

JOURNAL OF THE LEGISLATIVE ASSEMBLY

WEDNESDAY, 23 NOVEMBER 2016

The House met at 2:00 p.m.

Prayers

Routine Proceedings

Journals

Journals for Friday, 18 November were adopted by the House without amendment.

Doors were opened

Matters of Privilege

Hon. Mr. Speaker made the following rulings:

- 1) “Hon. Members, I am prepared to rule on the Point of Order raised by the Member from Kensington-Malpeque on November 17, 2016.

Having reviewed the Hansard transcripts, the Rules of the Legislative Assembly, and the parliamentary authorities, I must conclude that there is no basis for a point of order in this matter.

Honourable Members, I draw your attention to House of Commons Procedure and Practice, 2nd edition (page 510):

The Speaker ensures that replies adhere to the dictates of order, decorum and parliamentary language. The Speaker, however, is not responsible for the quality or content of replies to questions. In most instances, when a point of order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue. As such, these matters are more a question of debate and do not constitute a breach of the rules or of privilege.

Thank you, Hon. Members.”

And;

- 2) “Hon. Members, I am prepared to rule on the Point of Order raised by the Member from Georgetown-St. Peters on November 22, 2016.

The Hon. Member asserted that the Premier breached the rule of anticipation in response to an oral question from the Leader of the Third Party with regard to Motion 80 (Democratic Renewal: A Clear Question and a Binding Vote). Specifically, the Premier said,

‘First we have to pass Motion 80.’

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Hon. Members, I have reviewed the relevant Hansard transcript, the Rules of the Legislative Assembly, and the parliamentary authorities on this matter.

I refer you to Beauchesne (Citation 512 (1)):

The rule of anticipation, a rule which forbids discussion of a matter standing on the Order Paper from being forestalled, is dependent upon the same principle as that which forbids the same question from being raised twice within the same session.

I must conclude that there is no basis for a point of order in this case, as an answer to an oral question does not prevent or obstruct the House from coming to a decision on a motion.

Thank you, Hon. Members.”

Statements by Members

- 2:21 Hal Perry (Tignish-Palmer Road) recognized Father Albin Arsenault for his work and contributions related to Acadian history and heritage.
- 2:23 Sonny Gallant (Evangeline-Miscouche) acknowledged Henri and Pierre Gallant, owners and operators of HMS Office Supplies in Summerside.
- 2:25 Steven Myers (Georgetown-St. Peters) highlighted the first annual Wall of Fame Cup held recently at Three Rivers Sportsplex.

2:28

Questions by Members

Before the start of Oral Question Period, Hon. Premier responded to an oral question taken as notice with regard to the *Public Archives and Records Act*.

Statements by Ministers

- 3:09 Hon. Premier announced supervised access and exchange services delivered in partnership with CHANCES and PEI Family Resource Centres.
- 3:11 Hon. Leader of the Opposition and the Leader of the Third Party added their comments.
- 3:12 Hon. Alan McIsaac (Agriculture and Fisheries) announced the publication of a guidebook on off highway vehicle usage in Prince Edward Island.
- 3:16 Hon. Leader of the Opposition and Leader of the Third Party added their comments.
- 3:19 Hon. Leader of the Opposition, rising on a Point of Order, cited four instances of responses to oral questions today which exceeded 60 seconds, contrary to guidelines established by Hon. Mr. Speaker.

Hon. Mr. Speaker advised he would take the matter into consideration.

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3:19 Hon. Allen Roach (Finance) announced he would be tabling the Fall 2016 Economic Update and the 2016-2017 Second Quarter Fiscal Update.

3:23 Darlene Compton (Belfast-Murray River) add her comments.

Hon. Mr. Speaker reminded Members that responses to statements must not exceed the length of time provided for in the Rule 24.

3:28 Leader of the Third Party added his comments.

Presenting and Receiving Petitions

None

Tabling of Documents

Hon. Alan McIsaac (Agriculture and Fisheries) tabled, by leave, guidebook on Off Highway Vehicle Operation in Prince Edward Island: A Practical Guide for Users and Landowners.

Hon. Leader of the Opposition tabled, by leave, a Five-Year Capital Plan for the province 2015-2016 to 2019-2020.

Hon. Allen Roach (Finance) tabled,

1st, by leave, the 2nd Quarter Forecast 2016-2017;

2nd, by leave, the 2016 Fall Economic Update.

Reports by Committees

None

Introduction of Government Bills

3:35 Bills introduced and read a First time:

An Act to Amend the Off-Highway Vehicle Act (Bill No. 52) by Hon. Paula Biggar (Transportation, Infrastructure and Energy)

An Act to Amend the Social Work Act (Bill No. 47) by Hon. Tina Mundy (Family and Human Services)

An Act to Amend the Innovation PEI Act (Bill No. 53) by Hon. Heath MacDonald (Economic Development and Tourism)

Private Training Schools Act (Bill No. 48) by Hon. Richard Brown (Workforce and Advanced Learning)

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Government Motions

None

Orders Of The Day (Government)

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

AN ACT TO AMEND THE CIVIL SERVICE SUPERANNUATION ACT (Bill No. 45)

Promoter: Hon. Allen Roach
Chair: Jordan Brown

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 TEACHERS' SUPERANNUATION ACT (Bill No. 44)

Promoter: Hon. Allen Roach
Chair: Bush Dumville

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 further considered by 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 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.

4:42 The following Bill was read a Second Time and referred to a Committee of the Whole House:

AN ACT TO AMEND THE REGISTERED NURSES ACT (Bill No. 39)

Promoter: Hon. Robert Henderson
Chair: Pat Murphy

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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.

4:55 The following Bill was read a Second Time and referred to a Committee of the Whole House:

**AN ACT TO AMEND THE TOBACCO AND ELECTRONIC SMOKING DEVICES
SALES AND ACCESS ACT (Bill No. 37)**

Promoter: Hon. Robert Henderson
Chair: Bush Dumville

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.

Adjournment

5:05 On Motion of Hon. Sonny Gallant (Government House Leader), seconded by Chris Palmer (Summerside-Wilmot), the House adjourned until 2:00 p.m. on Thursday, November 24, 2016.

Charles H. MacKay
Clerk of the Legislative Assembly