of Prince Edward Island, the 2018 recipient of their annual Public Communications Award.

[Applause]

Premier MacLauchlan: I congratulate Dr. Helen Kristmanson and all of the individuals and the team involved in the creation of this inviting and engaging activity book.

I understand the intent of this book was to introduce the practice of archaeology to the public, with an Island focus of course. Helen and Erin have indeed made this subject very accessible for Islanders. Their descriptions, their related activities, the story telling are presented in such an entertaining and engaging way that one doesn't even realize that we are learning a new subject. There are beautiful illustrations done by Liam McKenna and I definitely recognize familiar faces on the cover. Roberta MacLean from TechnoMedia and her team have brought forward the design and layout of this activity book.

Dr. Kristmanson and everyone involved in this publication, your passion and dedication to our province's archaeology is evident on every page of this booklet. The Canadian Archaeological Association said that the book: Is a clearly written, engaging and immediately accessible publication for young children.

I thank everyone involved and congratulate the team who have created this fun and important activity book.

I invite everyone here today to pick up a copy – I'll be tabling a copy, Mr. Speaker – and Dr. Kristmanson has graciously brought one for members of the Legislature and I encourage others to contact the secretariat to get a copy for themselves.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

I'd like to echo the Premier's sentiments and congratulate the individuals that have joined us here in the gallery today: Erin Mundy, Roberta MacLean, and Dr. Kristmanson.

It certainly speaks volumes that you were recognized by the Canadian Archaeological Association and given this very prestigious award. I congratulate you for that and

admittedly, I have not seen the book yet. I'm very much looking forward to it. I love history; I thrive on history; and I applaud your work and all that you do to uncover the past.

Thank you very much, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you.

Thank you, Premier, for this lovely statement and congratulations to all involved for this national award.

It's so lovely when our little province wins national awards as you have done, Helen. Congratulations.

I, like the Leader of the Opposition, I love history and I love any tool or any vehicle which can get people excited about history and raise our awareness and our appreciation of history because it helps us to understand where we are in the present. It helps us to understand ourselves individually and also as a society, as a community.

Of course, for some people, PEI's history all happened during a single week in late summer of 1864, but of course our history is far more than that and this lovely book, which I, too, have not seen except for the front cover, which looks very lovely. Good for you, Liam, who did the illustrations. It gives us, as I understand, a much better appreciation of the Indigenous people, Mi'kmaq Nation, here on Prince Edward Island going back 12,000 years and I think all Islanders can benefit hugely from a deeper understanding of the people who have lived here for millennia, and can teach us much about living well on this land.

Thank you very much, Mr. Speaker.

Speaker: The hon. Minister of Finance.

Cannabis Marketing and Branding RFP

Mr. MacDonald: Thank you, Mr. Speaker.

In response to the federal government's decision to legalize recreational cannabis, our government continues to focus on: protecting the health and safety of Islanders;

reducing the illegal market; and making sure Islanders are aware of how and where cannabis may be purchased, consumed, and cultivated.

Although the legalization of cannabis is a federal initiative, each province has an obligation and an opportunity to adapt in a way that is best suited for PEI. This is a major project that involves various government departments and we continue to work closely with key partners and Islanders.

In order to properly educate the public, government departments and agencies require an over-arching strategy and creatives that address what cannabis legalization means to PEI.

I am pleased to announce that later today government will issue a request for proposals by invitation to Island businesses that specialize in this work. Once completed, the strategy and creatives will act as a roadmap for full, future, creative services in support of cannabis education and public awareness.

Products will include a website, a handout for Cannabis PEI stores, advertisements, digital media design, social media, and much more.

We want to ensure that all Islanders, particularly our youth, understand the health and safety risks of cannabis. It is important that factual and evidence-based information be easily accessible so Islanders can make a fully informed choice when it comes to cannabis use. Our focus remains on reducing the illegal market, ensuring Islanders have all the information they require, and protecting the health and safety of our public.

Although we are still awaiting cannabis legalization, we are ensuring that we are well prepared when the time comes.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Really, this whole legalization of cannabis is turning into one great, big mess. I'm just looking at the objectives that they're trying to achieve. I mean, combating the market for illicit cannabis, as far as I can tell, because this government insists on putting an excise tax on cannabis. One of their objections should be: We want to make money as well, and line the government coffers, at \$1 a gram or 10% in larger amounts.

Because they're doing that, as far as I can tell, I think that the price of legal cannabis is actually going to be greater than the cannabis that's available on the black market today.

Mr. R. Brown: Who are you buying from?

Ms. Biggar: (Indistinct)

Mr. Trivers: And do you know what that's going to do to the black market? It means the black market is going to continue to exist and they're not going to achieve that objective.

An Hon. Member: bradtrivers.com
(Indistinct)

An Hon. Member: (Indistinct)

Mr. Trivers: The other thing is they want to protect the health and safety of Islanders, particularly youth. So, what are they doing? Presumably, this should help – we're going to increase our government bureaucracy. We're going to build new buildings, potentially. We're going to have security guards. It's going to be super tight security.

But on the other hand, everybody can grow four plants in their home. How is that secure? It makes no sense whatsoever. They're not going to achieve that objective as well, about protecting the health and safety of Islanders, particularly the youth.

Really, this whole legalization of cannabis is set up to fail in every single way. I would seriously like the minister, and I mentioned this to the minister before, to really look at this and say: If you want to achieve the objective of being secure, then how can you let people grow it at home? If you want to achieve the objective of getting rid of the black market, then how come you're

charging a tax and potentially pricing it above what the black market holds?

This government really has to go back. They have to take another very close look at this legalization of cannabis legislation, and they're plans. The split of federal and provincial responsibility doesn't even make sense to me. Why does the province have responsibility for distribution and wholesale, but the feds get to decide who's licensed for production? I kind of feel bad for the Minister of Finance because he's not even able to license growers in Prince Edward Island to grow the product that's sold here. We got one that was able to get licensed by the feds, so we're not even going to get the economic benefit of that.

In closing, I'm not entirely sure that I've heard anybody on the Island, or very much so the majority of Islanders, stand up and say: Yes, we need cannabis legalized. Until there's a little bit more work done and some careful consideration on how to achieve these important objectives, they need to really rethink this legislation.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Mr. Speaker.

It's great to hear that an RFP is coming out. We know that education is most effective when it's delivered prior to an individual trying a new experience, including drugs.

There's good news for parents, educators, and youth who would like some information now, before the RFP is completed, through the Canadian Students for Sensible Drug Policy, also known as the CSSDP.

They are a national grassroots network of students and youth chapters across the country who work on drug policy issues facing their communities, and they consider drug issues as a health issue rather than a criminal justice issue. By advocating for appropriate responses to reduce and prevent the harms associated with drug use and providing good education, is a way for both, educators, parents, and youth themselves to have an informed and non-judgmental conversations with young people about

cannabis. Because the reality is we need to have those conversations because the usage will happen whether or not we do.

Having this resource is really important. It's something we can look at right now and CSSDP has a sensible cannabis education toolkit for educating youth available free of charge on their website. I'd really encourage parents, educators, and youth themselves to have a look at that toolkit. There are some great ways to have those conversations and it's a way to empower and enable people now and rather than, perhaps, fear mongering, it's a chance to really have good, sensible, smart conversations.

Thank you, minister. We look forward to that, but in the meantime we can take action now.

Speaker: The hon. Minister of Justice and Public Safety.

Sexual Assault Response – New Senior Crown Attorney

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

Government is committed to keeping Islanders safe and improving supports for victims of assault.

Because of the traumatic nature of sexual assault, help for victims must be comprehensive. The provision of support services must also be closely integrated with agencies such as health, victim services, and community organizations.

Islanders affected by sexual violence can access frontline services through Health PEI and the PEI Rape and Sexual Assault Centre. In addition, my Department of Justice and Public Safety has brought together police agencies and department staff to identify opportunities to enhance supports in the justice system.

There has been training for justice and police officials on the neurology of traumatic experience, best practices in interviewing victims, and on gathering evidence for forensic analysis. There were 42 participants in this training, including representation from the Crown, victim services, two police instructors, and 21

police officers representing all Island police forces.

As an additional step forward, a new senior Crown attorney will provide oversight to all sexual offence prosecutions within this province. This senior Crown attorney will work with the police on pre-charge consultation in all allegations of sexual assault.

Police agencies and the Crown will work closely together to provide the best possible support to victims, from the initial complaint to police to handling charges. The current director of prosecutions, Ms. Wedge, will be assuming this position once a new director of prosecutions is hired. We are very pleased to have her expertise and experience focused on this important issue.

It is our hope that this additional Crown prosecutor will provide comprehensive assistance to all victims of sexual assault in their dealings with police and with the courts. Moving forward, my department will work on additional enhancements with police and justice partners, including potential additional oversight, alternative victim interviewing models, and exploration of additional investigation mechanisms.

There is more work to be done and there are more improvements to be made.

I do want to remind all Islanders that there is help available for victims of sexual assault, through our health system, through the PEI Rape and Sexual Assault Centre, and through victim services.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Mr. Speaker, and thank you to the minister for this announcement.

Having a special prosecutor oversee the sexual assault cases is a fantastic role. I know Nova Scotia has been doing this, I think, for just slightly over a year they announced two people in that position.

Naming Cindy Wedge to the position is a fantastic, not even addition. Cindy was the

mother of three young kids when she took on the role of prosecuting. I think she's the first female director of prosecutions in Canada. She's got some experience in prosecuting some of PEI's largest cases. Having her experience and commitment over in this side, I think, is a wonderful role for our province to go.

With this great announcement, we can't forget about prevention. The minister talked about the Rape and Sexual Assault Centre. We've talked about that numerous times this Legislature about resources, extra resources. Third-party reporting, we've talked about, both oppositions and government members have talked about this: prevention is key. This is a good news announcement, but in a line, and I'm sure the minister heard this from those round tables, you know, resources going into prevention and education around this is ultimately the most important thing.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Mr. Speaker.

This is, indeed, a critical piece in our story of how we recognize and validate the experiences of women, who have experienced sexual assault. We know both anecdotally and statistically that only a tiny fraction of cases are ever prosecuted. Partly, that is because of the experiences of women, who have been that system who have not either been taken seriously; have not experienced – had a positive experience in any way, and have not been able to take their cases forward to that natural closure.

The shift in experience and tone for women including that in our justice system is part of a larger system that we're seeing with things like #MeToo and Time's Up, but having something like this being named and made space available within an existing system is so hard to shift like the jurisdictional system is really important in terms of recognizing the validity of that experience, the necessity of prosecuting and carrying through. And the importance of the truth of telling stories for women, who have experienced sexual violence.

For all of those reasons, above all which, we have such a fantastic prosecutor, as Cindy Wedge coming forward into that space. I really extend my appreciation to the minister and to the department for, what I know, has been a huge amount of work to get to this space. I look forward to seeing it progress.

Thank you very much.

Presenting and Receiving Petitions

Tabling of Documents

Speaker: The hon. Minister of Rural and Regional Development.

Mr. Murphy: Mr. Speaker, by leave of the House, I beg leave to table 15 copies of special projects, job creation program, jobs for youth and rural jobs initiative that I was asked to supply during my budget estimates.

Speaker: Do you have a seconder, hon. minister?

Mr. Murphy: Seconded by the hon. Member from Montague-Kilmuir.

Speaker: Shall that carry? Carried.

Reports by Committees

Introduction of Government Bills

Government Motions

Orders of the Day (Government)

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the hon. Minister of Finance, that the 12th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 12, *An Act to Respond to the Legalization of Cannabis*, Bill No. 29, ordered for second reading.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: 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 Respond to the Legalization of Cannabis*, Bill No. 29, read a second time.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: 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 call on the hon. Member from Vernon River-Stratford to please come forward and Chair this bill.

Chair (McIsaac): The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *An Act to Respond to the Legalization of Cannabis*. Is it the pleasure of the committee that the bill be now read clause by clause?

Mr. Fox: Can we have an overview?

An Hon. Member: No.

Chair: We can have an overview, hon. member.

Mr. Minister, can I have an overview?

Mr. MacDonald: The bill sets out the components of the government's approach to regulating cannabis in the province in response to the federal government's move to legalize recreational cannabis.

In particular, this bill provides provisions to protect the health and safety of Islanders; to combat illegal drug market; to clarify the rights and responsibilities of Islanders in respect to how and where cannabis may be utilized, purchased, consumed or cultivated, and to establish a Cannabis Management Corporation as the authorized vendor for sale of cannabis in the province.

Mr. R. Brown: That's good enough for me. Pass it.

Chair: Would you like to bring someone on the floor –

Mr. MacDonald: Yeah.

Chair: – before we –

Ms. Biggar: Ring the bell.

An Hon. Member: Question.

Chair: Going to bring a stranger on the floor? Is that agreed?

Some Hon. Members: Yeah.

Chair: Could you introduce yourself, your name and title, please.

Blair Barbour Manager: Blair Barbour, Manager of Policy Planning and FPT Relations at justice and public safety.

Chair: Thank you.

The hon. Member from Borden-Kinkora has a question.

Mr. Fox: Thank you.

Minister, what consultation did we do with the department of education and the department of health on coming up with this bill?

Mr. MacDonald: I think all three departments had met on several occasions in regards to their significant role in this bill.

Along with that, with the general public in regards to 4,000 close to 3,000?

Blair Barbour Manager: It's in there.

Mr. MacDonald: Between 3,000 and 4,000 responses via email and contacts and so on.

Mr. Fox: How much consultation did we have with Workers Compensation Board or employers that are involved in the construction industry or that kind of thing?

Mr. MacDonald: With Workers Compensation Board? We can take the question and get back to you if that's all right?

Mr. Fox: It's my understanding that there was a document that went into the department of justice that was about a 10-page document of concerns from police agencies from across the Island.

I'm wondering what happened to that document, or was it taken into consideration?

Chair: Minister? Blair?

Blair Barbour Manager: Thank you, Chair.

We did get that letter from the police chiefs and it was considered when we were looking at the legislation and developing it.

Mr. Fox: In that letter it talks about that the government is prepared to invest additional resources to ensure there's appropriate capacity to address a variety of issues. Three of them issues are public education, enforcement, and a public awareness campaign on the dangers of driving under the influence of cannabis and other drugs. How was that looked at and dealt with?

Chair: Blair?

Blair Barbour Manager: Thank you.

To start with the public education campaign, the Chief Public Health Office has started an interdepartmental working group and we're looking at phase one currently of our plan. It includes timely information approach. We began information about impaired driving in early 2018, knowing that drug impaired or drug use and driving were current risks. We have distributed resources for parents and stakeholders working with parents.

Some Hon. Members: (Indistinct)

Chair: Can I let Blair finish here?

An Hon. Member: (Indistinct)

Chair: Okay, yes.

Blair Barbour Manager: We're also looking – we began public information activities in January, 2018; it's the first step in the harm reduction and prevention activities which will expand. Once legislation's been passed, the public can

expect to see a greater social media presence, locally produced feature stories, social media, that sort of thing, to try to promote responsible use and to advise of the potential harms of cannabis. So that's the public education.

Mr. MacDonald: Also, part of the education awareness was done through MADD Canada that recently when they did all their travel from school to schools relevant to drug impairment, their whole focus was on cannabis.

Chair: Was your input on this question specifically, minister of transportation?

Ms. Biggar: Thank you, Chair.

I just wanted to add about the amendments to the *Highway Traffic Act* in this as well. Maybe if you want to respond to that, but there is, contained in the bill, amendments to correspond to the amendments under the Criminal Code for alcohol and drug impaired offences – to coincide with criminal activity in that regard and roadside suspensions. There have been amendments made to address that concern as well.

Chair: The hon. minister of justice has an input on this question too, specifically.

Mr. J. Brown: So I think Blair actually covered this off. I couldn't totally hear what was being said, but just to be clear: we did, in our section of the budget, we passed – there was a \$500,000 investment in drug recognition and enforcement that's to be made in the upcoming year to help to kind of get the training and the enforcement mechanisms up to speed and in place.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: On that, minister, are you saying that you're going to pay for all the training cost that is going to be required in the police departments and the RCMP on the Island to have a drug recognition officer in place?

Mr. J. Brown: Thank you very much, Chair.

I'm not saying exactly that, hon. member, but what I am saying is that there's a budgetary allocation that will be set up for

drug recognition training and enforcement. I'll be honest in saying that this is something, again, that you could probably put infinite resources into at every level of policing and throughout government in a ramp up, but that's an additional investment beyond the training budgets that would already be there for our complement of policing services, whether it be RCMP or whatever.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: With that, I was talking to one of the chiefs of police this morning and he told me that they did a checkpoint with the RCMP and they had somebody who was suspected and that it was going to be over a three hour wait before a DRE would be made available. So how are these police departments – how are they supposed to deal with that on a constitutional level of trying to hold somebody for that long?

Mr. J. Brown: I guess the first thing I would say, Mr. Chair, if you wish for an intervention, is that this has nothing to do with this legislation. At this point in time, police still do have to be responsible for drug impaired drivers. This is part of the point of these legislative amendments is that we are not fooling anybody at all if we think that there are not people that are out there on Prince Edward Island roads today that are driving while they're high – full stop. I'll say that as plainly as I possibly can and the minister mentioned MADD, they've gone around with their great campaign that in the last couple of years has shifted toward driving while high because there's been kind of an indication that particularly younger people don't think it has the same impact as alcohol. That's not the reality.

That is a responsibility of police departments and police officers today, but we are investing in addition to the resources that we currently have to bolster, I guess, or to improve drug recognition and enforcement.

Chair: The minister of transportation has an intervention.

Ms. Biggar: There already is authority under the act for an officer to respond to someone who is suspected to be –

Mr. Fox: I'm very well (Indistinct)

Ms. Biggar: I just wanted to make sure everyone knew that, though. I'm sure you know that.

An Hon. Member: I didn't know that.

Ms. Biggar: I wanted to make sure everyone knew that. It's already in place.

Mr. LaVie: You'll know.

Ms. Biggar: Thank you.

Mr. MacDonald: I think the other thing, too, is there has been driving under the influence of drug charges laid in the previous years – many times, so it's not something new, but there is presently 10 trained right now for drug recognition and hopefully five by, I believe, the fall, so up to 15 and then we'll continue to keep an eye on it.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Thank you.

Under 253(1)(a), impaired operation of a motor vehicle can be by drug or by an alcohol and you can do a straight sobriety test on that and you can go forward to court. But what I'm hearing from the RCMP and also from the police officers is that they need a commitment by government for money and resources to deal with this bill and what it's going to cost them. So if we look at the City of Fredericton, who come out two weeks ago – I think it was CBC – the chief up there said the minimum cost this is going to be to her was 2%. Now we had a meeting today, minister, and you alluded that it could be up to as high as 5%. Is there a commitment by this government to put two to 5% of operation requirements into the police departments to deal with this bill?

Mr. MacDonald: As I indicated earlier, you're saying 3% and then I said it could be up to 5%, but it is under the Criminal Code and it is a federal initiative and there will be federal investments and for us as a province going forward, I think we have to analyze this as we move. If we need further investments, then we have to be prepared for that.

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

Mr. Myers: Thank you, Chair.

I had heard the minister on numerous occasions talk about the black market and how the legalization of cannabis here in this province would help them tamp down or beat down on the black market so that they a – people who were buying cannabis – had a secure source to buy it from. Can you explain how this act accomplishes that black market thing?

Mr. MacDonald: Well I think anytime that you legalize something, you're starting to eliminate that type of market, but more importantly I think it's – you mentioned the source and I think that's where the education component comes in for those people that are going to utilize cannabis, or do utilize cannabis now.

We were talking about police chiefs. The police chiefs of Ontario came out with a campaign, actually, that actually indicates – their slogan was 'know your source', so in essence, I think at the bottom line to get through this bill and to get to the legalization, there's several steps that we have to accomplish. Without a doubt, we're going to learn as we go forward on this. This is new. There's a major lens on it, but anything you can do to minimize criminal activity is likely a good thing, but it is going to take some time.

Mr. Myers: I would think that – and it falls into line with what the minister of justice had said about people are already driving while impaired on drugs, so I believe that's true as well.

That said, everybody that is, or even if they're not driving – anybody who's currently using cannabis has a source and believe it or not, they do trust them. You may find that hard to believe, but people – we're not talking people walking in and buying from Tony Soprano. It's like the guy who lives down the street or it's not – these people aren't, you know, it's not like the Colombian cartel. They're not toting Uzis and have a bunch of dogs around their compound and stuff.

It's very small time and the minister of justice probably would know this better than me, being a lawyer and probably having defended people or watched people go to court. They're very small time criminals. That's the first component of it. So when you're tamping down the black market, those people are trusted sources.

Generally, from my understanding, it's the, above that – do you want to have an answer to that before I go on?

Chair: Minister of Justice.

Mr. J. Brown: Yeah, so I think hon. member I would be somewhat careful in how I characterize that. I mean the good part of – and I was going to say illegal marijuana supply but that's what it all is at this point in time – does not come from Prince Edward Island. It's brought in by organizations that probably most of us in here would not like to or care to acknowledge even exist on Prince Edward Island.

There is typically, you know, it's like Amway. There's a filter-down mechanism to reach the folks on the street and the unfortunate piece of that gets to be that, you know, there are individuals that find themselves, the individuals that you're talking about for the most part that find themselves in very precarious positions, having often been taken advantage of by the organizations that would be at the top of the Amway food chain.

You know, we've seen it – I have seen it in my past career. We've seen it in this province, and I suspect until we get a good, solid legal supply of cannabis at a competitive rate, we will continue to see both it and the kind of trickle-down effect of having that business here in the province.

Chair: We're going to pause for a sec. I'll give the Premier a chance for recognition of guests.

Recognition of Guests (II)

Premier MacLauchlan: Thanks, Chair. I'd like to recognize Marion Murphy who served several terms in this Legislature and was a great representative of her area and – First Queens was it, Marion? Certainly has

made a path that the rest of us would do well to follow. Great to see you here, Marion.

Some Hon. Members: Hear, hear!

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

Mr. Myers: Thank you, Chair.

That's very much the direction I was headed. I believe that is the case. That was kind of the point of what I was saying is that the person that's on the ground level here on Prince Edward Island doesn't – there's no fear in that component, but there's a level above and above that, that – that's the black market.

When you're talking about the black market you're really not talking about the person-to-person transition so much as you are the network that gets it here and finds a way to manipulate and use people at the ground level of it. So that's the one that in my opinion you're going to have the toughest time fighting.

It's organized crime. They are organized and their whole purpose is to be organized and the more – and we've seen it over the years. The more governments try to push back – we all remember the war on drugs, you know, it really didn't go anywhere but it was a big thing in the States at one point. There was a big fight back on drugs. The more you fight back, the more organized the organized component becomes and the more they change their business model because it's a business; and just like any business here, any legal business, they would be altering their business model if there was impacts on their bottom line.

So again my question is, given that component that the minister of justice is talking about there, how does this act help curb organized crime in this province as far as it goes to drugs?

Mr. MacDonald: Well, first of all, it's obviously part of the Criminal Code now. It's illegal to sell drugs. So even if it is – if what you call it – even if it is grassroots or whatever you want to refer to it as, I think any time you minimize a market for the drug cartels or whatever you want to call them, I think you're taking a step in the right

direction.

At least you're going to have a choice, a legal choice to where you make your purchase, and I think that's extremely important. I think marijuana is one thing or cannabis, but for these criminal – for the criminal activity, what we've seen here recently on Prince Edward Island and we're seeing it around the world in North America, especially in western Canada, where the sale of other drugs from these crime syndicates are what they're doing to society.

Where do you draw the line? It's a difficult question but I think this is a step in the right direction.

Chair: We're going to take a pause for a moment for the hon. Member from Borden-Kinkora for recognition of guests.

Recognition of Guests (III)

Mr. Fox: Thank you, Chair.

I'd like to recognize George Webster, a great constituent up there in Borden-Kinkora and he's a past member of this House and from a great farming family. Also, George and I go to church together, so welcome.

Some Hon. Members: Hear, hear!

Chair: We have one more question from the hon. Member from Georgetown-St. Peters.

Leader of the Opposition: (Indistinct) the rest of us are praying for you.

Mr. Myers: So a follow-up then to that question is presumably, there is a business model in this act and I will probably get to it as we go through it, but undoubtedly your plan is to make money. I saw at one point that the profits have to go back into the operating fund.

But if you're serious about eliminating black market and drug dealers and drugs that are on the street that aren't through a controlled source, will you commit to taking at least in its infancy the additional money, investing it back into police forces on here on Prince Edward Island, with the sole purpose of fighting illegal drugs here in this province?

Chair: Minister.

Mr. MacDonald: I think first of all it's – we are, as you presently speak – we talked to the hon. Member from Borden-Kinkora in regards to this, relevant to a reinvestment as we move forward. The justice minister talked about an additional 500,000 immediately that's going into education awareness and – so there's investments taking place right now.

I think as we move forward, as the hon. Member from Borden-Kinkora, we talked about this previously about what amount is that. Well, until we know where we stand on this issue, it's hard to determine what reinvestment it will be; but there will be a reinvestment and it will be through health and it will be through justice, so there will be reinvestments in the province.

Chair: The hon. Member from Rustico-Emerald.

This is on the overview. A few more questions there and hopefully we'll get to the bill.

Mr. Trivers: Thank you, Chair.

I'd also like to recognize Marion Murphy, a great constituent of mine and just a very valuable community leader across the board. So great to see you here today and any advice you have to give on debating this legislation would be very well taken, thank you.

So, Chair, my issue with this is really overall, the federal government has told the province you need to legalize cannabis; and I'm assuming that the federal and provincial roles were set by the federal government. That's my first question.

Mr. MacDonald: Blair.

Blair Barbour Manager: The jurisdiction of the two levels of government is actually set by the *Constitution Act*. So when you look at the medical system that exists currently, I believe it's under the criminal law power under section 91 of the *Constitution Act*. The provincial powers in the jurisdiction we have in terms of cannabis is derived under section 92 which deals with local and private matters, that sort of thing. So when you say it was set by the federal government, that's not accurate.

The division of responsibilities on this file is really driven through the constitution.

Mr. Trivers: So I think the fundamental question really that needs to be asked – and that's why I asked this at the overview, Chair – is do Islanders as a whole want to have legalized cannabis? That's really the question we need to ask and I'm not sure that Islanders have ever been asked that question or we've had a chance to actually debate that on the floor of this House.

The federal government has mandated that to the provincial government but I think we need to ask that question. We've got representatives here. I want to know whether Islanders actually want to have legalized cannabis. That's the first question.

Chair: I'm going to turn to the Premier for a response.

Premier MacLauchlan: Chair, there was a federal election on October 19th, 2015. There was a government elected that had as its platform the legalization of cannabis. Prince Edward Islanders elected four MPs to the majority government. I think Islanders have been heard and this is federal jurisdiction.

It's that simple.

Mr. Trivers: All right, Chair, if I'm going to accept the Premier's intervention there and logic that this is federal jurisdiction, we have to comply. There's nothing we can do as a province to fight back, then I don't like that, honestly. Because, I think, as an MLA in this House, I'm going to fight for my constituents and if it's something the federal government is going to impose on me then I don't (Indistinct) fight against it.

Now, that said, I mean, I've been polling my constituents to find out whether they think legalizing cannabis is good or bad. There is quite a division; quite a split.

One thing with the provincial responsibilities and the control over distribution and wholesale, as well as the retail model and public consumption, there is a fair bit of responsibility within the province. If we determined at a provincial level that really, Islanders, as a whole, based on their provincial representatives were not

in favour of legalization of cannabis, we could, actually make quite a dent into essentially limit – really, really limiting the sale and use of cannabis, I think.

I wanted you to comment on that.

Mr. MacDonald: I think it goes back to what the Premier said. Furthermore, we have – if you look at New Brunswick and Nova Scotia, if we don't do anything, it will be the responsibility of the federal government and we wouldn't have any say whatsoever. I think that's really important.

I think taking it proactive and trying to work with the legalization as much as possible under as good a terms as we can get for ourselves on PEI and our constituents.

I totally agree with you. I had a phone call last night from a guy saying: how come we can't grow more and sell more to Islanders. I'm getting it all the time, but I'm getting it from all sides. It's an interesting process to go through for something that is this new.

If you look at some of the respondents that we had, the majority of those respondents were for cannabis, like sixty-some percent talked about how they want to see it for sale and things like that. There is, you're right, you're likely being hit from all sides and as well from conversations, but I think it's a federal initiative that we have to, kind of, grab the bull by the horns and do what we got to do.

Chair: The hon. Minister of Justice and Public Safety.

Mr. J. Brown: I'll just expand on that with a couple of quick points. One, the federal government has already indicated that they would have a mail delivery service available if we don't offer a retail model here, so that's really within the finance purview.

The other larger piece of it, and it's connected, is back to the hon. Member from Georgetown-St. Peters' comments, and the two of you should maybe have a little chat together because his comments are very relevant to yours.

You know, if we, essentially set-up a possible parallel market system and we don't take steps to be more competitive than

the current competitor, we have a problem. That's really the purpose behind this is to take out the current competitor and make sure it's a reliable product that's being there and that folks have the ability to make an informed choice to purchase that reliable product in a way that is accessible enough that they're going to do it, but still has enough restrictions so that we don't have youth buying it, so that we don't have people that are going out, you know, to nefarious individuals that are making the purchases there, those sorts of things.

Again, this is coming whether we like it or not. The federal government has indicated that. They have even indicated the mechanism that they'll deliver it if we don't. We're looking to regulate, to ensure that Islanders get the safest, most reliable product possible, and that we do what we can to take out those larger criminal organizations that would currently be offering that supply.

Chair: The hon. Premier.

Premier MacLauchlan: Chair, thank you.

We don't use the language of the Member from Rustico-Emerald. We, as a Legislature, when the federal government moves to decriminalize, don't have the legislative authority or the constitutional authority to make it our business to put a dent in that in policy choice.

We do have choices to make within our own powers, whether that be public health, whether that be the retail end of things and so on, whether it be law enforcement. That's exactly the set of choices that we set out to make.

I have to say to kind of pick up, not – this is not to disagree necessarily with the starting point from the Member from Rustico-Emerald. If you look at where Prince Edward Island has landed through these several initiatives, we are at, what I might call, the more conservative end of the array. If you go from Quebec, which might be at the most conservative, through to some of the western provinces, or, for that matter, even New Brunswick, we, kind of, landed more toward the – let's-kind-of-take-this, I might say, a-step-at-a-time, or let's not get too, kind of, get our neck stuck out to far on

this. I believe if we could get into the bill, we'd find that that's exactly what we've done.

Chair: Yeah. We have a couple of more comments on the overview.

The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Chair.

Thank you for those interjections. They make a lot of sense to me. Because on the flipside of the point I'm trying to make is because of the provincial areas of responsibility there is also the opportunity or the option, it may be a better word, to really open it up, and instead of trying to hamper the use of cannabis, really more freely allow the use of cannabis.

Indeed, as the Premier said, this bill is trying to find that balance somewhere in the middle. That's where I'm looking forward to getting into the details. I'm not entirely sure you've found the right balance in this bill. I think, based on the way the bill is written right now, we are going to end up not achieving the objectives, which is health and safety of our young Islanders, combating the illicit market, and really that's the problem. I do look forward to getting into the details here and maybe we could find a way to make some changes to this bill so that we can achieve those objections.

Thank you, Chair.

Chair: The hon. Member from Kensington-Malpeque, on the overview?

Mr. MacKay: Yes.

Chair: Yes.

Mr. MacKay: Thank you, Chair.

Thank you minister. I realize that this is being forced out of Ottawa by *Smokey and the Bandit* themselves.

I've got some concerns, as well, some constituents concerns. One, I guess, I'm more curious to some of the studies the province might have done in the meantime. One, mental health, right now we're struggling to provide help for mental health and illness on PEI now.

Have you done any studies to show the impact of what legalizing cannabis will do to the mental health of Islanders?

Chair: The hon. Minister of Finance.

Mr. MacDonald: Actually, Dr. Keizer and Dr. –

Blair Barbour Manager: Dr. Sabapathy.

Mr. MacDonald: – Sabapathy sat on the committee –

Blair Barbour Manager: The provincial –

Mr. MacDonald: The provincial cannabis committee.

It's three departments overseeing this and they're looking at every angle. What the outcomes will be, again, it's that unknown that makes it very difficult.

This whole process, and I've said it publicly, that if we try to regulate before this becomes normalized, and allow ourselves to be in a position to make changes to regulations if need be; allow ourselves to be in a position to make more investments if need be.

It was very interesting at the MADD conference that I attended, they were saying to me, because we sponsored it. I said to them: look I don't have to say anything if you don't want. I was being honest with them. They said to me: We want it to be talking about drug impairment with kids since – for 10 years, for a decade.

They're almost ahead of us to some extent on some of this, in safety. The hon. Member from Rustico-Emerald talked about. There are all those variables that are in there, but I think regulating this as much as possible prior to normalizing it, I think, is the approach that, I think, the province should take, personally, and that's what we're doing.

Mr. MacKay: One thing that's a concern, not only for constituents of mine, but I've heard from some police officers, as well, basically they say they have a shortage of resources now.

One conversation I had yesterday, the topic of drunk driving came up. It's seems to be

that there are more people driving impaired than ever before. Basically, there's not enough resources to catch them all.

Has there been any study or anything done to show the impact legalization of marijuana, how that will affect people on the highways?

Mr. MacDonald: Chair?

Chair: Yes.

Mr. MacDonald: We do have Graham sitting up there (Indistinct) talk about that, or do you want to wait until we get to the section where –

Chair: Can we wait until we get to the section in the bill –

Mr. MacDonald: We have somebody that could actually talk about the statistics –

Chair: We have lots of fellows –

Mr. MacDonald: – (Indistinct)

Chair: – support staff –

Mr. MacKay: (Indistinct) one more question.

Chair: Okay. The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Chair.

One thing that, I guess, I'm more concerned of myself is what marijuana could potentially do, and I'll use an example. One of my best friends growing up, he got himself in – started with marijuana. At the end of a few years, marijuana wasn't enough and he reached out for something more. That wasn't enough. He reached out for something more. Now, today, unfortunately, he died at a very young age with an overdose. It was all caused by, in a sense, marijuana. He got addicted to a drug.

Has there been any studies to show, has the province does any studies? If we're legalizing marijuana and it's easier to get, especially for our youth because they will get it. Our youth are getting alcohol right now. They will get marijuana. Is that not a

concern to what could potentially happen to some of these kids?

Mr. MacDonald: Actually, cannabis is second behind alcohol as the most psychotic drug used. In one in 15, or, no, hold on. One youth between the ages of 15 and 24 used cannabis in the last year. It's already out there. It's something that –

Mr. MacKay: Say that – sorry, Chair. Say that stat again.

Mr. MacDonald: Between the ages of 15 and 24 one in five youth use cannabis. It's already there. I think we got to do a better job. This kind of came through the MADD process as well on educating our youth on what cannabis is and how –and utilization of it as far as, and what it does.

The biggest thing that we've seen through the youth is they feel that they can drive. So four of them may get in a car, three are going to drink and one gets high. He decides he's going to drive. We've heard it over and over again from police forces as well.

Mr. MacKay: Final observation. I guess that's what concerns me the most. Whether it's mental health, whether it's crime, whether it's drunk driving, or harder drugs, you know, at the end of the day, there needs to be money to help offset what's going to happen because we all know there's going to be problems come with this.

I realize you're being forced to do this and I can't beat you up for that –

Mr. MacDonald: Because I'm too nice.

Mr. MacKay: My point being, like, if we go into this without extra funding behind the scenes, we're going to be in big trouble. I do think it's something; it's a given. We're going to run into some trouble here in the very near future when this – and if the resources aren't there to help some of these people out I think we're destined for failure. I really think you should look at funding somehow.

Chair: Do you have a comment on that?

Mr. MacDonald: I totally agree. I mean, once we get to that point. I have children. You have children, whatever. It's something

that we have to keep an eye on. We have to be able to adapt. I think that's really important.

Chair: Borden-Kinkora on the overview.

Mr. Fox: Thanks.

I have a couple of intervention questions. I've got back into overview. I'm curious, from the minister of justice or the Premier when he says: yes, this is a federal thing that was brought in by them. But, there's also a section in the constitution called the notwithstanding clause. Can you explain that or how that wouldn't come into effect?

Chair: I'll be directing that to the Premier or the Minister of Justice and Public Safety.

The hon. Premier.

Premier MacLauchlan: The notwithstanding clause would refer to the provisions of the Charter of Rights and Freedoms, but not to the division of powers.

The federal-provincial division of powers, which go back to the Charlottetown Conference are what they are, including the power of the federal Parliament over the criminal law. There is nothing the province can do, and I have to be clear, I wouldn't recommend using the notwithstanding clause on, kind of, a casual basis when it comes to the charter of rights, either. When it comes to the federalism, when it comes to the federal powers, the province can't say: oh, we're going to override you.

Mr. Fox: On the black market part of it, and picking up on what Georgetown-St. Peters talked about, we know back in the 1990s, we used to do a tremendous amount of seizures when it came to illegal tobacco coming in from other provinces. There was a big step to try to curtail that. It's all the black market did was they went around it, and they found other ways to deal with that.

Are we not concerned that the black market or the Hells Angels or other outlaw motorcycle gangs will come in another way to not lose their trade, because they're not going to want to lose their trade.

Chair: Blair.

Blair Barbour Manager: I think we're always concerned about organized crime trying to come in and base itself in our province, and engage in activities that harm Islanders quite frankly.

This legislation, though, when I look at it, and the federal legislation, I think the point is to try to improve the situation we have now.

Absolutely, organized crime is a concern. Organized crime will remain a concern. This gives us a different framework to try to deal with that through the legalized sale of cannabis in the province.

Mr. Fox: With that, we saw, several years ago the RCMP had to cut their highway traffic unit that's sole purpose was to do traffic enforcement and keep an eye on what's going across the province.

Back then they were saying that they didn't have the resources to deal with it. So why cannot we commit that the money will be available from the department of justice to refund that unit to ensure that the tools are there within the police departments or the RCMP to help with that?

Chair: The hon. Minister of Justice and Public Safety.

Mr. J. Brown: Again, hon. member, I'll reiterate that though the service is still there, as you have noted on numerous occasions. The RCMP, but it's actually gone up fairly significantly over the course of time. In addition to that, there has been \$500,000 committed for this upcoming year –

Mr. Fox: Chair, I can't hear –

Mr. MacDonald: Can't hear.

Chair: Order! Having a little trouble hearing there.

Minister of justice.

Mr. J. Brown: I think it's the gallery.

An Hon. Member: (Indistinct)

Ms. Biggar: Those four (Indistinct)

Chair: Minister of justice.

Mr. J. Brown: So again, in addition to the normal budget increases for RCMP and for other policing services, to maintain the services that are there, there has been a half-million dollars, and somebody had indicated earlier 2%. Well, you take a half-million dollars and take it out over the entire budget for policing for the province, I think that's more than half a percent, just quick math. Sorry, 2%, quick math.

Yes, that investment is being made. Again, we've talked about that in estimates. We passed that section of the budget. And presuming we get through this session before the federal government legalizes marijuana, we'll have that budget in place to go forward.

Mr. Fox: Okay, I'm curious, in the bill, we talk about age limits. We had a clear indication from the scientific literature and also from the doctors that we should not look at allowing legal marijuana below the age of 25.

I'm really curious why the government would go against a medical society, or the experts with scientific research, that we're saying that under age 25 will affect brain development. Why would we go below that?

Chair: Hon. member, we're actually getting into the content of the bill there. I'll allow that question, but if you have other questions on the overview –

Mr. Fox: Okay.

Chair: – I'll take those, and we'll move to the bill, okay?

Mr. Fox: Okay.

Chair: I have other people looking to – for input.

Mr. MacDonald: People under the age of 25 are estimated to be half the current number of users of cannabis – starters. All other provincial governments in the region are setting their legal age of purchase and consumption of cannabis at 19-years-of-age, so we could get into that again as far as something similar to the canned beer coming back and forth across the Confederation Bridge or the ferries. I think that that has to be taken in.

As with the alcohol, the government believes that 19 years of age or older are capable of making important decisions. I think that has to be taken into consideration as well. There is science on both sides of that argument too.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: So picking up on something that Kensington-Malpeque said: I was called to a residence out in Kinkora back about a couple months ago. We have a young man that moved back here from out west – he's in his 40s – he has no family doctor; he can't get a family doctor. He has severe chronic pain and arthritis and he's on different medication. He started out with marijuana and it led him into other drugs. Now he's finding that nothing is working and he's dead set against this. So I'm wondering: Did we talk to people like this or do we have any consultation with this with the department or health? These people that are saying this is wrong.

Mr. MacDonald: I guess there are different scenarios in different – I also have people that come up to me and say: This should have been done long ago because it's helping me. I don't know the specific case, obviously, and it's unfortunate, but there are scenarios on both sides of that fence too. There's many people that are utilizing it, whether it be for cancer, rheumatoid arthritis and think it's great and then, obviously that situation. I really think there's no win or lose arguments in (Indistinct)

Mr. Fox: (Indistinct)

Chair: Okay. The hon. Member from Borden-Kinkora.

Mr. Fox: You're right, minister. I'll agree with you on that, but what he was saying, basically, at the end of it was, it does help people. There are people that need it and it will help them, but he was really dead set against the age – getting it into the kid's hands was his really biggest concern.

Thank you.

Chair: We'll get to that in the bill. Great.

The hon. Leader of the Third Party and hopefully we'll move to the bill then.

Dr. Bevan-Baker: Thank you, Chair.

I'd first like to start out by thanking the minister and Blair and the other people who were present earlier today in giving us a briefing on this bill. It was a little late, of course, to be ideal, but it was so nice to have you all there to answer some preliminary questions.

The public consultation and the previous member asked a couple of questions about what level of public consultation occurred here. As far as I'm concerned – am I right in thinking it was just the online opportunity for members of the public to participate?

Blair Barbour Manager: For members of the public, yes, but the government also consulted with various stakeholders directly including the municipalities, police, other groups not coming to mind right now, but there were efforts to do directed consultation with specific groups in addition to the consultation.

Dr. Bevan-Baker: So is there a reason why you didn't actually conduct any public meetings – town hall style meetings – so that Islanders could have a face-to-face conversation?

Blair Barbour Manager: I think when we looked at it, we looked at – in part we were looking at what other jurisdictions were doing, but we were also looking at how best to get the most feedback we could on those broad issues that we consulted on. Public meetings aren't always the most effective means of gathering that information. In particular, some people in the public may not be comfortable coming to public meetings and providing an opinion, particularly if there's a strong opinion indicated one way in the meeting.

So when we looked at the survey process, we thought: well this is fairly effective. Anybody that wants to provide feedback certainly is able to. And certainly the number of responses we got indicates that Islanders, more than many other consultations government has conducted, really embraced this model of consultation.

Dr. Bevan-Baker: You mentioned this morning when we were together that there was one element – I can't remember if it was cultivation or storage, but you said that that was in alignment with the wishes of the survey results that you got. Were there any survey results that you got which would contradict or would not be in alignment with some of the things that you brought forward in this bill?

Blair Barbour Manager: Certainly on the question of the sale of cannabis; 61% of respondents selected private retailers as the preferred owner and operator, 34% selected government, and 6% provided no responses. So that is the one piece that seems to stand out.

Dr. Bevan-Baker: Sure. So was the reason for – I realize that that is a specific part of this bill, but I'm talking really about the consultation process here rather than that specific element of the bill. Is there a reason why government chose to sort of overlook or do something contrary to that very strong public opinion that was expressed?

Blair Barbour Manager: I think we looked at it, but there are some other factors that the public wouldn't have had to consider, so we would have looked at the need for a regulatory model, for instance. We know in Western Canada, they're going with a mixed model.

Dr. Bevan-Baker: Yes.

Blair Barbour Manager: And what we're hearing in conversation is: It's much more involved than simply giving people a license to set up shop and sell the cannabis. There's a question of making sure you're hiring the appropriate people, keeping organized crime out of it, trying to keep organized crime out of influencing or detrimentally affecting legitimate business owners, that sort of thing. That wouldn't have been something most members of the public would have considered.

I think, also, we looked at the model we have for liquor and the model for liquor demonstrates we certainly have a model that works in terms of ensuring that young people don't have easy access to liquor through purchasing at stores. Certainly the liquor model has a public (Indistinct)

responsible drinking sort of focus as well that the private model wouldn't necessarily or intuitively follow-up with.

So those were additional factors we would have looked at, but certainly we know that the liquor model we have we could lever what we have in place and it certainly meets any of our goals in terms of how to set up retail distribution in the province.

Dr. Bevan-Baker: Of course I understand that it would have been indeed much more complex if we have a hybrid system like they do in some provinces out west and I asked you this morning about the compatibility with the other provinces in this region and I suspect that was also part of the motivation for keeping it this way.

Blair Barbour Manager: Absolutely.

Dr. Bevan-Baker: Yes. Another part of the consistency across the Maritime region would be related to the age limit and also, presumably, the price point is also going to be something that will be consistent between the provinces. In both of those cases, there are concerns and they've been expressed by members of the official opposition already, about the age and again, I understand the balance that one has to find here, but the mental health concerns regarding the use of, particularly, the very potent cannabis that is out there now and also the price point being at such a point that it does actually effect the purpose of this act which is combating the market in illicit cannabis.

Have you done research on where that price point needs to be in order to actually – the purpose of the act be – you know what I mean.

Mr. MacDonald: Market value?

Dr. Bevan-Baker: Yes.

Blair Barbour Manager: There has been some research done – I haven't done it – I believe Stats Canada looked at it and looked at what the impact would be of price on consumption and how it might impact some of the goals we have, but that would be something that would have been done at the national level, I think, just generally because all provinces are facing these same issues.

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

Chair: We'd like to move into the act now and maybe we can get agreement that it doesn't all have to be read, just if there's a section you want to read all clause –

An Hon. Member: (Indistinct)

Chair: Definitions and everything?

Mr. Trivers: I have questions on the definitions.

Chair: Okay.

Be it enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

Blair Barbour Manager: We don't start with this.

Chair: Don't start with this?

Blair Barbour Manager: No, we start at number one.

Chair: 1. Contents of this Act

This Act consists of this section and section 2 and the Schedules to this Act.

Any questions or comments on that? Shall it carry? Carried.

2. Commencement

(1) Subject to subsections (2) and (3), this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Questions or comments?

Shall it carry? Carried.

1. Definitions

In this Act,

(a) – and I'll go through them all then you'll come back, okay?

In this Act,

(a) “approved program” means a program approved by the Minister under section 4;

(b) “authorized vendor” means the Prince Edward Island Cannabis Management Corporation, established under section 3 of the Cannabis Management Corporation Act R.S.P.E.I. 1988, Cap. C-1.3;

(c) “boat” means any type of boat, ship, vessel or other craft that is designed or used to travel on water;

(d) –

Mr. Trivers: I was just wondering –

Chair: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you.

I know you briefly discussed that with the members here about whether you needed to read clause by clause.

I am okay, if you read section by section, and then – but make sure you give us enough time to ask questions on this section –

Chair: You have all the time –

Mr. Trivers: – that's all I ask, Chair.

Chair: – in the world.

Mr. Trivers: Yeah.

Chair: Do you want me to read the definitions?

Mr. Trivers: I would be okay, if you said: Section 1. Definitions. Any questions?

Chair: That would be fine with me, as well.

Section 1. Definitions –

Mr. Trivers: Are you okay with that, hon. members?

Chair: Questions on that?

The hon. Member from Borden-Kinkora.

Mr. Fox: I'm wondering why we don't have a definition here in regards to an approved screening device?

Mr. MacDonald: Can you leave that until we get Graham on the floor, here?

Mr. Fox: It would fall under definitions. It should be in definitions.

Mr. Fox: Maybe can we ask that stranger to come on the floor? Maybe it might speed things up –

Mr. MacDonald: *Highway Traffic Act* –

Blair Barbour Manager: I can speak to it briefly.

This particular schedule is dealing with the Cannabis Control Act. The approved screening device aspect would fall under a different schedule. So, it would be under the schedule that goes with the *Highway Traffic Act*. The witness, at that point, will be able to advise where approved screening device is defined –

Chair: It will be coming later, though, hon. member.

Mr. Fox: Okay, so Chair, question with that.

It's my understanding you're bringing in also changes with the *Highway Traffic Act*?

Blair Barbour Manager: That's correct.

Mr. Fox: Right? When do those acts and bills going to be coming to the floor?

Blair Barbour Manager: They're in this –

Ms. Biggar: (Indistinct)

Chair: They're all part of this –

Mr. Fox: Okay.

Chair: – that's not in this bill.

Mr. MacDonald: (Indistinct) three bills.

Blair Barbour Manager: This bill has different schedules. Schedule 1 is the Cannabis Control Act. There are three other schedules. Each schedule contains a separate –

Mr. Fox: Okay.

Blair Barbour Manager: – piece of legislation.

Mr. Fox: Under definition, "(g) "court" means the Provincial Court;" Why is the Supreme Court excluded out of that?

I'm wondering about if somebody is charged under the act and they go before the court and they elect to be tried by a Supreme Court judge or – why wouldn't Supreme Court be in under there?

Chair: Blair.

Blair Barbour Manager: The reason is, is this is a regulatory piece of legislation. Regulatory offences –

Mr. Fox: Okay.

Blair Barbour Manager: – typically would be prosecuted through the provincial court.

Mr. Fox: Okay.

Chair: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Chair.

My first question is about the definition of approved program. It says, "...means a program approved by the Minister under section 4;"

When I look at section 4, it says, "The Minister may approve programs for the purposes of sections 31 and 34."

But when I look at sections 31 and 34 it just talks about diversions of persons under 19 years of age, and approved programs for persons under 19 years of age.

Can you talk a little about more of that, about that definition and how does it apply

to programs for people above 19-years-of age?

Chair: Blair has an intervention on that.

Blair Barbour Manager: Sure. The approved program that we are referring to is part of the legislative scheme. What we are trying to do is keep young people, as much as possible, out of the justice system. It's an alternative measures type mechanism so that if an officer or a prosecutor of the court, they see a young person who has been involved in activities with cannabis, it's an opportunity for them to divert them to a program.

The program is under development, but essentially what it is, it's trying to teach youth about the harms of cannabis use and to try to steer them in a better direction.

Chair: The minister of justice.

Mr. J. Brown: I'd just note that currently there are provisions that would enable an alternative measures program. In similar, some reconviction offences, whether it be under the Criminal Code, or whether they be under the *Controlled Drugs and Substances Act*.

This is not new. There will just be a different diversionary measure for cannabis-related offences.

Recognition of Guests (IV)

Mr. Trivers: I would like to recognize a guest in the gallery, if that's all right with you?

Chair: Go ahead, sure.

Mr. Trivers: Dr. Sarah Stewart-Clark has joined us in the gallery. It's a pleasure to have you here and thank you for attending.

Chair: Good.

Mr. Trivers: All right.

Chair: Do you have another question on –

Mr. Trivers: I do –

Chair: – the definitions?

Mr. Trivers: I was looking at the definition of authorized vendor. Right off the bat, of course, what you're saying is that the only entity that's an authorized vendor is the Cannabis Management Corporation, is that correct?

Mr. MacDonald: Yeah.

Chair: The hon. Minister of Finance.

Mr. MacDonald: Yes.

Mr. Trivers: Can you explain again, for the record, why you would do that instead of, for example, other alternatives like allowing smaller existing vendors to be authorized vendors?

Mr. MacDonald: I think it's important that we regulate before we normalize it. I think that's part of this whole process is ensuring you know, you can't sit on both sides of the fence here. You either got to regulate it and monitor it, and be willing to change. We are willing to change, as I said to you before in regards to private retail, maybe at some point down the road. We don't know where this is going to end up. I think it's important for government to take a pretty firm stand on guiding this cautionary, and seeing that we can, maybe, some day get to that point of having private retail.

Mr. Trivers: Thank you.

Given that, private individuals can grow up to four plants and I believe that – I haven't seen the definition in here, yet. I'm sure it is in here exactly what that definition of four plants actually means.

Doesn't that mean you actually have people, who could be unauthorized vendors, essentially? You have this one authorized vendor, but these other folks, who are going for personal use, I mean there is cannabis around. So, if you're trying to, as you say, put some controls; regulate and normalize, then I think you're going to have a hard time with that, potentially.

In fact, you know, by coming down the, sort of, middle of the road in your solution; you're going to end up in a situation where you're not able to achieve the objectives of the act. One of which is combating the market for illicit cannabis.

I think it's a huge, potential loophole for the black market to utilize private growers and under the guise of private growers be able to supply a black market. If you could comment on that, it would be great.

Mr. MacDonald: There are a couple of things in what you said there. There's another way of looking at that, too. If individuals that utilize cannabis now, grow their own product, they're going to stop buying from the illegal market, maybe. That's one aspect of it.

The other aspect of it, if you do go to private retail, private retail is much more harder to regulate than, and you and I had this conversation before, and it was interesting because the hon. Member from Borden-Kinkora, a former policeman, and I said to you: If you and I opened up a retail outlet on Queen Street, how long would it be before organized crime came knocking on our door wanting a percentage. The hon. member said: Less than 24 hours.

I think it's important to note that we're trying to minimize the illegal market, but there are different ways that you can look at this that it may help or it may hinder, but I mean, in most cases what we're doing right now, I think is regulation. Regulation is good at this point in time until we become more familiar with this and until it becomes normalized and until we see best practices in other provinces and what those reactions are like out west.

Chair: The minister of justice.

Mr. J. Brown: Thanks, Chair.

I just want to be very clear on this. Private individuals will not be approved vendors at this point –

Mr. MacDonald: No.

Mr. J. Brown: – in relation to, so the person growing four plants within their residence, they're not approved to sell that to anybody else. That actually will continue to be an offence under the *Controlled Drugs and Substances Act* called possession for the purposes for trafficking or trafficking in marijuana.

I want to be absolutely clear about that. That

we're not – that's not permitted and won't be through the provisions of this legislation.

Chair: The hon. Member from Rustico-Emerald.

Mr. Trivers: Chair, through to the minister: Would you agree that by introducing a new Cannabis Management Corporation within government with their own buildings, their own administration, will add additional costs and in fact, is sort of a negative part of what you believe you have to do to legalize cannabis?

Mr. MacDonald: A negative part? I wouldn't consider it a negative part.

Is there a cost? Of course there's a cost somewhere around \$2.4 million, but as far as negative, I think it's all a part of the regulations so no, I don't think it's negative. I think it's actually positive.

Mr. Trivers: It's going to cost taxpayers more money. We're going to grow our government bureaucracy. To me, as a Progressive Conservative, that's a negative. When in fact we have vendors right now across Prince Edward Island that handle much harder drugs like oxycodone, things that – you talk about the, I don't know, the criminal element knocking down the door to do extortion and this kind of thing.

If they're going to do it for cannabis, they're definitely going to do it for these harder drugs. The pharmacies, there are 48 of them across Prince Edward Island. They're set up. They also secure. They handle these drugs all the time. They're professionals. They have the training. They're private. They're already in place. Why oh why would you not add pharmacies as authorized vendors?

Blair Barbour Manager: Well, first of all on the pharmacist point, federal legislation governs which parties can dispense medical-use cannabis throughout Canada. Currently, medically-used cannabis is shipped directly from the producer, so the pharmacists don't have a role in that. I can't speak to the federal government's rationale for that, but that's where we were in any event.

At the provincial level, we decided to entrust the Cannabis Management Corporation to control sales of recreational cannabis rather

than private retailers. We believe, as discussed before, we can lever the model that we have for liquor. We think that's effective. Quite frankly, the board structure of the Cannabis Management Corp, we're going to have overlap with the liquor commission.

We think that we can provide this service at this initial stage with legalization very cost effectively, very effectively. Without getting into some of those other issues that, for instance, Western Canada may have to deal with with a mixed model.

Mr. Trivers: Sorry, with the what?

Blair Barbour Manager: With a mixed model, mixed retail model.

Mr. Trivers: Frankly, your response doesn't make a lot of sense to me because from what I see, provincially you have the responsibility for distribution, wholesale, retail model, public consumption and it would just seem simple, common sense to use pharmacies.

Nothing in what you said – if you could point me to the federal legislation that says you can't distribute through pharmacies, I'd like that because to me, from what you said, I'm calling you out on that, I just don't see that.

Chair: Do you have any more questions?

Mr. Trivers: I want to know where it is in the federal legislation that says you cannot sell through pharmacies.

Blair Barbour Manager: I don't have the federal legislation with me today here so we'll have to get back to you on –

Mr. Trivers: Chair, I'm asking a question. You need to defend this point. This is probably one of the most key –

Mr. Roach: Don't badger him.

Mr. Trivers: – point of this bill, and –

Mr. Roach: Don't badger him.

Mr. Trivers: – if you can't discuss that, then I don't understand how we can debate this bill effectively.

Mr. Roach: Don't badger him.

Chair: We will be back on this, I'd say, at a future date. We'll allow him to bring that information back.

Do you have another question on this?

Mr. Trivers: I have more, but you can move onto another person.

Chair: the hon. Member from Borden-Kinkora.

Mr. Fox: Thank you.

Section (Indistinct) or pardon me, (Indistinct) you talk about the leaser and it means the lessor and means a lessor as defined in the–

Mr. Roach: Don't you sit over there and threaten me (Indistinct)

Mr. Fox: - *Rental of Residential Property Act.*

Mr. Roach: Don't you sit over there and threaten me.

Mr. Trivers: (Indistinct) you don't threaten me.

Mr. Fox: My question is: What was IRAC's consultation with this?

Some Hon. Members: (Indistinct)

Mr. Fox: (Indistinct) minister.

Chair: Could you repeat that, hon. Member from Borden-Kinkora?

Mr. Fox: We've got fights going on behind us.

I'm wondering what consultation you had with IRAC on this under the *Rental of Residential Property Act*?

Mr. McIsaac: Can we pause for a second?

We're going to do recognition of guests.

Mr. Fox: Sure, no problem.

Chair: The hon. Premier, recognition of guests.

Mr. Fox: Get out there, Colin.

An Hon. Member: (Indistinct)

Recognition of Guests (V)

Premier MacLauchlan: Yes, thank you, Chair.

If I may, I'd like to recognize that Gerard Greenan arrived a little while ago. He served two terms representing Summerside. Eddie Clark has arrived, served several terms. Eddie, probably three or four, was it? And I didn't earlier mention that George Webster was here and all the great people that have made things work in this Chamber in an earlier day and we may have to call them in before the hour.

Thank you, Chair.

Chair: Okay, thank you, Premier.

The hon. Member from Borden-Kinkora.

Mr. Fox: 'Lessor' means a lessor as defined in the *Rental of Residential Property Act* which is IRAC, so I'm wondering, did they have any concerns on this or what are their thoughts?

Blair Barbour Manager: We consulted with the director of residential property at IRAC and went over the proposed provisions specifically for cultivation and consumption and I think the main concern, I think it's fair to say, was that we have something that's –

Mr. MacKay: (Indistinct) between us. Arnold Schwarzenegger and Danny DeVito (Indistinct)

Blair Barbour Manager: – consistent with other jurisdictions in the region in terms of how we deal with cannabis cultivation and consumption.

But there weren't any particular concerns about the direction that the legislation was moving.

Mr. Fox: That's fine for now.

Thank you.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you, Chair.

I have a couple of questions on the definitions. The first one is in sub (k), 'hotel' and there's a phrase in there I'm just not – I think I know what it means, but what does 'for consideration' mean? Does that mean a person has to pay for the accommodations rather than –

Unidentified Voice: (Indistinct)

Dr. Bevan-Baker: Okay.

Is that a typical phrase used to describe that?

Blair Barbour Manager: It's a legal term, obviously, and we would have taken that definition – I'm trying to find where we got it, but we would have taken it from another piece of provincial legislation in terms of how to define a hotel.

Dr. Bevan-Baker: Thank you.

Vacant land, sub (r), and that's used throughout the act, but I don't see a definition of 'vacant land' in the definition section here. Is there a standard definition of what 'vacant land' is?

Blair Barbour Manager: The rule of interpretation is if the statute doesn't provide the interpretation, you use the common, ordinary meaning. So you might look to dictionaries for the meaning of that term.

Dr. Bevan-Baker: In sub (v) (iii), a trailer or tent – this is under the private dwelling section again, would that include the campsite itself or just the tent or trailer?

Blair Barbour Manager: If you look ahead of the sub clauses where the definition of 'private dwelling' starts, it includes – it says: Together with any adjacent lands or buildings that are normally used for the convenience and enjoyment of the occupant.

So if you are in a tent, it would include – if you were at a campsite, your rented campsite where you pitch your tent.

Dr. Bevan-Baker: Just to clarify that, Blair, it's your individual, single –

Blair Barbour Manager: Site.

Dr. Bevan-Baker: – unit campsite? Not the entire campsite, just the one that you have rented?

Blair Barbour Manager: That's correct.

The tent site would be your private dwelling for the purposes of the act.

Dr. Bevan-Baker: Okay, got it.

Thank you, Chair. I'm good.

Chair: the hon. Member from Borden-Kinkora.

Mr. Fox: I'm curious on the 'package' means package as defined in the *Cannabis Act* (Canada) – can you explain that and how that would go around by like home delivery and that kind of stuff?

Blair Barbour Manager: So 'package' as defined by that act means any inner or outer container or covering.

Mr. Fox: I had a couple of RCMP members ask me the question, if they go to the legal place and buy it and it's in the package, is there any provision there or something that – I use that, whatever I bought out of that package, is there anything – the consideration on the same guy going to the un-recommended source and taking that substance and putting it in the package and when he's stopped the next time –

Blair Barbour Manager: Later in the act or in the bill you will see there's a section that talks about transport and generally speaking, what we're looking for is that the package would be sealed when you purchase it from the store.

Chair: Any other questions on the definitions?

Mr. Fox: You can carry the definitions.

Chair: Okay.

Definitions carried?

Chair: Oh, no, sorry. The hon. Member from Rustico-Emerald had a question, sorry.

Mr. Trivers: Thank you, Chair.

I was looking at definition (e) and (f) of cannabis and cannabis plant as defined –

Chair: Order!

Mr. Trivers: – in the *Cannabis Act* (Canada).

I was able to look up the *Cannabis Act* (Canada) online and really what a cannabis plant is, just FYI for the committee here, is, "means a plant that belongs to the genus *Cannabis*." And cannabis defined means a cannabis plant.

I have a question here because anything that belongs to the cannabis genus covers a really wide variety of plants.

I have a document here that was provided to the Leader of the Opposition by Dr. Colin MacMillan. It was a document that was put together by Regis Duffy of PhD, formally dean of science, UPEI, president and founder of Diagnostic Chemicals.

It talks about how marijuana can be obtained from cannabis plants from several species and generally it consists of an oil or extract from the seeds. It consists of a complex mixture of up to 140 different cannabinoid compounds. The two most important are THC, tetrahydrocannabinol, and CBD, cannabidiol, pardon me.

It's THC that's a psychoactive compound, but it's CBD, according to this document that really is what is reported to be most helpful for the pain. Maybe you know all this. I'll table this document, as well.

I guess, I was wondering because it's really, really important what that ratio of THC to CBD is, since THC is the one that has the negative impacts, at least based on the research that is referenced in this document, it's the psychoactive ingredient and that's what really impacts the youth and causes them to have the real mental illness problems.

I was wondering if the province, in your definitions, might be open to more clearly defining cannabis plant; narrowing it down and maybe even putting in some legislation with respect to the ratio of THC and CBD.

Especially, it talks about here in the document and, in fact, the article referenced that back in the 1960s, the THC content was around 3% and it has increased significantly over the years. I was hoping you could comment on that, and see if you could that?

Chair: Thank you, hon. member. Blair?

Blair Barbour Manager: I think that would be problematic. The definitions that we chose were very specific and intentional. We wanted to ensure that our alignment with the federal legislation stayed consistent throughout time. If the federal government decides, at some point, that when they're licensing production and they want to get into those details, if they change their definition, ours will automatically be aligned with what their legislation says.

Mr. Trivers: Anywhere in the legislation do you regulate or refer to the THC-CBD ratios within cannabis?

Blair Barbour Manager: No. We don't do that because the production of cannabis is regulated under federal jurisdiction.

Mr. J. Brown: Chair, wait.

Chair: Intervention from the hon. Minister of Justice and Public Safety.

Mr. J. Brown: Again, Chair. I think we need to go back up to 10,000 feet because I'm not sure the hon. member is totally grasping what we're into here.

The federal government has indicated that they're going to legalize marijuana, the possession of and consumption of it in certain circumstances. They're doing that, no matter what.

If we get into what you're suggesting here, we would, effectively, have a whole side legislative scheme that would regulate something entirely different. I'm not a constitutional lawyer. I don't purport to offer a constitutional opinion on this sitting here on the floor of the Legislature, but where the federal government has the power to regulate in that realm they're saying that there will not be a criminal offence related to this definition. Then, we're going in and saying, there will be a criminal offence if you're somewhere just outside of a different

definition and inside their definition still. We've got ourselves into a problem. I want to be very clear about that. That it's the federal government that sets these kinds of perimeters and that's why this legislation is tied back into the federal definition.

Mr. R. Brown: That sounds good.

Mr. Trivers: Thank you for that intervention, minister.

Indeed, I do fully grasp what you're saying. The federal government, they control the product. They license the production and they, hopefully, will be controlling the THC-CBD ratios and other things like that.

I guess, the reason I bring it up, is when it comes to people growing their own plants, the federal government doesn't have any control over what they're actually producing, whether – you know, they can use seeds. As long as it's within that cannabis plant family, they can do it.

That's where the potential problems could occur. It goes back to my original points about how when you have that secure, controlled product that the federal government is regulating and then you have stuff that people are growing in their back yard for individual use, but it gives a cover, potentially, for the black market. That's where you can end up with this, the really, the marijuana that causes mental illness problems. That's why I bring it up, for the record and as debate on this bill because I think it's something that the province, hopefully, considered and maybe even tried to address somehow.

Chair: Shall the section 1 carry? Carried.

Mr. Trivers: I have more questions –

An Hon. Member: Carried.

Chair: Okay, the hon. Member from Rustico-Emerald has another question.

Mr. Trivers: I don't think this was asked yet, but the in (q) in definition, "(q) 'Minister' means the Minister of Justice and Public Safety, and includes any person designated by the Minister to act on the Minister's behalf;"

Again, has anyone asked why the minister of justice is not on the floor with this legislation instead of the Minister of Finance, since, in fact, it's the minister of justice that's responsible for enforcing this legislation?

Mr. MacEwen: I think we all know the answer to that.

Mr. Myers: What are you doing in August?

Some Hon. Members: [Laughter]

Chair: Blair.

Blair Barbour Manager: I can answer that.

When we went forward with this, with the whole package of legislation, the different pieces, we thought it would be more helpful and less confusing to all members of the House if we had an opportunity to deal with all of the pieces at the same time so we weren't deferring questions until another bill was under review. We thought we'd take care of it all under the auspices of one bill. To make it easier for everyone here to ask all the questions that they feel they need to ask about the legislation.

Mr. R. Brown: That sounds good.

Chair: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Chair.

Just a comment on that; it does seem to be working reasonable well that the minister of justice is able to do a lot of interventions here.

Maybe you should call him down to the floor with you, too and have all three of you at the table (Indistinct)

Mr. R. Brown: No.

Chair: We have lots smart staff –

Ms. Biggar: Put them all (Indistinct)

An Hon. Member: Carry the bill.

An Hon. Member: (Indistinct) open and transparent (Indistinct)

Chair: Shall we carry section one?

An Hon. Member: No.

Ms. Biggar: Put them all on the floor.

Mr. Trivers: Carry section one.

Chair: Okay. Section 2 –

Ms. Biggar: (Indistinct)

Chair: – Act not applicable.

Any questions on section 2?

Mr. Fox: Yes.

An Hon. Member: No.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: You're not going to read it?

Chair: Do you want it read? I thought we were –

Mr. Fox: Okay –

Chair: – go through and if you had questions –

Mr. Fox: So, under section 2 (1), “(a) an activity in respect of medical use cannabis;” and obviously this would provide protection from prosecution for anyone under the age of 19 that has been provided a prescription for medical use.

Additionally, it would likely not apply to those with pre-existing licences or permits for growing of medical marijuana under the old regime.

My question is: How does this impact section 13, under the general consumption provisions as written: an individual with a medical prescription could consume anywhere at any time.

Will the regulations be drafted to allow such persons to medicate in public?

Chair: Blair.

Blair Barbour Manager: The act, it says it's not applicable in respect to medical-use

cannabis because there is already a federal regime that fully occupies that space. The act, with the exception of a couple of sections dealing with motor vehicles, in particular, deals with recreational cannabis.

It doesn't go into the medical space because that space is fully occupied by the federal government under their jurisdiction.

Mr. Fox: Why wouldn't you mention that or touch on that within section 2(1)(a) or section 13? You know, that that defaults to the federal regulations.

Blair Barbour Manager: We do. If you look to the definitions in 1 (p) –

Mr. Fox: (Indistinct)

Blair Barbour Manager: – define what medical use cannabis is.

Mr. Fox: Yes.

Blair Barbour Manager: And that refers to the federal regulations. So when you read 2 (1)(a) and it says “an activity in respect of medical use cannabis” what we're saying an activity in respect of cannabis use for medical purposes within the meaning of the access to cannabis for medical purposes regulations under the *Controlled Drugs and Substances Act Canada* or in accordance with a court order.

I appreciate that the definition and how it's put there makes it a little more difficult to follow because you have to refer back; but there is that hook back to the definition in the federal regulations.

Chair: Any other questions in section 2?

Mr. Fox: No.

An Hon. Member: Pass.

Chair: Carry the section? Carried.

Section 3 has to do with minister's authority. Any questions on that?

An Hon. Member: Pass.

Chair: Shall it carry? Carried.

Section 4, Approved program: Shall it carry? Carried.

Five, appointment by minister.

Mr. Fox: Question.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Under this section, the minister may appoint one or more persons employed in the public service of the province as inspectors for the purpose of the act. So will inspectors actually be appointed by government? Or will the powers provided in section 27 be used to negate any inspector appointments, then have the enforcement provisions default directly to the police community?

Chair: Blair?

Blair Barbour Manager: The intention here, the enforcement provisions obviously refer to police officers; but we also, in terms of setting up the enforcement mechanisms of the act and the inspection mechanisms of the act, wanted the ability to appoint provincial government employees to be inspectors.

As with other regulatory legislation, we wanted to have the opportunity not only to rely on police for that, but also to have the option to have provincial inspectors. Some of the things we have been looking at, we have inspectors under other regulatory pieces who may come into contact with circumstances where there may be a breach under the act.

If, after reviewing and evaluating the operational legislation, we determine that there is significant overlap, we would have the ability to appoint someone as an inspector under this act as well to issue tickets, keeping in mind it's a regulatory piece of legislation. Police wouldn't always be required to enforce this particular piece.

An Hon. Member: Good.

Mr. Fox: So why in (1) under ‘inspector’ why couldn't you add an amendment in there that also includes any person appointed under the *Police Act*?

Blair Barbour Manager: Which particular section are you looking at?

Mr. Fox: It's in the definitions, section 1 – (1). You were talking about an inspector there, and then go back to 5, to go 5.(1): “The Minister may appoint one or more persons employed...” so –

An Hon. Member: That's you.

Mr. Fox: So why couldn't we add in there that also an inspector includes any person as defined under the *Police Act*?

Chair: Blair.

Blair Barbour Manager: Simply because the act's enforcement provisions provide authority to both the inspectors and police officers to do aspects of enforcement under the act.

So there is a different definition. There is a different definition under the act of police officer is “...a member of a police service as defined in the *Police Act*”. When we get to the enforcement sections, you'll note that we always refer to an inspector or a police officer under part 5.

Mr. Fox: Okay. (Indistinct)

Blair Barbour Manager: So we're dealing with them as two separate inspection enforcements personnel.

Mr. Fox: So these appointments by the minister, could they also be a liquor inspector? Could we have a dual appointment here like: Yeah, I'm a liquor inspector but I'm also a cannabis inspector?

Blair Barbour Manager: The act provides we can simply appoint a member of the public service to be an inspector. If that person also has another appointment, that's fine.

An Hon. Member: Good.

Blair Barbour Manager: There's no –

Mr. Fox: Okay. Carry that section.

Chair: Carry the section?

Mr. Fox: Carry the section.

Chair: Okay.

Section 6, Certificate of appointment. Shall it carry? Carried.

Section 7, Possession.

Shall it carry? Carried.

An Hon. Member: Carry the bill.

Mr. Fox: Question.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: So my understanding is no person under 19-years-of-age shall have cannabis in his or her possession except for a youth can have five grams or less. Is that true?

An Hon. Member: Call the hour.

Some Hon. Members: (Indistinct)

An Hon. Member: Call the hour.

Blair Barbour Manager: Under the federal legislation, up to five grams. Provincial legislation has a zero possession ability for youth.

Chair: The hour has been called.

Do you want to carry that section or not?

Mr. Fox: We'll come back to that section (Indistinct).

Chair: We'll come back to that section.

The hour has been called.

Mr. MacDonald: Mr. Chair, I move the Speaker take the chair and that the Chair report progress and beg leave to sit again.

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of the Committee of the Whole House, having had under consideration a bill to be intituled *An Act to Respond to the Legalization of Cannabis*, I beg leave to report that the committee has made some progress and begs to leave to sit again. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

Hon. members, this House will recess until 7:00 p.m. this evening, and don't forget the launch of the book across the street.

Thank you.

The Legislature recessed until 7:00 p.m.

Speaker: You may all be seated.

Recognition of Guests (VI)

Speaker: The hon. Member from Borden-Kinkora.

Mr. Fox: Thank you, Mr. Speaker.

I'd like to recognize Janet and Neil Payne from District 19. They live in Kinkora and two people I truly look up to – what they've done with family life and raising of kids, so pleased to have you here.

Orders Other Than Government

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

Mr. Dumville: Thank you, Mr. Speaker.

Mr. Speaker, I move, seconded by the hon. Member from Tignish-Palmer Road, that the 28th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk Assistant (E. Doiron): Order No. 28, *An Act to Amend the Provincial Emblems and Honours Act*, Bill No. 113, ordered for third reading.

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

Mr. Dumville: Mr. Speaker, I move, seconded by the Honourable Member from Tignish-Palmer Road, that the said bill be now read a third time.

Speaker: Shall it carry? Carried.

Clerk Assistant: *Act to Amend the Provincial Emblems and Honours Act*, Bill No.113, read a third time.

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

Mr. Dumville: Mr. Speaker, I move, seconded by the Honourable Member from Tignish-Palmer Road, that the said bill do now pass.

Clerk: Without amendment.

Speaker: Shall it carry? Carried.

This is a bill introduced by leave of the House, read a first time, read a second time, committed to a Committee of the Whole House, reported agreed to without amendment, read a third time and it is now moved that the bill do pass.

All those in favour, signify by saying "Aye".

Some Hon. Members: Aye!

Speaker: Contrary, say 'nay'.

Mr. Fox: Nay!

Speaker: The bill is carried.

Ms. Biggar: One dissenter.

An Hon. Member: Should we ask what you want?

Ms. Biggar: What did you want?

An Hon. Member: He wanted the Jamie Fox.

Ms. Biggar: Oh, the Jamie Fox.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Pursuant to notice given – or not pursuant to notice given because we don't need to do that anymore.

Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Water Act* and I move, seconded by the Honourable Member from Morell-Mermaid, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk Assistant: Bill No. 115, *An Act to Amend the Water Act*, read a first time.

Speaker: Hon. member, could you give us a brief explanation as to what this is about?

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

So this amendment to the *Water Act* is meant to improve the *Water Act* by adding in some definitions and then modifying the act to include those terms – including new definitions of domestic purpose, precautionary principle, intergenerational equity, irrigation purposes, grey water and amend the definitions of ground water, water resources, and well. It's really to give a focus on conservation as well, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

Mr. Speaker, I beg leave to introduce a bill to be intituled *An Act to Amend the Employment Standards Act (No. 3)* and I move, seconded by the Honourable Member from Souris-Elmira, that the same be now received and read a first time.

Speaker: Shall it carry? Carried.

Clerk Assistant: Bill No. 116, *An Act to Amend the Employment Standards Act (No. 3)*, read a first time.

Speaker: Hon. member, can you give us an explanation of this bill?

Mr. Myers: Thank you, Mr. Speaker.

This bill introduced amendments to include domestic violence leave, intimate partner violence leave, or sexual violence leave to the *Employment Standards Act* to allow employees the time and opportunity to make life change and enhance their safety and security. The *Employment Standards Act* provides for minimum standards in areas of employment. Modernization employment legislation ensures that PEI keeps pace with the best practices and legislative developments across the country.

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

Ms. Compton: Thank you, Mr. Speaker.

Mr. Speaker, I move, seconded by the hon. Member from Kensington-Malpeque, that the 26th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk Assistant: Order No. 26, *An Act to Amend the Education Act*, Bill No. 106, ordered for second reading.

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

Ms. Compton: Thank you, Mr. Speaker.

Mr. Speaker, I move, seconded by the Honourable Member from Kensington-Malpeque, that the said bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk Assistant: *An Act to Amend the Education Act*, Bill No.106, read a second time.

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

Ms. Compton: Thank you, Mr. Speaker.

Mr. Speaker, I move, seconded by the Honourable Member from Kensington-Malpeque, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

Speaker: Shall it carry? Carried.

I will call on the hon. Member from Rustico-Emerald and the Opposition Whip to come and chair the Committee of the Whole House.

Chair (Trivers): 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 Education Act*.

I would like to ask if it's the pleasure of members to bring a stranger to the floor.

Some Hon. Members: Granted.

I'd like to call upon Janet Payne to come to the floor, please.

Would you mind just stating your name for the record?

Janet Payne: It's Janet Payne.

Chair: Thank you.

Member, do you wish to bring forward an amendment to the –

Mr. Myers: I do. Thank you, Chair.

I just want to kind of start off – when we put this bill forward, obviously the members of this House know it's something that we've been asking for for quite a while and we've been talking about is the move back to elected school boards. So we put an act on the floor, but between the time we put it on the floor and now, the home and school had their annual meeting and they had a very specific ask that was voted on and passed and that represents a much larger group and a much larger idea than what we had initially put forward, so I have amendments and I have them for everybody here. Basically it brings into line with what the home and school was asking for at their annual meeting. So if we can hand those out.

Chair: While the amendment is being distributed, would the committee be okay to hear from the stranger – a summary of the amendment?

An Hon. Member: You can say her name.

Chair: Janet?

An Hon. Member: (Indistinct)

Chair: Yes, okay.

Mr. Myers: Well let's start with – we'll start with –

Chair: If you wouldn't mind, the Minister of Transportation, Infrastructure and Energy would just like a brief overview of your qualifications to be on the floor with this bill.

Janet Payne: For sure. I'll start by saying I'm here as a mom and a grandmother, a representative of the home and school which

I've been on for 21 years, and the district advisory council, but I'm also a licensed teacher and certified guidance counselor. So what I bring to it is both my professional background as well as my voice as a parent.

Thank you for asking.

Chair: If it pleases the committee, is it alright if Janet gives an overview of the amendment?

Some Hon. Members: Yes.

Chair: Great. Go ahead, Janet.

Janet Payne: Thank you.

I'd first like to say that I'm not representing any political party here tonight, but am thankful to be invited as a stranger because this issue is very important to me.

The overview of the resolution, and I think it's important to look at each detail because these are the words of the actual parents who sit on the home and school:

Resolution 6 - Request for a Revision to the Education Act and a Return to Elected School Boards, submitted by Kinkora.

WHEREAS the Education Act provides for an elected board within the French Language school system but not the Public Schools Branch;

WHEREAS it was promised by the current Liberal government that an elected school board would be implemented within the Public Schools Branch in 2016;

WHEREAS the *Education Act* has currently bestowed all decision-making authority in regard to school matters upon three appointed trustees who answer to the minister of education;

WHEREAS it is a perceived conflict of interest that the Deputy Minister of Education is also the Chair of the appointed board;

WHEREAS the current model which includes District Advisory Councils bestows no decision-making authority upon parents or community members within local school

communities, as members of the DAC's are in an advisory capacity only;

WHEREAS members of the DAC's would be able to continue on in an advisory role, if so desired, by advising the elected school board trustees;

WHEREAS the *Charting the Way Final Report of the Education Governance Commission*, which was concluded in March 2012, provides 48 key recommendations, after extensive research paid for by taxpayers and orchestrated by this government which collaborated with stakeholders all across PEI, and includes the recommendation that "School Districts be governed by elected boards of trustees"; and finally

WHEREAS a key determinant of student success identified in the 2005 Task Force on Student Achievement is parental and community involvement in school decision making at the very local level;

THEREFORE BE IT RESOLVED that the PEI Home and School Federation request that the Minister of Education, Early Learning and Culture and Cabinet revise the *Education Act* and designate decision making authority regarding educational matters to an elected Board of School Trustees, one for each Family of Schools, with School Board Elections to coincide with government elections.

That was passed almost unanimously in April of this year.

Thank you.

Chair: Thank you.

If it's the pleasure of the committee that the bill now be read clause by clause, then I will do so and the amendment will apply to it as we move clause by clause.

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

Mr. J. Brown: I would like to ask Ms. Payne, firstly, is she here on behalf of the home and school, or is she here on her own behalf?

Janet Payne: I am here on my own behalf, but I'm sharing the resolution that was passed by the entire PEI federation; but I'm speaking as an individual.

Mr. Myers: She's here because I asked her to. Like any other member, I just asked her to help me on the floor with the question (Indistinct) –

Mr. J. Brown: Yeah, I didn't mean that to be tricky. Just the home and school's got an executive and I was wondering if they have appointed you to come or (Indistinct) –

Mr. Myers: No, it wasn't. Minister, the only reason we matched it up with after we put it in was because they have such a big voice; and they were so clear in what they asked for that we were like: Well, we have to put it in line with what they want, because they actually speak for the parents through that province. That's how it kind of all linked together.

Mr. J. Brown: Yeah.

Mr. Myers: So they're not – we don't have them working against you here.

Mr. J. Brown: I've had – and I'll state it for the record – I have met with the home and school officially once and have had conversations with the president and the executive director on more occasions than that since the resolution was passed, so certainly, I'm well aware of it and we've given some consideration to the resolution.

The next overall question I would have would be: I'm curious as to what it is – like, recognizing what you're saying about this says this and that says that, what's the theory behind why it is that you want to revert to elected school boards?

Janet Payne: Can I speak to that?

Mr. Myers: Absolutely.

Janet Payne: Minister Brown, I think the big theory is the underlying belief that parents should have an actual say in how their children are educated; and I know the response to that from this government has been that there's a new model, that you believed that the old model hadn't worked,

and I fully respect the fact that you tried something new with the best of intentions.

But what is new is now two and a half years old, as it had been announced in November of 2015 and we've had two and a half years of having district advisory councils be that voice of parents, and I'd love to speak to you about why I think they're ineffective if this is a good opportunity.

Mr. Myers: Absolutely.

Janet Payne: First of all, we're mandated to meet for six hours a year. Six hours to talk about something as important as education! And of those six hours, that would include three meetings. So the first would be an introductory meeting. The second was an information-sharing meeting from the community engagement officer. The third and final meeting that we had in our area was a presentation on student wellness.

At our last meeting, there was 18 minutes – I timed it – 18 minutes actually allocated to talk about school concerns. One of our Pages here tonight is a member of our DAC, and I don't even know if he had an opportunity to speak at our last meeting.

So to say that that's an actual avenue for parents to share concerns, I believe that it is incredibly ineffective to think that six hours a year is an opportunity for parents to actually have a voice in education.

The other bigger issue is: Can you imagine yourselves, if you were representing your constituents, and you met and you talked about issues, but you had no opportunity to actually implement change, you had no chance to actually work on legislation? You simply had great conversations that may or may not get to your Premier's ear.

That's how we feel as DAC members. We feel as ineffective as a waterproof teabag; and I'm sure that's exactly how you would feel as well, if you were simply an advisory committee that had no opportunity to make any decisions about children's education. That's the core belief at the bottom of why we want elected representation.

The other piece is when they're elected from the actual communities where the schools are located, there's accountability. You're a

voice for your actual constituents. You have to represent all the people in your area, not the highest-achieving students who happen to be on the DAC. Bailey here is one of the highest-achieving students in his school. Of course he's on our DAC; but you don't have the kids and the parents who are disengaged ever be part of a DAC. You don't have that; but elected representatives have the responsibility to speak for the whole and not just the elite.

Chair: Minister of education.

Mr. J. Brown: Yeah, no; there's a lot to unpack, I think, in that statement.

The first kind of question I do want to ask for a point of clarification is: In making those comments, do you represent your district advisory council and the district advisory councils generally?

Janet Payne: Our district advisory council, as my individual Kinkora and Kensington, had already issued a public statement but it was to the previous minister. That actual statement, which was released directly to the minister as well as to the public, stated that we would love to stay on in an advisory capacity, but that we needed a return to elected trustees because we felt we were totally ineffective as an advisory body only. So –

Mr. J. Brown: And so –

Janet Payne: – our whole DAC has spoken to that and not just me personally.

Chair: And minister, just to be clear, the hon. Member from Georgetown-St. Peters is who has brought this bill to the floor, and Janet Payne has come to the floor to help him debate the bill on the floor of the Legislature, so when she is speaking, I think we should assume she's speaking in the context of the bill.

You can continue to ask those questions if you like, but I'm not sure –

Mr. J. Brown: I'm not trying to –

Mr. Trivers: – (Indistinct) on that –

Mr. J. Brown: – calm his pains –

Mr. Trivers: – track.

Mr. J. Brown: – reason for being here in the question. I guess the point that I am trying to make is we need to be very careful within the system that we have set-up as to who she's making the comments on behalf of. I recognize that that's not always an easy piece of this because you're ingrained in all that's going on.

I guess part of the reason I ask that is because obviously we have a pretty decent relationship with the district advisory councils. I do, certainly, it's not the first time that I've heard your particular district advisory council's got issues. But, for the most part, the reports back from the district advisory councils are positive.

We see from them, a number of – in fact, I was at one last Monday night up in Westisle and the reports were great. I'd say that probably two-thirds to three-quarters of the issues that had been bringing up over the course of time were actually being dealt with presently. They were happy to see that that was the case. They'd indicated that it was great to have that one-on-one input with the minister there, and to be able to go forward.

I guess, part of the reason for asking that question, and we've gotten down a bit of a rabbit hole, is that when the *Education Act* changed and I guess to kind of bring it back to the question to the hon. member that's bringing it forward, we all, in here, unanimously adopted the model that we have now.

We all said that we want to switch from a model –

Leader of the Opposition: No, we didn't.

Mr. J. Brown: – where the previous – we unanimously adopted the *Education Act* –

Mr. LaVie: (Indistinct)

Chair: Please come through the Chair.

Mr. J. Brown: So we all said that we wanted to switch from a model where, effectively, the community was the centre of the model where the student is the centre of the model. I recognize that that is a totally

different way of thinking than what we had been doing before. That was – you made reference to in the resolution, the Charting the Way report.

That was the primary, I'm going to say, recommendation of the Charting the Way report that we start thinking about the students at the centre of education, whereas before that had not always been the case.

There was a recognition at the time that elected school boards had not been functioning well at all. That there's a lot of work that had not been done; there was a lot of money being put into education that was not resulting in, at least, the perception of performance. And that we needed to set a model in place that enabled a focus on the learner, rather than on a community-driven aspect of it –

Chair: Minister, if you don't mind, your – you've got a lot of points you brought in there. You can definitely continue. Do you mind if I just let the Member from Georgetown-St. Peters respond –

Mr. J. Brown: No –

Chair: – and then you –

Mr. J. Brown: – I'd like to finish –

Chair: – can continue?

Mr. J. Brown: – what I'm saying –

Chair: Okay –

Mr. J. Brown: – what I want to get is –

Chair: – all right –

Mr. J. Brown: – overall. We –

Chair: Continue.

Mr. J. Brown: – have to –

Ms. Biggar: Debate.

Mr. J. Brown: – this is –

Mr. Myers: (Indistinct) not a debate going on –

Mr. J. Brown: – a – it's really a –

Mr. Myers: – (Indistinct)

Mr. J. Brown: – fundamental question in what we're doing here tonight. It's what the difference between elected school boards and between the model that we have now? The primary difference is a focus on the learner –

Mr. Fox: You promised it –

Mr. J. Brown: – versus –

Mr. Fox: (Indistinct)

Mr. J. Brown: – a focus on the trustees that represent a higher level in their community.

We see that time and time again with elected boards that, you know, you have trustees that are, quite often, acclaimed, or if they're elected they're elected by somewhere between 2 and 5% of the population. They usually have been elected on a single issue or issues. The level of engagement is not, typically, strong.

In our own example here on Prince Edward Island we went from having 11 elected school board trustees to now over 100 people that sit on the DACs; 62 on the principals advisory council and 25 on the Learning Partners Advisory Council. All of whom have given input, and, in a lot of cases, from a very local perspective on education and on education governance within this province. We feel that that's resulted in a much stronger learning capacity and environment for students.

I'm curious as to, you know, what look – we've and really the hon. member has taken at this and why we see a desire to change?

Chair: Are you finished, minister?

Mr. J. Brown: Yeah.

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

Mr. Myers: Thank you.

That's a lot to unpack for me, but if I start at the very crux of it. Let's go back to clarifying once and for all why Janet is here.

I got to know Janet through the school review process. She was one of the key people in leading the charge against school closures. There wasn't a meeting I was that she wasn't at. There were tonnes of meetings that were behind the scenes that Janet was also a part of. Sometimes, I was invited to those. I came to know Janet as an extremely intelligent, well-spoken, and methodical resource on this file. When the opportunity came to bring to the floor I asked her if she would.

There was nothing sinister. We weren't trying to pit anybody against anybody. She was somebody who I had grown a lot of respect for in this field. And somebody who I really thought could help the debate here. That's why Janet is here. There's definitely nothing sinister. She's someone who I have a lot of respect for in this field.

The school review process, a lot of things happened. One of the things, and I was really disappointed that it didn't make the final recommendations because I had heard people present it over and over again that they wanted the return of elected school boards. People wanted it. I feel like our job here is to represent what the people want. Whether or not, you know, you may argue that what they want isn't right or didn't work for any number of reasons; it's what they wanted.

I was really disappointed that when the final recommendations came forward, it didn't make the paper, because it was said enough times to make the paper. Georgetown made the school closure list and not one person said, at it at a public meeting, that it should be closed, and somehow it made it as a recommendation.

Granted, suspicions are someone said it in a private meeting, and that's all it took to get it on. I heard over and over again from the public meetings; people walked to the microphone and say that they wanted that. I respect that. The home and school is also calling for it and they're pretty loud and clear in their voice.

One might argue that back during the school closure debacle, there wasn't any representation. There's no representation in the east. The DAC didn't want anything to do with it. Some of the individual DAC

members were the people in their schools, who, kind of, led the charge or did the organizing so they became a key cog to their school. But, as an overall body, they really weren't the ones that were – because they weren't a decision-making body, they were a recommendation body to the Premier, is basically what they are.

There was really no one to turn to. The closest person to Georgetown was in Stratford. The closest, it was Pat Mella. She was the closest representative on the three-person school board.

On top of that, there was – and had been said to me numerous times that there didn't seem to be a lot of independent thought in the school board. Now, I'm paraphrasing what people said to me. I was at the meeting in Bloomfield. I'm sure a lot of you were. I watched motion after motion get read off a sheet of paper. I watched Harvey look at a sheet of paper and say: I second the motion.

That stuff isn't transparent. You're not tricking anybody into thinking that this is some great voice that they're given with it. I mean, you represent people. More than just broadly. As a minister, you have a broad set of responsibilities, but as an MLA, you represent a district. They deserve to have a voice. They deserve to have you and they deserve to be able to take their issues to you and have them dealt with, in whatever way as the electorate, they see fit. Which is, sometimes, is the part of politics that is the toughest because sometimes the people want more than what a politician can do sometimes. That's understandable.

All we really want is to give the opportunity on the ground level to have the type of representation that once existed; that there was a key person to go to, to say: that's my person. That's who was elected to represent my school. So, when those issues arise, you have a clear voice that can take your issue back to the school board and kind of fight for it at their large meeting.

That's not to say that me as a parent or as somebody who lives in that district of representation is necessarily going to get the answer that I want or the result that I want, but it's the feeling of having somebody that you can kind of put it up through the chain.

It's what people have become accustomed to in education over the years.

That's kind of where we got to hear it. I think there were a lot of people, and I still think that there is – I think that if you asked us a broad question, you would probably have the majority of people looking for it to go back this direction.

I was at the announcement that had the circle picture with the student in the centre, and I heard all of the verbiage that went around it and I said, and I said it in this House: I'm willing to give you the benefit of the doubt that this is what's best for the student, that what you're saying is true and it's going to be student-centered.

Then, like many others in here, I lived through the whole school closure thing where there was absolutely a disconnect between the people and the government. While I still believe in the student-centered model, I think we have to put the connect back to the people and I don't think it's anything anybody should be worried about.

Janet, if you want to add to that then go right ahead.

Janet Payne: Sure.

I listened to everything Minister Brown said too, and I would like to go back for a minute and just address your concerns and your questions. Would that be okay?

Chair: Yeah, go ahead. Janet, just make sure you come through the Chair. Officially, you're addressing me.

Janet Payne: Would that be okay, Brad, if I would address his questions –

An Hon. Member: Chair.

Janet Payne: Chair.

Chair: Chair – thank you.

Absolutely.

Janet Payne: I'd like to return for a minute to the idea of who do I represent. Because I know that was a question with several of you, and I'd like to repeat that I only speak for myself as an individual. I don't speak for

DACs as a whole. I don't speak for the home and school as a whole. The home and school resolution speaks loud and clear for the parents as a whole, but tonight I'm only speaking for myself.

I'd also like to make it clear that I am not here because I want to be a school trustee. I don't want this to come back so that I can be one of them. I would like to help look for wonderful trustees once this model is back in place.

Finally, I'd like to say I'm not here because I want some political way of becoming an MLA like yourselves; I have no interest in that whatsoever. I respect what you do, but I think it takes too much of your time. I couldn't dedicate my life the way you do, so it's not for political reasons.

It's because I am engaged in this issue simply because I have so many children and also am involved in education.

To look at your issues one at a time, and you spoke about your positive experiences with the DAC and your recent meeting, I would like to go to the handout that was given to our DAC on the first meeting this year when we reviewed the mandate. I wrote down the exact words of the community engagement officer as she spoke to us and explained what our role was on the DAC.

She said: I am working hard with our minister to identify areas where he is looking for advice. She said: We should focus on those areas that he identifies because I think it could be a waste of your time, otherwise.

She stressed to us the importance of finding out what your key areas were, Minister Brown, and at that time it may have been minister Currie, and really looking at what were the issues at hand. But, that's not a way of actually looking at what are the issues in individual communities. That's just asking us to give you input on issues that you feel are important.

Secondly, and this is in quotes, she did inform us that our meeting notes or the minutes from our meetings, they would have to go through the communication and government lens before it is posted to make sure it is governmentized; words from

parents and words from the people shouldn't ever be governmentized. That's bureaucratic language. That's not necessarily how parents really feel about education.

This is the introduction that we got to the DAC this year, and that is why I don't believe it is effective. I think it was a wonderful experiment and I do understand that all three parties voted in favour. Parents aren't blaming this government. Parents see this as an opportunity for this government to listen to the home and school, to really listen to our resolution, to go back to the report that you also referenced, Minister Brown, and to look at the recommendations that are in this report. It really couldn't be easier.

There are 48 key recommendations. This report came out in 2012. Changes have been made to our system since 2012, but it's still very possible to change the *Education Act* to make many of the recommendations in this report viable. And of those 48 recommendations, 18 of the 48 spoke to the recommendation for elected trustees, and what the design of an elected school board would look like. How can we ignore this? This was an eight month process where this government and taxpayers paid thousands of dollars to have five very well informed individuals – Bill Whelan was one of them – meet with community stakeholders, meet with parents and educators and students, meet with folks from UPEI and Holland College, and they looked at the current research; Canadian research, some American research that was deemed relevant, and they came up with these recommendations that included elected school boards.

But that brings us to another concern of yours and that was the dysfunction of what you deem to be the school boards at the time that the eastern board was fired, in a sense, and that's why I think it's very important to look at what was actually stated in the *Charting the Way* report in regard to that specific issue.

This is what they say: In recent years school boards have faced issues such as declining enrollment, rising expectations, aging infrastructure and responding to increasingly diverse needs. The commission recognizes that the difficulties experienced by board of the Eastern School District were a

contributing factor in the decision to undertake a review of education governance. Moreover, such issues are not unique to Prince Edward Island. To link these difficulties to the model of board selection, however, is to imply that board dysfunction – that you're speaking of – is a direct result of the kinds of representatives yielded by the actual electoral process. The commission rejects this interpretation noting that Prince Edward Island school boards have been, and continue to be, comprised of Islanders who may have varying backgrounds and skills but who are united in their passion for education and their commitment to public service.

If we were to use that theory, that the electoral process itself was the reason for the dysfunction, then most everyone in the room should be appointed by the Premier and we should disband elections all together. It's the same theory.

To look at your other points, you also talked about the acclaimed boards; that there was almost a disengagement; low voter turnout, very few people actually voting. Well, I'll admit, I've never voted in a trustee election in my life. My husband has never voted. We didn't have to. We had St. Clair Duffy, we had Lenny Johnson, we had Cindy McCardle. We had wonderful people who were engaged with our community. Why would we ever run against them? And why would I need to vote for them? Because they were already willing to devoted their time.

So to say that low voter turnout and people being acclaimed into the position as a reason to say that people are disengaged, I find that hard to actually believe.

Now, in other areas, however, maybe there weren't the Cindy McCardles and St. Clair Duffys, and maybe you need to put more effort into actually engaging people to run in those areas and back to the Charting the Way, they speak to all the issues about engaging people in each district to run for school trustees. So the answers are all there.

Steven also spoke to the school – sorry Mr. Chair.

Chair: Just a reminder that in the committee, to everybody, we refer to people by title and not by name.

Janet Payne: I'm sorry.

Chair: That's all right.

So the hon. Member from Georgetown-St. Peters or minister of education, that's fine.

Janet Payne: Thank you, Mr. Chair.

Chair: Piece of protocol, yes.

Janet Payne: I'll try not to.

An Hon. Member: (Indistinct)

Janet Payne: I just won't mention anyone's name again, Mr. Chair.

Chair: I think I have a list for you that you can use.

Janet Payne: That'll avoid that, no more first names.

Mr. Myers: That's usually what I do.

Janet Payne: I'll get mixed up where you're from.

Chair: Thank you.

Janet Payne: The other issue is – let's look at this in the context of when things happened.

If there was this new model and there was the intention of using the district advisory councils and the Principals' Councils and the learning -

Janet Payne: – anyone's name (Indistinct).

Chair: I think I have a list for you you could use.

Janet Payne: That'll avoid that. No more first names. I'll get mixed up where you're from.

The other issue is: let's look at this in the context of when things happened. If there was this new model and there was the intention of using the district advisory councils and the Principals' Council and the Learning Partners Advisory Council as a way to move towards positive change. Had that have happened – rather than at the same

time as a school review, things could have been very, very different. But because the two happened at the very same time, parents and the public in general lost total faith and trust in this government when it comes to matters of education. And to not listen to this request by the PEI Home and School Federation is a slap in the face of all parents. It's to say that a very small group of bureaucrats know better when it comes to the education of our children. And even though as a whole, we've requested a return to elected trustees, to ignore that would be to say that you know better than we do when it comes to our own children's education.

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

Mr. J. Brown: So I have just a couple follow-up points on that. One is – and I don't know – I'd be curious as to whether either of you have had an opportunity to look at Michael Fullan's 2016 report: *A Focus on the Future: Education Improvement in Prince Edward Island*.

On page five in that report, he does indicate that – and I quote: there have been – so this is the first piece he picks up under current challenges to improving student achievement.

“There have been a number of significant restructuring activities in the system over the past five years. Decentralization of the Department of Education (2010), an amalgamation of the two English Language School Boards into one (2013), internal restructuring of the Department of Education and Early Childhood (2013) to increase the focus on improving student achievement, and the recently announced dissolution of the English Language School Board and its integration with the Department of Education and Early Childhood (2015) with the creation of a Crown Corporation to oversee technical and operational responsibilities may all have been based upon good reasoning. However, the constant restructuring also has the impact of distracting staff all across the system away from a focus on student achievement. Structural changes per se do not lead to improvement. It is the capacity, culture, leadership and actions of schools and communities that do make the

difference—we take up this matter in the recommendations section.”

Then they say in the recommendation section in number four on page 10:

“That the Government of Prince Edward Island work to remove current distractions from addressing the student achievement agenda.”

So what that goes on to say, “At the present time this involves addressing three priorities: a) complete the restructuring work of amalgamating the department and the English Language School Board, announcing the administrative structures and completing the hiring and placement processes as soon as possible...”

The next one's about labour agreements and c) is, “clarify the role, responsibilities and functioning of the various newly created advisory committees so that their energy and leadership can contribute to the overall improvement planning process.”

So that last piece of it is a core piece of what we've been looking to do, at least since I've been minister here, but I'm curious, particularly, between that and the Avis Glaze report recently in Nova Scotia which addressed all of the issues that we just discussed about elected school boards. And actually, they went to a model that's very similar to ours through a very similar process that we arrived at at this model with and indicated that there were significant issues again, which they felt were historically the case across the country and for all the same reasons that I had just cited, chose to move to a different board and a focus on the student, as opposed to, again, the focus on the board and the higher level community.

I think what a lot of the literature would say there would be that, again, trustees are elected from a particular area, but they don't necessarily have any particular expertise or any particular – I'm going to say loyalty to an issue in that particular area, other than what they, perhaps, were elected on the basis of.

Overall, I think what I'm most concerned about is student achievement on Prince Edward Island. I'm curious as to how an

elected school board, in light of what I'm just saying about Michael Fullan's report; in light of what we're seeing from the latest structural change in Canada through the Avis Glaze report, how student achievement is improved by a return to an elected school board.

Chair: Thank you, Minister.

Janet, would you like to respond?

Janet Payne: First, to respond to the Fullan report. Is that something that you would say that you have great faith in?

Mr. J. Brown: It speaks for itself. The principle that – I would agree fully that change for the sake of change is not productive in the education system and I think we've all seen that over that period of time. My wife's a teacher. I know the stress that's caused by going through repeated conversation after conversation about structural changes. I know the impact that has at the classroom level; I know the impact that can have on students and on teachers who aren't necessarily meant to be the focus of whatever the discussion might be, but often end up being a collateral piece of it.

As Michael Fullan indicates, it's not beneficial when you do it over, and over, and over, and over again. You need to have a clear view of what it is that you're trying to accomplish when you're doing it and then you need to do it and leave it alone for long enough to have an opportunity to perform and then review it after that and look to see how it's worked out. I do believe in that.

I believe that the overall structure is important in terms of how we root things back to our student and I think, particularly, the philosophy that we've changed to with the student at the centre versus any previous model that we would have had, has made a tremendous difference in the way that we kind of focus the energies and in the way that we process information or think about things, whether it be from the DACs, the Principals' Council or the Learning Partners Advisory Council, when we're looking to pull that information in terms of any particular issue or consideration that might be there.

Chair: The promoter of the bill would like to respond as well.

Mr. Myers: I just wanted to touch on a couple of things. I didn't read the Fullan report, but I will now – now that I know it exists, but you talked about the distraction of staff to always have to be making the changes and for me, that's the way we had felt during the review process, that it basically took a whole year of distraction of staff, students, parents. And I'm not saying that staff didn't do great, because they did. They did a really great job inside the schools during that period, keeping everybody on track.

A lot of the parents who I know and Janet would be one of them, spent a lot of time on this that they could have spent doing something else with their children at home on the education front that was much more positively spent time that could have been dedicated towards their children's education. I know it was a distraction for children, particularly some of the younger ones because they didn't necessarily understand why this was happening to them. If you take an eight or nine-year-old, it's a pretty heavy conversation at the supper table to explain that: Well, your school may be closing and here's why. Or we're going to try to fight it and push back. So I think that there was a major distraction already.

Just a couple of points: In – I think it was 2014 – Karen Casey was the minister of education in Nova Scotia at the time and they put out a report – and it wasn't on like the Charting the Way report. They had done a top-to-bottom review of education and now the Glaze report, which I did read both of those reports. No offence to any of our Nova Scotian friends, but they haven't exactly been leading the way all along. They're really doing what we're doing – is they're putting out reports and saying: I hope we're right this time. You guys are on your second as well, so the student-centered model and that, that whole way came after the Charting the Way. I guess what I'm saying is: I'm not sure that Nova Scotia is a shining example of any direction that we should go.

The final point before I give it back to Janet is: If you believe in what you're saying, and I respect that you do, I would question why

you would have a board at all. If the board really doesn't have a functional purpose that you have the DAC's and all that information is filtering, why have the board at all?

Because what it gives the perception of out in the schools or out in the community is that we have a school board just like we had before except they're appointed, but that's not really what they are. It's a three-person board, the chair is your deputy, and they function as part of the department unit; and that's their purpose, the way it's laid out now in the whole thing.

So my question would be: Why would you have a board at all and give people the perception that they have the same as what they had only there's no elections? Because that isn't at all what it is, in my opinion and Janet can – whatever else you have to add to that bit.

Chair: Janet, did you want to add to that before the minister responds or –

Janet Payne: I would like to jump back to the comments about the Fullan report. Would that be acceptable?

Mr. Myers: Absolutely.

Chair: Minister, did you want to respond to the hon. Member from Georgetown-St. Peters before we get into the –

Mr. J. Brown: Sure.

Chair: – Fullan report?

Mr. J. Brown: Give me about two seconds maybe –

Chair: (Indistinct)

Mr. J. Brown: – and I'll just try to keep it to that response in terms of why we would have a board and then we can go on to the Fullan. It's a great conversation.

In terms of the board itself, and you look at the board that's there right now, the depth and the scope of knowledge of those three individuals on the board right now, and the same was the case when Pat Mella was there as well – I wouldn't probably want to get into counting up years, but Deputy Willis was my school principal at Charlottetown

Rural starting in 1994, I think it was, that I started there and was pretty well right up until she became deputy, and had a significant career in advance of that as well.

You look at Dale Sabien, we know that he was the superintendent in the western area for quite a while; and Harvey MacEwen's got a long history and Pat Mella as well, a long history of being great, dedicated educators in this province. So there's a lot there to draw on.

I can tell you knowing a little bit about all of those people, I think they're very independent in terms of what they do. I think the fact that the review process kind of ended in the way that it did speaks to that. So if we think any different, I think we only need to turn our minds back to how the process ended.

But I think what they do is that they bring that depth of knowledge to bear on issues that are raised by the public; and they overlay that expertise with the views as expressed by the public and they look at what is best for all Prince Edward Island students and then they recommend that back to government.

To be very clear about it, they are there to represent the Public Schools Branch. They are there to advocate for things like new schools or different infrastructure or operational requirements that are there. That's very different than what the department does in terms of the delivery of curriculum or the delivery – you know, you really look at kind of a circular approach where you look at an assessment program that leads into the development of curriculum and implementation through a leadership and learning group that is really the heart of the department.

The Public Schools Branch is essentially a separate operation from that, other than they are really the hand that does the delivery; and the department is kind of the brain telling them this is what we need to have delivered, and how it should be done and all the rest of it.

So there are pretty distinct pieces to all that; and the district advisory councils, to kind of correct you if I can on that, they report to the minister, not to the Premier; but

nevertheless, we get very valuable input back from the community at a very local level.

You look at – I'll give you one prime example: student well-being teams came directly out of the district advisory councils. Huge, huge success in terms of what they have brought to the education system in the areas that they're in, in just one year; and that's through direct input from the local level back into the minister's office and an ability to take that input and put it directly back into the system. That serves a very distinct purpose from determining what school capital projects should require resources this year or next year or whatever the case might be.

So just to give you and everybody some insight so we're all thinking that the education system is comprised of a number of different working parts, and I think the way that it's geared right now, we have more expertise and the engagement of more local Prince Edward Island Islanders than we've ever had before, and in my mind, that can only – and I'm not – there are other systems, there's no doubt about it. There may, in fact, be others that may be better.

But I guess what I'm saying is this one I think is a very good model. I think it's something that a lot of thought went into. I think it's something that needs some time to demonstrate that it has been and it will continue to be successful.

I think to a degree we need to ensure that we are putting our faith into the people that are there and allowing our students and our teachers and our staff to succeed with the model that we've had and put in place for a very short period of time.

Chair: Thank you.

Now Janet, you had a point you wanted to make. I think it was back –

Mr. J. Brown: The Fullan (Indistinct)

Chair: – a couple of responses ago, yeah.

Mr. J. Brown: Yeah.

Janet Payne: Well, again, I (Indistinct) –

Chair: And just before you – I was wondering, minister of education, I know – I mean, obviously this is your portfolio and so you'd like to respond. I do have the Minister Responsible for the Status of Women who would like to ask some questions as well, if you don't mind.

Mr. J. Brown: (Indistinct) if you want to move on, that's (Indistinct)

Chair: Yeah, okay, thank you.

Go ahead, Janet.

Janet Payne: I would like to address the Fullan report because I did ask if you had faith in it, and I believe you said you did.

The reason I do not or I was disappointed with it was because I understand it was a report that was written after a two-day visit by a professional from Upper Canada who came here and spoke to bureaucrats and those within education, but to know parents and to know students, and to make key recommendations about education on PEI without actually engaging with the people who are intimately involved in that, in my opinion the report is not worth the paper it is written on.

There are so many people on PEI, experts in education who are also intimately aware of our culture that could have written a much better report. So I can't say I agree on the value of the Fullan report.

Mr. Myers: For clarification now, I did read that report.

Janet Payne: Yeah.

Mr. Myers: I know the one you mean now.

Chair: Thank you.

Janet Payne: You also spoke to the fact that elected trustees wouldn't come with particular expertise in this area, and they wouldn't necessarily have loyalty to an issue. Well, is that not the same as elected MLAs?

We put faith in you. You have different portfolios, you change your portfolios, but we have faith. You're a lawyer but you're

speaking in education and we have faith that you will do it to the best of your ability.

The same would be said for trustees. I don't think you have to have a formal education in education to be able to speak to the value of your children's education. So I'd have to disagree with you on that point.

Another issue is the fact that you said that this was a new model that was embraced fairly recently. Well, it has been two and a half years since it's been announced and I do believe that that is a little bit of time to work the bugs out, to get the quirks out and to fully establish it as a new model. I think it was great to try something new. But after two and a half years, I really think you have to listen to the home and school federation when they say it is not working because remember the significance that the DCAs are comprised almost solely of home and school members as well as students. So a home and school actually voted to get rid of themselves. So when you really think of that, that's very significant. We don't have two groups arguing about who should make decisions. The home and school federation is what the DAC is comprised of.

Then, you did speak to the student wellness groups as being a prime example of listening to the DACs. While, I'm interested in seeing where that's going, many DACs asked for additional student— or additional guidance counsellors; additional psychologists. That's what we asked for. That's what many DACs asked for.

We did not ask for additional youth workers. Youth workers are wonderful and they have an eight to nine month course at Holland College versus the training that you need to be a school guidance counsellor or to be a psychologist.

What we were asking for wasn't necessarily implemented and when you speak to the student wellness committees or groups or — I don't actually know the correct term, and I apologize for that. We did hear a presentation on it at our last DAC meeting and that took up most of the actual meeting that we had at hand. We had very, very little time to actually speak about issues that were happening in our own school zones.

Finally, you speak to the fact that you believe that there's more engagement of Islanders at this time than before. I feel that you'll be very disappointed, in the short-term, when you find out just how angry parents are at the lack of trust in this government that has resulted from the school review fiasco and the fact that this is a broken promise, to actually make good on the promise to give us back our elected representation.

I feel that this resolution by the PEI Home and School Federation is the loudest way that we can finally get our message across that we truly want an elected board. We have a new minister of education. It's a clean slate. You have young children. I'm sure you're engaged in the issue.

To go back to the Charting the Way report, to look at those recommendations and to take this as an opportunity to actually rebuild the trust that Islanders have in this government — if I was sitting in your seat, I would see this bill as an opportunity to actually connect with parents and families and Islanders and gain back their trust.

Chair: Thank you.

Now, the hon. Minister of Education, Early Learning and Culture, I know we talked about moving on. Can you hold your thoughts on this one?

Mr. J. Brown: I can hold, but I would like to speak to that (Indistinct) Chair, but I can if you —

Chair: Okay —

Janet Payne: He can speak.

Chair: Okay, great. The hon. Minister of Education, Early Learning and Culture.

Mr. J. Brown: I just want — and I'll try and keep this as brief as possible and perhaps I'll try to address them in the order that they come up.

We have, so you're aware, we have added additional psychologists and we have added to the complement of counsellors as the teams are rolling out. I'll give you another prime example of listening, as that stuff happens.

What I would like to, kind of, turn back to though is more – because I think everybody needs to have an understanding of this, and it's something that has become increasingly important as we deal with some key capital issues, particularly, in relation to our school infrastructure and how we move forward.

I'll tell you honestly, it's prominent on the French side and we've had a lot of trouble with the elected board there, trying to fulfill their duties under the *Education Act* to prioritize the capital asks that they need to make every year. It's because they do not have the – I would say, it's because they do not have the expertise to do it.

Just to be very clear: there are certain requirements under the *Education Act* of, whether it be elected trustees or whether it be the trustees that are appointed in the case of the Public Schools Branch. They require a level of expertise to carry them out. They would be very tough to administer without some understanding of how to operate a school board.

When you look at it, school boards deal with staffing. They deal with bussing. They deal with capital requirements related to the schools. A lot of this stuff is not necessarily commonsense. They don't necessarily deal with, kind of, the issues that relate to the delivery of the education from a theoretical perspective.

I will say, and I'll say it in a very straightforward way: I don't profess to be an expert on education in any way. The way that I function in my role as minister is that I would ask the experts within my department: What is the story on this? What is the story on that? And you take the information that you get back. You aggregate it. You combine it with what you're hearing; places like here or from the district advisory councils, or the Learning Partners Advisory Council or principals, or constituents and you try your best to make the most sense out of what it is that people want and what it is that students needs, and how you can most efficiently deliver that. I would not be able to do that without the expertise to go along with that. I'll say that in a very forthright way. That's not to say that there are not other ways of trying to accomplish that same thing. As I said: there

are lot of different models and a lot of them would work differently.

In proposing the changes that are there, I will say, one of the things that I have mentioned to the home and school is that I do see the resolution that's there. There's not a lot of detail in it. In terms of the changes that are here in the proposed provisions, there's not a lot of detail on them, either, in terms of how this model would be implemented. We need to give some thought to that, I think.

Again, we need to be sure what it is that we're trying to accomplish and what are the issues that we're trying to overcome when we're entering into those considerations.

Chair: Anyone want to respond at the table here?

Janet.

Janet Payne: I did hear what you're saying, that you really rely on that expertise, especially as the minister. But, I don't understand how the rest of Canada, except Nova Scotia, at this point in time, can function with elected trustees. I don't think that that eliminates that level of expertise for their government officials. I don't fully understand that reasoning.

When you talk about that there's not a lot of detail in the resolution or the bill, I see that as a positive for this government because we're simply making the ask. We're just putting it out there that this is what we'd like to see. This is what I, as a mother, would like to see. But that gives you to the opportunity to rise to the challenge of creating it the way that this government would like to move forward on it. I'm sure there are lots of details that you'd like to discuss and implement that would work for this government, but still allow parents to have an actual voice; where we have power to make decisions.

If I can ask a question: I'm just wondering why you would be so afraid to allow parents and community members to have that actual elected voice? What would be so fearful about that?

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

Mr. J. Brown: Want me to answer it?

Chair: If you're up to it.

Mr. J. Brown: Yeah, sure. That's all right. I'm not, and I'll say in a straightforward way: I'm not afraid at all of having an elected voice. What I am afraid of, is that the focus being on the student, not being the focus anymore.

I think, any time, like I said before, I'm not saying this model is perfect. I'm saying that it is a model. It's a model that was arrived at after a lot of consideration. I think it is an innovative model. I think it's a model that has a very valiant goal at its heart, which is student excellence and achievement. I think it speaks to, kind of, where the department and the Public Schools Branch have gotten to as a mentality over the last number of years through all of these changes.

I will say this: we're finally getting to a spot where – we actually just had a day with the entire department in Summerside on Monday, yesterday, and the mood, and we had Heather Moyses there, she was awesome. She talked about changing your perspective and what you can do and accomplish when you set out with that mindset.

The mood in the room is unbelievable. We are doing very well in education on Prince Edward Island right now. It's something that we've almost been afraid to say for the last number of years.

Again, and we discussed it here a few minutes ago, not only am I afraid that the student being at the centre will move away from things, but I'm afraid that if we get into another structural conversation, any good that we would achieve out of that will be washed away and then some by the conversation that is dragging our kids and our teachers back into a structure piece rather than having them focus on achievement and focus on the students.

Chair: Thank you, minister.

The hon. Minister Responsible for the Status of Women.

Ms. Biggar: Thank you.

I do have a question for the promote promoter, but I kind of would like to give you my perspective of where I come from prior to being elected.

Chair: Sure.

Ms. Biggar: I, first of all, was one of the founding members of the Ellerslie home and school and I worked in the school system as an educational assistant under, at that time up to the time I was elected, it was the western school board. I also was on the executive of the provincial CUPE for education assistants. And at that time, I know the challenges that we experienced having supports in the school as education assistants and I've seen since this government was elected, the increase in the supports in the schools.

I just want to give you my perspective of where I come from on this topic because I have seen a lot of dysfunction when at that time, there were two separate school boards and then when it was combined, it certainly didn't help the process at the time. It was probably even more dysfunctional from having knowledge from within the system.

But member, you had mentioned about the motion that the federation of home and school had done and that you incorporated some of that based on your amendments. Did you have consultation with the federation to incorporate those amendments into your bill? Or what kind of discussion did you have with the federation of home and school coming to the table today with your amendments?

Mr. Myers: Sure.

Chair: Go ahead.

Mr. Myers: Thank you.

So as I had said in my initial statement, we had the bill already on the floor, so we have been pushing for a long time to have a return to elected school boards. We had Question Periods about it; we have run motions about it. It was a topic that had come up a lot during the school review process, so it's something that we believe in.

You guys believed in it; you ran the last election on it. It was in your platform and you didn't follow through on it, so what –

where the home and school came in, I'm not trying to drag the home and school into it, but they had a clear resolution that was voted on nearly unanimously and we decided that in order to accurately reflect what parents wanted, that was the most accurate depiction we had at that point. So I didn't feel the necessity to go back and have them tell me what I could read that they did at their annual meeting.

When I was young, there were five school boards. The one that I was in was the unit 4 school board at the time. And they were all elected. I'm not sure what the voter turnout would have been. I wasn't old enough to know, but oftentimes, people felt very connected to their school and felt very connected to the decision-making process because they had the opportunity to elect their school board and much like a provincial politician or a municipal politician, people felt the ability that they could call that person up and talk to them about their concerns in the school.

I had a lady tell me one time that a particular thing happened in her school and she wasn't happy about it. She went to the school – and this is going back 30 years – so she wasn't happy with the result she got when she went to the school. She took it to her trustee and she wasn't happy with the response she got from her trustee, so she ran and ended up being a school trustee herself and stayed in that capacity for probably 20 years.

So, it's stories like that that are good reflection for me in how it used to work and how it could work if people want to have control over the system and make it work better for them, that they had the ability to once do that. And I think they feel like there's a disconnect that now exists between them and government. And there's almost like there's a gap that they have to be able to jump over in order – so, if you happen to know the minister, great, or the Premier, or your MLA, then maybe you have a channel to get your concerns dealt with more quickly. Maybe you don't.

But back in the day, at the unit 4 school board, everyone knew who that person was because it was from a very small area and if you were going to put your name forward, the expectation was that (a) you were going to stand up for your school and (b) that you

were going to be responsive to the people that put you there.

When I was in grade 7 my principal was arrested at the school for – yeah, it was a big deal. It was one of the first sexual molestation cases that I'd ever seen in my life and I was in grade 7 and it was pretty sweeping and there was a lot of outcry inside of our school. I remember my mom was very active in the school at the time.

When they went to replace the principal, the parents and the school were really organized and they really wanted one person in particular, Roberta Hubley, who if anybody was over across for the book launch tonight, Roberta was there. She ended up becoming an MLA and a cabinet minister under the Joe Ghiz government later on. But they really wanted her. When they didn't get her, there was an uprising and they went to the unit 4 school board and demanded this is who they have and got her.

Those are extreme cases. Like, those are extreme, but that's an insight into the way things used to work. People felt like it was their school and felt like they should have some sort of a say in the high-level operation. Nobody came in the hallway and said: teach math this way or here's the subject you need to teach. It was never to that degree, but it was the overall administration and direction of the school system and I'd like to think I didn't turn out that bad. I was part of – I grew up in that system as many of you in this room would have grown up in this system, because that's the style of system we had for a hundred years before that, so for me, it's just as a piece of – and I'm not taking away from the minister in what he's saying and the confidence he has in the system, but what I will say is that the system wasn't bad. The system that I grew up in wasn't bad. It wasn't bad when parents had that connection.

I'm sure there are times when there's more pressure put on the administration in the school now because there isn't that mechanism there for them to feel that they go to – I can't imagine being a principal in a school. I can't imagine, you know, the amount of phone traffic and parental traffic that comes into the school to deal with things that really are better suited, maybe, for outside of the system. If they aren't

directly related to excellence or piece to piece interaction between students, things you'd expect to have parents involved in, but it's because there's no place else for them to go. If you went back to the days of having a trustee, that is your person to have that kind of an outlet. And part of that pressure belongs to them then, instead of all being on the administration. I don't know if I answered your question, but I feel like I said a lot.

Chair: Did you have another response from the table?

Some Hon. Members: (Indistinct).

Chair: Okay. You're done?

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

Mr. J. Brown: Yeah, sure. I do want to just – I think given those comments, we do need to go back a little bit in time and maybe I won't go back to when you were in school.

Mr. Myers: It wasn't that long ago.

Mr. J. Brown: We're not counting that far back, but I will – in a second, I'll make some comments that might take you back there.

So, you know, 10, 15 years ago in this province, we were in a place where there had been issues that had gone unaddressed for significant periods of time. Whether they be infrastructure issues, capacity issues, zoning issues, there were a number of different issues and those issues didn't even touch on student performance. Those were just what you would see. A lot of them were hot-button political issues, to be very honest, and we can all remember back to the last time schools were actually closed.

We referred to it here tonight as the last occasion in which there was an elected board, which the culmination of the last elected board resulted out of issues that arose out of a school closure process – a school review process that had been undertaken for the first time in a very long time and things were really not good. There were a lot of issues in terms of the governance of our schools, in terms of focus on students, in terms of performance, in

terms of classroom management, and staffing, and all those kind of things that were going unaddressed.

And maybe to take it one step – and the elections, I will say too, so going back to the last few elections we had, I think it was 2001 or 2002 there was an election and the turnout was like 2.5%. The next time there was an increased focus – there were all those efforts you spoke about earlier to try and get people out, I think it went up to something like 3.8%. Well over half of the trustees were acclaimed.

And that's not to say good, bad, or otherwise about the quality of the folks that ended up being there. It's just to point out that the system being set up in any one way or another is not necessarily going to be indicative of the level of success our students are going to achieve. And a lot has to do with the mentality or the leadership at the helm of that system and their ability to push for success.

I'll say that and then I'll go back a couple decades beyond that. I had a conversation with Jimmy MacAulay here this winter and the conversation started out – Jim saying something along the lines of: Nobody around here will make a decision anymore. And he was talking about – or: Nobody around here wants to make a decision anymore, is what he said – he was talking about school closures. He said: You know, back in my day, the principals used to do everything. The principals would decide whether school was going to be cancelled on that given day. The principals, frankly, would deal with a lot of the issues that you had just brought up and frankly, the principals within their communities would have a huge amount of deference and ability to run the schools that may have – there was a lot that kind of went through the principals that may not today, I guess would be the way that I'd put it.

You know, again, there's all kinds of different ways and models that do either of these successfully, or combinations of them, or different permutations of it, but a lot of it goes back to, again, a willingness to succeed no matter who it is that's at the helm. I think that needs to be the guiding principle in any of it.

I think that's something that, as I said before, we're finally, finally getting to in terms of our overall mentality around education. We finally have gotten a bit of runway behind the changes that have been made and our teachers are feeling more and more confident every day; our students are feeling more and more confident every day; the department folks are feeling more and more confident every day; the Public Schools Branch as they get more and more accustomed to what their role is and what their duties are, they're more and more confident every day.

Rally it's time to kind of take off and, yes, we do, I think, have to keep an eye on the implementation of this model and at a given point in time, we do need to look at it and determine whether – maybe tweaks along the way or fulsome changes are needed at some given point in time, but I think right now, we need to get out of the way of our group that's been set there that's got that expertise that's now focused on the student and let them do what they need to do to continue to improve education in this province.

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

Mr. Myers: Thanks.

I just had a couple things and you brought up Jimmy MacAulay, so I had the great fortune of having conversations with Jimmy from time to time and he's pretty frank in his opinion and his delivery. Jimmy and I had a conversation – it was shortly after the DAC model came in and he said, I'll paraphrase him, but something to the effect that: This Principals' Council, that's nothing new, we've been doing this for years. When Albert Fogarty was in Souris, and Alan Hubley was in Montague, and I was in Morrell, he said: We always talked to one another and we always had conversations where we figured stuff out. He tells me that that's where the advance math program came from. That they had some smart kids at the time and they thought, we have to do something better for them, so they invented their own advanced math between them and kind of implemented it into the system.

So it falls in line with the get out of the way – so as much as you say it, when you look at

some of the models, perhaps you are in the way too, more than you think you are by some of the processes that you yourself have put in. And that's only based on conversations with people like Jimmy, who are quite capable – in those days – quite capable of making those decisions to move the agenda forward.

Speaking as a student that came through Montague with Alan Hubley, it was a tight-run ship. It was a tight-run ship and he was well respected. He had a clear vision for school and it was a really big school at the time. Its population was probably as large as it ever was and it probably ever will be. So some of those guys, I think, were already pioneering some of those things.

The other thing is I know what you're saying about the governance and the low voter turnout. There's lots of ways, I think, to overcome the voter turnout. We do have fixed election dates provincially that we could also vote – if you follow US politics, they vote – some states vote on 25 things on election day. They have a ballot that's a mile long and you can vote on all these different changes.

As far as acclaimed goes too, I understand that sometimes only (Indistinct) – the Premier was the only person, and he was acclaimed and he came highly rated. So just because you're acclaimed, doesn't necessarily mean that – sometimes when somebody else comes along, everybody is else is like: I'm not running. I'm obviously not going to run against that person because they're a better choice. Those are arguments that while I appreciate what you're saying, I think there's an equal argument on the other side.

Janet, you probably have –

Janet Payne: A few things.

Chair: All right Janet, go ahead.

Janet Payne: Just going back a few comments and a few minutes ago, there was a comment about what consultation happened between the PEI home and school and the opposition in drafting this bill. And it was – I shouldn't say a coincidence, but it was just timed that it happened at the same time, but to give you more history: The

provincial home and school contacted me last year and asked that Kinkora put forward this resolution just because we were fairly vocal during the school review process and I said no. I said no, not because I didn't believe in this resolution, I said no because I didn't feel there was enough time to do it properly.

And if I'm one who's speaking about the importance of collaboration and connecting with community, I couldn't just rush that and do that without collaborating myself, or I would have been a hypocrite. So I said no last year, but said yes this year and we submitted it in time. There was time to circulate it with all the home and schools across the Island and it was voted for strongly and it just so happened that I was asked to be a stranger in the House very soon after that resolution had passed. So I just thought it was important to give a little history on that.

Another point that you had brought up, which I do respect, is where do we have the student achievement in all of this, the student at the center of things? I know all of us in this room, or most of us, get all kinds of research and newsletters and resources from Don Glendenning. He's great to send it out and I know most of you are all on his email list. Much of what he either writes about or shares has to do with the value in local autonomy and making decisions about education. I believe it's because when you're part of something, when you feel ownership about it, when you feel that your voice matters, you put more into it. Parents feel more engaged and then they become more involved in their children's education.

So to go back to so much of that research that Don sends to all of us, to go back and read that, there's so much of it that does speak to the value of autonomy in educational decision-making, which, in part, would be elected trustees, but it would go so much further.

It would also include giving principals, and this is back to what you had commented on from years ago, giving principals more autonomy for their own schools in local decision-making and education; that's more in line with what communities need, individual schools need, and areas need.

One size does not fit all. So when we have three experts in Charlottetown who are making decisions and they have a wealth of knowledge, they're not necessarily in tune with what's going on up west or down east or in Kinkora.

Chair: The hon. Member from Borden-Kinkora.

Mr. Fox: Thank you, chair.

I want to thank the presenter of the bill, this is a good bill, and I want to thank Janet for coming on the floor. I think the school board process review was totally flawed and we saw that through the whole procedure in a way that engaged people. But the one question I have, and I might have an answer on this (Indistinct) from the Premier, is during the 2015 election, you campaigned and said you would bring back elected school boards and I'd like to know why you changed that position and never followed through on that promise.

Chair: So, Premier, I had you next on my list to speak anyhow.

Are you okay with responding?

The hon. Premier.

Premier MacLauchlan: I'll make my comment and it will include within it what we believe was the merit of the model that was brought forward in the fall of 2015. As the promoter of the bill indicated, he was present the day of, I suppose it was early November in 2015, when we unveiled this model. And at the time, there was a confidence or a view that this was something that should be given a try.

I want to draw out a second aspect that gets back to the question that I've just been asked. One which has been emphasized is the learner at the center. The second is that circular model. It's the whole enterprise, I'll call it. The whole of learning from early through to the furthest we can get in learning, and most people would say you're likely talking cradle to grave. So the Learning Partners Advisory Council was a key part of that because it was made up of people, 24 roughly, who are dealing with the full spectrum of learning.

Currently, the co-chairs who are well known, Dr. Kathleen Flanagan is one of the world experts in early learning and a resident of the promoters district, and Dr. Bill Whelan who's in the post-secondary aspect and has been quite involved as president of the home and school and one of the co-chairs, I believe, of the report of charting – I don't have quite the title. And there is in that group representation of – a strong representation of people who are parents of students with disabilities, of people who are doing adult learning, people who are in the indigenous community. The president of the home and school has been involved from the beginning; the president of the teachers' federation.

The reason I speak about the composition of the learning partners group and then bring into the picture the roughly 60 principals who work together in the Principals' Council, and then the eight district advisory councils. The view, and I believe it's a view that still warrants the confidence to carry out its purpose, was that learning is about a lot more than schools and it's definitely a key part of this whole enterprise is, of course, the K-12 aspect.

But it starts earlier, and indeed an area where Prince Edward Island has been recognized as having some strong policy and some commitments that we've lives up to, is in the early learning piece and we continue in that area.

So this comes back to the question of what was put forward in the fall of 2015 that was, I will say, more than that's really the view; more than what it would be to go back to school board or boards that would run the K-12 piece of this to bring it together into its wholeness.

Let me mention two achievements during that time. One of our concerns, and I think it's a concern many people in this House and well beyond would share, is that a lot of what we've done as education in Prince Edward Island has been with a view that if you got enough education, you could get out of here. In the two years from April of 2016 to April of 2018, we created 4,000 new jobs in Prince Edward Island; 3,500 full-time, and we've got probably on the order of 2,000 that are looking for someone to do them.

So this is to take our whole – to go back to the circle – our whole commitment to education in the spectrum to have more Islanders get the kind of an education in school or beyond that's going to make sure we're doing well in terms of, not just work force in terms of a pay stub, but the capabilities to continue to grow and do well.

So it's the learner at the center and the integrated and comprehensive approach to all of the pieces that are involved in education that were really locked into our baked into that model.

As far as I recall, of what was put forward in the fall of 2015, and then I think the question becomes – and it's a question that's really on the table here today – sort of how much time do you give it or what corrections you make when you come along and see that people want to contribute more, which I think is really the topic here today.

I'm going to make this further observation and I welcome any comment on it. I think we're all struck by how much patience or how much time it takes from when you set out to do something until you start to see the results in education. I think we're now starting to see it in terms of our student performance, most recently in the grade 8 students. That took a decade.

Early learning was a good decade there; we're getting (Indistinct). Islanders staying around to do work, it's probably taken about 160 years. But we're there, or we're getting there. So it's in that perspective when you get to the spring of 2018, maybe the question is whether there is a way without sort of going backwards – I won't quite say it that way – without dismantling the circle – the completed kind of engagement of about 200. Maybe there's a way to build something democratic, to bring up a point raised by home and school, into that collection of actors.

Chair: Thank you, premier.

We've got about one minute left until we need to probably get the bill off the floor.

Mr. Myers: Okay, I'll speak for 10 seconds and give the rest to Janet.

I think that's basically – there's a democratic model that people are looking to have implemented, and I'll leave the rest to Janet.

Janet Payne: To respond, I think the Learning Partners Advisory Council is incredibly valued; a wealth of expertise. It was a recommendation in the report; also, to acknowledge the achievements in jobs and especially new legislation around what's been provided for post-secondary students? Incredibly significant, and thank you. That doesn't mean we can't also have elected school board trustees. We don't have to ignore the achievements. We don't have to get rid of learning partner advisory committees, or district advisory councils, but also, consider a more democratic approach to allowing parents to have a voice.

Chair: Thank you, Janet.

Mr. Myers: Mr. Chair, I move that the Speaker take the chair, and the Chair report progress and beg leave to sit again.

Chair: Shall it carry? 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 Education Act*, I beg leave to report that the committee has made some progress and begs leave to sit again. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Member from Charlottetown-Parkdale, Third Party House Leader.

Ms. Bell: Thank you, Mr. Speaker.

I'll request that Motion No. 65, be now read.

Speaker: Shall it carry? Carried.

Clerk: Motion No. 65.

The hon. Member from Charlottetown-Parkdale moves, seconded by the hon. Leader of the Third Party, the following motion:

WHEREAS there are over 1100 non-profit organizations employing over 6,500 Islanders on Prince Edward Island;

AND WHEREAS the nonprofit sector generates an estimated \$485 million in economic impact annually;

AND WHEREAS the community sector is the third largest sector on the Island;

AND WHEREAS the community sector does critical work delivering essential services to Islanders;

THEREFORE BE IT RESOLVED that all members of the Legislative Assembly recognize the community sector as a significant employer and strategic economic force;

AND THEREFORE BE IT FURTHER RESOLVED that the Legislative Assembly urge government to work more closely with the Community Sector Network to better support its success.

Speaker: I'll call on the hon. Member from Charlottetown-Parkdale, the mover of the motion to speak to the motion.

Ms. Bell: Thank you, Mr. Speaker.

Thank you for the opportunity to rise today and speak to this motion. Throughout my life I have considered myself extremely lucky to have been employed across many sectors.

I have worked in the private sector, in federal and provincial government, as an entrepreneur and in the community sector as a volunteer and as a professional executive.

Each of these has provided unique opportunities and challenges and I would be hard pressed to pick on over another. However, I would argue that out of all the sectors, the one that is most misunderstood is the community sector.

A common misconception is that non-profit organizations are staffed by volunteers and have no money. Some even see community-based organizations as a drain on society continually with their hand out. In fact, most non-profit organizations have paid staff, are self-sustaining and put most of their revenue

back into the community. While some small organizations are informal and run on a volunteer-basis, most are incorporated, meeting the requirements of Industry Canada and the Canada Revenue Agency. Where a non-profit organization is a club, a society or an association and is organized and operated solely for social welfare, civic improvement, pleasure or recreation or any other purpose except profit. Any excess revenues generated by non-profits are reinvested into programs and services that are offered.

A non-profit is not automatically a registered charity, though a charity runs like a non-profit. Only registered charities can issue tax receipts for fundraising and donations and are exempt from income tax, and must meet very specific eligibility requirements and be approved by the CRA as such. Non-profits and their employees pay taxes just like any other business.

Another reason for the lack of understanding is the diversity within the sector. The community sector is broad. It is also known as the third sector and includes non-profit and voluntary organizations that work in areas as wide ranging as sports and recreations, social and health services, business and professional organizations, environmental protection, research and education, just to name a few. Everything from a volunteer soccer club that meets on Sunday mornings, to a large national organization like the Canadian Cancer Society, the Canadian Mental Health Association or chambers of commerce.

Many of these organizations are such a critical part of the fabric of life here on PEI that we do not recognize that they are, in fact, independent and non-government, non-governmental organizations that provide essential programs, supports and services in our communities across the province fulfilling a genuine need with limited resources.

Despite the scale and importance of this sector the last data analysis and environment scan was compiled in 2012, when the Community Foundation of PEI, another non-profit, commissioned a building community capacity study.

The intent of this study was to take a look at the social and economic impacts of the sector; identify key challenge and determine which supports, resources and initiatives would be most beneficial to build capacity and sustainability.

This unique study indicated that the achievement of PEI's third sector organization are many and cross many different disciplines. It recognized that the sector brings communities across the province to work on common purposes; provide much needed social services including; life skills training, respite care, terminal illness support, education, employment, promotion and support of health and wellness and advocacy for causes that may not otherwise have a voice.

The study also found increasing evidence that the third sector is a significant employer and economic force provincially, nationally and globally.

It even identified that meaningful work, most often identified as a priority for most young job-seekers is that in the community sector and they are most likely to find it there in that area of growth and opportunity.

Often, non-profit organizations work in environments that are familiar to early stage start-ups than for established organizations that provide these critical services. Third-sector professionals often describe themselves as severely underpaid government staff delivering essential work in an environment of extreme instability and fiscal uncertainty, where overtime is unpaid; staff benefits are a very rare perk; where there is no money for even basic office supplies and the bank overdraft is critical to keeping the wheels on the bus.

Where fundraising to cover rent and salaries is the norm because project-based funds cannot be used for core operational expenses; where a change in government or priorities of partners may mean that you have stop programs or even cease operations, and where everyone hopes for long-term goals and outcomes, but works in the harsh reality of short-term plans and projects.

We have seen examples of these most recently in PEI with the impact of shifts in

policy towards the community sector generally, in terms of large shifts in changes particularly around the Atlantic Growth Strategy and the travel-down effect of that impact.

Things like, for instance, the PEI Literacy Alliance, which had its federal funding cut during the Harper era and managed to, through good fiscal management and a carefully hoarded bank balance, keep the doors open for another few years after that funding was cut, but last year, had to, basically, pull an ultimatum on the government here, who did, very thankfully, come forward with support for that organization, but it was critical. Staff have left. Programs were being closed. It was literally down to the last 30 days of funds in the bank.

We have actually lost organizations who have been critical to our infrastructure, and there are other organizations that work in conditions that you would find quite shocking. Including many, who have been on a three-month contract for four years. I don't know about you, but it makes it pretty difficult to plan to have a regular life when you don't know whether you're going to get paid more than 12 weeks down the road. However, these organizations and the people who are passionate about the work that they do keep on turning up and they keep on doing this critical work in this sector.

But PEI tells a slightly different story than the rest of Atlantic Canada. Within Atlantic Canada, the provincial governments of New Brunswick, Nova Scotia, and Newfoundland and Labrador have all established ministerial responsibility for the non-profit and voluntary sector that helps to ensure policy, promotion, and other supports are coordinated, managed, and measured.

Government stakeholders in PEI recognize the importance of the third sector organizations and consider them valuable partners in service delivery, especially as demonstrated just in the most recent budget announcements. But this recognition is not supported through formal policies or a designated bureaucratic structure such as the third sector secretariat.

So what is the third sector and what kind of scale are we talking about? The PEI third

sector includes a wide range of organizations established to meet the needs of individuals and communities. It represents over 1,100 non-profit organizations; \$485 million in revenues in 2016; 6,500 employed Islanders; 55,000 volunteers. With a 56% volunteer rate, the third highest in the country, and an 89% donor rate, the second highest in the country. In fact, the number of non-profit organizations and their employees is greater than bioscience, information technology, and the aerospace sectors combined.

The additional indicators on the contributions of the third sector organizations made to the province were developed by compiling and analyzing information from a small sample of organizations. Unfortunately, this analysis is rapidly out of date as we have not been able to recur it, but based on three years out, three-year averages, even with data that is more now than four years old, we have a projected annual revenue per organization of \$357,000. And annual expenditures of \$328,000, which shows that money is going back right here into the community. 5,500 paid staff hours per organization and about 1,000 clients served per organization shows how critical this work is to our province.

But the most significant challenges this sector faces are accessing sustainable, reliable funding, particularly operational funds; recruiting volunteers and quality staff, including board members; increasing the awareness of the organizations and the work that they do to prevent duplication and a dilution of effort; and accessing affordable, flexible, and coordinated training and professional development support.

This study, the one that was done back in 2012, concluded that PEI's third sector is a vital part of Island society and of the provincial economy and deserves increased support and recognition. Since the report was launched, there has been ongoing work within the sector, as usually happens off the edge of a number of people's desks, with key stakeholders to create a common voice and vision for a collaborative and coordinated approach of support coalescing under an umbrella group – a community sector network. This is similar to the approach taken in other Canadian provinces

with a community sector network or council that's committed to strengthening and promoting the essential role that voluntary and non-profit community organizations play in building healthy and prosperous communities.

The United Way of PEI supports the non-profit sector by facilitating collaboration between these partners and assisting organizations to access and develop the resources required. In the past year, the United Way has provided some human resource support and coordination for the ongoing work on the community sector network following a very successful non-profit organization conference that was held last fall in Stanley Bridge that I was honoured to attend.

It's expected that this conversation will continue, will identify potential partners and collaborations to explore recommended strategies and initiatives, and that a unique new organization will formally be formed: the community sector network of PEI, later this year. This long overdue work will require funding and human resource support and would, of course, benefit from a dedicated point of contact within government. One of the critical roles this new organization will play is the research collation and analysis of labour market and industry sector data and the associated economic and environmental scan, accessing and using data in new ways to open up an important opportunity for non-profits in PEI.

Many governments and businesses are starting to use data intensively and the non-profit sector needs to be part of this movement. We need data about the things that matter to the communities we serve. We need to make sure that when we talk about the trends in society, the data can help us better understand. We don't just talk about restaurants, shopping malls, and small business, but ensure that schools, libraries, women's shelters, and public spaces are included in that conversation. We have incredible resources and connections to emerging issues and solutions in communities. Data priorities for the non-profit sector should focus on setting priorities for that sector and then building up standards, capacity, and leadership. If we use data differently, it can give us insights that will help us harness resources and

connections as well. It's a fundamental source of knowledge and that knowledge is powerful.

So what can government and the members of this legislature do to help nourish and build this community sector? The first thing would be to recognize and value third sector organizations, not just for the community service that they provide and the photo opportunities that we can benefit from, but also as a primary economic driver within the province. We often hear MLAs speak in the house about the good work that is being undertaken by individual organizations. On government's side, this often happens when they're making a good-news announcement for special project funding. However, we rarely hear the sector as a whole being lauded for the economic impact it generates.

I could compare it to the approach we take to small business. Government rightly recognizes the importance of small business to our collective prosperity. We work hard to develop programs, start-up funding, tax incentives, training opportunities, and other services to help small the business sector as a whole, as well as individual businesses survive and succeed. I've spent the past five years with the PEI Business Women's Association and Startup Canada working with entrepreneurs and government and I'm well aware of the wide range of programs that are available to small business owners. Admittedly, some programs may be more effective than others, but there is no doubt that they all grow out of an awareness of the importance of nurturing small businesses because they are, as we often hear, the economic engine of our province.

Now imagine if our community sector organizations were treated with the same respect as small businesses and it was recognized that they were equally important to the economic success of our province. What if we treated non-profits as job creators and invited them to participate in programs such as those available under the labour market development agreement?

What if we treated them as one of our strategic sectors that not only creates employment, but focuses on public good in the process? Could you imagine how our economy and our communities would flourish with a more enlightened approach to

the third sector? I know some people would say: Stop there, stay in your own lane. Small businesses and non-profits are fundamentally different. But after a number of years, I can guarantee you that I'm not someone that stays in my own lane. I think traffic can move faster and more efficiently if we break down artificial barriers and large and small businesses and non-profits share the road in a much more integrated manner than you may think. Just as we must destroy silos in government, we must also do it in the business and community sectors for everyone's mutual benefit.

Ideally, I would like to see a minister designated as minister responsible for the community sector. This minister would be mandated to be a dedicated point of contact in government. The various small budget lines scattered across ministries and departments could be brought under one area of accountability with coordination of a budget and goals that are cross-departmental and transparent. She or he would be responsible for helping third sector organizations meet their full potential. This minister would recognize that community sector organizations are not just the poor cousins of the economy, seeking additional funding, but significant partners for both continued economic development and the provision of essential public services.

Our communities would grow and flourish if we were able to unleash the full passion, creativity, and potential of the community sector which is why I am hoping that all members of the Legislature will join me tonight in supporting this motion.

Thank you, Mr. Speaker.

An Hon. Member: Call the hour.

Speaker: Thank you, hon. member.

Hon. members, the hour has been called.

The hon. Government House Leader.

Mr. McIsaac: I move, seconded by the hon. Member from West Royalty-Springvale, that this House adjourn until tomorrow, May 16th at 2:00 p.m.

Speaker: Shall it carry? Carried.

The Legislature adjourned until tomorrow, May 16th, at 2:00 p.m.