

# JOURNAL OF THE LEGISLATIVE ASSEMBLY

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THURSDAY, 17 NOVEMBER 2016

The House met at 2:00 p.m.

## Prayers

## Routine Proceedings

## Journals

Journals for Tuesday, 15 November, 2016 were adopted by the House without amendment.

Doors were opened

## Matters of Privilege

Hon. Mr. Speaker made the following ruling:

“Yesterday, at the conclusion of Oral Question Period, the Hon. Leader of the Third Party, rising on a Matter of Privilege and citing rule 62 (1) of the Rules of the Legislative Assembly of Prince Edward Island, sought clarification respecting the admissibility of his line of questioning to the Hon. Minister of Workforce and Advance Learning.

As members will appreciate, rather than a Matter of Privilege, the question is one of order and therefore I will address it as such.

Hon. Members, the Rules of this Assembly provide as follows:

59. Written questions may be placed on the order paper or **oral questions may be asked seeking information from ministers of the Crown relating to public affairs, any bill, motion or other public matter connected with the business of the Assembly in which such members may be concerned**; but in putting any such question or in replying to the same, no argument or opinion shall be offered, nor any facts stated, except so far as may be necessary to explain the same; and in answering any such question, the matter to which the same refers shall not be debated.
- 62 (1) Upon the order of business “questions by members” being called, oral questions of an urgent nature relating to the public affairs may be put without notice to ministers of the crown.
- (2) An oral question shall be clearly and concisely put and shall refer only to a matter which may reasonably be assumed to be within the present knowledge of the minister.

Hon. Members, on reviewing this matter, I find the question as put to be in order. Rule 62(3) provides that a Minister to whom an oral question is directed may:

- a) Immediately answer the question, or
- b) State that he or she takes the question as notice and answer it orally on a subsequent day under the same order of business, or,

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c) State that in his or her opinion the question should be put in writing

Further Hon. Members, as you know, it is a well-established practice of this House that even though a question may be directed to a specific Minister, any government Minister may respond to the question.

I trust this will serve to clarify our Rules on this matter.”

Jordan Brown (Charlottetown-Brighton), rising on a Matter of Privilege and citing rule 46 of the Rules of the Legislative Assembly of Prince Edward Island, asserted that a breach of personal privilege occurred, relating to comments made by Leader of the Third Party and reported in news articles in local media outlets.

### **Statements by Members**

2:30 Kathleen Casey (Charlottetown-Lewis Point) highlighted a fundraising dinner for the Captain Nichola Goddard Foundation, which supports scholarships in her name to the Universities of PEI and Calgary.

2:32 Sonny Gallant (Evangeline-Miscouche) congratulated Lucas Arsenault on his win this summer at the Men’s Canadian Freestyle Kite Boarding Championship in Squamish, British Columbia.

2:34 Matthew MacKay (Kensington-Malpeque) congratulated Ray Murphy, who was recently awarded the Entrepreneur of the Year award from the Greater Charlottetown Area Chamber of Commerce.

2:35 Leader of the Third Party recognized the work of Chef Tony Geraci, the “Cafeteria Man” and promoted the benefits of providing health school lunches for all Island students.

2:44

### **Questions by Members**

Before the start of Oral Question Period, Hon. Premier rose to respond to question taken as notice from November 15, 2016 on travel authorizations and from November 16, 2016 on additional questions related to his own travel.

Hon. Heath MacDonald (Economic Development and Tourism) rose to respond to a question taken as notice from November 16, 2016 with regard to loan approvals on the E-gaming file.

At the conclusion, Matthew MacKay (Kensington-Malpeque), rising on a point of order, asserted that during “Answers to questions taken as notice”, Hon. Heath MacDonald (Economic Development) did not address the pertinent question from November 16, 2016. Matthew MacKay (Kensington-Malpeque) then requested that Hon. Heath MacDonald (Economic Development and Tourism) answer his question.

Hon. Mr. Speaker advised he would take the matter under advisement.

### **Statements by Ministers**

3:27 Hon. Tina Mundy (Family and Human Services) informed the House of two new, successful programs for youth: Skills Enhancement and Mentoring program (SEAM) and Start to Apply Right program (STAR).

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3:30 Steven Myers (Georgetown-St. Peters) and Leader of the Third Party added their comments.

3:32 Hon. Heath MacDonald (Economic Development and Tourism) updated the House on the success of the StartUp Zone.

3:35 Bradley G. Trivers (Rustico-Emerald) and Leader of the Third Party added their comments.

3:40 Hon. Alan McIsaac (Agriculture and Fisheries) highlighted local initiatives to encourage Islanders to buy local, including: Burger Love, Love Our Lobster campaign, Porktoberfest, and many more.

3:44 Colin LaVie (Souris-Elmira) and Leader of the Third Party added his comments.

### **Presenting and Receiving Petitions**

None

### **Tabling of Documents**

Hon. Premier tabled, by leave, annual operating expenses of the Premier's Office for the years 2005-2006; 2006-2007; 2012-2013; 2013-2014; 2014-2015; 2015-2016.

Darlene Compton (Belfast-Murray River) tabled, by leave, documents related to the Northumberland Ferry service disruptions: two letters addressed to Hon. Marc Garneau, Federal Minister of Transport; a guest opinion in the Guardian; media articles on the topic; and a letter addressed to Hon. Paula Biggar, provincial Minister of Transportation, Infrastructure and Energy.

Colin LaVie (Souris-Elmira) tabled, by leave, written questions to the Minister of Health and Wellness.

### **Reports by Committees**

None

### **Introduction of Government Bills**

None

### **Motions Other Than Government**

Darlene Compton (Belfast-Murray River) moved, seconded by Steven Myers (Georgetown-St. Peters), the following Motion (No. 69):

**WHEREAS** the ferry service between Prince Edward Island and Nova Scotia suffered through its worst season in years owing to the absence of the MV Holiday Island and a reduced sailing schedule;

**AND WHEREAS** the ferry service provides a vital link in the regional transportation network, enabling economic development for many important industries, including agriculture, fisheries, tourism and construction providing approximately \$27 million annually to the Island economy;

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**THEREFORE BE IT RESOLVED** that the province of Prince Edward Island work collaboratively with local stakeholders and the federal government to set up a taskforce to examine long-term sustainable solutions for the Wood Island-Caribou ferry service.

Debate was commenced by the Mover (3:49); continued by the Seconded (3:57); Hon. Leader of the Opposition (4:09); Hon. Paula Biggar (Transportation, Infrastructure and Energy) (4:13); who moved, seconded by Hon. Premier, the following amendment:

Add the following WHEREAS clause:

WHEREAS the ferry service is a constitutional responsibility of the federal government as an interprovincial undertaking and the service, including the infrastructure, has been fully funded since its inception by the federal government;

Hon. Mr. Speaker put the Question. The amendment was **CARRIED**.

Debate on the Main Motion (as amended) was resumed by Colin LaVie (Souris-Elmira) (4:30); Jordan Brown (Charlottetown-Brighton) (4:36); Hon. Heath MacDonald (Economic Development and Tourism) (4:42); Hon. Premier (4:46); and Hon. Allen Roach (Finance) (4:59).

At the conclusion of Hon. Allen Roach's remarks, Hon. Mr. Speaker asked Hon. Members if they wished to continue the debate past the afternoon sitting hours, which was agreed to unanimously.

Debate was continued by Kathleen Casey (Charlottetown-Lewis Point) (5:06); Hon. Alan McIsaac (Agriculture and Fisheries) (5:11); Hon. Richard Brown (Workforce and Advanced Learning) (5:16); and Bush Dumville (West Royalty-Springvale) (5:19); and, on his Motion, debate was adjourned.

5:23 Hon. Mr. Speaker declared recess until 7:00 p.m.

**7:00 p.m.**

### **Government Motions**

Sonny Gallant (Government House Leader) sought, and received, unanimous consent for Motion No. 69 (Establishing a PEI Ferry Taskforce) to be again called.

Debate was resumed by Bush Dumville (West Royalty-Springvale) (7:01); continued by Bradley G. Trivers (Rustico-Emerald) (7:02); James Aylward (Stratford-Kinlock) (7:05); Matthew MacKay (Malpeque-Kensington) (7:10); Sonny Gallant (Evangeline-Miscouche) (7:12); Leader of the Third Party (7:14); and Hon. Robert Mitchell (Communities, Land and Environment) (7:16).

7:18 There being no further speakers, the Mover (Darlene Compton, Belfast-Murray River) then closed the debate.

7:23 Hon. Mr. Speaker put the Question. A Recorded Division being sought, the Clerk Assistant and Clerk of Committees recorded the names as follows:

Nays (0)

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Yeas (24)

Hon. Richard Brown (Workforce and Advanced Learning)  
Hon. Allen Roach (Finance)  
Hon. Paula Biggar (Transportation, Infrastructure and Energy)  
Hon. Premier  
Hon. Alan McIsaac (Agriculture and Fisheries)  
Hon. Tina Mundy (Family and Human Services)  
Bush Dumville (West Royalty-Springvale)  
Hon. Robert Henderson (Health and Wellness)  
Hon. Heath MacDonald (Economic Development and Tourism)  
Hon. Robert Mitchell (Communities, Land and Environment)  
Sonny Gallant (Evangeline-Miscouche)  
Kathleen Casey (Charlottetown-Lewis Point)  
Leader of the Third Party  
Hal Perry (Tignish-Palmer Road)  
Hon. Leader of the Opposition  
Matthew MacKay (Kensington-Malpeque)  
James Aylward (Stratford-Kinlock)  
Bradley G. Trivers (Rustico-Emerald)  
Chris Palmer (Summerside-Wilmot)  
Jordan Brown (Charlottetown-Brighton)  
Sidney MacEwen (Morell-Mermaid)  
Darlene Compton (Belfast-Murray River)  
Steven Myers (Georgetown-St. Peters)  
Colin LaVie (Souris-Elmira)

Motion was **CARRIED UNANIMOUSLY** and resolved accordingly.

The following Bill was further considered by a Committee of the Whole House:

**AN ACT TO AMEND THE MUNICIPALITIES ACT (Bill No. 24)**

Promoter: Hon. Robert Mitchell  
Chair: Bush Dumville

After some time spend therein, Hon. Mr. Speaker resumed the Chair and the Chairperson reported Progress and begged leave to sit again to which the House agreed.

**ORDERED**, that the Report of the Committee be adopted.

8:05 The following Bill was read a Second Time and referred to a Committee of the Whole House:

**AN ACT TO AMEND THE PLANNING ACT (Bill No. 25)**

Promoter: Hon. Robert Mitchell  
Chair: Hal Perry

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After some time spent therein, Hon. Mr. Speaker resumed the Chair and the Chairperson reported the Bill agreed to without amendment.

**ORDERED**, that the Report of the Committee be adopted.

The following Bill was read a Second Time and referred to a Committee of the Whole House:

### **AN ACT TO AMEND THE UNSIGHTLY PROPERTY ACT (Bill No. 35)**

Promoter:      Hon. Robert Mitchell  
Chair:            Chris Palmer

After some time spend therein, Hon. Mr. Speaker resumed the Chair and the Chairperson reported Progress and begged leave to sit again to which the House agreed.

**ORDERED**, that the Report of the Committee be adopted.

### **Orders of the Day (Government)**

#### **Adjournment**

9:00    On Motion of Sonny Gallant (Government House Leader), seconded by Bush Dumville (West Royalty-Springvale), the House adjourned until 10:00 a.m. on Friday, November 18, 2016.

Charles H. MacKay  
Clerk of the Legislative Assembly