

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Francis (Buck) Watts

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The Legislature sat at 2:00 p.m.

Matters of Privilege and Recognition of
Guests

Speaker: The hon. Premier.

Premier MacLauchlan: Thank you, Mr. Speaker.

Welcome to colleagues here and visitors in the gallery, those watching from home to the commencement of a further week – further Tuesday in our spring sitting.

We have with us in the gallery a constituent, Robert Jourdain, who was the leading role in the Tourism Industry Association of Prince Edward Island. Others from TIAPEI are joining him and will be recognized later. Joe Byrne and Susan MacVittie of NDP, great to see you folks here. Eddie Lund, another constituent and of course everyone inside the rail and continue with our good work here.

The weekend was the annual telethon for the Queen Elizabeth Hospital – raised upwards of \$532,000 and great recognition – congratulations to the team, to the donors, to the volunteers and to everyone who has a hand in that great initiative. It continues year over year to be a success and for a good cause in our province.

We've known for a few weeks, but this has appeared in the media today that Dr. Alice Crook has been honoured by the World Veterinary Association with the WVA Animal Welfare Award for North America. Alice – Dr. Crook is the only North American to receive that award – conferred recently at an international conference in Barcelona, Spain and it recognizes her great work going back now 25 years to lead the growth and development of the Sir James Dunn Animal Welfare Centre at the Atlantic Veterinary College and indeed to be a counselor on pet health and on animal welfare more broadly in our province and beyond.

Congratulations to *The Buzz* – 25th anniversary issue in June will confirm that important event. So it'll be on the shelves, on the street any day now and, in particular, to congratulate Peter Richards, his family,

and their team on their achievements and their contributions to our community culturally and in the fullest sense over those 25 years.

This is Paramedic Services Week and an opportunity to recognize the great work of paramedics in our overall health care system. The theme this year is paramedics: health-community-you – tying together those concepts of health care for the community and, indeed, for individual health.

Finally, to acknowledge the achievement of Noah Dobson as a member of the Acadie-Bathurst Titan winning the 100th Memorial Cup; that's the first time in a number of years that a team from the Quebec Major League has come out on the winning end of the Memorial Cup and it brings a lot of satisfaction to all Islanders and to see the league do well and, in particular, to see Noah achieve at that level.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

It's certainly a pleasure for me to rise as well and, again, to bring greetings on behalf of the official opposition.

I'd certainly like to recognize some individuals that we have in the gallery today: one of my past co-workers, of course, when I was in the tourism industry, Robert Jourdain. It's great to see you here, Robert, along with some other individuals from one of the very most important sectors here on PEI. I know you do a lot of great work to help drive the economy here on PEI. I'd also like to recognize Toby MacDonald who has joined us, as well as Joe Byrne in the gallery here, of course the leader of the NDP.

Also, to recognize that this week of course, is Paramedic Services Week and I certainly applaud our paramedics here on Prince Edward Island for the tremendous work that they do. It's certainly not a job that I would ever want to put myself into, but I thank them for their dedication in the service and one of the bills that we recently passed in

the Legislative Assembly with regards to support for first responders who suffer from PTSD. I know that they're very appreciative of that measure going forward and the unanimous support that they received from all members here in the Legislative Assembly for that support.

As the Premier alluded to, it was a very busy weekend here on PEI with many events, whether it be the QEH telethon, the Women's Institute, of course, held their AGM.

I had the immense pleasure of having my first feed of lobster this weekend up in District 26 at a very well attended dinner.

Also, there was an event on Sunday afternoon over by Superior Sanitation. It was the annual Antique Car Club show and shine. It's always a wonderful show. I know that from a very young age, my son and I would take in that show. I wasn't able to make it this year but I know that he did attend. I do have that antique plate in my garage. I'm just hoping to find a little bit of time here and there to actually get back out to the garage to see if I can get my car roadworthy once again to actually get out and drive it, and take, maybe, to a show and shine.

I look forward to the deliberation of this week coming. Who knows? Maybe the week after and the week after that.

Mr. Speaker, with that thank you very much.

Speaker: The hon. Leader of the Third Party.

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

It's great to be back for another week with all of my colleagues here in the House. Welcome everybody in the gallery, particularly Joe Byrne, the leader of the Island New Democratic Party.

Indeed, it was a busy weekend and lots and lots of things going on, many of which have already been mentioned. But, a couple that have not been mentioned. On Friday evening with the hon. Member from Rustico-Emerald, we attended the opening of the Larkin Bros. who have taken over

what used to be the Waddell's Poultry Plant in Crapaud.

Doing a fantastic job there, putting a lot of money in and I wish them every success. It was a really lovely event; a community barbecue; very well attended; food was great; also, great conversation. Congratulations to them.

Also, on the weekend, I attended Walk for Alzheimer's. I know there was one in Charlottetown and one in Summerside. Again, a well attended event raising money for a really important organization. It was lovely to be a part of that.

On Saturday evening, a curling team from my district, Team Smith; Veronica and Sabrina Smith, whom I have known since they were very small; along with their two teammates had a fundraiser in Kellys Cross, which again was very well attended and successful. It was, indeed, a busy weekend.

I'd just like to reiterate the Premier's congratulations to Nancy and Peter on the *Buzz* Magazine. Nancy and Peter Richards on 25 years of providing the community of Prince Edward Island with some invaluable guidelines on what to do and where to go every night and every day of the year here on PEI when it comes to great entertainment.

Thank you very much, Mr. Speaker.

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

Mr. Dumville: Thank you, Mr. Speaker.

I'd like to welcome everybody here today. We have a regular, Eddie Lund. I especially want to welcome Joe Byrne, the leader of the NDP, and his colleague there, Susan MacVittie with the women's committee with the NDP. It's good to see you here.

I did miss the car show. However, I did attend the United Nations memorial service in Bass River, Nova Scotia. It's held every year. I highly recommend anybody that's ever been there; there must have been 200 or 300 people there. There are 12 cenotaphs over there all in a cluster.

I will not mention anymore about it because I'll have a member's statement on it tomorrow.

Thank you very much, Mr. Speaker.

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

Mr. Perry: Thank you, Mr. Speaker.

It's my pleasure to rise and welcome all those to the public gallery, along with those, who are watching online, especially those from District 27 Tignish-Palmer Road.

I would like to send a belated happy 96th birthday to my beautiful aunt, Rachel Miller, who is a resident of the Tignish Seniors Home.

As part of the government's population growth strategy, I'm proud to announce that my family is doing their part. At the Prince County Hospital on Sunday, May 27th at 11:23 p.m. weighing in at seven pounds even, my great nephew, Liam Edward Gallant made his grand entrance into the world. His name certainly reflects both his Irish and his French heritage. I would like to thank and congratulate Liam's parents, Dominic and Stacey of Tyne Valley. I want to thank for them for adding yet another name to my growing Christmas list.

Thank you.

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

Mr. Palmer: Thank you, Mr. Speaker.

Today, I'd like to welcome several individuals, who are in the gallery here with us here today; Robert Jourdain; Kelly Corazza and Corryn Clemence and Kirk Nicholson. They are here on behalf of the Tourism Industry Association of PEI.

The industry has broken a number of records over the past four years. It's the hard work of folks in the tourism industry that make that possible.

I'll have more to say on that a little bit later on.

Thank you.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

I wanted to rise and welcome everybody watching from District 18 Rustico-Emerald, especially Shirley Dickieson in Hunter River. I wanted to welcome everyone to the gallery, especially the folks from the Tourism Industry Association of PEI. District 18 Rustico-Emerald, of course, tourism is a huge part of what drives our district so thank you for all the great work you do on behalf of all the tourism operators.

Lastly, the Central Queens United Church Sunday School went down to Camp Abegweit on the South Shore this weekend, and it was a fantastic weekend there for a couple of reasons. One, they honoured Bernie Dykerman for his decades of service to the Sunday School. He has a construction company on the Island, but he really is somebody who has put a lot into the community through the church and the Sunday school.

Secondly, at Camp Abegweit they actually have three different methods that they've used to try and stop erosion on the shoreline. They have some imported rock. They have some concrete, and they have a living shoreline implementation.

A few years down the road, it's interesting to see how the three are holding up. It's a great experiment. If you get a chance to go to Camp Abegweit, I'd recommend anybody go take a look.

Thank you, Mr. Speaker.

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

Ms. Biggar: Thank you, Mr. Speaker.

I'd like to welcome Eddie Lund and all the visitors in the gallery today, and our young people that are with us. It's great to see some young people in the gallery.

It was a busy weekend all around. There are so many activities going. I had the privilege of attending a fundraiser on Friday evening for Anderson House at the St. Peters Inn.

Karen Milligan has done that for 14 years and has raised over \$91,000 for Anderson House. So, I want to acknowledge her contribution.

Saturday, I had the great pleasure to go to the WI convention, and Sunday I also had the pleasure of going to the ceremonial review of the number 85 sea cadets at Slemon Park, and yesterday I had the great honour of accepting an award for PEI, the advocate award for the work that our province does with efficiency through efficiencyPEI for the Energy Star products that we promote through our division of efficiencyPEI. We were awarded that as the province across Canada so we're very proud of the work that we're doing, and I was privileged to be there to accept the award.

Thank you.

Statements by Members

Speaker: The hon. Member from Vernon River-Stratford.

Fort Augustus Irish Descendents

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

I'm happy to rise today to recognize a great celebration that happened this past weekend in Fort Augustus.

The annual celebration of the arrival of the Irish in 1830 to Fort Augustus was honoured this year with the presence of two Irish delegates from County Monaghan in Ireland.

We were joined by a few folks last week in the gallery here: Mary Catherine Bennett who is mayor of the town of Monaghan, and Eamonn O'Sullivan, chief executive of the County Monaghan council, were here to take in all of the festivities on the weekend.

They were hosted by a lovely organization, the Fort Augustus Irish Descendents where they visited Island businesses, Irish monuments and other points of interest.

Along with Fort Augustus, there were several other Island communities in which the Irish settled years ago. Among others are Kinkora, Emyvale and Kelly's Cross.

The festivities this weekend yielded large crowds at the various events, which included a meet and greet, a Ceilidh, as well as a mass Sunday morning at St. Patrick's Church in Fort Augustus to honour the Irish ancestors and those descendents who have passed away.

This is a terrific opportunity every year to showcase the Irish culture we have right here on Prince Edward Island and the history dating back for almost 200 years. Fort Augustus is proud to be twinned with County Monaghan, Ireland and both communities have kept the traditions alive through the years.

My mother's family, the Callaghan's from '65, was also from County Monaghan and is included in those of the Kelly's Cross Irish descendents. For many years, this strong bond between Ireland and several communities here on the Island has grown in size and friendships. Many Islanders have also made the trip across the pond to visit the homeland and our distant relatives.

I want to congratulate everyone on another year's celebrations.

Thank you very much, Mr. Speaker.

Speaker: The hon. Member from Montague-Kilmuir.

Plastic Bag Ban

Mr. Roach: Thank you, Mr. Speaker.

Again, a pleasure to rise in the House today.

I rise today to recite key aspects of a letter from Dave Barrett, who is an environmental studies lecturer the University of Prince Edward Island. He also happens to be a key player in helping deliver the Waste Watch Program 20 years ago here on Prince Edward Island.

He provided a quantitative analysis in support of my single-use plastic bag ban, as he is a specialist in cost-benefit analysis. In his letter he refers to a study entitled, Plastic Bag Ban Options which was prepared for the City of Victoria BC in 2016.

To quote the study:

Compared with all other options, banning single-use plastic bags delivers the highest net economic benefit. In the case of Victoria, the net economic benefit totals \$64.4 million and \$28.5 million over 10 and five years respectively. The net economic benefit to PEI would be approximately half that of Victoria, roughly \$30 million over 10 years and 15 over the next five.

A few more facts he informed me included:

Approximately 500 billion plastic bags are used around the globe each year. Anywhere from 10 and 20 million tonnes of plastic is dumped into the world's oceans each year through leakage.

In PEI, a rough estimate of the number of single-use plastic bags used over the course of one year is approximately 20 million. They represent the single greatest ongoing set of negative, cumulative, environmental effects in PEI that can be easily mitigated at no cost by a ban.

At the end of the day, people are still going to buy the same amount of groceries regardless of what type of bag they leave with. PEI has been an environmental leader for years dating back to the Island-Wide Waste Watch Program and we have a much less complex opportunity to once again lead the way.

In closing, to quote his letter: The Island is a fragile eco-system surrounded by water and every day we see and experience the negative environmental effects of human activities. As a Legislative Assembly, all MLAs have a real opportunity with this bill. We hope all of you demonstrate leadership and vision and enact Bill No. 114.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

Cecil Taylor/Hockey Canada Award

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

I'm pleased to rise today and recognize Cecil Taylor on receiving Hockey Canada's Order of Merit Award for the Atlantic Region. Mr. Taylor received the award at

Hockey Canada's annual AGM recently in Regina, Saskatchewan.

Taylor's work with Island and national hockey dates back to the early 1970s when his general manager of the Colonel Gray Colonels, later known as the Charlottetown Junior Abbies of the Maritime Junior Hockey League, he led the club to six straight provincial junior A championships and five Maritime titles. From there, he moved on to PEI Association, now known as Hockey PEI, as junior director, vice-president and eventually president, ending in 1992.

Cecil's work ethic and professionalism didn't go unnoticed which landed him with the Canadian Amateur Hockey Association, now known as Hockey Canada, in 1991. He served as vice-chairman at large and as a board member, junior hockey director, sharing back to back gold medals at the World Juniors and director of minor hockey.

When his term ended in 1996, Cecil returned to the junior hockey here on PEI becoming vice-president of the Maritime Hockey League, formerly the Maritime Junior A Hockey League, handling league discipline.

He still holds this position and is the most proud of working with junior A leagues in Saskatchewan, British Columbia, Alberta and Manitoba on a pilot project to curb fighting and violence.

Cecil now spends much of his time at the rink watching his granddaughter and grandson play.

I would like to take this time to congratulate Cecil on his award. Islanders are lucky to have such a hard working volunteer as part of our community.

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.

Having access to secure blood and plasma supplies is key to a well run health system.

For-profit blood and plasma sales

Question to the Premier: What is your government's policy towards for-profit blood and plasma sales?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

When it comes to Islanders, whether you're donating to the Queen Elizabeth foundation hospital telethon this weekend, where Islanders donated over \$535,000 out of their pockets, or whether it comes in the donating blood and plasma, Islanders are always there to step up to supply this service.

Supplies that are collected here on Prince Edward Island, whether it's blood or plasma are sent to Halifax to the national blood bank over there where they are held safely until such time as they are needed by any individual.

But when we do require blood services we also go to the same bank to have blood come back to PEI for our use.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Mr. Speaker, rules around for-profit blood and plasma sales differ across Canada. For example, Ontario, Quebec, Alberta, now BC, have all banned the practice. But, private clinics exist in Manitoba and Saskatchewan.

Question to the Premier: Does your government support for blood profit and plasma sales?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

Obviously, over the years Canadian Blood Services handled that duty for us on Prince Edward Island, and handled it well.

There have been discussions about blood services. I'm sure we'll have a conversation

on that at our national health ministers in the coming weeks.

Obviously, we want to work to protect our blood service. We want to make sure that blood is available to Islanders at times when they need it.

Working with the national blood bank in Halifax has been a very good relationship, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

The Canadian Plasma Resources, a for-profit blood, plasma company has applied to Health Canada for licensing of a new clinic in Moncton.

We've heard recently that the New Brunswick government has not opposed the application.

Moncton clinic and PEI blood donation

Question to the Premier: How would a for-profit clinic in Moncton affect voluntary blood donation here on PEI?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

As I said, I'm sure there will be discussion in the following weeks in regards to blood services all across every province of our wonderful country.

I recall fondly an article. It was about a year ago that one of our Island residents, a gentleman by the name of Ewen Stewart from the Premier's district actually, was in the local media, where he had, at that point in time, and I think it was about close to a year ago, he had given 900 donations, at that point, of blood and plasma –

Ms. Casey: Great man.

Mr. Mitchell: – just a wonderful testament of how Islanders feel when it comes to donating for health care of others in our province.

I'm sure, by this time, Ewen has probably even reaching close to the 1,000 donation mark. Most of those donations, I understand were of plasma. He began with blood donation, but switched over to plasma a significant number of years ago.

Another wonderful testament to a wonderful Islander taking care of his neighbours, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

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

Over the last few years, the Canadian Plasma Resources lobbied several provinces about its plans around for-profit blood and plasma sales in Canada.

The minister speaks about Ewen Stewart and I agree, he is a very generous Islander and there are many Islanders that do donate for free.

But unfortunately, what we've seen is when you have for-profit organizations come into play, the blood that they collect and pay for could be shipped anywhere around the world, thus compromising our supply here.

For-profit blood and plasma sales (further)

Again, question to the Premier: How many times has your government been lobbied to support for increased for-profit blood and plasma sales?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

Obviously, in my time, as health minister, I have not been lobbied. I have not had any meetings in this regard.

But, as Prince Edward Island, as a province, as Islanders, we are leaders in a lot of areas. The method that we use for blood collection; blood supply; blood transfusions, when we need it, it's effective for Islanders. We don't have to follow on courses or paths of other provinces. We can carve out our own way again on this one, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thanks, Mr. Speaker.

Concern exists that if a potential blood donor had a choice between making a voluntary donation and being paid to give blood that voluntary donations to the public system could be compromised, and in the end would drop.

Banning for-profit blood and plasma donations

Question to the Premier: Will you stand here today and clearly state that your government will ban for-profit corporations here on PEI paying for blood and plasma donations?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

Obviously, the process that we have in place for Islanders works, and it works well.

Islanders, from all walks of life go, donate blood during their lunch hours. Once, as soon as they get out of their place of work; it's a practice that's age-old in our province.

I know myself, my nephew, at one point in time, needed to have plasma donations for his lifesaving cures that he needed. It was there.

Islanders step up day after day to provide this wonderful service on Prince Edward Island, voluntarily and will continue that in the future, Mr. Speaker.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Mr. Speaker.

On Friday, I asked again for all of the environmental test results for the Three Oaks project to be publicly released.

Publicly release of all test results from TOSH (further)

Question to the transportation minister: Do you have that information with you to table and publicly release today?

Mr. Myers: Good question.

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

Ms. Biggar: Thank you, Mr. Speaker.

We do expect that to be able to be posted within the next few days. It's something we've just finished reviewing. Those results will be put up when they're done being reviewed.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Mr. Speaker.

On Friday, I asked why mold isn't being tested for at Three Oaks, and we didn't get an answer.

Testing of mould at TOSH (further)

Question to the transportation minister: Why isn't mold being regularly tested for at Three Oaks during this lengthy \$24 million renovation when dozens of students are reporting environmental health issues?

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

Mr. LaVie: Oh, mould.

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

As I said, last week, when there were questions about Three Oaks high school and the renovation and air testing that's going on there, there has been testing going on and there's been an environmental specialist that's been in there with expertise in that area, that's recommended the testing that might occur.

In addition to that, there has been an ad hoc committee that has been struck from members of the community, together with folks from TIE; folks from the Public Schools Branch; folks from the school and they have set out additional testing

recommendations or asks that they would like to see.

We're doing all them and we're making those results available to them. The minister just committed to making those available publicly online, as well.

I think we're doing everything that we've been asked to do so far and we'll continue to work with the community to do our best.

Thank you.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Mr. Speaker.

On Friday, I asked why all of the environmental test results weren't being shared with parents, and was told that the principal had all the information.

When parents followed up with the school, the principal said he did not have the test results.

Testing results shared with parents of TOSH (further)

Question to the transportation minister: Were you just guessing when you said that, or are you deliberately not being forthright in the House?

Mr. LaVie: (Indistinct) she doesn't want to answer –

Mr. Myers: (Indistinct) answer it –

Mr. LaVie: (Indistinct)

Mr. Myers: (Indistinct) remember?

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

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

As I had previously indicated, there has been an ad hoc committee that's been struck that's been working together with or, is constituted of members of the school, including, it's my understanding, the principal; members from TIE and the construction crew that manages the

construction there at Three Oaks, from the Public Schools Branch and from the community.

They have set out the testing that's to be done. The testing information comes back and is reported back through that group, back into the school community. As the minister has indicated, we're going to make an effort to make that information available to the public.

Thank you.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Mr. Speaker.

A contact number was supplied with the transportation department to call about the information they've been trying to get for weeks and months now.

Communications officer contact and test results

My question is to you transportation minister: Why would parents be given your communications officer as the contact to call about getting environmental test results from Three Oaks?

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

Ms. Biggar: Thank –

Mr. LaVie: (Indistinct) information.

Ms. Biggar: Thank you, Mr. Speaker.

We work very closely with the Public Schools Branch; the school staff. We have one of our TIE staff onsite there working together. Any information that they may not be able to get from the Public Schools Branch they certainly are encouraged to call department of transportation –

Mr. Myers: (Indistinct) communications officer.

Ms. Biggar: – and we will work with them and provide whatever information we need to through the school and the school, in turn, are working together with the parents.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Mr. Speaker.

Now that we have the transportation minister on her feet, we'll ask another question. You told the House that the school had all the test results available for parents. The school told the parents they didn't have the results and to call the minister's communication shop.

Testing results shared with parents of TOSH (further)

Question to the transportation minister: Why can't students and parents get a straight answer out of your government?

Mr. Myers: Good question.

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

Ms. Biggar: Mr. Speaker, as we noted last week, those tests from April just came back. We will be finished reviewing them and they will be posted and then everybody can see them.

Thank you.

Speaker: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Mr. Speaker.

If all this double talk is any indication, I'm not surprised there were 250 people at our District 23 nomination in Summerside last week. All of these delays, denials, and double talk are eroding any faith parents have that government has their best interests first.

Publicly release of all test results from TOSH (further)

Question to the transportation minister: If all environmental test results are as good as you say, then why not publically release them and be done with it?

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

Ms. Biggar: Thank you, Mr. Speaker.

It was great to see a great crowd out all across PEI come into District 23, a great district. We're doing lots of great work there. I can understand why they want to come and see what's happening and what the MLA has done there.

Mr. Speaker, again, I noted that those results will be put up on our website and they will be publicized.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Ownership of land and amalgamation proposal

Question to the Premier: Why is land owned by your brother located at the center of the proposed North Shore, Pleasant Grove, Grand Tracadie amalgamation – the only land within the boundaries not included in the amalgamation proposal?

Mr. Myers: Good question.

Speaker: The hon. Premier.

Premier MacLauchlan: I'm glad that the hon. member asked about amalgamation proposal because as we left off in committee of the whole on that bill of his last week, he said he was going to go out to the North Shore and tell them all how to do their business or maybe even to persuade them to back away from amalgamation. I'm very proud of what the people in the communities of Pleasant Grove, Grand Tracadie, and the North Shore have done to put forward that proposal and I'm sure that will be dealt with in due course.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

I have a map of the proposed amalgamation area. I'd like to table later on and, indeed, really, the only land is 60 acres in the middle of the boundaries that belongs to the Premier's brother that is not included in the amalgamation proposal.

Mr. Myers: Crooked.

Mr. Trivers: Question to the Premier: Have you personally spoken to your brother about this proposed amalgamation?

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I'm proud to say that my great grandfather and great grandmother purchased a farm on the top of the hill at Stanhope in 1864 and that it's still in the family and that that land reaches from Covehead Bay right back to the Friston Road and because of the way the school districts were configured – which is how those boundaries were drawn – there is, indeed, a piece of that land that was not included in the North Shore community –

Mr. Myers: You can't incorporate (Indistinct).

Premier MacLauchlan: – when the North Shore community was put together and the question of including that land within –

Mr. Myers: If only your last name's MacLauchlan, they don't amalgamate you. It's okay for me.

Premier MacLauchlan: – this goes back to 1864, Mr. Speaker – long time before some people across the floor were around here and the question of incorporating that land within the amalgamation is, indeed, being dealt with.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Mr. Speaker, when the Municipal Affairs staff went out to present at a public meeting of area residents, the question of why the 60 acre parcel of land right in the center of the proposed amalgamation boundaries was raised. Why was it left out? Staff were unable to answer the question.

Public meeting re: North Shore and amalgamation

A question to the Premier: Were you at that public meeting?

Mr. Myers: Good question.

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I took part in a public meeting. I wasn't there at the time that question was asked or if it – it may have been at another meeting. There were several meetings about this.

Let me go back to what I said, Mr. Speaker. This derives from when those school district boundaries were drawn to capture or to provide schooling for students who could walk the distance of a mile to the schoolhouse. There were no students on the land in question going in whatever direction they might go and it's one of those historic anomalies and I remind the House of what I said before: This is land that goes back that's in the same family since 1864 and it's been used productively and it's produced a lot of MacLaughlans since that time and I'm proud to be one of them.

Thank you.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Mr. Speaker, I'm very confused. The Premier talks about history; he talks about the MacLauchlan family name; the (Indistinct) with the land; the fact remains, we've got an amalgamation proposal and the whole area is being amalgamated and annexed except for 60 acres of the Premier's brother's land.

Mr. Myers: Oh, no.

Mr. Trivers: Premier, let's have some straight talk here.

Land omitted from amalgamation

Question to the Premier: Can you tell the House why your brother's land was the only piece of land to be omitted?

Mr. Myers: Good question. Didn't happen in Three Rivers.

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, Stanhope first had a school district in 1851 –

Mr. Myers: Oh, we're back to 1851. Can't we jump to the 1870s at least?

Premier MacLauchlan: – and that was about the same time as Prince Edward Island was the first jurisdiction in the commonwealth – the empire at the time – to have a free education act under a liberal government. Because there were no students on whatever that acreage is that were included within the school district; that remains an anomaly. That remains an anomaly, and I'm happy – I don't know why there'd be any confusing across the floor. I heard one member across the floor say last week that nothing had changed in 150 years and nothing would change in the next 150 years.

Thank you, Mr. Speaker.

An Hon. Member: Yes, that was you.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Myers: Doing crooked work.

Mr. Trivers: Thank you, Mr. Speaker.

This government, led by this Premier, is going out across the Island. They put in a new *Municipal Government Act* and they're saying that annexation is good for Islanders. They want to see annexation happen across this entire Island; however, it appears that annexation is not good enough for the MacLauchlan family in Covehead.

Question to the hon. Minister of Communities, Land and Environment: Why are you running around telling Islanders that amalgamation and annexation is good for them when it's not good enough for the Premier's brother?

Mr. Myers: Good question.

Speaker: The hon. Premier.

Premier MacLauchlan: Mr. Speaker, I know that the Member from Rustico-Emerald left us with the impression here last week that he was going to go out and straighten out the people in the North Shore and Pleasant Grove and Grand Tracadie as what were all the disadvantages of

amalgamation, but apparently he doesn't know his geography very well.

Mr. Myers: More like Wes Sheridan (Indistinct).

Premier MacLauchlan: The MacLauchlan family is in Stanhope. There's a school district in Grand Tracadie to the east, there's a school district in Pleasant Grove to the south, there's a school district in Covehead Road to the south and all of those school districts, there's a piece of property that was not included when those school districts were created and there was no reason to change it through all of the changes in the schools, through the changes in the community, through the creation of a CIC.

I may, indeed, perhaps when the member brings his bill on, take a little more time to give him the history lesson because he shouldn't be confused. He's been on the floor here pretending he knows all about amalgamation and he can't even find his way out to Stanhope.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Thank you, Mr. Speaker.

Unlike the Premier and this government, I don't play favourites. Every Islander is equal to the official opposition here.

Some Hon. Members: Hear, hear!

Mr. Trivers: Mr. Speaker, if this government would take the time to read Bill No. 111, they would find that it will only make the *Municipal Government Act* stronger and give unincorporated Islanders a voice, regardless of whether their name is MacLauchlan or anything else.

Some Hon. Members: Hear, hear!

Mr. Trivers: Mr. Speaker, I just want to know: Why does the Premier think that the rules don't apply to him and his family?

Mr. Myers: Good question.

An Hon. Member: In 1870 anyway.

Speaker: The hon. Premier.

Premier MacLauchlan: Let me be very clear that the reason the hon. member knows about this is because when they went to do the amalgamation –

Mr. Myers: In 1850 or right now?

Premier MacLauchlan: – they discovered this anomaly that is 160 years, 170 years duration, and it was asked and brought up and it's in the public record, which is how the hon. member knows about it, and the matter is being dealt with. That will not hold up the amalgamation and I can assure you when it comes to the question of the MacLauchlans in community, we were school trustees, we were on the CIC, we've been on the municipal council –

Mr. Myers: Why are you crooked now?

Premier MacLauchlan: – and we're in favour of amalgamation.

Thank you, Mr. Speaker.

Mr. Myers: Why are you acting crooked now?

Speaker: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Mr. Speaker.

Over a week ago, we debated bill 36, *An Act to Amend the Health Services Act*. Back then, the board of Health PEI was still in place and we were discussing what potential impacts the bill might have on government structures, accountability and clarity of roles. The Minister of Health and Wellness said this: They, the amendments will create stronger linkages to the community and clearly define the roles and responsibility for both the ministry and the health authority. The amendments have been discussed with the board chair and the board members.

Resignation of Health PEI board (further)

Minister, back then there was no indication from you that the board was upset in any way, yet within days the entire board has resigned en masse.

How could this happen?

Speaker: The hon. Minister of Health and Wellness.

Ms. Biggar: (Indistinct) questions.

Mr. Mitchell: Thank you, Mr. Speaker.

As I alluded to last week, the day that the board decided to step away, it was indeed a disappointing day. I had had conversation with them. We were going to move forward in a new direction with clear roles provided for myself as minister, for them as a board, and for the relationship with CEO.

They saw it differently from the day I spoke to them on Thursday til Tuesday of the next week. But, as of today, I had a great meeting with our executive leadership team. We see new opportunities ahead, working together, working collaboratively. We will be moving forward on appointing a new trustee that will take over the role of the board in the very near future. I see tremendous opportunities for improvements and efficiencies in Islanders' health care, providing safe, quality health care for the future, Mr. Speaker.

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

Work of Health PEI board

Ms. Bell: That same day, the Leader of the Third Party asked this: Minister, you mentioned that you had discussions with the board and how did that go? In response, he said: We had a great discussion. Obviously the board has been doing exemplary work.

Minister, do you still stand by those remarks?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

The board had been doing a tremendous amount of work and I do applaud them for the work that they have done in the past.

The new direction was not the direction they wanted to go in. I can respect the wishes of

the board members, but at the day – I was hopeful that we could all work together so that Islanders can expect that safe and high-quality care that they do deserve and that we as an entity of three, the board, myself, and the CEO, could provide that service in good confidence for all Islanders, Mr. Speaker.

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

Ms. Bell: Thank you, Mr. Speaker.

It is abundantly clear that both the Health PEI board and the government were taken by surprise by how this debacle has unfolded.

Long-term plan for Health PEI

Minister, do you have a long-term plan to fix this?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

This is not a debacle. This is democracy. This is directions that we sometimes take in government, and we hope that all Islanders appreciate that and respect that.

In this case, we have a very clear path for it. We will be appointing a trustee. We will be forming a new board where that will include intensive and complete community engagement. We have two community engagement councils on PEI. Both of those chairs, as part of the new act, will have two seats on the new board and that leaves five members that we'll be looking at and we will be using Engage PEI for those processes.

Quite honestly, I have had many calls to the office and discussions with people who are interested in stepping up, with very solid backgrounds that can see a great vision for Island health care with a new board moving in a new direction, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

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

As the minister just stated, the first phase of that clear path following the sudden mass resignation of the Health PEI board is for that minister to appoint a trustee.

That has some uncomfortable echoes of the pathway taken when the school board was disbanded by government in 2015, and the PSB was established with trustees taking over the roles and responsibilities of the former board.

After only a very short time on the job, one of those trustees resigned saying this in a letter to the Premier: Your government has taken the credit for no school closures by ignoring the decisions of the school board of trustees. I have no faith that the other board recommendations will be handled any differently. This experience has been an incredible display of personal disrespect by every member of your Cabinet –

Mr. J. Brown: (Indistinct)

Dr. Bevan-Baker: – therefore, I am submitting my resignation as a school board trustee, effective immediately.

Trustee in place for Health PEI (further)

To the Minister of Health and Wellness: How can you reassure Islanders that we will not end up in a similar place with Health PEI this time?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

The path of appointing a trustee was not the path that I had intended when we were making the changes. I had conversations with the board. I expected that the board would stay on in their role, but when they decided to put in their resignations we were forced to enact using the trustee clause of the act, of either act; the new act or the old act. That's a provision put in place for cases of this nature.

It was my hope and my wish that the existing board, or at least some of the existing board, would be there to move forward in this new direction. It's not a path that I intended to use, but it's the only path that's presented to me now to appoint a

trustee, a trustee with a good, solid background and knowledge in this area that will help us to move to the new transition of a new board, with new vision, for Islanders to be provided the best possible, safe, quality health care on our Island.

We're committed to doing that, and we'll continue with that work.

Thank you, Mr. Speaker.

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

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

Last Thursday, you cited a number of things that the board had done to justify the situation we find ourselves in and indeed, some might say, as the hon. Leader of the Opposition said in his series of questions last week: You threw them under the bus.

Islanders applying to Health PEI board

Minister, given some of the harsh comments that you have made regarding the Health PEI board since they resigned, how do you expect other Islanders to come forward now to fill those positions?

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

As I said, this is not a path that I intended to take. But, there are lots of Islanders stepping up to take on this new role. Conversations are being had in regards to identifying a trustee to take over the role of the board, but I can tell you emails are coming in. Phone calls are coming in. People are very interested in being part of a board. They feel that Islanders' health care needs need to be met, and they need to be met effectively, efficiently. There are lots of credible Islanders with tremendous credentials stepping up to take on this role.

I am very excited about it. It's a new opportunity for PEI health care to take a new direction, Mr. Speaker.

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

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

History would suggest that this is not going to end well, and it's my sense, having spoken to a large number of Islanders since the board resigned, that they don't trust government to fix this problem.

Avoidance of trustee resignation

Minister, how are you going to avoid another appointed trustee leaving saying, as the departing school trustee did: I was basically thrown under the bus by your government.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Thank you, Mr. Speaker.

As I said earlier, I think it is so imperative that the health board of Prince Edward Island, the minister, and the CEO of Health PEI, are all working collectively. We all have to be on the same path. We can't be running down paths individually on our own. When we do – and we suggested or talked about that's not the path of government – let's look at other paths; we hope that's what happens.

When a new board is selected, those paths will be picked out. They will be worked on together collaboratively, cooperatively, so that we have good outcomes for health care for Islanders and a good vision for how we want to see health care in Prince Edward Island, Mr. Speaker.

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

Ms. Casey: Thank you, Mr. Speaker.

My question today is for the Minister of Justice and Public Safety.

Minister, domestic violence is a serious issue. It's heartbreaking to hear of families who are suffering. Although some families are able to get on a path to overcome their situation, there are more families that need support.

Supports for families dealing with domestic violence

Minister, what supports can families expect from your department to assist them in dealing with domestic violence?

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

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

There are a number of supports for victims of family violence both across government and in our community here on Prince Edward Island.

I would encourage anyone experiencing family violence to reach out to a professional and to get some help. In this difficult situation, victim services in my justice department is a great place to start. There are professionals there that have the training that's required. They also have networks that they can contact such as, family violence prevention services. Excuse me, or Anderson House.

First and foremost, we would encourage anybody in that situation to reach out.

Thank you.

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

Ms. Casey: Thank you, Mr. Speaker.

Minister, sometimes external factors prevent people from leaving a violent situation.

Lease agreement and domestic violence

I'll give you an example; if a person is bound by a lease agreement, moving becomes difficult. Would you consider adding an option in the legislation for breaking a lease agreement if a tenant were in a situation of domestic violence?

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

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

The direct answer to that is yes. The further answer is that we have, actually, at this point in time, been in contact with, I believe it's the director of residential tenancies at IRAC to get a better understanding of what might

be entailed in developing legislation to do just that.

We are going through a process to do that right now. When we have draft legislation prepared, we would envision taking it to public consultations.

Thank you, Mr. Speaker.

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

Ms. Casey: Thank you, Mr. Speaker.

Minister, this is great news. I know this is a priority for you since you have taken over this portfolio. I'm glad to hear that there's some action on this.

Changes in legislation to assist families

When can we expect to see changes in the legislation to assist families dealing with domestic violence?

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

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

As I indicated in the previous response to the member's questions, we are actively in the process right now of looking what might be entailed in this sort of legislative change. We envision that as soon as we are able to get a handle on that, we would be preparing legislation and then going out for some consultation on it.

What I will say is, there is help for these individuals that are experiencing family violence right now. If there is anybody in that situation they should be contacting somebody. Again, we have folks at Victim Services that are capable of providing that kind of service. There are great community services, as well, that we can direct people to.

With professional help, victims of family violence can implement a safety plan. We can help them through the issues that they're facing.

Thank you very much, Mr. Speaker.

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

Mr. Dumville: Thank you, Mr. Speaker.

I was thinking that all of those individuals residing at the Sherwood hotel must have a place to work if any were actually living on PEI.

On the top floor of Sims restaurant there are a series of empty offices with various business names on their doors. I know there are many more at other locations.

Phony business companies re: PNP

Question to the Minister of Economic Development and Tourism: How many phony business shell companies are there in the province related to the immigrant investor program?

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

Mr. Myers: (Indistinct) Sims.

Mr. Palmer: Thank you, Mr. Speaker.

If the member across is talking about the federal investigation, we are happy to –

Some Hon. Members: (Indistinct)

Mr. Palmer: – help the feds if they need any information. We'll be happy to provide that.

While, I'm here, I'd like to talk about the other 98% of the program that we have. We have newcomers coming to the province that are creating new jobs. They're creating businesses and they're filling labour gaps. 74% of the newcomers that come to PEI now are employee-driven, employer-driven and they fill vacancies right here on PEI.

Thank you, Mr. Speaker.

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

Ms. Biggar: Must be (Indistinct)

Mr. Dumville: Thank you, Mr. Speaker.

It is known that many immigrants do not stay on PEI, but settle in larger centres such as Toronto and Vancouver. Those who do stay prefer to stay in Charlottetown are not interested in rural PEI.

Immigrant application requirements

Question to the minister: Will you police and remove the ability of immigrants to use shell companies to satisfy immigrant application requirements?

Ms. Biggar: We've got one moving to Tyne Valley.

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

Mr. Myers: Let's go back (Indistinct)

Mr. Palmer: Thank you, Mr. Speaker.

Ms. Biggar: (Indistinct)

Mr. Palmer: Our newcomers are happy to go anywhere in PEI.

Mr. R. Brown: Kensington.

Mr. Palmer: They are working through communities now through a community endorsement model, where they are working with companies. They're going to see them. They're talking about their business plans. They're getting an endorsement from the communities.

Communities are very happy to do that. They're trying to grow their population. They're trying to bring new money into the community. We can see it; new housing sales; car sales. We see that our exports are the highest they've been four record years in a row.

And also in tourism, also four years in a row are records.

Thank you, Mr. Speaker.

Ms. Biggar: Get out of Charlottetown and see what's happening.

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

Immigrant businesses in rural PEI

Mr. Dumville: Thank you, Mr. Speaker.

Minister, will you put a program in place that requires these new citizens to actually purchase or create real businesses, preferably in rural Prince Edward Island? I'd like to see them buying rural businesses instead of having an empty office at Sims.

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

Mr. Palmer: Thank you, Mr. Speaker.

If the member would like me to go over with the details of the program that we have out today that do that, I'd be happy to do that for him.

The community endorsement model has our newcomers going to communities right across PEI; working with those communities to identify business opportunities and find ways that they can invest in those communities.

Thank you, Mr. Speaker.

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

Ms. Compton: Thank you, Mr. Speaker.

Housing is an issue that impacts both rural and urban communities across PEI.

Housing Supply Task Force re: housing issues

Question to the family and human services minister: How will your department's Housing Supply Task Force bring a rural lens or perspective to housing issues in this province?

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

Ms. Mundy: Thank you, Mr. Speaker.

I am grateful for that question because any chance I can get to get to my feet and talk about housing on Prince Edward Island, and this government's commitment to improving housing on Prince Edward Island, especially for those most vulnerable.

We do recognize and we do appreciate that Islanders are in need. They are in need of housing. Housing is a very important support for Islanders that will help them, not only with their basic needs, but to become healthy and productive citizens.

I think, just taking a look at our last budget –

Mr. LaVie: (Indistinct)

Ms. Mundy: – that we just produced here a couple of –

Mr. LaVie: (Indistinct)

Ms. Mundy: – weeks ago, shows our commitment, a \$17 million investment of the next two years to improve housing on Prince Edward Island and to reduce homelessness.

Thank you, Mr. Speaker.

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

Ms. Compton: Thank you, Mr. Speaker.

We all realize that with the aging population, the need and the demand for housing in rural communities is growing, and different housing, not just their own homes.

Rural housing needs

What research or data does your department have on rural housing needs in the province?

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

Ms. Mundy: Thank you, Mr. Speaker.

Part of the engagement process around the whole housing – provincial housing action plan did have the rural lens.

We have members of the housing task force that live in the rural community. We have members of the co-development team that live in rural communities. My department, has been working with MLAs, some sitting on the opposite side of the House, as well as on this side that have been engaging in surveys with their communities to get that rural feedback, to get that rural lens that will

help guide us in our housing – in our housing action plan.

I will, actually, even applaud the hon. member for working with our department to promote a survey that I see that she had on Facebook just this weekend.

Thank you, Mr. Speaker.

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

Ms. Compton: Thank you, Mr. Speaker.

Yes, I did post a survey – a lot of questions in the district about housing and how we can attract young people. Through the whole threat of school closure, what we discovered in our community was in order to have young people come, there needs to be housing and there just aren't that many houses out there or apartments out there.

Housing Supply Task Force and rural communities

I'm wondering, minister, will the Housing Supply Task Force have recommendations on how opportunities can be created for young families to move to rural communities.

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

Ms. Mundy: Mr. Speaker, actually today is the last meeting for our co-development team and they are reviewing a lot of the feedback that they've received. We have online surveys; we had paper surveys. We connected with municipalities; we connected with co-housing organizations; we connected with our community partners; we connected with Islanders to hear their feedback on how we can – number one: retain the current housing need and get a picture of what the current housing need is – not only today, but well into the future.

So I am very excited and looking forward to seeing the recommendations that will be put forward by the housing action plan and rolling that out in June.

Thank you, Mr. Speaker.

Speaker: The hon. Member from Belfast-Murray River, your final question.

Ms. Compton: Thank you, Mr. Speaker. Members of the housing task force were appointed last December and I think the term runs out the end of June; we're assuming there will be a report come forward very, very quickly.

Question to the family and human services minister: Do you anticipate the work of that group to continue?

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

Ms. Mundy: Thank you, Mr. Speaker.

We will see what the results and the recommendations that come back in our housing action plan – which I might add is the first ever provincial housing action plan – which shows this government's commitment to Islanders and Islanders housing needs. This is historic. Not since the Campbell years has there been as much investment, not only to existing programs, but new investments to housing and the commitment to housing, not only today, but into the future.

I look forward to building on and engaging with the co-development team, the housing task force, and the housing action plan to help improve outcomes for housing on Prince Edward Island, now and into the future.

Thank you.

Statements by Ministers

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

Tourism Week

Mr. Palmer: Thank you, Mr. Speaker.

Hundreds of tourism operators across the province are preparing for another busy season for our industry on Prince Edward Island. 2017 was a banner year for the industry. It was our fourth consecutive record year for visitation. For the first time ever, we reached 1 million overnight stays.

Mr. R. Brown: Great.

Mr. Palmer: We worked very closely with industry to map out a new five-year strategic plan for the industry with the goal of maintaining the incredible momentum we've seen over the last few years.

This week we celebrate Tourism Week across the country and right here on PEI. It's an excellent opportunity to celebrate the incredible contributions this industry makes to our province's economy, to employment, and the quality of life for Islanders. The industry employs over 7,700 full-time equivalent workers and contributes about \$447 million to the provincial economy every year.

To maintain this success, industry and government must work together to improve our chances of continued success. Since the publication of Vision 2021, the new five-year strategy for tourism, we have acted on a number of recommendations. We've developed new soft adventure, Indigenous, culinary, and experiential products, we've collaborated with industry on shoulder season events and activities, and we have joined forces on a new, proposed governance model for Tourism PEI. We've also focused on developing new markets and are working to encourage Islanders to vacation at home. We believe these steps, combined with the continued collaboration with the industry, will help maintain the momentum in this industry.

I want to thank the many tourism operators across the province who are the reason that the Island is a world class tourism destination. The credit for this belongs to them. You demonstrate how Prince Edward Island is mighty every single day through your innovation and hard work and there are a few here in the gallery here today, who have played a big role.

Together, I believe we can further improve our offerings and our reputation as one of the best places to vacation anywhere in the world.

Thank you, Mr. Speaker.

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

Mr. Myers: Thank you, Mr. Speaker.

I'm glad to hear the minister gave credit to where it belongs; the people who are involved in the industry and the people, who are growing it. Usually, he doesn't do that. Usually, he tries to take credit for himself.

I'm happy to see that he's catching on that it's the great people of Prince Edward Island who make Prince Edward Island great. It's the people, who are involved in tourism on Prince Edward Island that make tourism great.

We have a great tourism product here on Prince Edward Island. We've been quite fortunate with nice summers. Hopefully, we get another nice summer this summer so that people will be able to come and enjoy Prince Edward Island.

Where I live, tourism is quite important. I know that I live five minutes from the Brudenell resort and the Brudenell golf course. It certainly takes tourists to make those things successful. We rely heavily on a tourism industry and all the spin-off industry in the surrounding area is based on it.

Government is a direct beneficiary with their liquor store in Cardigan. I know a number of nights people stopped asking for directions to it and they have out-of-province plates. Government gets to participate in the direct benefit; as well as the people that have business operations around.

I want to make special note in my area of some of the organizations who have done a wonderful job. The Points East Coastal Drive and their 50 beaches campaign has been a great addition to eastern Prince Edward Island.

I've lived there my whole life, found some surprising beaches, myself, that I didn't know existed. Of course, being the wanderer that I am, I had to go out and see if I could find them and see them with my own eyes. Boy, there are some beautiful beaches in those 50 beaches.

Anybody who hasn't explored that, any Islander, who hasn't explored the 50 beaches, take a weekend and come to eastern Prince Edward Island. There are some great places to eat. There's some great things to see. There's some great beaches. There's some great people. If you need to

support the government, there's a liquor store in Cardigan.
Thank you, Mr. Speaker.

Mr. R. Brown: You should have sang that song.

Mr. Myers: I could have.

Speaker: Also responding to the minister's statement –

Mr. Myers: – later in the day.

Speaker: – the hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Mr. Speaker.

No singing. It's great to recognize the tourism (Indistinct), but also the specific value and impact of the industry association.

I've had the opportunity to be able to, sort of, speak and get briefings from TAPEI, from various RTAs and from different industry representatives, but also from tourism operators across the province.

Having a strategic plan behind that focus, vision 21, is really critical to driving forward and having that long-term plan of where we're going.

Those pillars of leadership; product development; marketing; access; and labour allow us to focus on areas that have critical need when they arise.

Right now, we know we have a line cook shortage. We have a line cook program at Holland College.

We know, as we shift from print to digital, that knowing that that's in the plan is a critical piece of ensuring that PEI stays in front and not behind.

As mentioned, things like the coastal circuit and the involvement of new products from First Nations, but also that soft tourism around things like cycling and water-based adventure.

Also, to strongly request that our government bring forward the pieces of legislation, which are currently tabled, but have not come for second reading, which

would be the tourism act and tourism industry act. Because enforcing and enacting those governance changes would also strongly support the industry to continue with the changes that they need to make, that vision 2021 a reality.

Thank you for being here today; thank you, minister, for the announcement and the ongoing support for this critical piece of our story.

Thank you, Mr. Speaker.

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

Souris Beach Gateway Park

Mr. Murphy: Mr. Speaker, today I'm pleased to announce to the Members of the Legislative Assembly that the Government of Canada and Prince Edward Island have invested more than \$200,000 to help the Town of Souris expand the very popular Souris Beach Gateway Park.

Mr. R. Brown: Oh! Great.

Mr. Murphy: The park, located at the entrance of the town has seen the addition of two commercial outlets; a deck enclosure; expanded boardwalk and fencing; more parking, and an upgrade to the playground.

Infrastructure projects like this –

Mr. Myers: Great MLA.

Mr. Murphy: – provide significant economic, recreational and social benefits for communities.

This project will further develop the scenic entry to the town and expand opportunities for residents, businesses and visitors.

Expansion of this popular destination will build on the success that it already enjoys. The expanded gateway park will give visitors and residents an accessible and enjoyable venue to take in any number of activities.

The park has become a popular destination and provides a most welcoming facility to the town and to the area.

I would like to congratulate the Town of Souris for its leadership in establishing the gateway park and for its continued commitment to its successful operation and expansion.

All residents of Souris and area can be extremely proud of their gateway –

Mr. Myers: Great MLA (Indistinct)

Mr. Murphy: – park and the services and amenities that –

Mr. MacKay: He always wants (Indistinct)

Mr. Murphy: – it provides.

Infrastructure investments such as this help to improve the economy and help our communities grow and prosper by making them more attractive to businesses and families.

It is another example of how governments and partners make Prince Edward Island mighty by working together to make big things happen for all Islanders.

Thank you, Mr. Speaker.

Mr. Myers: Great MLA. Great MLA up there, he never stops. He never stops working.

An Hon. Member: Great job.

Mr. Myers: Never stops working. Great MLA. This is a re-election speech. You watch it.

An Hon. Member: Great to help out (Indistinct)

Mr. Myers: Here comes the re-election speech.

Mr. Murphy: Thanks, guys.

Mr. R. Brown: Liberal times are good times.

Speaker: The hon. Member from Souris-Elmira.

Mr. LaVie: Thank you, Mr. Speaker.

It is a good announcement. It's been a long time coming. I've grown up on that beach. My mother took me there as a child. She spent every day in her retirement days at that beach.

Even in my own head, I had a vision for Souris beach –

Ms. Biggar: (Indistinct)

Mr. LaVie: – I still have a vision for a boardwalk to go right to the –

Mr. R. Brown: Charlottetown.

Mr. LaVie: – bridge. Right to the bridge.

An Hon. Member: Connecting.

Mr. LaVie: We have got to give credit where credit is due –

Ms. Biggar: Thank you.

Mr. LaVie: – and that's to the Town of Souris and the volunteers that sat on the board.

The prior minister –

Mr. MacEwen: The administrators.

Mr. LaVie: – I worked every day with the prior minister on this so there must be an election coming when this minister announces it. This is the second time I got up and spoke about the Souris beach project.

Mr. Myers: Good project.

Mr. LaVie: There are great things going on; the activity that that created down on the Souris beach, the traffic down there. The parking lot has just expanded to the west, to the west. We haven't got enough parking.

There are businesses that want to go to that project. Actually, we have two new businesses coming this summer into the Souris gateway park. They put in a – the Town of Souris put in a water park. It should be opening within the next couple of weeks.

There are great things happening down at the beach, but give the credit where the credit is due, and that is to the volunteers; the Town of Souris; the MLA –

Ms. Biggar: Who is that?

Mr. LaVie: – because we worked hard on that project.

When the minister is making this announcement for the next election, remember there is another stage 3 for the walkway –

Ms. Biggar: (Indistinct)

Mr. R. Brown: Charlottetown.

Mr. LaVie: – to the Souris bridge. Don't forget the people –

Ms. Biggar: Oh, we won't.

Mr. LaVie: – when the election is coming –

Mr. J. Brown: Get a good Liberal MLA in there –

Mr. LaVie: – because I'll be working with you, minister, on that, too. We worked well with the rest of the project. I'll work well with you on this one here, too.

Thank you, Mr. Speaker.

Speaker: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thanks so much, Mr. Speaker.

There are so many beautiful vistas in this province and places to go. But, one of my –

Ms. Biggar: Not your Island.

Dr. Bevan-Baker: – favourite drives is the drive past Rollo Bay on the right there and you're approaching – you go across Colin's bridge and then you're on the beautiful causeway heading into Souris. The bald eagles are there. There's people on the beach. It's just a gorgeous place. It's lovely.

It's really great to see government investing money to further improve that part of the province. It's a lovely place to walk.

Although, we also have to be aware that it's also very susceptible to erosion, as the

Minister of Communities, Land and Environment would be fully aware –

Mr. Myers: That's why they're not having (Indistinct) up there.

Dr. Bevan-Baker: – lots and lots of work and a whole bunch of money went into shoring up that shore just very recently and, from what I can tell, it looks like it was a fantastic job. Things look good there. But of course Mother Nature will have her way and there are many other, of course, vulnerable places on Prince Edward Island just like the Souris causeway there.

We have to be aware that because of our vulnerabilities – the susceptibilities of places like that, it's all very well to put money into enhancing them and that's important and that's great, but we also have to be a leader when it comes to climate change and we cannot be scared of tackling climate change straight on – face on and making those difficult decisions. So, yes, let's put the money into improving these places, but let's make sure that we protect them for future generations.

Thank you very much, Mr. Speaker.

Mr. R. Brown: The whole (Indistinct) over there.

Mr. Roach: You got to get that statue up there, though. See him with the football helmet on.

Mr. R. Brown: Yes. We'll get a big four by eight sheet of plywood up there with your picture on it.

Presenting and Receiving Petitions

Tabling of Documents

Speaker: The hon. Minister of Finance.

Mr. MacDonald: Thank you, Mr. Speaker.

I have a series of amendments to Bill No. 38, *Electoral System Referendum Act* and if I could read just a brief description of each one. There are four in total.

This motion amends subsection 26(3) of Bill No. 38 to raise the spending limit for

unregistered referendum advertisers from \$500 to \$1,000.

This motion amends subsection 9(1) of Bill No. 38 to raise the spending limit for unregistered referendum advertisers from \$500 to \$1,000 and to extend the registration period to July 1st, 2019.

This motion amends subsection 8(1) of Bill No. 38 to raise the spending limit for unregistered referendum advertisers \$500 to \$1,000.

This motion also amends clause 8(4)(b) to correct a misspelled word.

This motion amends Bill No. 38 by deleting section 16 and substituting a new section 16 that sets out the total amount payable to registered referendum advertisers, how the amount of payments is to be determined and the schedule for those payments.

Mr. R. Brown: That's fair.

Mr. MacDonald: I move, seconded by the Honourable Minister of Health and Wellness.

Speaker: Shall it carry? Carried.

The hon. Member from Montague-Kilmuir.

Mr. Roach: Thank you, Mr. Speaker.

I beg leave to table a document. It's an article in today's *The Guardian* where we now have two more restaurants in Summerside that have volunteered to get rid of the plastic out of their restaurants. It's the new lobster house and oyster bar and they site after seeing a raft of plastic the size of Texas floating in the ocean that Jordon and Darcia Burnett decided to stop using plastic in their restaurant. The second restaurant was Brothers 2 restaurant – it's been around for years and they've made the same. They just said that they see that the trend is moving in that direction and they're quite happy to do the exact same thing in their restaurant.

Thank you, Mr. Speaker.

And I move, seconded by the Honourable Member from Vernon River-Stratford, that

the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Mr. R. Brown: This is what one member can do.

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

Mr. Dumville: Thank you, Mr. Speaker.

By leave of the House, I beg leave to table a document of the New Democratic Party and their supporters requesting the PEI government not to privatize home care, keeping it public under Health PEI and I move, seconded by the Honourable Member from Tignish-Palmer Road, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Ms. Biggar: You must be the new leader.

Speaker: The hon. Member from Rustico-Emerald.

Mr. Trivers: Mr. Speaker, by leave of the House, I beg leave to table a map of the proposed North Shore, Grand Tracadie, Pleasant Grove municipality, highlighting a 60 acre parcel in the center that has been excluded from the proposal and I move, seconded by the Honourable Leader of the Opposition, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

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

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

By leave of the House, I beg leave to table an amendment to Bill No. 38 and in particular, it's an amended section (2) of Bill No. 38 which would take out the existing section (2) and replace it with a section that reads: The purpose of this Act is to make the process for the referendum transparent and fair, in order to obtain a clear expression of the will of Islanders, by

(a) establishing the referendum question to enable the expression of a sovereign decision by Islanders as to their electoral future;

(b) providing for the appointment of a Referendum Commissioner who is an officer of the Legislative Assembly and who will oversee related matters leading up to and after the referendum vote; and

(c) establishing a level playing field for those who wish to publicly oppose or support a change to the voting system as set out in the referendum question, by providing for public funding for organizations who register as registered referendum advertisers and are opposing or supporting one or the other of the possible answers to the referendum questions, and by limiting spending on paid advertising in a reasonable manner, for the public good, so that residents of the province have the opportunity to make a decision that is based on information from both points of view.

I move, seconded by the Honourable Minister of Family and Human Services, that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Mr. J. Brown: I have another one there, Mr. Speaker, if I can.

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

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

At the request of the House, I guess I should say: by leave of the House, I beg leave to table a document and the document is – at the request of the House, there have been questions in relation to legal opinions that we had received or prepared in relation to Bill No. 38. What I had done is I went back to our office and we asked if there was something that we could put forward for the House to consider while we are under consideration of Bill No. 38. I have that here with me today and there is a document called Legislative Brief with an appendix to it and I move, seconded by the Honourable Minister of Family and Human Services that the said document be now received and do lie on the Table.

Speaker: Shall it carry? Carried.

Reports by Committees

Introduction of Government Bills

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 Workforce and Advanced Learning, that the 20th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 20, *Workers Compensation Statutes Amendment Act*, Bill No. 34, ordered for third reading.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the Honourable Minister of Workforce and Advanced Learning, that the said bill be now read a third time.

Speaker: Shall it carry? Carried.

Clerk: *Workers Compensation Statutes Amendment Act*, Bill No. 34, read a third time.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the hon. Minister of Finance, that the bill do now pass.

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 'nay'.

The bill is carried.

The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the hon. Minister of Workforce and Advanced Learning, that the 11th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 11, *Appropriation Act (Current Expenditures) 2018*, Bill No. 28, ordered for second reading.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the Minister of Workforce and Advanced Learning, that the bill be now read a second time.

Speaker: Shall it carry? Carried.

Clerk: *Appropriation Act (Current Expenditures) 2018*, Bill No. 28, read a second time.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the Honourable Minister of Workforce and Advanced Learning, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

Speaker: Shall it carry? Carried.

The hon. Member from Charlottetown-Lewis Point.

Chair (Casey): The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Appropriation Act (Current Expenditures) 2018*. Is it the pleasure of the committee that the bill be now read clause by clause?

Some Hon. Members: (Indistinct)

Chair: Thank you.

Permission to bring a stranger onto the floor?

Some Hon. Members: Granted.

Chair: We'll allow him to set up.

Good afternoon. Could you introduce yourself and your title for the record?

Jim Miles Executive Director: Jim Miles, Executive Director of Fiscal Management.

Chair: Welcome.

Minister, do you have an opening statement?

Mr. MacDonald: The appropriation act is a bill surrounding the budget tabled last month. It authorizes the revenues and expenditures that we've been discussing in committee for some time now.

Some Hon. Members: Carried.

Chair: Carried?

Thank you.

Shall the bill carry? Carried.

And the schedule carry? Carried.

Mr. MacDonald: I move the title.

Chair: *Appropriation Act (Current Expenditures) 2018.*

Shall it carry? Carried.

Mr. MacDonald: I move the enacting clause.

Chair: May it please Your Honour: We, Her Majesty's dutiful and loyal servants, the Legislative Assembly of the Province of Prince Edward Island, towards appropriating the several supplies raised for the exigencies of Her Majesty's Government and for the other purposes hereinafter mentioned, do humbly beseech that it be enacted:

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

Shall it carry? Carried

Mr. MacDonald: Madam Chair, I move that the Speaker take the chair and that the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intituled *Appropriation Act (Current Expenditures) 2018*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the hon. Minister of Finance, that the 1st order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk Assistant (R. Reddin): Order No. 1, Consideration of the Supplementary Estimates, in committee.

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 grant of supply to Her Majesty.

Speaker: Shall it carry? Carried.

The hon. Member from Charlottetown-Lewis Point.

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

Hon. members, what we're doing here is the Supplementary Supply and on page five –

Permission to bring a stranger onto the floor?

Some Hon. Members: Granted.

Chair: Good afternoon.

Could you introduce yourself and your title for the record?

Jim Miles Executive Director: Jim Miles, Executive Director of Fiscal Management.

Chair: Welcome.

Minister, do you have an opening statement?

Mr. MacDonald: I think everybody is pretty much aware we're going to go through the schedule of supplementary special warrants approved by Order in Council over the past year.

Chair: Thank you.

The hon. Member from Georgetown-St. Peters, do you have a question?

Mr. Myers: Yeah, thank you, Chair.

I'm wondering on the cost you have for additional business development costs of \$3 million on March 20th, if you could tell us what that was for.

Mr. MacDonald: That was, hon. member, the funds that have been used for the Mill River capital grant agreement.

Mr. Myers: I'm not sure that I understand. I thought that was budgeted for.

Mr. MacDonald: It was budgeted over a period of time, but they expedited the renovations and construction so we advanced it and there will be no difference in the total amount that will be granted to them.

Mr. Myers: So, did they put in their contribution because it was a matched contribution at the time, wasn't it?

Mr. MacDonald: Yes.

Mr. Myers: So, they have met all of their obligations that they had to get the money? Which, I don't recall quite off-hand, but I know there was a matching arrangement per year.

Mr. MacDonald: (Indistinct)

Mr. Myers: So, they frontloaded all of their contribution as well?

Jim Miles Executive Director: Yes.

Mr. Myers: Okay.

The family and human services, the \$4.2 million, can you tell us what that's for?

Mr. MacDonald: Those are – well, there are a couple of different things built into that.

Housing services was approximately \$400,000 for renovations; social programs was \$2.9 million and includes the community grants at \$1.18 million; Disability Support Program at \$863,000. There are salaries in there of almost \$400,000 and other costs, obviously. Child and family relate to additional utilization services including child protection, social housing units, Disability Support Program, and new initiative allowing seniors to stay home longer is pretty much it.

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

Mr. J. Brown: Thanks, Chair.

Minister, I'm just curious; the – I had heard at one point in time there's a special warrant for the PE home. Is that in here somewhere?

Mr. MacDonald: No, it's not.

Mr. J. Brown: Where would we find that?

Ms. Biggar: That was in last year's special warrants.

Mr. J. Brown: 2016-2017?

Jim Miles Executive Director: (Indistinct) expenditures.

Ms. Biggar: It was in last year's.

Mr. J. Brown: When you say last year, what year do we mean?

Jim Miles Executive Director: There was enough room in the TIE budget to accommodate that expenditure.

Mr. J. Brown: Last year?

Jim Miles Executive Director: Last year.

Mr. J. Brown: So it's not a special warrant?

Jim Miles Executive Director: No.

Mr. J. Brown: Okay.

When will that money be spent?

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

Ms. Biggar: I think I answered this question here last week, hon. member.

There's a number of consultations that has to take place first around the heating system that's underground in and around the PE home, so that won't be completed until next year. We won't be in a position to take anything down.

Because we had the capacity and we were planning to do the demolition, it had to be booked in our budget so that's why it's in there. But, we have made a commitment to consult with the community. We know it's a special interest property to the community, but first we have to work out the logistics of what is involved in removing the under – or changing any kind of a direction of the whole heating system that's underground there.

Mr. J. Brown: Can we get a solid confirmation that this will be torn down?

Ms. Biggar: It has been declared surplus. There has been decided there's no other use for that property by any other department, so it is at a point in its life where it is not going to be salvageable for any other use, so we would be needing to tear it down.

Mr. J. Brown: Do we have a target date when we'd be looking to see that work start? Recognizing that you do have other stuff you have to do.

Ms. Biggar: Again, hon. member, we would not be starting anything at least until next year because we do indeed, once we get those plans in place, would want to have discussions with the community. I do believe the city has some interest in that

property, or some discussions in its use as well, so we would not be moving ahead until we have those consultations complete.

Chair: The hon. Member from Charlottetown-Parkdale.

Ms. Bell: Thank you, Chair.

Just a question to go back, minister, to a couple of the requisitions in here regarding \$1.18 million out of the family and human services line and then the \$157,300 for IWS. We had heard that those funds were allocated because there was a surplus in the department, but this indicates that that may not be the case, if this is an additional supplementary.

Ms. Biggar: (Indistinct)

Mr. MacDonald: She inquired about the 1.18 that was provided pre-budget to the not-for-profits across the Island. Is that what you're –

Ms. Bell: Yeah.

There was a – one dated the 27th, one dated the 29th, so there's an Interministerial Women's' Secretariat grant of \$157,300 and then within that 4.2 out of family and human services, you mentioned just previously, there's 1.18 million which went to non-profit organizations. Those were combined into a funding announcement that happened on or around that date and at the time, it was indicated that was coming because there was a surplus.

Does this – this seems to sort of state that that's not the case.

Jim Miles Executive Director: We were reflecting additional revenue as a result of kind of an improved economy, so revenue will go up by a certain amount and so that can accommodate expenditures going up by a certain amount as well without affecting the deficit.

Ms. Bell: I would just like to be clear for the record that there was a very – a number of times the statement was made that this funding was available to – unexpected and very welcomed funding was made available because there was a surplus that was reallocated from family and human services.

So, are you saying that surplus is a result of an expenditure or revenue generating surplus in that department?

Jim Miles Executive Director: Correct. No, not in that department.

Ms. Biggar: No, no.

Jim Miles Executive Director: No, it's in government general.

Ms. Bell: Okay, thank you for your answer.

There was a very clear statement made that this was coming from a surplus, so I appreciate that it's showing up here in the supplementaries but that is a different story and we know that this is project-based funding and it's one-off funding, and I appreciate that if you've got additional revenue that you spend it somewhere, that's great.

But, there's a very – difference between having a surplus left over and reallocating revenue to fill a gap.

Thank you, Chair.

Chair: Shall schedule A carry? Carried.

Shall schedule B carry? Carried.

Madam Chair, I move that the Speaker take the chair and that the Chair make report.

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of the Committee of the Whole House, I wish to report that the committee has gone into Supplementary Supply to be granted to Her Majesty and has come to certain resolutions thereon, which said resolutions I am directed to report to the House whenever it should be pleased to receive same.

Mr. MacDonald: Madam Chair, I move, seconded by the hon. Minister of Health and Wellness, that the report of the committee be now received.

Speaker: Shall it carry? Carried.

Chair: Mr. Speaker, I move that the report of the committee be now adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the hon. Minister of Finance, that the 18th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk Assistant: Order No. 18, *Supplementary Appropriation Act 2018*, Bill No. 35, 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 Assistant: *Supplementary Appropriation Act 2018*, Bill No. 35, 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, once again, ask the hon. Member from Charlottetown-Lewis Point to come and chair the bill.

Chair (Casey): (Indistinct) *Supplementary Appropriation Act 2018*.

Is it the pleasure of the committee that the bill now be read clause by clause?

Chair: Permission to bring a stranger onto the floor?

Some Hon. Members: Granted.

Chair: Good afternoon, could you introduce yourself and your title for the record?

Jim Miles Director: Jim Miles, Executive Director of Fiscal Management.

Chair: Thank you.

Shall the bill carry? Carried.

Mr. MacDonald: I move the title.

Chair: Shall the – sorry.

Shall the schedule carry? Carried.

Mr. MacDonald: I move the title.

Chair: *Supplementary Appropriation Act 2018.*

Shall it carry? Carried.

Mr. MacDonald: I move the enacting clause.

Chair: May it please Your Honour, be it therefore enacted by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows.

Shall it carry? Carried.

Mr. MacDonald: Madam Chair, I move that the Speaker take the chair, and the Chair report the bill agreed to without amendment.

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intituled *Supplementary Appropriation Act 2018*, I beg leave to report that the committee has gone through the said bill and has agreed to same without amendment. I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the hon. Minister of Education, Early Learning and Culture, that the 16th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk Assistant: Order No. 16, *Electoral System Referendum Act*, Bill No. 38, in committee.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the Honourable Minister of Education, Early Learning and Culture, 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, once again, call on the hon. Member from Charlottetown-Lewis Point to come and chair this bill.

Chair: The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Electoral System Referendum Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

Some Hon. Members: (Indistinct)

Chair: Permission to bring a stranger to the floor?

Some Hon. Members: Granted.

Chair: We'll allow him to come on the floor and introduce himself.

Good afternoon, could you introduce yourself and your title for the record please?

Gary Demeulenaere Director: Sure, it's Gary Demeulenaere, director of legal and policy services with justice and public safety.

Chair: Welcome.

Hon. members, I have been advised that the amendments that were tabled earlier are being printed and will be distributed.

Is it the wish that this be read clause by clause?

What I will do is I will read one full section as I have been doing all along. Then, I'll open the floor for questions on section 1.

That means, I'll read all of the definitions then, I'll open the floor.

The minister is going to have an opening statement before we carry on.

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

I guess the first thing. I'll just kind of address a little further the document that was tabled there earlier today. I suspect everybody will soon have a copy of it.

There are two parts of it. One is a broad, kind of, overview of the legislation that's provided by way of a legislative brief, which sets out, effectively, the purposes of the legislation.

Briefly, the bill promotes equality and fair participation in three ways; it gives financial resources to both sides so that they each have a voice in the process. It limits expenditures in order to ensure that one voice is not drowned out by the other. If someone does not identify with a particular side or wants to participate on their own, they're still allowed to do that.

You'll see the way this document is outlined. There's a brief discussion of the background and the context. Then the legislation and the different pieces that are there, including equal funding to registered organizations, spending limitations, the establishment of the referendum commissioner, the threshold question – or the threshold that's inherently in the legislation and the referendum question itself, and then there's a time frame and legal analysis piece.

The one thing I want to be very careful about – to advise the House – and this is what I said last week when we were talking about this: Any bill of this nature – when you're looking at legislation that's tied to a democratic right, where we're effectively asking a question as to whether we wish to utilize the electoral system we've got or change to another one, you need to have a clear answer to a clear question to get from where you are to where, ultimately, the will of the people says that you need to be. That needs to be expressed by that sovereign group of people that you're canvassing.

The bill, one of the primary objectives of the bill, is to set that out in a good, clear way and really the rest of it is to shape that discourse in a way that creates a level playing field for all of those that are involved in it so they have an equal opportunity to educate themselves and to express their choice based on that educated decision – so that all comes within a context. That context would be different today than it would have been a year ago or a couple of years ago. I suspect it'll be different a year from now than it would be today. Anytime you set out to do that, you really need to have the context before you come to your conclusion.

Basically, when I was speaking about this and I was being asked for legal opinions the other day, until you see kind of a context and a final version of whatever the legislation will be, you can't really give a conclusive legal opinion one way or another on it, so I want to be very careful to note that for this Assembly and to read what's here in that context.

Really, what we have set out is essentially the process that you would go through to draft this sort of legislation into aid in determining the path that you can or should go down – to guide the process of putting appropriate measures in place to ensure that the discourse rolls out in a way that's rationally connected to the objective that you're trying to achieve.

So that's what we've set out to do. This is the basis that we've done it on, or it's a summary of the basis on which we've done it. Hopefully it's helpful in that context.

Chair: Thank you.

Hon. members, I take it the amendments are still being readied for your distribution, but for those who have – even though the amendments were tabled, when we get to the section where you've tabled an amendment, that's where we'll deal with that amendment – just so we can keep it organized.

I'm going to start in section one. I do have a speaking order. I'll read section one and then I'll open the floor for questions.

An Hon. Member: (Indistinct)

Chair: I have you. I have you on the list.

Mr. MacEwen: No, but just prior to that: There's 26 sections to the bill. Do we need to read it line, by line, by line, or can we read it section by section?

Mr. R. Brown: Section by section.

Chair: Oh, I can read it section by section if that's the will of the –

Some Hon. Members: (Indistinct)

Chair: Thank you.

Dr. Bevan-Baker: (Indistinct)

Chair: Leader of the Third Party, is it a response to that question?

Dr. Bevan-Baker: Yes. it is. A response to both what that hon. member said. Also, I'd like to respond to what the minister just said –

Chair: Well, you're not on –

Dr. Bevan-Baker: – if I may, as an opening statement.

Chair: Okay. I have other people on the list prior to that.

Dr. Bevan-Baker: I didn't mean necessarily first, but I just – I would like to respond to the statement that the minister just made.

Chair: Sure, I just thought it might (Indistinct) to that.

All right, Transportation, Infrastructure and Energy, you were on my list first to speak. Now, do you want me to read for a bit and then I'll come to you for your question?

Ms. Biggar: Well, it was sort of in the context of what the minister was talking about. While we're waiting for the amendments, this might be kind of a good time to have the discussion, perhaps, while you're waiting.

Minister, we've talked a lot about this and for myself and my constituents and Islanders, I believe, there's a lot of concern about outside influence in elections in

general lately. Whether it's the one in United States and now – in fact, today, minister – and I have a couple of questions to follow-up to these comments as well just if I can.

Today I found it interesting that whistleblower Christopher Wylie is testifying by video before the House of Commons. For those who don't know who he is, he's a whistleblower with Cambridge Analytica who are tied with a Canadian affiliate, AggregateIQ and that particular group are tied together with the BC Green Party who, in turn, have ties to the Green Party here PEI through one of their campaigners that was working with, actually, the proportional representation group. I'm looking at – and I'll table these documents because it's in regard to Brexit and some of the concerns that arose out of Brexit and the referendum spending.

I have a document here by the Electoral Reform Society, dated January 8th by Darren Hughes and one of the things that was raised about the Brexit is that limits are there for a reason and this is on referendum: to prevent campaigns from being held to ransom by big donors and to prevent an arms race – and that they want to prevent opposing factions. But there was a report done on the referendum and the Brexit and there were nine recommendations came out of that.

One of them included that there should be a minimum six month regulated campaign period to ensure time for vibrant public discussion and for a definitive rule book to be put together. It says 'published' – specifically the wording is – to set out the technical aspects of the vote as soon as possible after passing any referendum bill. This referendum could just as well as be us leaving the country. So if we put it in that context, how important this referendum is that we do not have undue outside influence.

I note too, and I'll table that as well, that Mark Greenan with the PR Coalition admitted to CBC that the coalition used \$20,000 from political parties and \$30,000 for unions in the plebiscite and I know that the third party and the NDP support banning corporate and union donations from elections, but they don't seem to have that same view with plebiscite and referendum.

I do think that this is a prime example of outside influence and the possibility of it in our Island's electoral future and we have to be very, very careful to protect the voting rights of Islanders, that it is they that determine the path forward that they want to take around their electoral system and that decisions should be determined by informed choices and rather than a policy by a particular group.

Madam Chair, I have a couple of questions if I might. This legislation – and in it, it has a timeframe laid out on it and I might note again, the one in the UK – the Brexit – the recommendations that came out of the – and actually there are – is another investigation has opened back up around interference and particularly with Cambridge Analytica and the company that had been working with the BC Green Party; but in regards to people personal information that's gathered, again, that's very key, and this is something that has been noted with Cambridge Analytica collecting data, handing it over to Aggregate and then putting it in the hands of the BC party, and then we have connections here on PEI, from the Green Party on PEI, with the company in BC.

So we want to be sure, I think, that those – any kind of document or data collected is protected. Again, on top of that – I can't find my questions for all these documents – but will this legislation, Minister, you think, go far enough to protect those pieces without – just your opinion, you know. Obviously we're looking at making amendments to this, but certainly outside influences that violates people's privacy for one – just your opinion on that.

Mr. J. Brown: Maybe, I'll tell you what the legislation does do. Very clearly, the legislation would set out a system, whereby, if you wished to participate in this referendum process, we are, effectively, setting in place a scheme that will look to level the playing field for that participation. It – we think would, limit the type of, and I don't know a whole lot about what you're – I don't know if I've read the article or not on the Brexit piece, but I generally am aware of how there were spending allocations set out in that, as well and some of the, kind of, commentary on it.

What we have set out is legislation which will clearly enable a proponent and an

opponent group to support the two options that will be available on the ballot.

Those groups are open to – their membership is open, I guess, would be the way that I would put it. But, going along with that, there are certain requirements or stipulations that are in place in order to effectively ensure that there's a level playing field between the two groups.

What we've essentially said is that, you have a basket of things that you can do in relation to your advocacy, we'll say, for one or the other of the options that are on the referendum ballot. We'll see in the legislation there's a particular definition of referendum advertising. We'll call that, if it's a fruit basket, we'll say those are the apples.

We're regulating what you can do in relation to those apples in the fruit basket, but we're not regulating all the things that you can do with the bananas and the oranges and the pineapples and all those other sorts of things.

In addition to that, we're also providing public money, as it's defined in the legislation to the proponent and opponent groups so that they may be able to advocate for certain things that they feel, and the wording is: opposes or supports indirectly or directly one or the other of the options.

We are providing public funding for them to be able to do that. There is a corresponding piece to that, too, which is that they're not able to raise funds in order to do that kind of advocacy. In so far as the groups there are concerned, two-thirds at least of their constituent members must be from Prince Edward Island.

That is to ensure that it's the – it's Islanders in the, kind of, sovereign sense that have the ability to express their will in relation to this referendum.

To come back at your question more directly from that, there might be a question as to whether – what those organizations are doing or how they're trying to do it.

Of course, the other piece of it, too, is that each individual has the ability and I say this recognizing they're proposed amendments on the table in relation to this, but to

advertise up to currently the amount of \$500. Basically, we'll see where the conversation takes us on that during the referendum period without having to report or join a group or whatever. All they need do is identify that it's them that is doing that referendum advertising.

All that, I should say, too, in the context of today's world or environment where you can do a lot more with \$500 than what you could have done even a couple of years ago. You can buy push ads on Facebook or Instagram or YouTube or whatever, to a much greater degree than you could. You could probably buy a couple of ads in *The Guardian* for 200, or \$500. You could probably buy thousands or tens of thousands of ads on one of those services for the same thing.

That's kind of the context. I can't speak to Cambridge Analytica or AggregateIQ or their involvement in things, but I guess I'll leave it at that to say this was the objective that we set out to –

Ms. Biggar: (Indistinct)

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

Ms. Biggar: Couple of more little things. It kind of ties in, again, going back to the Brexit vote here and how it is eerily, I'll say, similar to some of the things that we went through that have been discussed with the plebiscite, some of the groups involved in the plebiscite.

Here in Brexit there was a group called Vote Leave. They were involved in assisting activities for a youth group, who called BeLeave. They claimed to be separate entities, but in fact, there's a – the investigation that has reopened as – to see if really they were because they've been able to link people back to commonalities between those two. I guess, that's what concerns me. I know now in our act it does, kind of, look at more of a separate entity as opposed to a larger organization.

I guess, what I'm concerned about is there a way that people are going to be, or a possibility that people could use a way around that to say, oh, we're separate, but we really are working together. I guess that

brings me to my question: Are the penalties strict enough in this act for those that do circumvent the law?

Because there are some real concerns, which, you know, with AggregateIQ, which is linked to the Green Party in BC and which is linked to the Green Party in PEI. You know, \$10,000 is not very much. I'm just wondering if we should consider somehow having a more stringent penalty for circumventing any of those laws.

I just want to put that out there because it is a real possibility that by disbanding a larger group, now a group thinks, okay, we're off on our own that we can do whatever we want to, perhaps, circumvent a loophole that might be there.

I just want to make sure that Islanders are protected from those outside influences or from those kinds of things that they really do, and that we do have a good period of discussion around this referendum.

If I could, I'll table, if I could the: Vote Leave broke spending limits on industrial scale, says former staffer. That is about the Vote Leave staffer. That was from April 13th, 2018 article.

The electoral reform society, an article by Darren Hughes on January 8th, 2018 with the title says: Referendum spending is a murky world – when it should be crystal clear.

I also am referencing a CBC article, April 4th: Referendum rules will ensure 'level playing field,' MacLauchlan says.

Thank you.

Chair: Do you want to respond –

Ms. Biggar: Thank you, minister.

Mr. J. Brown: Okay –

Ms. Biggar: So, yeah, it's just around the penalties and those companies that the Green Party used. We don't want to have that happen again, where there's outside influence in this referendum like there was the plebiscite.

Mr. J. Brown: Yeah –

Ms. Biggar: So.

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

Mr. J. Brown: Thanks, Chair.

Maybe, what I'll do, and I might ask for Gary's assistance in this particularly in relation to the penalty provisions. I guess, I would say, in just further to what we had said previously, we have done some research to attempt to kind of ground the provisions that we see there. They're in section 26. The provisions that we see are taken, or are the same of – same as, sorry, the lobbyist act; records and archives act, and the whistleblower legislation. I think actually, the opposition may have come up with that threshold amount in, possibly, the whistleblower legislation. I can't recall.

There are three different provisions that are in there. General offences, so up to \$10,000. "Exceeding maximum amount permitted for referendum advertising expenses" and it is the greater of \$10,000 or "...the amount incurred in excess of \$500."

The final one is "Exceeding maximum spending amount permitted for registered referendum advertisers", in other words if you go over the allocation provided for the yes or the no side or one of the constituent groups. Again, that's the greater of 10,000 or, "the amount spent on referendum advertising in excess of the permitted amount."

I'll put it to you this way, if you get into a situation where a group decided to just say, and it sounds like this is what may have happened based on what you're saying in the Brexit vote.

We really want to make this go one way or another so we're just going to spend and –

Ms. Biggar: (Indistinct)

Mr. J. Brown: – you know, deal with it after, yeah.

Depending on which of those provisions you would have violated, and it may be that it could be more than one of them. It may be that it could be continued violations kind of thing. Then, you could be eligible for the

amount that you spent and then, depending on how that works, if there are multiple offences, you could be eligible to pay that times the number of offences that you're alleged to have committed.

As far as whether the amount that – I guess, when you think about it that way, it's really, kind of, hard for us to sit here and say, is that amount enough? Or is it not enough? In the context. I mean, to get – we know what the budget is that's been set out here. Originally, it was based on a dollar per person in terms of each – in terms of the allocation, I guess, we'll say.

There has been an amendment proposed to increase that. On, I think it comes out to over \$1.70 maybe? A dollar what?

Gary Demeulenaere Director: \$1.67.

Mr. J. Brown: Sixty-seven per person. We know that Coalition for Proportional Representation raised \$75,000 up to, I think, to the end of the plebiscite, if I recall that correctly.

I guess I'd be open to thoughts from this Assembly in that context. But, it's certainly something that you want to ensure that there's teeth. When I say that really the reason I say it is because, you know, we will have a – in a way it's an honour system, but it's a complaints-based system. It's like our elections are right now.

Basically, if you see something going on, if a citizens sees something going on, they report to the referendum commissioner. The referendum commissioner has the powers to investigate or hold an inquiry. Then, they come to a determination and going forward from there, the offence provisions are there to, kind of, backstop that.

There is, of course, a corresponding reporting requirement as well. In certain circumstances you may not even know until after the reporting period is over that this has or has not happened. I think all of those would be relevant considerations.

I guess, in saying all of that, you know where we got this from. We think we've done some pretty good groundwork on it, but I'm certainly open to thoughts and

suggestions as to whether it's enough or not enough.

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

Ms. Biggar: That's something I'll take under consideration, certainly.

I guess, just as an example I remember the Member from Charlottetown-Parkdale saying that in one night through donations she raised \$9,000 for her campaign. It's pretty easy to raise \$10,000 in one night by individual donations.

I would be inclined to say that it should be a very strict deterrent from anyone who may be thinking of coming up with ways to have a little pot of money set aside to cover any kind of a penalty.

It's just something I may bring back as an amendment. I'll just put it that way.

Thank you.

Maybe, Gary has –

Gary Demeulenaere Director: The other thing that I might wish to clarify for you is that if you look at 26 sub (2) sub (3) and sub (4) that the sub (2) says of a fine up to an amount of \$10,000 for certain offences.

Then, the sub (3) and sub (4) clarify that so that the amount is the greater of in the next two sections. In (Indistinct) if someone were to spend clearly in excess they wouldn't be just capped at a \$10,000 fine. I think for the exact reason that you're alluding to –

Ms. Biggar: Yes.

Gary Demeulenaere Director: – this wording, I think, would be the sufficient incentive that you couldn't spend 100,000 for example, and say, well, I'll pay a \$10,000 fine to do that. This language would require that you pay a fine that is the greater of the 10,000 or the amount spent in excess.

Ms. Biggar: Oh, okay. That answers (Indistinct)

Gary Demeulenaere Director: I think to the other point, on the sub (2) is it's not intended to attract a \$10,000 fine for every

other offence, in case there is some more minor offence outside of the spending over the amounts.

Ms. Biggar: Thank you, I'll take that under –

Mr. J. Brown: Basically, if I can summarize it, if you spent 100,000 in addition to what you were supposed to be into, you'd spend the 100,000 and then you'd have to pay an additional 100,000 for a total of 200,000.

Ms. Biggar: Great (Indistinct)

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thank you, Chair.

This has been a most interesting discussion this far –

Mr. J. Brown: Great (Indistinct) –

Dr. Bevan-Baker: Quite extraordinary actually. I'm not quite sure where to start, Chair.

I will start with some very simple questions about the legislative brief that I just literally received on my desk a minute ago. A dense 11-page document, central to the questions around the validity of this bill.

I haven't even gotten past the first paragraph on page 1. It's really important for me, and I suspect many other members of this House that we take our time here and do this properly.

Clearly, there are some concerns on all sides of the House about the importance of this bill. I understand it's comparable to the Brexit vote that occurred –

Ms. Biggar: Yes.

Dr. Bevan-Baker: Yeah, I find that just fascinating.

Anyway, some questions around this legislative brief, Chair. When was it prepared?

Mr. J. Brown: Basically, there's been ongoing work in relation to the drafting of

this legislation and different principles that we've looked at over the course of time.

There would have been ongoing work, kind of throughout. I suspect the document will continue to, you know, as we go forward. We will take a look at what we started out with and what we finish with. Before we say this is what we should, kind of, go through with, I guess, if you will, we'll take another look at it and we'll look back at the document and see where we are.

Dr. Bevan-Baker: I take it when you say: we'll take a look at what we started with and what we finish with, you're talking about the bill itself, not the legislative brief that we've just received. Is that correct, minister?

Mr. J. Brown: I guess what I was saying to you, in the first place, is the two, kind of, go hand-in-hand, okay?

The legislative brief is a high-level look at the objectives as to what you're trying to achieve and the framework within what you're trying to achieve there. And then you have to take that and you have to literally go to your legislation and start – section two sets out the purpose of the legislation and you work forward from there.

I actually have an amendment that I'll be proposing to section two as it sits and that's the purpose of the legislation, which in and of itself, fundamentally, kind of impacts your analysis in terms of how you go through it. What the hon. member is just saying there today, if those are concerns, then that all feeds into a context in which you look at the bill and the objectives of the legislation and you look at whether there's a rational connection between what the objectives are and what you're, effectively, trying to regulate or establish. That's a constant exercise until you're done of the legislation and even at that point in time, legislation is there to – kind of a living document that's open for interpretation as you go forward and you'd look at it in the context as it moves along.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: We haven't even got to section one of the bill yet. We have had five or six House amendments from the governing party and we have a legislative

brief which you've just told me is a sort of living, evolving document. That strikes me as odd for a piece of legislation that I'm being told is comparable in its importance to the decision that everybody in Britain made to leave the European Union. How come we are sitting here discussing a piece of legislation that is clearly as unfinished and unprepared as Bill No. 38 is and expecting to pass it? How can that be possible, minister?

Mr. J. Brown: Hon. member, I don't mean to sound too smug, but you were the one who kicked up a big stink last fall and said that that's exactly the job that we're expected to do every day when we show up here.

Our intent is to put forward legislation. It's been right from the get-go to do that to signal to all of the other parties in this Legislature that we will be expecting every member to consult with their constituents and constituent groups to determine – and I know I've gotten emails from constituents on this. And I know they've been involved in the amendments that have gone into things as well. And we've listened to what you have to say and we've listened to what everybody else is saying in here and we'll continue to do that; we don't purport to have a lock on the best track through this. It really is an expression of the will of Prince Edward Islanders as to how they wish to govern the process that they're going through.

We started out – there was a White Paper on Democratic Renewal back in 2015. You were on the committee that I was on and continue to be on, that looked at different electoral systems and how we should proceed through a plebiscite. We've all been here for the discourse that ensued as a result of that exercise; I think back to the fall, I guess, of 2015.

The first person that I can recall, as an example, saying that there should be limitations on the ability for political parties to be involved in the referendum was Marie Burge who ultimately ended up being one of the constituent members of the coalition on proportional representation.

So as an example, when we hear that kind of input, we turn in the legislation to looking at whether that's an objective that we should

be looking at or not. And as it turns out, we have done that. There's been a lot of conversation that the different political parties shouldn't be able to influence this to move their own political will forward. So we said that the political parties will be subject to the restrictions set out in the referendum advertising piece. And you go forward and listen to the input that you get and come back here and participate in the process.

That's exactly what we signaled when we went – two Thursdays ago, I guess it was now – to brief your caucus and the official opposition and the Member from West Royalty-Springvale – and we said: Look, we would suspect that folks will have different perspectives to bring to bear on this. In that, when we hear those perspectives and why they are being brought forward, people will listen on the floor and we'll have to take them into consideration and from there, we'll look to move forward to put the best legislation forward we possibly can.

And a big piece of that, I'll tell you too, is that you root it back into the case law. Probably the most important piece of this is a consideration as to whether the regulation that you're putting in place minimally impairs anybody's ability to do whatever it is that they may wish to do. And that has to be connected back to the objective that you were trying to achieve. So this conversation and the proposed amendments all become very important contextual pieces of that part of the consideration.

And so, this is not the type of a legislation that you just walk in here and say: There we go. There it is. Let's not have any conversation on it and let's just ram it through. It's something that the Legislature in here would be expected to do its normal work, as I think all of us in here – who I think are exceptional folks and do an exceptional job of consulting with our constituents to bring their concerns forward, we will all do our work. And we will come back and we'll legitimately put forward the concerns of our constituents and that'll make for the best legislation that we can put forward.

Dr. Bevan-Baker: Again, equating this bill in level of its importance to succession from the country or an organization like the European Union. I would have imagined

that the bill, before it would actually be debated on the floor of the House as we are now, would have been a fairly polished and carefully considered piece of legislation. Correct me if I'm wrong, minister, but I don't believe there was any public consultation whatsoever in the preparation of – you say how important it is for our constituents and other people to have an opportunity to participate in the debate when we're drafting a bill like this. But am I right that there was no public participation whatsoever in the preparation of this bill?

Mr. J. Brown: Well, I don't think so. But that's perhaps entirely your perspective, I guess. As I had indicated the other night, when we were speaking about this, in my mind, the public consultation started at least with the White Paper on Democratic Renewal and has come forward from that point in time. If you want to go through, just things that you would have a link to yourself, hon. member, through the coalition on proportional representation or through members of your party or whatever; there's been a letter to the editor just about every day for the last year and a half, I would say. And we have looked at them and we listened and that's how we got to where we are now.

Is that necessarily expressive of the whole group of Prince Edward Islanders? I honestly don't know, but we have done our homework to attempt to determine and to get legislation on the table that we have signaled we would put on the table. When we originally put it on the table, I said we wouldn't be back for at least a week after we put it on the table before we would be expecting to have a fulsome debate on it. In fact, we were more like ten days or closer to two weeks. And even last Thursday night – which would have been two weeks, we were only on for an hour – an hour and a half after you went to great length to address what you thought the purposes of the bill were.

I'm not sure what to take out of that necessarily to be honest with you, but it was something that we have looked at and we have listened to. So if you go right from Marie Burge even right on up through, there's been all kind of public input on this and I expect that there will be all kinds of public input on it. And as each of us continues to get emails or whatever, we will

all be looking at them and asking our constituents what it is that they want to do. And I think that's important.

The other thing I will say is I don't think it's enough to just sit there and say: We think this is unconstitutional, or we think there's this issue or that issue.

I think we need to say, if we think it's unconstitutional, this is why we think it's unconstitutional, and let's try our best to get the best legislation we can going forward.

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: Great.

Well, I'm disappointed you didn't take anything out of the lengthy remarks I made, minister, because I think I made it very clear that the constitutionality of the act is the central problem here. You will find out when we get to the amendments that myself and Charlottetown-Parkdale will be presenting, and everybody was furnished with them earlier today, where the centerpiece of that lack of constitutionality lies, and it's with the referendum, period.

It's the fact that the way this bill is drafted, the severe restrictions on freedom of expression of all Islanders starts when the bill is proclaimed, when the bill is passed in this House, and it lasts until election day.

Now, that would be fine if we knew the election was going to be 32 days from now, which it may be, of course. But it's certainly not fine if the election is going to be in October of 2019 or April 2020; essentially, a blackout period, a gag period of up to almost two years. Similar restricted periods in other jurisdictions and BC particularly, of 60 days have been clearly found to be unconstitutional. It was challenged by the government of the day and it was found again to be unconstitutional three times, and a similar situation in Quebec.

So, I come to you with concerns about the constitutionality, the centre part of the speech I made the other day, because in other jurisdictions much lesser time periods of restriction have been clearly shown by the courts to be unconstitutional. So maybe my question directly – I'm going to ask the stranger on the floor: Do you feel that the bill that's currently drafted is constitutional?

Mr. J. Brown: So when we first started talking about, this I referred to the basket of fruit, hon. member.

Dr. Bevan-Baker: I remember. It wasn't the only fruity remark I heard (Indistinct) first.

Chair: Hon. member, the minister has the floor.

Dr. Bevan-Baker: Yeah.

Mr. J. Brown: The cases that we were talking about there, that you were talking about just now, are cases that you tabled, in any event, are cases that referred to restrictions that impaired the ability to eat any of the fruit in the basket.

We are dealing with a clearly different situation than an election here. We are dealing with a referendum. We are dealing with a referendum that is taking place in a much different context than the situation that was referenced in the case law that you're talking about. We are looking at a very significantly different set of regulations than was in place in that situation, and we are looking at a very significantly different group than the BC teachers' federation.

As I said before – and I would caution anybody that sets out down the road of a constitutional consideration looking to arrive at an opinion, and that's why I was asking before when you said: Do you have an opinion? I said: Well, do you have an opinion? So if you think you've got an opinion on this, really, the important parts are what are the contextual elements of that opinion that have led to the basis of the opinion? We're not even through the discussion that would formulate the basis of that contextual piece that's so important in a constitutional question to form an opinion.

So, I understand what you're saying. There is, by the way, case law that would say and set out different very clear objectives that would root back to the Lortie Commission and the Harper decision on electoral finance, that clearly delineate that where legislation is set in place and there's a rational connection between the objective and a minimal impairment of the right that's in question, that legislation can be upheld and can be constitutionally valid, where the

objective of it is, in that particular case, to create a level playing field and to allow for the education and the fulsome debate of all citizens of, in this case, Canada. That was a case that prime minister Harper, before he was prime minister, took to the Supreme Court of Canada on behalf of the Canadian taxpayers' foundation. So there are all kinds of different considerations that go into this, and I would encourage you to take the time to take a look at the brief – and I recognize that you just got it, so that's fair. But as we go through it – that's what we are doing here. So if you have amendments that you wish to propose, put them forward. They all inform the record. I expect that everybody here will take the time to take a look at them and give them some consideration.

Chair: Thanks.

Before I go on to you, hon. leader, you mentioned that you had amendments. Did you table those today? I just haven't received them here at the table.

Dr. Bevan-Baker: No, not yet. They were given to each caucus office this morning.

Chair: Okay, perfect.

Will you be bringing those?

Dr. Bevan-Baker: As we get to the sections, I can bring them forward or we can –

Chair: Do you want to –

Dr. Bevan-Baker: – give them to you now, if you wish.

Chair: – table them and then we –

Dr. Bevan-Baker: Yeah, certainly.

Chair: – can all have them and –

Dr. Bevan-Baker: Again, everybody had access to them. I'm not sure what time it was this morning.

Chair: Yeah, okay.

Okay, but –

Mr. J. Brown: I did get them (Indistinct)

Chair: Thanks, but they were not tabled in the House –

Dr. Bevan-Baker: No.

Chair: – and my job is to make sure the clerks are happy so that we have those.

Dr. Bevan-Baker: Sure.

Chair: Awesome, thank you.

Are you tabling those now?

Dr. Bevan-Baker: Yeah, certainly.

Chair: Okay, perfect. If we could just give them to the clerk, a Page to give to the clerk, that would be great.

Thanks.

The hon. Leader of the Third Party, you have the floor.

Dr. Bevan-Baker: Thank you, Chair.

So, clearly there's some question as to the constitutionality of this bill and you cautioned me – or you asked me to bring forward an opinion as to the constitutionality of this bill. I did bring forward what I feel are very relevant case law examples, and I think the comparison between this referendum act and the one in BC, which has been struck down, or was struck down as unconstitutional three times, are actually very close.

The legal brief – again I have not had an opportunity to read through it yet, but let me tell you what I think a legal opinion should involve, and again, maybe it's in the brief. You can tell me if it is. A legal opinion, worth (Indistinct), is a lawyer with some degree of specialized expertise in that area of law reviewing the legislation, in detail, writing up her or his opinion on the matter of its constitutionality, laying out the reasoning behind their decision, and citing relevant case law.

Do we have a legal opinion in the legislative brief that we were given that in any way resembles what I've just described?

Mr. J. Brown: Hon. member, let me put it to you this way: I'm not going to sit here

and purport to do your job for you. You have the document in front of you. I brought it back after a request to bring it back. I think, frankly, that was a step beyond what would normally be requested in a situation like this. The document is there for you to take a look at. It's tabled for everybody on Prince Edward Island to take a look at. If there are any questions about it, we can do our best to see what we can bring forward.

I'm not going to get into going through a legal document and picking apart section by section what is or is not in there. As I said to you before, we have the legislation in front of us. The legislation is not – we haven't even started into it yet.

Dr. Bevan-Baker: Yes.

Ms. Biggar: So, really, until we get there, the opinion is only worth whatever is in the draft legislation and without the context of the debate that we have on the floor of the Legislature. So we need to get through steps A, B, C, and D before we get to Z. I will be honest in saying I don't know how much plainer can I say that and you can look for whatever you want.

I think what you got there is what are you looking for. But take a look at it, and if it's not, then we'll have to go from there.

Dr. Bevan-Baker: With all due respect, minister, you say that: I should not be doing your job for you.

I should not be doing your job either. It's your job as Attorney General when you present a bill on the floor of this House to ensure – to the best of your ability – that that bill is in alignment with, for example, the charter of freedom of rights; that it's a constitutional bill; that it will stand up to a legal challenge.

And there's nothing that you have either said today or in any of the other days prior to this debate on this bill, nor in this legal brief, from what I can see, and again I haven't had an opportunity to look through it properly; there's nothing there that suggests to that you have done your due diligence here and that you are presenting a bill to this floor that you can confidently stand behind and say: this bill is constitutional.

If you can't do that, how can any members of this House, with good conscience, support your bill?

Mr. J. Brown: I'll put it to you this way: that's a question (Indistinct) for every member of the House, perhaps other than yourself –

Mr. Myers: (Indistinct) call the question.

Mr. J. Brown: – they all have the benefit of this as we –

Mr. Myers: I'll go right home and sleep like a baby.

Mr. J. Brown: – you know, as I said to you before –

Mr. Myers: (Indistinct) for myself.

Mr. J. Brown: – for somebody, who has just acknowledged that they haven't read what I have provided them, yet, I think I would temper the remarks that I'm making in respect of it.

As far as I'm aware, you are not, yourself, a lawyer. I'm not trying to say that I am, you know, the greatest constitutional lawyer in the land by any means –

An Hon. Member: Close.

Mr. J. Brown: – and what I am saying is that this has been looked at by a number of different folks, who do know what they're talking about. We've provided you with a document there. You can take a look at it, and come back and, hopefully, that will inform the debate.

As I've said, if you have a different document, yourself, that you wish to put forward, and I recognize that you've put forward a particular line of cases that's really one aspect of a whole line of precedent that's out there, I welcome you to take that all in and come back for a good fulsome debate on what you've seen.

I'm not expecting you to have done and absorbed all that today, but I would encourage you to take the time to go back and to look through it and inform yourself on what is there before you come to the

floor and really cast aspersions on the other members of the House saying that they don't know what they're doing or have the resources to do that.

Chair: Hon. member, you have had about the same amount of time as the Minister of Transportation, Infrastructure and Energy. There are others on the list, who are – we are not going to get through this today.

I'm going to move onto the Montague-Kilmuir and I'd be happy to come back to you if we have time at the end.

Dr. Bevan-Baker: (Indistinct)

Chair: The hon. Member from Montague-Kilmuir.

Mr. Roach: Thank you, Chair.

I won't be too long, I don't think, but I do have a couple of things I want to say prior to asking a question.

I've been getting a lot of questions over the last, I'm going to say, year, about the plebiscite itself. The recurring theme on that is as people seem to find out more and more about the outside influences that took place during that and where the money came from; people are saying, asking me questions about the fairness of that. And are Islanders in the position to make their own decisions or are we having too many outside influences?

I'm not saying that's right or wrong. I'm bringing this to the floor on behalf of my constituents. If I don't do that I shouldn't be sitting in this chair.

So, just to kind of bring things together a little bit and try and (Indistinct) from what the minister of transportation was talking about. She spoke about Cambridge Analytica and the influence that they had. I'm not going to go to Brexit or anything like that, but, Cambridge Analytica did use and collect data on millions of Facebook users to influence the election in the States.

The Cambridge Analytica did have a Canadian affiliate and that was AggregateIQ. Now, AggregateIQ was based in Victoria, BC, and they since have been suspended from any Facebook usage.

They did represent and were used by the Green Party in British Columbia. AggregateIQ are connected to a company or a business called NationBuilder. NationBuilder is here on Prince Edward Island and I believe that a guy by the name of Jordan Bober, who is a self-proclaimed, certified, nation builder expert, he provided the software used by the PR coalition here on Prince Edward Island.

I'm just trying to draw this together. Now, Jason Bober, Bober, or whatever his name is, I understand that –

An Hon. Member: (Indistinct) that Jordan's (Indistinct)

Mr. Roach: – he is currently the director of election readiness for the Green Party here –

An Hon. Member: (Indistinct) cousin once removed.

Mr. Roach: – and it's not that long ago that he was the manager for the Green Party in an election that was held in Kamloops, BC. We seem to have a guy by the name of Mr. Bober, who is bobbing around from province to province.

When I hear things like that, that tells me that, there's a definite move for outside influences here and I want to make sure that Islanders are the ones that are going to make the choice and it's not going to be anything going to be forced down their throat by these outside influences that are outside of Prince Edward Island.

I have concerns about a well-resourced group or people that are out there to deprive other people or groups of the opportunity to share their views. I have a concern with that.

With that, and with that ability to have data, big data is becoming more and more involved in elections and referendums and the like.

Do you feel that it's right for my constituents, based on that, to have concerns of these kinds of programs that infringe upon the privacy rights of Islanders and decisions that Islanders make? That's my first question.

Mr. J. Brown: Again, maybe, I'll go back to what I said to the hon. Minister of Transportation, Infrastructure and Energy, just in terms of what we have set out to do, which is to regulate referendum advertising; to fund a proponent and opponent group to ensure that those that do wish to be involved in proposing and opposing have the ability to do so.

We are making a budget available for a referendum commissioner to care for the education required in relation to the referendum. We are enabling individuals, individual Prince Edward Islanders to spend – whether it be 500 or 1,000 or whatever it ultimately ends up being of their own money – to express their own views.

There is prohibition against outside influences in a certain way coming in to do more than what is enabled by that legislation. In other words, you can't advertise unless you're part of the proponent or opponent group or you're an individual. They are not able to be involved in a concerted effort to, I would say, direct individuals, unless there is a way that they can do that still continuing to account for the regulation that's involved in the legislation.

(Indistinct) Gary, I don't know if you have any other thoughts?

Gary Demeulenaere Director: It may be something that we would be more into when we discuss the actual definitions.

You can see in the definition section of the act that an organization is defined to be a group of individuals, incorporated or not, "...who are acting together by mutual consent for a common purpose;"

What that essentially captures is to be, and in the way that the act works, right, is that you can spend your personal limit, or if you chose to essentially associate yourself for an organization you can qualify for the public purse of money.

Effectively, you can't organized yourself with a common purpose even if you don't declare yourself an organization. If you're an outside influence, for example, you can't align yourself here and effectively be an organization, but trying to pretend to be a

person. The same way that Islanders can't do that. Twenty people can't pool their resources to: let's all pool our \$1,000. If you're going to do that and act in a common purpose you would fit within an organization and be subject to the same limits in the act that an organization would be.

Mr. J. Brown: I would just note, in response, back to the hon. Leader of the Third Party's questions. You may want to jump to the conclusion and that may be what you were looking for there, but I'm not sure.

Mr. Roach: I guess my next question would – it follows a bit on what the minister of transportation was talking about earlier there, too.

When we were talking about penalty sections, so my concern around the penalty sections is, by the time that people declare how much money they spend, or by the time someone finds out that anything untoward has happened and let's say that \$150,000 or \$250,000 was spent by either the 'no' side or the 'yes' side, and the vote is counted and we find that there's such a great disparity, the fine of \$10,000 is not going to change the vote. The fine is just a fine.

If somebody comes in and spends \$250,000 they could sway the vote one way or the other. Is that fair or should that vote, whether it's a 'yes' vote or a 'no' vote, vote when find that that happens should that whole thing be negated?

Mr. J. Brown: There are a few different things that really you need to look at when in trying address that. One is whether there's a rational connection between what you are doing or, in other words, a rational connection between the objective you're trying to achieve and the freedom that you're impairing in doing it. You have to be conscious of that.

An Hon. Member: Call the hour.

Chair: Thank you. The hour has been called, hon. members.

Minister, I just need you to read this –

An Hon. Member: Extend the hour.

Ms. Biggar: Yeah (Indistinct)

Mr. R. Brown: The Fathers of Confederation met through supper.

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

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intitled *Electoral System Referendum 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.

Hon. members, this House will recess until 7:00 p.m. this evening.

The Legislature recessed until 7:00 p.m.

Recognition of Guests (II)

Speaker: You may be seated.

I will now call on the hon. Leader of the Opposition for recognition.

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

It gives me great honour to welcome Kaitlyn MacNeill and her mother Katherine with us this evening. They travelled in from Rustico to take part in the proceedings here this evening. Kaitlyn is a very active member of the 4-H program here in PEI and this past Saturday she gave a presentation to the delegates in attendance at the 2018 Women's Institute annual general meeting. While I was not actually in attendance for that part of the conference and for Kaitlyn's presentation, I spoke with many of the delegates that were in attendance and they were all very impressed with the message that Kaitlyn delivered.

In its essence, what was conveyed to me, the main point of Kaitlyn's presentation was: Try. That being involved, no matter how uncomfortable you may think you may be is the important thing, and continuing your involvement until things get easier, that this

can lead to personal growth in making a contribution to society. She described the story of Jamaican sprinter Usain Bolt, from his initial unsuccessful attempts to his eventual championships, and with his perseverance shining through.

Kaitlyn is currently a grade 10 student at Bluefield High School and is very, very interested in the Legislative Assembly Page program. I had the opportunity to connect her with our assistant check here this evening, Emily, a few minutes ago. Kaitlyn and Katherine, thank you very much for being here this evening, and I very much look forward to, in the not so distant future, welcoming you to the Legislative Assembly as one of the Pages.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: Thank you, hon. Leader.

I'll also call on the hon. Member from Charlottetown-Lewis Point for recognition.

Ms. Casey: Thank you, Mr. Speaker.

I'm thrilled to see Kaitlyn in the gallery this evening. I had an opportunity to be also at the Women's Institute annual meeting and luncheon on Saturday, and there's nothing that warms my heart more than to see young women speaking in a public gathering.

I did mention, when I was making my remarks about the students – and Kaitlyn, you'll notice the students who are here sitting around the Speaker are Pages in the House. We also had a conversation about the Page program.

Mr. Speaker, I look forward to seeing Kaitlyn's name on the Page program in the future as well, and welcome to the gallery to you and your mom.

Some Hon. Members: Hear, hear!

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 Education,

Early Learning and Culture, that the 16th Order of the Day now be read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 16, *Electoral System Referendum Act*, Bill No. 38, in committee.

Speaker: The hon. Minister of Health and Wellness.

Mr. Mitchell: Mr. Speaker, I move, seconded by the hon. Minister of Education, Early Learning and Culture, that this House do now resolve itself into a Committee of the Whole House to take into consideration the said bill.

Speaker: Shall it carry? Carried.

The hon. Member from Charlottetown-Lewis Point.

Chair (Casey): The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Electoral System Referendum Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

Some Hon. Members: Yes. Please.

Chair: Thank you.

Permission to bring a stranger to the floor?

Some Hon. Members: Granted.

Chair: Thank you. We'll allow him to get set up.

Members, just a reminder: I know there's been a number of amendments that have come to the Chair. If you have moved an amendment, when we get to that section, please, even though it's tabled, you actually have to move your amendments.

So, thank you.

Good evening. Could you introduce yourself and your title for the record.

Gary Demeulenaere Director: Gary Demeulenaere, director of legal and policy services with justice and public safety.

Chair: Great, thanks.

So, starting with section 1 –

Mr. Myers: I had a question (Indistinct) –

Chair: You have a question? Okay.

The hon. Member from Georgetown-St. Peters had a question before we get into reading the sections.

Mr. Myers: Thank you, Chair.

I was on the list this afternoon, so it's just kind of a follow-up to where we left off with the discussion.

Chair: Okay.

Mr. Myers: The leader of the Green Party has brought up pretty near in every question he asked about a legal challenge, and I see he shot a video down in front of the (Indistinct), so pretty much assume that he's going to make some sort of a legal challenge on this whenever it passes.

So the question is: What does this do to an election, if government – can government still call an election? Or what happens if there's a legal challenge on this bill, as far as governing in elections and that whole cycle? Because we're in an election cycle.

Mr. J. Brown: The election would go forward as it was normally planned.

Mr. Myers: So the election would go but the referendum wouldn't?

Mr. J. Brown: The referendum would, too, unless there was an injunction I guess. That might be the one thing that might stop it; but once the legislation's put in place, it would presumably go forward.

Mr. Myers: Okay. You have to forgive me because I'm obviously not a lawyer, so I don't have the background.

So if you were to file an injunction, would that stop an election or just a referendum or would it necessarily stop either? I'm just trying to get a feel for what – because it's a threat, a legal challenge. So we're pretty much assured that he's going to do it. With that in mind, I want to figure out what that means for the rest of PEI, who's going to be handcuffed by a legal action.

Gary Demeulenaere Director: This legislation is distinct from your election act.

Mr. Myers: Yeah.

Gary Demeulenaere Director: Just to follow up on the minister's comment, an action or a challenge in respect of this legislation, I don't think, would alter the course of your election legislation. So that notwithstanding the two things are designed by this to occur at the same time, they are still two distinct processes.

And just a – I think to kind of follow up on your question is kind of like what would happen then? Not to try to speculate necessarily too much, but an injunction would be a remedy issued from a court that would say essentially prohibitive relief that you cannot carry forward with this legislation for a particular reason.

Generally, I would anticipate that the alternative would be to go to court to seek a declaration, which is a remedy under section 52 of the Charter where you could go and say, I want you to declare something unconstitutional. That, presumably, would only be a question of timing.

Mr. Myers: Okay.

An injunction would basically – could mean there's a high probability that could mean there would be no referendum?

Gary Demeulenaere Director: If an injunction were to be granted by a court that says you can't hold a referendum on this legislation, effectively, yes, that's what it would say.

Mr. Myers: Right and because the election legislation is separate, that doesn't – it doesn't actually impact the election.

Gary Demeulenaere Director: I think that's correct.

Mr. Myers: Okay.

Mr. J. Brown: Usually what you would see, I should add to that, usually what you would see would be a court if they were going to say that the legislation were struck down. Usually, and there are incidences of this in

Canada where this kind of thing has happened. They would usually say you have a time; six months; three months; a year, whatever, to cure whatever the defect is and get it back in place. It just depends on the circumstances really.

Mr. Myers: Okay.

Mr. J. Brown: I should add too, an injunction is an extraordinary remedy. It's not something that you get easily; just head down to the courthouse –

Mr. Myers: Okay. I wouldn't even know that, to be honest.

Mr. J. Brown: Yeah. So, there's a test to get through to an injunction. The biggest part of it is that there would be irreparable harm, it's called, but it's an extraordinary remedy that is only put in place in very rare circumstances.

Mr. Myers: I do think that's an important – I think it's important for people to know because threats of legal action are easily thrown around, but the execution of them is much more complicated.

I hear it all the time. You hear it all the time: take it outside the rail. Even threats like that are far more complicated than just take it outside the rail. There has to be, there's a lot of things that have to be proven and there has to be a desire to move forward and there has to be a judge that thinks you have room to move forward.

I do think, if we are going to loosely throw around legal challenge; will this withstand a legal challenge. I think Islanders also deserve to know what that means.

Mr. J. Brown: Yeah.

Mr. Myers: I think that, to me, I think that's fair because this isn't the United States where everybody just sues everybody and the courts figure it out and that's the way it is.

The other question –

Mr. J. Brown: Can I just address that?

Mr. Myers: Yeah.

Mr. J. Brown: I think that's a good point. I think the point that, again, that we need to take out of it and I'll make again, is that, you know, we each have a job to do here. We need to put our shoulder to the wheel now and get to a point where we feel that the legislation that's going forward is sound legislation.

A court will always have deference to a legislature. Courts don't go out and look to create legislation or look to solve our problems or presume they know our will. They look at the legislation that's there and they show deference typically to a legislature and look at the legislation that they have in front of them in that context. That's why I'm saying, everything that we say here forms a part of a record that would ultimately end up before a court.

If we're sitting here saying that, there's this or there's that or whatever, it all becomes relevant to that context.

Mr. Myers: Okay.

Thanks for that conversation because I think that me, as a politician, the threat of legal action gives me an immediate bad taste in my mouth. I would know lots of people that are – would think the way that I think that that's not the way Islanders settle things. We're supposed to be in here being responsible and trying to do what's best by Islanders.

There was a lot of talk earlier about Cambridge and their connection to AggregateIQ. Is there significant concern of data harvesting here on Prince Edward Island?

Mr. J. Brown: Honestly, that's a tough question for me to answer. Is there significant concern? I think if you ask the question just based on those words, I think, in relation to these kinds of situations, we would probably be foolish not to have some level of concern over it. How significant it is, I guess, is really, ultimately, the question.

Part of the consideration when we look at these sorts of things, so we're talking about the context of the legislation we have in front of us and some of the objectives of it.

In particular, in relation to a legal analysis of it, it's not to say the horses have to have gotten out of the barn before you have to go try and get them back in. It's enough to have a legitimate concern. I think there's enough now, at this point, that we can say, whether it be Ireland referendum, Brexit, US election, Italian election, BC, there was something, I think from Parliament (Indistinct) there's enough going on right now that you'd be foolish not to have any concern over that.

If you asked me that question six months ago, or within a reasonable time in the past, I probably would have said you're crazy, now, I wouldn't. I think that's what I was saying before, in terms, of the timing of when you look at these things and how it can really colour the interpretation of whatever the objective of the legislation is that you're trying to achieve.

Mr. Myers: I'm going to move on, I'm spreading over my topics, here, but I'm going to try to move onto another part.

It has to do with – so, I mean, obviously, the legislation isn't perfect and you guys have put forward some amendments and I'm not sure if that's the answer and I'm not sure that it's not. Let me say that.

I do feel like this has to come to a resolve. There has to be a vote somehow and it has to be put behind us. It's dogging us as legislators and as Islanders. I do think that there's – it has to be put behind it. I, at first blush, I didn't really think that it was sinister. I guess, when others didn't feel that way. When I first thought, I thought, I felt that there was an effort to level the playing field. I didn't feel, last time, that there was a level playing field. There was one side and no one else.

I told this Legislature before, I was down at Farm Day in the City and there was a group down there stopping people. They stopped the people that I was with. I don't know if they didn't recognize me, or they figured they lie with me right there anyway. They started telling the people that I was with, who are friends of mine, one of them lives with me, that all of the politicians are only in it for themselves.

You know what? I'm still angry about that. You can question whether or not I do a good job. That's fine. You can choose not to vote for me in an election and that's fine. But, what about what I'm doing would give you any indication that I'm in it for myself. Like, debating this bill? Asking questions about this? What benefit is there for me in this? What benefit is it for me and a lot of the – they're broad issues that are for all Islanders and that's what we, kind of, spend our time doing.

I was truly insulted by it to the point which I felt like pushing back. When I tried, I got attacked by people that are like: you can't have a voice because you're going to benefit from it because you're a politician –

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

Mr. Myers: – they can. They can say whatever they want and they're going to benefit from it way more than I am. I can't understand how given an opportunity to organize on the other side.

Remember the vote about the fixed link? There was a yes side and a no side. I was actually against it. I was young. I was against it. I kind of thought it was going to change the fabric of Island life.

I love it, the bridge –

Some Hon. Members: [Laughter]

Mr. Myers: – I do. It's fantastic. It really is fantastic. I was wrong. I was definitely wrong. There were camps.

I remember there were signs. There was a point – people had signs in their yards and they were all over town. At one point, I realized that: hey, this is going to pass. There are way more people that are on the yes side than on the no side.

But there was an equal opportunity for both. What's so bad about that. I guess I don't understand, is there not enough money to tell the story right? Is it, like, are those the things that need to be fixed?

I know one of the amendments that came to the floor here was to raise the threshold and stuff and change some of that financial part.

I guess, my question is: Do you feel like the side that doesn't want this deserves to have the same level of voice? Obviously, you do, and should they be encouraged to organize if they're really against it? Under the rules, as prescribed by the legislation?

Mr. J. Brown: Yes, and not only – there's a lot less to do with what I feel about it and a lot more to do with what is fair and democratic, to be frank. And you go back – and that's the (Indistinct) commission – the talk on this kind of thing first started in – I think was in 1993, or early 1990s, something like that. Gary?

Gary Demeulenaere Director: Yes, that report was actually before.

Mr. J. Brown: Anyway, so early in the 1990s.

Then go right on through to the to the Supreme Court of Canada case and Harper, and the wording from that Harper case pretty well lays it out, and there's another case called Libman where they get into considerations related to electoral spending.

So you get into different quotes like, “The Court did, however, endorse spending limits as an essential means of promoting fairness in referenda and elections which the Court held were parallel processes...”

There's another quote here, “In Canada, electoral regulation has focussed on the latter by regulating electoral spending through comprehensive election finance provisions. These provisions seek to create a level playing field for those who wish to engage in the electoral discourse. This, in turn, enables voters to be better informed; no one voice is overwhelmed by another.”

Further down: The regime promotes the equal dissemination of points of view by limiting the election advertising of third parties who, as the Court has recognized, are more important and influential participants in the electoral process.

There are more of them. You could keep going on to look at a bunch more quotes through the case law, but the point is this – is that: Basically, what the courts have held consistently is that, if there's an ability for one or outside parties – a party, or parties, or outside parties to whatever the process is –

to effectively come in and dominate the debate, whether it be by money or some other means, to the point where the constituent group or the sovereign group that is intended to answer that question, does not have the same ability to educate themselves. And that's what really the principle is – is that in order to get that momentum going so that people have – just as you described with the fixed link – to get to understand what the pros and the cons of it are, you have to have the ability for the average person on the street to be able to speak their mind the same as the guy with millions of dollars that can go buy an ad on the front page of *The Guardian* every day to say: I'm in favour, or I'm not in favour of whatever it is, right?

So that's been a consistently held view of the Supreme Court of Canada. And that's really an overarching theme and then, again, the context that you fall in under that is: To what level have you said that you can or you can't do something, and is that a reasonable step to take, in that case, given the objective you are trying to achieve?

And so we think we have set out a program that does that in this legislation and we can argue about or look at tweaks or whatever in terms of the amounts, or in terms of how the money is doled out, or whatever. But I think that the overall intent is sound; that we don't want to have outside parties and we don't want to have a single group, or groups, or somebody with money dominating the discourse to serve their own end.

Mr. Myers: I'll just ask one more and I'll move on. Maybe I can come back to some later.

Some of the things – and I know after the bill came to the floor, there was some of the things – and the leveling the playing field thing was one of the things that I had said outside s a conversation to some of my own colleagues here, said that may even be something that's worth looking into for a general election to even the playing field for all parties; that you have a limit on spending and maybe an internal source where it comes from, so there's no influence by outside sources and everybody kind of has the same. For me, I didn't look at it as sinister. I actually looked at it as really good and I looked at – now there is an opportunity

for a no side to organize. Maybe they won't. I don't know.

But I want to move to another topic. I was listening to CBC Radio on my drive home last night and I went the long way. I went out to Dromore to see the tulips, which isn't the normally –

Mr. MacEwen: Welcome to District 7.

Mr. Myers: Yes, it was nice out there. They're coming fine. By Saturday, they'll be in full bloom, so save your gas money until Saturday but they'll be worth seeing this weekend.

Mr. LaVie: You wouldn't be (Indistinct), fellow.

Mr. Myers: Yes, anyways.

So I'm listening to CBC Radio on the way out and Kerry Campbell did a long interview and it was with the Anna Keenan. She talked about being an activist in other countries, so whatever that meant – I know what it means, she worked for Greenpeace.

But she said that she moved here three years ago and people told her that, if you speak up, that they'll label you or it was something along – I'm just paraphrasing what she was saying and she was saying about she wanted to help make us better. And I'm thinking: You've been here for three years and you're so distraught with how we live that you have to change us?

Let me be very clear. I am quite proud of Prince Edward Island. I know we have our differences and I'm not a big fan of Liberals but –

Some Hon. Members: (Indistinct)

Mr. Myers: You know this. This is no surprise.

Chair: Thank you, hon. member.

Mr. Myers: And I've said this a million times, and I said it in public, and I've said it in private, and I said it to my friends: I don't believe there is not a single person here who isn't trying their hardest, who isn't doing their best, whose heart isn't in the right place, who doesn't love where they come

from, who isn't putting their heart and soul into what they're doing, so I don't believe that for a second.

An Hon. Member: (Indistinct) mediocre.

Mr. Myers: Maybe I'm mediocre, I don't know.

But I do think that whenever – governments collectively make mistakes. And I remember having a conversation with Ross Young – and Ross is a good friend of mine. He talked about, at the end of the –

An Hon. Member: (Indistinct)

Mr. Myers: He is a Liberal. I like you, but just not how you operate. Personally, you are all great.

Chair: Do you have a question, hon. member?

Mr. Myers: Yes, I do.

Basically, Ross said at the end of the election cycle where he was in government and went out, he said –

Mr. LaVie: Four years.

Mr. Myers: – we just kind of became disconnected with the people and that kind of happened. So that stuff kind of happens and governments change. It happens everywhere.

But what I'm fighting for better – and I've done it in this Legislature. I believe in small communities and quite often that's my approach to things. I talk about small communities. I talk about how we can better populate them. I talk about how the small schools are important. I talk about the people's right to have their voice heard via amalgamation. We have talked numerous times about the plight of the ER constantly closing in Montague. We talk about those types of things because those are the things that people talk to me about when they see me. So, to me, those are the things that are important. Those aren't red and blue things or green things. Those are things that happen.

I understand the ER in Montague is happening by extenuating circumstances. I

understand what's going on there. I do feel it needs to be rectified. It's okay to chomp on that as an issue, but to say that you've been here for three years and that – Prince Edward Island is the best province in Canada and Canada is the best country in the world.

We have a lot to be proud of and I know we bring some negativity on ourselves through the way we conduct our political process here on Prince Edward Island, but all in all, the people I talk to are generally happy. They're happy to be here, summer's coming, and it's beautiful. But they have things that they want fixed and that's our job as politicians. I've heard more about this topic in the last three years – only in this Legislature – it is the only topic I've heard for three years that I don't hear when I leave the doors – that I don't leave when I walk out of this building because people want – where I come from, people want their schools. They want communities. They want good jobs. They want population growth. They want their ER open. They want things that will help their community grow. They want a strong voice in this Legislature, and that's why I try to give them that.

I know I might ruffle some feathers over there, but you mostly get over it.

An Hon. Member: Mostly.

Mr. Myers: Mostly. For most of the time, you get over it.

But, to me, it's important. So, to me, it's important to bring that level of voice to here. I want to say that we need to find a way to do this that it doesn't turn into some sort of a gong show down at the court house that makes us look like complete idiots.

I encourage people to move here. This is a beautiful place. It's a wonderful place, with great people. If you are coming here and you think everything is broken and terrible, and that you are going to fix it, you're probably going to be disappointed because Islanders that I talk to have key issues, but outside of this Chamber, I don't hear this one and I will leave it at that.

Chair: Thank you.

The hon. Minister of Economic Development and Tourism.

Mr. Palmer: Thank you, Chair.

I think it's interesting in this – in the part that I liked about it, and kind of the concern that I have at the same time, that that this bill is creating a fair starting point for everybody.

So everybody is kind of held to the same. The concern part that I have is – as I went through the by-election in Summerside, and it was the outside influence part, I guess, is what my concern is. We had a number of volunteers that helped out on my campaign, did great work, and I found that there was a professional campaigner – whatever – I don't know exactly what his title is. But, it's Jordan. Jordan is a really nice fellow, and he was around Summerside a lot and I'd understood that he moved to Summerside, but he is a professional campaigner.

I don't know how that kind of fits into this overall referendum, this overall piece, because better resourced groups could really dominate the conversation. So, with that level playing field, that kind of gets everybody – and they can decide – the 'yes' side and the 'no' side can spend their money on whatever they think they need to spend the money on, and I think that's professional campaigners from Vancouver, then that's, I guess, where they will spend it.

That part has me concerned and to go along with that is I was reading about – in Ottawa – I think it was Ottawa; Fair Vote Canada got into a little bit of a mix-up there, and were creating some political material and suggesting that people vote for the Green Party or the NDP party.

So, here is my question: Is that part, so the part that Fair Vote Canada got themselves mixed up into and then ended up getting sanctioned for in the end, – is that covered in this? Or, how do we control that piece when we have groups out there, because, again, back to the concern that I have when Jordan was around in District 21, there's the Fair Vote Canada folks, some of those board members are Green Party of PEI members.

So, I just don't know where the grey stops for them. I'm just trying to just get my head around that works.

Gary Demeulenaere Director: You'll see in the bill, the way the contribution is defined, right? So that definition mirrors the stuff that just went through this House on the election expenses materials, and I think the root of your question is the – and I don't know the exact circumstance you are talking about – but, if an individual coming here, providing a professional service, if that's captured within the definition of a contribution, is something that they are not allowed to provide for reduced market value, essentially.

So, if they are going to provide a professional, whether it's a legal service or a professional campaigner or an accountant, or what the case may be, it's going to be caught by the definition of referendum expenses. It's not permitted as a contribution in that period for free.

So essentially, you can't donate those types of free professional services. It would have to be paid for, essentially, and recorded.

Mr. Palmer: With the example, which actually, I have it here, and I'll table this – is the Fair Vote Canada had done up a brochure and in it recommended voting for NDP or Green Party.

So in our scenario, if somebody did a brochure but didn't have that kind of – I don't know if it's called prescriptive – but that piece at the end that says: Vote for this one or this one – and doesn't really have a call to action on it, I guess?

Would that still kind of fall into that contribution limit?

Gary Demeulenaere Director: It, frankly, depends on the nature of what's been created.

The reason that I'm saying that is in the bill in its current form, it doesn't specifically prohibit educational materials. So if somebody had created material to inform or educate a person on an issue as distinct from trying to get them to directly or indirectly support a particular position, it would be subject matter depending on what was

actually in the material that they disseminated.

Mr. Palmer: Who would police that?

Gary Demeulenaere Director: Well, if your materials are going to be a proponent or opponent, the act would require to you self-identify that you are the one that's producing it.

Mr. Palmer: Right.

Gary Demeulenaere Director: I think the answer is likely that it would be a self-policing mechanism, in addition to the fact that there is a power for the referendum commissioner in the act to investigate or make inquiries.

Mr. J. Brown: Complaints based, we should –

Mr. Palmer: Complaints based.

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

Mr. Palmer: Thanks, Chair.

So if the material was, as an example, do this or electoral reform is good for the province. It will ruin the economy if you do something. Is that going one way or another way? Is that direct enough, or is that complaints based and then somebody could look at it and determine that?

Gary Demeulenaere Director: It's difficult for me to provide an opinion, a distinct opinion on that, but that exact type of thing is where you're, I think, in that view where a third party, such as the commissioner, would need to look at that, and say: What's really the purpose and what's this for? Is it to directly or indirectly influence?

Recognizing that indirectly influence would be not supporting your view but saying: Don't support the other guys if you –

Mr. Palmer: Right.

And that's kind of the direction that I thought you'd go and the answer that I'd get is – which is great, thank you.

So here is the very important part for me: What's the time line around that? How long does that take, and is the vote over by the time somebody says: hey, stop doing that? I guess is my concern. If you've got professional campaigners out there that maybe understand those rules a little bit more than the band of terrific volunteers that I've been able to assemble when I put my by-election together, are we kind of messing with the system inside the system?

I guess, if you know the rules of the game, you can, maybe in that case, try to influence or change it a little bit. I wouldn't be a fan of having somebody coming in here from Vancouver again that wants to mess around with the system, because they know they can get away with this before whoever is in charge of it will come back and say: Hey, you can't do that. It's too late.

Would that be accurate? As far as time line is concerned?

Mr. J. Brown: It could be.

Obviously the provisions are in there to – if you flip to section 26, the provisions are there to kind of catch people in that and there is a fine provision related to it.

I think, ultimately, again, we're – in a way it goes to the binding nature of the referendum, and we're here to have a referendum. If at the end of the day – and frankly, this is what you get into whether it be Brexit or whatever, if the questions start coming afterwards to question the validity or the (Indistinct) of the information that you gain because somebody was gaming the system, that has its impacts.

This is set out to set a level playing field to admonish people that are thinking that they might something else to say, look there's going to be a real fine in there if you do it. Hopefully, people take that to heart. There's a process if they don't. We would expect that a referendum commissioner would have the ability to react quickly through that process. But, can I guarantee that somebody is not going to try and game the system? No, other than to say that we put steps in place to stop it from happening and catch them if they do.

Chair: You're good?

Mr. Palmer: I'm good.

Chair: The hon. Member from Vernon River –

Mr. Palmer: (Indistinct) table this – do you want me to do that now?

Chair: Yeah, sure.

Mr. Palmer: Yeah.

Chair: What are you tabling?

Mr. Palmer: I'm tabling the Fair Vote Canada news article; Commissioner of Canada Elections, I'll table that. Also, just a little bit of information on Jordan, who is the professional campaigner that had worked in the campaign in District 21, and I believe in Alberta afterwards and some different places.

Chair: Thank you.

The hon. Member from Vernon River-Stratford.

Mr. McIsaac: Thank you very much, Chair.

I really appreciate the fact that we can have a debate on here, and everybody can have a few words to say.

A lot of my questions are actually within the bill itself, if we get to the bill and get going through part of it. I'd love to do that.

I'm going to start by saying, I have to agree with Georgetown-St. Peters, and I suppose that's going to actually be in Hansard now so (Indistinct) –

Some Hon. Members: [Laughter]

Mr. Myers: I'm going to (Indistinct) it.

Mr. McIsaac: I'm not hearing a whole lot about this. It's not, when I go to my coffee shop and talk to people, this is a topic that's not coming up to me at all.

But, we did make a commitment that we were going to have a referendum. We're going through the process. Whenever the next election is we want to make sure that this is ready and is part of that because it's a commitment that we did make to the people.

I do note, though, that in the last 150 years of elections, we've had fantastic turnout and even lately, we're still up in the high 80s in the turnout of the polls. It's not like our electorate has been turned off by the system that we had.

When we had the plebiscite in the fall there on this question, there was not a great turnout, but it was listed as a non-binding plebiscite. I know when I talk to people at the coffee shop who ask me what this was all about, I said: Well, they're just trying to get a feeling for what people might be interested in, but it's non-binding. They said: It's no issue to me, so I'm not even going to show up. I think that's part of the reason that we have a low turnout, in my opinion anyway. But, regular elections we have a great turnout. That was one of the reasons why we're tie it to the next provincial election so everyone would have a chance to look at this.

I question, in my mind, yet, how many people would actually want to take and vote on this, that's for sure. I guess that may be getting into parts of the bill. When we get to those, I have questions on the thresholds. I have questions on the no/yes question and that sort of thing, but we'll get to that in a little while.

I noted though, in BC, they had a referendum in 2005. They had a referendum in 2009. They're going back to another referendum this year. Hopefully, we don't have to do that every five to 10 years and this topic comes up again.

I'm just wondering, before we get into the bill, just one question: What did we learn from BC's experience on this with regard to referendums?

Mr. J. Brown: There would be –

Mr. McIsaac: I'll save the rest of my questions until we get into the bill.

Chair: Okay, thank you.

Mr. J. Brown: There would be a few things, I'd say, that we have probably have learned.

BC, actually BC has really has followed a somewhat similar trajectory to what we have here on PEI in relation to referendums on roughly a similar question. They had a similar threshold when they did their first one in 2005, which was, I think, just after we had done ours here on PEI, if I recall that correctly. If memory serves, it was a 60% overall threshold, and it was in either 50% or 60% of the districts if I recall that correctly.

Then, in 2009, they went back it again. They actually got to 57% the first time. Then in 2009, they went back at it again. The system, in that situation, was designed by a royal commission with representation – they spent a tonne a money on it, too. It was – I can't remember the dollar amount, but millions of dollars with representatives from each two, I think representatives, from each district in the province to come up with the model and the question and all that kind of stuff.

Then, the second time around, thinking they had learned something from it, having been tied in in the way that it was and they tied it to an election and changed the way that the threshold worked. Ultimately, they ended up with a lesser result on the 'yes' side that time and didn't quite get to the threshold.

This time, they're developing legislation to go through this process right now, as well. Actually, a lot of what we have prepared is based on BC, or a good chunk of parts, maybe would be the best way to describe that.

New Brunswick has got legislation that we've looked at. There are various different provinces that you would look to. But, BC has got the history in terms of going through and being a good reference point that we can compare with what we had to see how different things have worked in terms of the referendum legislation and what they're looking to do now and all those sorts of things.

Chair: Thank you.

Hon. members, before I go to the hon. Leader of the Third Party, when the hon. Minister of Economic Development and Tourism was tabling some documents, the government Member from Montague-

Kilmuir was furiously waving documents. I didn't know what he was trying to get to me. He's not going to say anything. He just needs to table documents. You okay –

Mr. LaVie: (Indistinct) saying nothing.

Chair: – with that?

Mr. MacEwen: I think he was just furious.

Chair: The hon. Member from Montague-Kilmuir.

Mr. Roach: Thank you, Chair.

I'd like to table these documents. It's in reference to a number of companies that I spoke about earlier today; Cambridge Analytical; AggregateIQ; Nation Builder. That's it.

Chair: Thank you.

Mr. Roach: Documents that I used in reference to one of my questions.

Chair: Thank you.

The hon. Leader of the Third Party.

Dr. Bevan-Baker: Thanks, Chair.

This conversation just gets more and more interesting both in terms of its content and the pathway we're heading down here. I find that all very fascinating.

There are so many things that have been said in the last 45 minutes, to which I would love to respond, but I, too, want to get on with this bill.

There were a couple of complaints from various hon. members here that this conversation has been going a long time. I absolutely agree. I would love to be done with this. I think Islanders have electoral reform fatigue. I think we need to get this resolved once and for all. There is nobody in this corner of the House that doesn't want to get on with something that's going to give us a clear, definitive answer. My concern is that this bill may not do that.

I must, specifically, respond to something that Georgetown-St. Peters said about a prospect of a legal challenge from the Green

Party. I think that's a long, long way from questioning publicly whether a bill is constitutional or not to actually filing a court challenge.

As Gary said, right at the very beginning: Let's not try to speculate too much. There's a lot of stuff going on around this House tonight that is nothing more than speculation. I think we need to be really careful on that.

Again, I have a long list here, Chair, of things that I could respond to. I'm not going to.

Chair: Good.

Dr. Bevan-Baker: I would love to get to debate. I think people in this House, and all Islanders, want us to get this resolved, so let's move ahead.

Chair: Thank you.

Hon. members, I have the hon. Member from Kensington-Malpeque, then I have the hon. Minister of Communities, Land and Environment.

Are we in agreement that we will entertain their questions and then we'll move onto section 1 and get on with debating this bill?

Some Hon. Members: Agreed.

Chair: Agreed?

An Hon. Member: Yes.

Chair: The hon. Member from Kensington-Malpeque.

Mr. MacKay: Thank you, Chair.

First off, I guess I've got a couple of statements and a couple of quick questions.

First off, I guess, going through the bill, what it is to me, it seems like, and I said earlier, it's the red/green show. It's a fight right now to which who gets their way. If you look at what the bill states, it's not going to fix the true problem of what's going on here. As a new MLA we certainly saw it. Neither one of these ballot options are going to fix what's going on.

What it comes down to, and I want to use a couple of examples; I was at a grocery store one day and I had one gentleman come up to me, and he said: Matt, I watch you in the House. He said: You are doing a good job, thanks. He said: But I didn't vote for you. He said: I voted for the Green Party. And I said: That's great. I said: Why did you do that? He said: Because you have a back room. I said: A back room? I laugh every time I hear that, I really do. He said: Yeah, they told us you had a back room, and I want politics done differently. So, I proceeded to talk to him for 20 minutes, and when he left, he was good. He said: You know what? Thanks for taking the time to talk to me.

I quite often hear another one; I was at Walmart one day and I had another person in my district come up and say: Matt, have you ever thought about running for the Green Party? And I said: The Green? I said: No, I'm happy with what I'm doing. He said: I will vote for if you run for the Green Party. And I said: So you think I am doing a good job? He said: You're doing a great job, you represent your constituents well, but I can't vote for you because you're not part of the Green Party.

This is where the problem is, right? I have people telling me: You are doing a good job, but we don't support your party. That's the problem. The problem is the parties, and we are going down a path that it doesn't matter what option you are. If it goes MMP, the party is picking their candidates, right? You're going down the same path we are now, it's just more complex in a sense. This legislation is not going to help fix any of the issues out there.

I had another fellow come up to me the other day and said: I can't vote Conservative because of Polar Foods. Well, I was in grade 11 when Polar Foods was there, right? I knew nothing about it at the time.

An Hon. Member: (Indistinct)

Mr. MacKay: But, he won't vote for me for something that happened 20 years ago.

My point being, this is the problem. So what I'm hearing in my district, they have a couple of concerns. First question: Is the party itself picking the candidates? So

obviously we went down a path that this is the final outcome, but people don't like first-past-the-post; I'm hearing that. And they don't like the MMP option, and now we're going down an avenue, which we're here debating on it and this is not what people are wanting.

They were looking for other options and we didn't give it to them and now, we're trying to get through this before the next election and so forth. I'm just wondering, minister, are you getting the same calls that I'm getting? That it's not what people wanted? Either option is too rushed? Some still don't understand.

Are you getting that feedback?

Mr. J. Brown: In a word: No.

Particularly, not in terms of the too rushed, I don't think, at this point in time. There was talk of too rushed back when we were going through the original ramp-up to the plebiscite process and then we extended things a little bit, and that talk seemed to go away and, in all honesty, I don't think I've heard it since.

In terms of the options that were on there, I will say that I have heard that we had too many on the plebiscite ballot. I've heard that a lot. And as chair of the committee that came up with that ballot – I'm going to say two things.

One: I think each of us in here needs to wear that to a degree because we went out. We listened to people; we put our best foot forward. As many have said, that's what we do. We tried to represent what we were asked to do and that's what we came up with. We were presented with a lot of different options in terms of what could be on there and literally, we took those that there seemed to be kind of the most fire in people's bellies for in terms of their presentations that were given and we had a brief survey that went along with it and everything like that.

The second thing that I'd like to say is I think we had always intended, as a committee, that there be an additional step beyond that, which would be a refinement of whatever option ultimately came out as

number one on the plebiscite, if it was anything different than our existing system. Or, possibly, if it was our existing system and there was a strong enough indication that – we'd maybe look at some tweaks or whatever, then that might be looked at too.

We are where we are now. I will say very soon after the plebiscite, there was a huge push to say: Well, we came out with an MMP system that as it was delineated in plebiscite materials, and there was a large contingent of Prince Edward Islanders that said honouring the vote, to them, meant that they wanted that system right away. They wanted that system put in the legislation.

What we have said and what we continue to say, and what this referendum is here to do, is to say if we are going to change, we need a clear answer to a clear question. And out of that, we need to have an ability of Prince Edward Islanders to express their desires in relation to that question and to move forward on it.

What I would say to you – if I read your question right – what I would say to you is if the system that you'd feel, or your constituents or whatever, is not listed in the options that are here, then, really, I think what we need to do in fairness to those that did participate in the process, and recognizing what it was and what the result was that we got out of it, we need to go through this process. We need to get an answer, clear answer, to a clear question expressed by Prince Edward Islanders and then we need to move on. If we don't get a clear endorsement of one or the other, then maybe we need to have another exercise at some point in the future.

But, I think the best step is, take the best information that we've got now and move forward with that to get a clear answer to a clear question and give Islanders that binary choice to decide, is it this or is it that? And if one of them comes back with 80% Islanders saying: Yes, we want that. Then that's a pretty clear indication that that's where we go.

Mr. MacKay: That's great.

Thanks for your time, Chair.

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

Mr. R. Brown: Thank you, Madam Chairman.

No constitution ever framed was without defect. No act of human wisdom was ever free from imperfections. No amount of talent and wisdom and integrity combined in preparing such a scheme could have been placed beyond the reach of criticism.

That was a statement by the hon. George Brown in his address to the construction of the Constitution of Canada. It's always good once every number of years to question our constitution to see that it's doing the job that the people want done.

I see this in an excellent opportunity here; we're looking at our constitution. We're looking at the way our government is formed, and we're looking at a way, potentially, how some people think government can be made better with changing the way we elect the people there.

I honour what you've done, minister, in bringing the bill to the floor today. I know there was some criticism of your bill, but we are sitting here today, all around, like the founders of this country sat in the building next to us and made one of the greatest countries in the world. I honour that you allow the amendments that are coming forward tonight and the discussion of some of the amendments that are coming forward, because the best constitution, or the best government, has to answer the critics of the system.

Back in the early 1800s when the first constitution was done, there was a small group of people doing a constitutional amendment or framing our country. Today's environment is extremely different than the environment of 1865. We have Twitter. We have Facebook. We have everybody – everybody has their own media nowadays and everybody can put their opinions forward.

I attended a conference on Sunday where they talked about bots and all kinds of mechanisms that people can do to influence people how they vote. And I see it extremely important that the people be given the

information and that there be a level playing field. There was a lot of criticism here over the last few years – or few days, I've been hearing, from some people like the hon. Member from Georgetown-St. Peters has said that – think Islanders are not very intelligent, so therefore they have to provide their expert opinion to us on how we should govern ourselves.

If you criticize or question them, it's: Well, what would you know?

Fair Vote Canada, I see their website here and you can make a breakthrough possible. Hire a campaign organizer to win the PEI referendum. You know? "PEI is tiny. With the money to hire a Campaign Organizer, PR supporters can literally knock on every door in PEI." The results of the PEI referendum will either help the 'yes' campaign in BC or help the opponents.

There are bigger forces in play here. I see that and this constitutional talk that freedom of speech, which I believe in extremely and I would fight to the end for.

But, as the hon. Leader of the Third Party said the other day, three people looking over a fence. You know, one my size, one, maybe, the hon. member beside me size and one from Member from Vernon River-Stratford, we need different boxes to get to look over the fence.

Mr. Henderson: I don't think you'd (Indistinct)

Mr. R. Brown: No, what I does, I'd drill a hole through.

But, you know, and it has to be fair. It has to be fair. The information has to be given to Islanders fairly.

You look at the United States nowadays, their constitution basically says, if you're a billionaire, you can spend a billion dollars in getting your message out. They do that. They spend, what? A presidential election now runs in the billions of dollars. Senate races run in the hundreds of millions of dollars. I'm told that senators and congressmen in the United States have to spend, at least, one or two days, in basically call centres calling for money to run their next campaign. They spend more time

raising money than helping the people of the United States. They spend more time lobbying people for money so they can run their next campaign. That's what they're doing with their time down there. They're spending 90% of their time raising money in order to fight the next campaign.

That's why I support the limits placed on advertising. I support the limits on the amount of money we spend.

I hear all the time about the constitutional, it's not constitutional. It's freedom of speech. Again, like I said, freedom of speech, I'd fight to the bitter end to allow it. But, everyone forgets section 1 of the constitution is that there's limits on everything.

We do not allow people and freedom of speech to promote hatred, to promote racism. We put limits on that. Or are the people that are saying, you shouldn't limit free speech. Are they saying, we should allow people a public stage in the public forums to incite racism? To incite violence against each other, to –

Mr. Fox: That would be mediocre.

Mr. R. Brown: Is that the kind of environment we want? No. That's why the courts have allowed some limits.

I just see that the Fair Vote Canada is thinking that: Well, we've got little PEI down there. We can go down there and spend a bunch of money and we can change them.

Otherwise, if they didn't think money could sway a vote, they wouldn't be asking for money to win this referendum. So, the people criticize me for saying: You're not allowing free speech.

But, I asked questions the other day about the *Election Act*. If somebody wants to put a full-page ad in the paper for me saying: You're one of the greatest guys that has ever been elected to the Legislative Assembly. Now, I'd have to agree with them. But, is that fair? Could I get somebody –

Mr. LaVie: (Indistinct)

Mr. R. Brown: – saying: Can I spend all I want to get this guy elected? No, we don't allow that.

Why are we having a different set of rules for one of the most, biggest questions, I'd say, we'd be asking in a decade around here? It was asked in 2005, to change our system.

All I hear about, like the Member from Georgetown-St. Peters, and I want to say to the Leader of the Third Party, he had two hours, I'm not going to take two hours to do my preamble. I want to get into the bill also.

Mr. LaVie: You're off to a good start.

Mr. R. Brown: I think that Islanders are pretty smart. Islanders are engaged in their system, in the system. I just think that, and I'll table this Fair Vote Canada that they're looking at – I'll probably be criticized for it, but I'm going to say it anyway.

If this was in the United States, Fair Vote Canada would be the Russian equivalent trying to come into the United States and affect election. Fair Vote Canada thinks they can come down here to PEI and say "Look it. They're a small little group. We can get a bunch of cash together. We can inundate Facebook. We can inundate the media. We can get our message out. We can supersede what the other side says because we're going to bend the rules. We're going to make the rules for us. We're going to get behind freedom of speech. We should be allowed to say anything and cost anything out.

Ms. Biggar: Our media doesn't even challenge (Indistinct)

Mr. R. Brown: The rules behind this referendum, are they similar to the rules of an election? Like, in terms of the amount of money you can spend? The advertising you can do? Is it equivalent to the *Election Act*?

Mr. J. Brown: Fairly similar. I guess the one obvious difference would be that there is an allocation of funding set out for the proponent and the opponent group, which, depending like if you start where we started it was a buck an Islander. If you look at the amendment moved by the Minister of Finance, I think he said that was a \$1.67 or

something like that, an Islander. So somewhere between \$1 and \$1.67 an Islander. We're giving public money to do that.

Then, each Islander would have, depending again, on the amendments, either \$500 or \$1,000 of their own money, they could spend on referendum advertising.

If it's something that – so again, referendum advertising are the apples, and then there's the whole basket of fruit (Indistinct) besides that.

Mr. R. Brown: Okay.

Mr. J. Brown: Yes, there's a similarity. The two of them are not exactly the same.

Mr. R. Brown: Would we not be saying, if we opened up the doors for the referendum to say: Look anybody can come in. Anybody can spend any amount of money they want for their opinion to be heard. Then, when the election's called: Well, you can't spend. The parties can't spend too much money. They're only allowed \$1 million, I think, to spend, each party or some – total amount of money.

Why aren't we following the same rules as a provincial election to elect the people of this House? You're saying we are following the same rules? Like, each party gets a certain amount of money for each vote that they receive during an election. So there's an equalizing effect for making the competition fair for people.

Do you see your act infringing upon – or if it was okay for the referendum to let her go spend whatever you want, bring whoever you want in from outside, to run your election, would that not be – couldn't I argue then, as a person running, saying: Well, you're allowing the referendum people to spend whatever they want. Why can't I spend whatever I want?

Mr. J. Brown: Yeah. I think I get what you're trying to ask me.

I think that the piece of it – and what I'm taking you to say is basically, if we continue on with the free-for-all for now until we get to a writ period, what's the issue?

What I would say is we've seen how this has worked up to date. As we go forward, the comment would really be that once the horses and the cows are out of the barn, it's pretty hard to get them back in.

The issue in terms of one party or parties or groups that are looking to come in and have an influence is that once that happens, you can't undo it. We think a better process would be to give each, the proponent and the opponent groups, some money so that they can educate folks that wish to go in one direction or another; to give the referendum commissioner a budget to do the work generally of the people and to educate the people in relation to things referendum related.

And, to allow people to have their say within a reasonable limit or spectrum or whatever you want to call it. Then, say to them: If you hit the upper the end of that you can go join one of the groups and still have access to the money that'll be there.

I think that – does that get at what you're –

Mr. R. Brown: Yeah. It gets it.

I'll table the website of Fair Vote Canada that's asking for donations to hire organizers and people to come to PEI and to affect the referendum. I think if this – if we were to do that, we'd get so much criticism from everybody that trying to fix election and here's the very group at that says they're for democracy, but yet, we want to manipulate it by money.

Chair: You have a document to table?

Mr. R. Brown: Yes.

Chair: Thank you.

Mr. R. Brown: Thank you.

Chair: Okay, hon. members. We are going to get into the bill now. We'll go through it section by section. And so section one – does somebody have a question?

Ms. Biggar: Yes.

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

Ms. Biggar: Madam Chair, the minister from economic development mentioned the definition of referendum advertising. So when you get to that, I'm wondering if you could skip over it so we could maybe have some more time to put some thought to that in case there's an amendment.

Chair: Okay, sure.

Ms. Biggar: Okay?

Chair: Thank you.

Mr. J. Brown: So 1(o) we're talking about?

Ms. Biggar: Yes. (o) – one, two, three, four.

Yeah, just the definition there of what referendum advertising means.

Chair: Thank you.

Ms. Biggar: Because we may want to discuss that a little more.

Chair: Great, thank you.

So hon. members, just a friendly reminder, there have been a number of amendments that have already been tabled, so when you get to your amendment – when we get to the section where your amendment is, you have to move your amendment. So, just put your hand up and we'll get there. So I'm going to go through section, starting with section one, the definitions.

Mr. Fox: Chair? Can I interrupt for a second (Indistinct) guest (Indistinct)

Chair: The hon. Member from Borden-Kinkora.

Yes, for recognition?

Mr. Fox: Yes.

Chair: Yes.

Recognition of Guests (III)

Mr. Fox: I'd like to recognize my wife, Debbie Fox, to the Legislative Assembly.

[Applause]

Who is now back RN at Prince County Hospital at (Indistinct)

[Applause]

Mr. MacKay: (Indistinct)

Mr. Myers: She's a saint. She's a saint for being married to him.

An Hon. Member: (Indistinct) know that.
Chair: Order!

1. Definitions

In this Act,

(a) "Chief Electoral Officer" has the same meaning as in the *Election Act* R.S.P.E.I. 1988, Cap. E-1.1;

(b) "contribution" includes

(i) money donated in order for a registered referendum advertiser to –

The hon. Member from Morell-Mermaid.

Mr. MacEwen: Sorry to interrupt. I mentioned this afternoon about section by section. Do we need to read out every single definition?

Chair: Are we okay with that?

An Hon. Member: I'm okay with it.

Some Hon. Members: (Indistinct)

Chair: So what I'll do is I'll say I'll read definitional. I'll say: Shall the section carry? And if you have a question with regards to a certain definition, please raise it to my attention and we'll go directly to that definition. Is that okay?

Mr. MacEwen: It's okay with me if it's okay –

Chair: Everybody okay with that?

Some Hon. Members: (Indistinct)

Dr. Bevan-Baker: No, I'd rather go line by line.

Chair: Okay, let's have a show of hands. We'll go with majority rules.

Show of hands who wants to go line by line?
Two.

All those who wanted to go section by section, raise your hand.

Thank you.

Definitions

Shall the section carry?

The hon. Leader of the Third Party on the definition section.

Dr. Bevan-Baker: Just before I get to my first question, Chair, I want to contend the idea that we'll skip section – oh, I mean, we've all had equal time –

Chair: Sure.

Dr. Bevan-Baker: – to look at this bill and we have brought forward amendments. I don't think there's one specifically on question (o), although I have a number of questions on that section, so I'm not willing to skip by that question when we get there.

Chair: Thank you.

Dr. Bevan-Baker: So I'll start with section one, subsection (b), the contribution section.

Chair: Sorry, could you repeat that?

Dr. Bevan-Baker: Yes, section one, subsection (b), the contribution section.

Chair: Okay, perfect.

Dr. Bevan-Baker: Yes. Subsection 17(3) says that members of a registered referendum advertiser cannot accept any contributions during the registration period, which could be, as we know, up to two years if we have our election in April 2020.

So, does contribution in this context include funds raised to cover non-referendum expenses that an organization might incur? For example, the PEI Council of People with Disabilities offers incredibly valuable programs for Islanders, but it was also a member of the PR coalition and they might want to campaign in support of MMP. So

can they raise money during this period for other purposes?

Mr. J. Brown: I don't know enough about the council of disabilities and their makeup to be able to answer that question.

Dr. Bevan-Baker: Okay, well, I'll give a generic example. We have a group that is a member of the PR coalition, but does all kinds of other work aside from that. Are they prevented from raising any money at all because they are part of the PR coalition, even though that money is being used for purposes that have nothing to do with the referendum act?

Mr. J. Brown: Are they a registered referendum advertiser?

Dr. Bevan-Baker: They would be part of a group – potentially part of the group.

Premier MacLauchlan: Chair, I think the answer on this one is – if I may –

Chair: The hon. Premier.

Premier MacLauchlan: The answer on this one is within the clause sub one, within the clause sub two, and that it is money donated to incur referendum expenses or to otherwise support a registered referendum advertiser's opposition to our support of – so it's for the purpose of the referendum that the contribution is identified here, so it wouldn't affect other activities of a body such as the council of persons with disability.

Ms. Biggar: (Indistinct)

Chair: The hon. Leader of the Third Party.

Dr. Bevan-Baker: I'm not quite sure how he could discern what money that's being raised for this umbrella organization was being devoted entirely to the referendum and what might be devoted to other work that they're doing and how you could distinguish that.

Premier MacLauchlan: Then it becomes a question of what gets reported, right?

Mr. J. Brown: I think the other piece of this that you have to be cognizant of is referendum expenses, which is the definition

in (Indistinct) and now the two of them are tied together. In other words, they'd have to report all of the referendum expenses.

I think when you end up with a group like that and they're going to enter into something like this, there's going to be an umbrella – there's a lot of considerations that are going to have to go into whether they're going to be involved in it or not, from the standpoint of one of the groups that would be in the proponent or opponent group.

So more than just – as an example, are two thirds of their constituent members Prince Edward Islanders? Is their group open to be joined by all? The organizations that you're mentioning, I don't know the answer to those questions. But, there may be an issue with them becoming one of the umbrella groups for those reasons.

Dr. Bevan-Baker: So in the same section, all these questions are in section one, Chair.

Subsection (e), general election; the phrase that's in there that catches my attention includes: Unless the context requires otherwise. And that seems like a fairly large loophole – a potentially large loophole for manipulation. So I'm wondering what context would require the referendum to occur at a time other than the next general election. This is subsection (e).

Gary Demeulenaere Director: I think the answer to that is that there is a context in which it does refer to the next election after this act. And that would be where the language – the binding language that says the next election essentially following the next election, if you know what I mean. So that this referendum is intended to piggyback with the next election and then the change is supposed to come in place by the time of the next election following, and I think that that's what that section is getting at.

Dr. Bevan-Baker: Could you run that by me again, Gary. I'm sorry. Can you read out the section and then explain again what you just said?

Gary Demeulenaere Director: Yes, this particular context – if you look at language in – bear with me – in the language in

section four. In particular, in four sub two: so this legislation will piggyback the next general election and then the language in section four essentially says: You are going to implement the result by the time of the next general election following that because obviously the –

Mr. J. Brown: (Indistinct)

Gary Demeulenaere Director: – the referendum has to happen first.

Dr. Bevan-Baker: Yes.

I understand what you're saying, but I'm just wondering what that phrase, "unless the context requires otherwise", refers to.

Mr. J. Brown: So it's the first general election.

Ms. Bell: Why not just say that?

Dr. Bevan-Baker: Yeah. Why doesn't it just say 'means the first –

Mr. J. Brown: It says that.

Dr. Bevan-Baker: – general election to take place under the *Election Act*? So I'm just wondering –

Mr. J. Brown: And then if the context requires otherwise, where it does in section 4, subsection (2), the last two lines refer then to the binding result being put "...in place for the next following general election required under the *Election Act*."

Dr. Bevan-Baker: Yeah.

Mr. J. Brown: That's where the context requires otherwise.

Dr. Bevan-Baker: Why is that phrase in there? Why can't we – like, what's the purpose of that phrase?

Ms. Bell: (Indistinct) without it, it makes sense.

Gary Demeulenaere Director: If you read the sentence without that phrase, that when you then read section 4, because you've then defined general election to mean the next one –

Dr. Bevan-Baker: Yeah.

Gary Demeulenaere Director: – you would have to specifically say: I don't mean the general election, I mean the next general election after the one I've just defined.

Dr. Bevan-Baker: Okay.

Chair: Okay. Good?

Dr. Bevan-Baker: I have lots of other questions, so I'll leave that be for now.

So subsection (o), this is the one that some others wanted to us skip, and it's the definition of referendum advertising.

Ms. Biggar: Come back to.

Dr. Bevan-Baker: Pardon me?

Ms. Biggar: Come back to.

Dr. Bevan-Baker: Yeah. Skip it, in other words.

Ms. Biggar: No, come back to it.

Dr. Bevan-Baker: Okay. Well, I'm not going to play semantics.

The definition that's here suggests, to my interpretation, that a newspaper editorial, written by staff, is only permissible if it's produced without payment. I know that sub (i) has notes there on editorials, but I'd like an explanation of that. Because as I read sub (i) of subsection (o), can you just confirm to me that a newspaper editorial written by staff who are being paid is not going to be excluded by this legislation.

Mr. Fox: Are you talking about Roman numerals, or are you talking about one? Because there's no one. Roman numeral (Indistinct) –

Some Hon. Members: I.

Dr. Bevan-Baker: I, sorry, excuse me.

Mr. Fox: That's (Indistinct)

Chair: That's a one.

Ms. Biggar: It's always one.

Dr. Bevan-Baker: It's a one.

Chair: It's a one.

Mr. Fox: It's an 'i'.

Ms. Biggar: It's a one.

Dr. Bevan-Baker: It's a one.

Mr. Fox: (Indistinct)

Dr. Bevan-Baker: If you look down, it's not 'i', 'ii', 'iii', 'iv'.

Some Hon. Members: (Indistinct)

Chair: The hon. Leader of the Third Party.

Some Hon. Members: (Indistinct)

Dr. Bevan-Baker: I'm sorry. I'm waiting for an answer to my question, whether it's 'i' or one or whatever it is.

Chair: Thank you.

Mr. J. Brown: So I think, hon. member, there's a few pieces in there that you really need to define a little bit more to ask the question that I think you're trying to ask.

Dr. Bevan-Baker: Okay.

Mr. J. Brown: In other words, who is the one that's paying somebody to have the articles written?

Dr. Bevan-Baker: I'm talking about an editorial in the newspaper written by staff of the newspaper who would be paid for doing that work.

Gary Demeulenaere Director: Sorry, we were thinking you meant staff of your office (Indistinct) –

Dr. Bevan-Baker: No, no, of the newspaper.

Gary Demeulenaere Director: Yeah.

Dr. Bevan-Baker: And as I read one, sub (i) underneath, there's a bit in there about "...without...reward or promise of payment or reward." I just want to check that an editorial, because often editorials in newspapers will endorse a particular party, for example, in an election, or in the case of

a plebiscite they may endorse one side over the other. Is that okay?

Mr. J. Brown: You'd probably have to look at it in the context in which it was written. If they meet the definition, as it's set out right there, which you're able to read as well as I am – or to say it a different way, if *The Guardian* decides that they're going to start being in the business of referendum advertising as it's defined in here and put editorial on the top of it, they're going to be into a problem.

If they decide, you know, *The Guardian* could be like Fair Vote Canada or could be like anybody else. They are *The Guardian*, they are a newspaper, we presume they won't be like that, but the definition is set in place that in case they decide they're going to be like that, there could be an issue that might catch (Indistinct)

Dr. Bevan-Baker: I think we need a clear answer on this, that if a newspaper – let's say *The Eastern Graphic* – wished to produce an editorial which was clearly in favour of the status quo, for example, would that be in violation of the definition of referendum advertising as it appears in the bill?

Gary Demeulenaere Director: My view of this particular definition, the answer to that question is no. If the newspaper has a staff member write an editorial as part of their normal function to write editorials, which would just what I mentioned to the minister, it would be distinct from – not to pick on *The Eastern Graphic*, but of them hiring a specific writer to come in and write a weekly column to influence the vote one way or the other; but simply a newspaper choosing to insert an editorial, I think, fits within the exception that's in 1 (o) sub (i).

Dr. Bevan-Baker: Still in this section, chair.

Would a media company, a newspaper or any other, would they be able to endorse a particular position on the referendum one way or the other?

Gary Demeulenaere Director: I don't see, from the language in here on its face, that they would be prohibited from necessarily doing that.

Dr. Bevan-Baker: Okay.

Mr. J. Brown: Just so we're careful here, though. You can't – and this is part of what I'm saying in terms of all these questions and the context in which you look at them. You can't ask a question with two or three out of a dozen variables and say: What's this going to result in?

When you go to look at them – and it's the same with any legislation we have – when you go to look at the result of any others, the legislation is there and speaks for itself. We're not in the business here of trying to envision every possible outcome of the legislation. So if you're going to sit here and give us examples all night long –

Dr. Bevan-Baker: No, don't plan on doing that, minister.

Mr. J. Brown: Okay, and I'm just pointing out to you that there's a greater context that's required when you get down the road to actually look at the wording that's there and try and fit that situation into the wording. I just want to be very careful in terms of the expectations that you're creating or the reason why you're asking the questions, and the answers that were giving back being kind of an assessment. Really it's tied back to the language that's there.

The questions really would be better put in terms of: what is the language you're trying to accomplish? Or if you get into kind of a more specific link back into the sections, where are we and is it something that should or shouldn't be in there in terms of the harm that you are thinking might occur? I think it's easier to ask and answer that question than to give us a scenario and say: what do you think?

Because ultimately, we're not judge, jury and executioner; we are here having put legislation forward and ultimately, if there is an infringement of it, it would be a court that would be asked to interpret what our intentions were when we set this in place and try and determine whether those intentions catch whatever the activity is that we're talking about.

Dr. Bevan-Baker: So part of the language in subsection (i) of sub (o) is that "...the

means of transmission is not established for the purpose of the referendum.” So does that mean that a newspaper or another media company would not be able to produce, for example, a special issue on the referendum if they wanted to? If it was a particular issue specifically about the referendum? Or an insert, for example, which often happens on these things, would they be allowed to do that?

Mr. J. Brown: It would depend on the circumstances.

Dr. Bevan-Baker: Okay, so perhaps not.

Mr. J. Brown: Perhaps not, yeah.

Dr. Bevan-Baker: Okay.

Mr. J. Brown: And perhaps they would.

Dr. Bevan-Baker: And do you think those sorts of limits, if indeed that is a limit, you think that’s justifiable under the charter?

Mr. J. Brown: Yeah.

Dr. Bevan-Baker: You do?

Mr. J. Brown: Yeah.

Dr. Bevan-Baker: Okay. Can I ask Gary if he feels the same way?

Mr. J. Brown: I just answered the question. Gary’s here to assist in our answers and that’s the position that we’ve put forward.

Dr. Bevan-Baker: Okay. I just –

Mr. J. Brown: If you think otherwise, maybe put it out here and propose an amendment.

Dr. Bevan-Baker: No. I don’t know because I’m not a lawyer, but we have three lawyers in the room here and I just – rather than rely on one particular opinion when you have three, I’d be interested to know whether the others agree with you, that’s all. So I’m just asking Gary if he feels also that that sort of potential limitation could be –

Chair: I think the minister answered that question.

Dr. Bevan-Baker: He answered for Gary.

Chair: And that’s –

Dr. Bevan-Baker: I just wondered if Gary –

An Hon. Member: (Indistinct)

Dr. Bevan-Baker: – would wish to answer. Yes, absolutely. I’m just wondering if Gary would like to answer, that’s all.

Gary Demeulenaere Director: I don’t want to, obviously, talk over the minister and I wouldn’t want to defer to him, but his answer is unfortunately, kind of, classic lawyer language that your context –

An Hon. Member: (Indistinct) your used to it.

Gary Demeulenaere Director: Yeah, but it’s your context that depends, right? If you have a publication that, a newspaper, for example, that decided to issue a special edition dealing with the referendum setting out, effectively, both points of view, I think that that would clearly fall in stuff that’s excluded from this, essentially, paid advertising.

But, if they issued a 10-page document, which would not be considered something that’s established for the purpose – it would be established by the purpose of the referendum with the view to influence the vote. They could potentially be off-side that section.

The short answer to your question, I think, is in that particular context we’re talking about, I think that is a reasonable limit on expression because they would be subject essentially to the same rules as everybody else. They can’t go and create something brand new with a view to try to direct the vote for or against.

Mr. J. Brown: The ultimate question you’d also have to jump to would be: Are they spending more than 500 or 1,000 or whatever it ultimately ends up being dollars? You know, if they are spending more than that, if they joined one of the proponent or opponent groups in terms of the position that they wish to take. There’s a lot of considerations that could go into any of that.

I guess that’s why I’m saying, you really

need to look at the context in which you're asking the question. When you're giving a couple of variables, it's tough for us to give you a, really, an on-the-spot legal opinion as to how that would apply in that particular situation.

Dr. Bevan-Baker: I appreciate your answer, Gary. I also appreciate the context is always important in making a legal judgment. I understand and appreciate that. I'm going to move onto blogs now. I know that in sub (4) here, "the transmission by an individual, on a non-commercial basis, of his or her personal political views via the Internet;" Often people will do that in the form of blogs.

With popular blogs and there are more and more of those out there, they're used to generate revenue. People will buy ads on a particular blog knowing that there's a lot of traffic going to that blog.

If somebody were to write a blog on Prince Edward Island in favour of one side or the other and from that blog they received advertising revenue, would that be a violation of the referendum act?

Mr. J. Brown: Gary is saying he doesn't know enough about how blogs work. Again, I think, overall you have the legislative scheme that's there and you'd have to look at how it would apply to the particular blog that you're talking.

If somebody is organizing in a way that they are effectively spending more than, you know, if it's 500 or if it's 1,000 on referendum advertising then the answer is, at that point in time, they would want to either look at whether they wish to continue to doing that or joining one of the proponent or opponent groups, which they are free to do.

It depends on the circumstances. Again, you get into, and this goes back to the talk that we had before. Are we really talking about a professional person that's doing this, or are we talking about somebody that's doing their own personal blog? And where is that line drawn?

The language that's in here sets that line out. Again, it's very contextually dependent. But somebody who is doing that ought to turn their mind to that, for sure. Am I here with a

view to do something that's going to impact overall this referendum greater than the average person that would be anybody here that's putting something on a blog or somebody out in the public that's putting something on a blog and I'm making money off of that.

Anytime, to me, you're making money off something, whether that's your main income or whether something else is your main income, part of you is professing some expertise in that in order to have other people pay you and it's a business in one way or another.

I think you'd ought to be concerned, at that point in time, and you ought to take a look at the legislative scheme and you ought to determine whether it catches you or whether it doesn't.

Dr. Bevan-Baker: Let's imagine, on Facebook for example, you were to boost a post, or promote a Facebook post that was clearly in favour of one side or the other of the campaign, would that be considered referendum advertising?

Mr. J. Brown: I would suggest that it probably would. And, when we looked at this we did look at how much you could reasonably spend boosting Facebook or Instagram or Youtube or whatever posts that you might have, before you're going to hit the 500 or \$1,000 limit. The answer is a lot.

We feel to the next question, that I'm sure you're going to ask and the one you asked a few minutes ago, we feel that this is a reasonable step to take in the circumstances. If you're going beyond whether it's 500 or 1,000, we feel that, at that point in time, you're really into the proponent or opponent grouping and that's where you should be looking to head.

Dr. Bevan-Baker: Subsection (4) says that: an individual can transmit his or her personal political views online. I get that. But, does that mean that even sharing somebody else's views online would be considered advertising, or perhaps even liking a post online, sharing it to your page?

Mr. J. Brown: I don't think – this is not the term that's in here, but to give you a sense of what – you want my thoughts, give you a

sense of what they are – if it's something organic that you're not in the business of doing or you're not earning income from, or you're not out there paying somebody to do, in broad strokes, I don't think it's something that you're going to be caught in the legislation by.

Facebook is a great example. The minute you say, I'm going from just sharing something that I have or putting my own post on to pushing it to others, or, in other words, paying Facebook to have that appear in other individual's feeds whether they're – whether it would have naturally appeared there or not. At that point in time, you get caught in the definition of referendum advertising because you're out there purposefully, or in the wording: directly or indirectly, opposing or supporting one position or another.

You literally are reaching into your pocket to pay somebody else to do. It's the same as going and buying an ad in *The Guardian*, I guess, to put it directly.

Dr. Bevan-Baker: In terms of restrictions on expression on advertising we're talking about here in the form of political advertising by private citizens, what other Canadian jurisdictions have these sorts of restrictions, firstly, during referendum campaigns?

Do you want me to ask the question, again, minister?

Mr. J. Brown: Yeah, sure, I'm just looking at the time and I think we're limited to a certain time here.

Dr. Bevan-Baker: We're going to give up our time for –

Chair: Yes and but, hon. member by the time – I was looking at – as the Chair, I appreciate you giving up your time. I was going to at 8:40. I was going to call the Speaker back because the Speaker has to go through – we have to read the progress. By the time I get back to my chair, he calls the next order. I thought it was going to take two or three minutes to do that. In order to be fair to the final 15 minutes, if you don't mind?

Dr. Bevan-Baker: I'm fine with that.

Chair: That's good. Thanks.

Mr. J. Brown: Okay, sorry, yes.

Dr. Bevan-Baker: It was to do with this, sort of, restriction on expression through political advertising by private citizens.

I'm wondering what other jurisdictions have those sorts of restrictions during referendum periods? If you have a jurisdictional scan that would show that?

Chair: Do you mind holding that question until we come back the next time to –

Dr. Bevan-Baker: Sure –

Chair: – discuss this.

Dr. Bevan-Baker: – that's fine.

Chair: Thank you.

Can you call the Speaker back?

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

Chair: Shall it carry? Carried.

Mr. Speaker, as Chair of a Committee of the Whole House, having had under consideration a bill to be intitled *Electoral System Referendum 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 Montague-Kilmuir.

Mr. Roach: Mr. Speaker, I move, seconded by the hon. Member from Vernon River-Stratford, that the 30th order of the day be now read.

Speaker: Shall it carry? Carried.

Clerk: Order No. 30, *Plastic Bag Reduction Act*, Bill No. 114, in committee.

Speaker: The hon. Member from Montague-Kilmuir.

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

Speaker: Shall it carry? Carried.

I will ask the hon. Member from Charlottetown-Lewis Point to come and chair this bill.

Chair (Casey): The House is now in a Committee of the Whole House to take into consideration a bill to be intituled *Plastic Bag Reduction Act*. Is it the pleasure of the committee that the bill be now read clause by clause?

Ms. Biggar: No.

Mr. Myers: Question.

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

Mr. Myers: Thank you, Chair.

The last time we were on this, I was just starting to talk about plastics in general. It's funny, yesterday, CNN had a story and it just happened to catch me when I was reading something in it, it was about the EU as moving forward with an idea to reduce plastics, the non-reusable plastics and it had to do with reducing marine litter.

Anyways, the things that they talked about where the plastic cutlery, plates, straws, drink stirrers, the sticks for balloons. Apparently, I guess they must have a study that says those are things that most show up on beaches. Drink containers, but they have a whole plan on reducing their targets on food containers and non-reusable drink cups and stuff like that.

The point of my conversation when we last talked was, I really think we should be looking at what can we do to overall reduce the non-reusable plastics? It just so happened that this aligned, this week, that it just happened. Did you have a chance to see that?

Mr. Roach: Yes, I did. As a matter of fact they have, I think the EU has come out

today and they're banning all plastic straws completely and outright and plastic cups.

We're starting to see every day as, I think, right across PEI we're starting to see, for example, restaurants that are stepping up to their own and saying: we're not going to sell this anymore in the store. I think that this is catching on.

With this particular bill, I know it's not all encompassing, but I saw it as a starting point to get the worst offender, kind of, out of the way. Certainly, by no means do I believe that this is the kind of the end of it.

I think this is just the beginning of it. Certainly, I would like to see us back here at another time talking about the things you have just mentioned.

Mr. Myers: That's fair. I think that the Europeans had addressed the bags a few years back. This was the highest percentage after bags of things. It was the point that I was talking about. Before reading this I was thinking up things that I thought.

One of the things was coffee cup lids. You see those things everywhere. Like, everywhere. Nobody is intentionally – I don't think people are intentionally just throwing them the window, but because they're as light as a leaf, if they happen to get away or they happen to get away from your garbage bin while you're – they can blow pretty far.

I do think that we do need to come up with a way. That's why I originally thought that the Leader of the Third Party had talked about bringing it to committee. That's why I had originally thought about that maybe committee was a good avenue for it because we could have an in depth look at all of those things.

But, you see that the EU had dealt with bags separately first. I think I said the last time you were on, too, that I think we could be an overall leader for reduction of non-reusable plastics here on Prince Edward Island for the whole country.

We, at one point, were leaders and we ended up not sure if we still are or not as a province. We were the first province to have an environment minister. We've had a lot of

firsts when it comes to the environment for Canada, for this country.

An all-out ban on non-reusable plastics might be a full scale, for a very small province, we'd be doing ourselves a huge favour to look at that in the future.

I know other people have questions. I have a question about, because it's just – in doing research, there was a piece I found about whether or not paper bags were better than plastic. Some of the research says, and I don't know, I'm no expert in this, that some of the paper doesn't reuse as well as plastic, if you're reusing it. I think the point is, is that people aren't necessarily reusing it.

One of the other things that I have found was making paper bags is resource intensive and it takes a lot of water and it takes a lot of energy to produce a bag. Did you do any of that research to see the comparative of – I know the angle of yours is after. So, what do we do after we use it? We don't want it to end up somewhere. Making it can be equally hard on the environment. Did you do any research into the –

Mr. Roach: Yes, I did –

Mr. Myers: – (Indistinct)

Mr. Roach: – and the most difficult one was the paper bags that had other fibre in it.

Mr. Myers: Right.

Mr. Roach: That might make it last longer, but those are extremely expensive. They don't do as well in the environment. It was one that the Retail Council of Canada came back and said: We'd prefer not to see that. We'd prefer to see just an ordinary everyday paper bag.

Chair: The hon. Member from Morell-Mermaid.

Mr. MacEwen: Thank you, Chair.

Minister, I support the intent of your bill. I think you mentioned off the bat a while ago, when you brought it to the floor, about, you know, it's not perfect. There's some – not errors – but things that can be improved on it, too.

There was an amendment made the other day here to exempt tire bags, I think, the Member from Rustico-Emerald thought that.

Do we get to the point where when we go through it and we see the exemptions, are we pretty much taking the teeth completely right out of this? Exempting tire bags is kind of ridiculous. There are all kinds of things you can put on a tire that doesn't dirty your car, or storage, and that kind of thing. Why are we going to the extremes with exemptions?

Mr. Roach: I think the key reason is the bag itself that is the focus of this particular one is the biggest offender on the planet. And in conversations with the Retail Council of Canada, that was one that they asked for. And so, I believe that in order to get this started, I think they have to start someplace. That doesn't mean that that exemption's going to last forever, but at least we can get that one time reusable bag – particularly the ones that come out of stores – to get that out of there because that is the biggest offender.

So this really is the beginning. It'll give, I believe, the public the opportunity to work with it and understand it and even themselves – I see a lot more people already, just from the conversation that's been had, that are now switching to reusable bags in the grocery stores. I see less and less use.

Mr. MacEwen: It has reignited that conversation. It comes up every couple of years and I appreciate you doing that and it's great to see what the school groups are writing, or restaurants are taking the lead.

Of course I support eliminating these bags and stuff, but to be fair, if I brought a bill like there forward and I was saying: this is just a start and, yes, some of them aren't exactly right – I think the member from Member from Georgetown-St. Peters, you brought forward a food waste bill one time and the intent was there and there was a lot of good intent, but it wasn't really nailed down and I thought that the – did they push yours to committee?

Mr. Myers: They pushed a couple of mine to committee. I don't think that one. That one didn't hit the floor.

Chair: The hon. Member from Morell-Mermaid, do you have a question?

Mr. MacEwen: Yes. So anyway, I agree with the Leader of the Third Party. Supporting the bill as it's written might be tricky for me right now; I support the intent of it, but I think going to committee and having this bigger conversation about the coffee lids, about the plastic forks – I get what you are talking about is a start. It really could be something –

Mr. Roach: Well, I think right today it could be something big. I think it is a good bill. It's short and it's to the point and we have made some amendments that covered off some areas of concern and I think it's a good solid bill. There's lots of bills that came on the floor during this sitting that didn't go to committee and they still passed.

Chair: The hon. Member from Vernon River-Stratford.

Mr. McIsaac: Thank you, Madam Chair.

I certainly support the bill and the way it started off for sure and I want to congratulate the minister, as well, for the work he's put into this, because it is only starting points, is what it is. I mean, we can debate all day with: this should be in, that should be in, but I think this bill is one that will come back to the floor of the Legislature, likely, on a fairly regular basis to add things to it. But I think we need to make a decision to get this first step finished.

Mr. R. Brown: Yes.

Mr. McIsaac: And I would like to move that the Speaker take the chair and report the bill agreed to with amendment.

An Hon. Member: Great.

Some Hon. Members: Hear, hear!

Chair: All right.

Are you ready for the question?

Some Hon. Members: Question.

Mr. Myers: I still have questions.

Chair: Yes, I know you had questions. Hon. members, we've discussed this on May 1st, May 17th, and now again on May 29th and –

Mr. Myers: We've been on the referendum bill for five days.

Chair: I know that, but I'm going to use some discretion here as the Chair. So I'm going to have a show of hands those who would like us to call the Speaker back.

Mr. Myers: No. I have questions.

Chair: Show of hands? Just like I did in the previous one.

Mr. Myers: No, Chair. I have questions.

Chair: One, two. We've got two –14.

Okay. All those against carrying the bill.

Mr. Myers: You can't – this isn't democracy. I have questions.

Chair: There was a motion put on the floor, so we have to entertain the motion and I just asked –

Mr. Myers: What was the motion, to limit my voice?

Mr. R. Brown: (Indistinct)

Chair: Premier, you're next on the floor.

Mr. Myers: (Indistinct) this is ridiculous.

Chair: Premier has the floor next.

Premier MacLauchlan: I believe we've had an opportunity on three occasions now to consider this bill and we've had a lot of input from the public and from the Women's Institute and from school groups and I think it's time to proceed with it.

Chair: All right. We've had a show of hands and the majority of the people would like to see this bill passed. So we are going to call back the Speaker.

Mr. MacEwen: I don't think we can (Indistinct).

Mr. Roach: Madam Chair –

Chair: We did. Sorry.

Mr. Roach: Madame Chair, I move the Speaker take the chair –

Mr. Myers: I'm going to call a point of privilege as soon as he gets in here, so let's get at it.

Chair: Okay.

Mr. MacEwen: Chair, just one second, we didn't actually have a complete vote.

Chair: Yes. I asked –

Mr. MacEwen: We just voted for the (Indistinct), we didn't do the names.

Chair: I did, actually. I did.

Ms. Biggar: Yes, she did.

Mr. MacEwen: Actually, no. Discussions started (Indistinct). We never actually (Indistinct)

Chair: Sorry. Okay.

Mr. Myers: I want the Speaker back to discuss my rights. My rights are being infringed on. I want the Speaker back.

Chair: Contrary minded?

Mr. Myers: My rights are being infringed on. I want the Speaker back.

Chair: Contrary minded?

Mr. Myers: My rights are being infringed on. I want the Speaker back.

I want the Speaker back for a point of privilege on my rights. I have – my privilege is being infringed right now and I want –

I want the Speaker back. That's what I want – the Speaker back. I want the Speaker back to deal with my point of privilege.

Chair: Hon. members, the motion on the floor is to call the Speaker back to report on the bill.

All those in favour –

Mr. Myers: I want the Speaker back to deal with my privilege.

Chair: – raise your hands.

Contrary minded raise your hands.

Mr. Myers: I want the Speaker back to deal with my privilege.

Chair: Thank you.

Mr. Myers: You're infringing on my rights.

Chair: Motion is carried.

Mr. Myers: You're impeding my ability to have a debate. (Indistinct)

Mr. Roach: Madame Chair, I move that the Speaker take the chair and the Chair report the bill agreed to without amendment.

Mr. Myers: In the spirit of the Legislative Assembly of Prince Edward Island (Indistinct)

Chair: Shall it carry? Carried.

Mr. Myers: My rights are being infringed on.

You guys are ridiculous is what you are, actually. This is the silliest thing I think I've ever seen in my life.

An Hon. Member: Come sit down.

Mr. Myers: I can't even believe you would do this. Who's next? Who's next to have their voice (Indistinct) in this House?

Mr. MacEwen: The referendum bill.

Mr. Myers: The referendum bill is next.

Point of privilege, Mr. Speaker.

Speaker: (Indistinct)

Point of Privilege

Mr. Myers: Thank you, Mr. Speaker.

During debate on the members' bill – and we have had a good debate. There's been some great stuff up. There's been nobody over here that said that they were against the

spirit of the bill. We've worked hard. I've done personal research with regards to the bill. There's been friendly amendments made. There's never been a time when the discussion has –

So tonight, while I was trying to ask questions, the members across moved a motion to call you back while I was still on the list, while the Member from Borden-Kinkora was on the list and who knows who else was on the list. I feel like my – that my rights and my privilege as a member of this Legislative Assembly are being infringed on by the members over there who want to close debate while I haven't had the opportunity to fully ask questions on the bill.

I've been here for seven years; never once has government stopped me from asking questions right to the end. There's been times when I felt like the debate on some of the things that we debated on the floor went on for days, and days, and days, and days, and days and government allowed the questions to be asked, however trivial they may have found them at the time. I don't feel that anything I've been asking has been trivial. I feel like the debate that I've been bringing has been very positive – where we talked about how we could enhance and make Prince Edward Island a better place. There's been no ill spirit on anything that I was doing in this debate. And I feel like the move by government to shut me down infringes on my rights as an elected member of this Assembly and I want this bill on the floor to finish the debate, because I feel like if we don't, that this will set a precedent for this government to shut down – what next – the bill and the referendum, or anything else that they no longer want to discuss?

I don't feel like it's fair to me or any other member in this House because it's not just my right, it's everyone here whose privilege has been taken away tonight if this is allowed to stand. Because for whatever reason, they don't want me to ask questions anymore about waste and how plastic is –

We have the Member from Rustico-Emerald has had his bill on the floor for night, after night, after night and they've been pounding him with questions and nobody made a motion to call you back in those cases. Even though the member, who truly cares about it wants it voted on. I don't know how this is

happening in a democratic country, in a democratic Legislature here in Prince Edward Island, and, Mr. Speaker, I need this back on the floor and the members' motions struck down as a matter of my own privilege being taken away.

An Hon. Member: Call the hour.

Speaker: Hon. member, in this particular situation – this issue – it should have been dealt with within committee –

Mr. Myers: I tried but the chair wouldn't let me.

Speaker: – without having to call me back.

Mr. MacEwen: Agreed.

Mr. Myers: Agreed.

Mr. MacEwen: Call the hour, Mr. Speaker.

Ms. Casey: Mr. Speaker, as Chair of the Committee of the Whole House, having under consideration a bill to be intituled *Plastic Bag Reduction Act*, I beg leave to report that the committee has gone through said bill and has agreed to same without amendment. I move that the report of the committee be – with amendment – I move that the report of the committee be adopted.

Speaker: Shall it carry? Carried.

Hon. members, the hour has been called.

The hon. Government House Leader.

Mr. McIsaac: Mr. Speaker, I move, seconded by the hon. Member from Tignish-Palmer Road that this House adjourn until tomorrow, May 30th, at 2:00 p.m.

Speaker: Shall it carry? Carried.

The Legislature adjourned until tomorrow, May 30th, at 2:00 p.m.