

JOURNAL OF THE LEGISLATIVE ASSEMBLY

TUESDAY, 13 DECEMBER 2016

The House met at 2:00 p.m.

Prayers

Routine Proceedings

Journals

Journals for Thursday, 8 December, 2016 were adopted by the House without amendment.

Doors were opened

Matters of Privilege

None

Statements by Members

2:22 Hal Perry (Tignish-Palmer Road) recognized the seasonal generosity of constituent Michelle Gaudet.

2:23 Jordan Brown (Charlottetown-Brighton) highlighted le Jour du Souvenir acadien, which honours the memory of the thousands of Acadians deported from the Island in the 18th century.

2:25 Matthew MacKay (Kensington-Malpeque) congratulated Eric Wagner on opening Moth Lane Brewery, Prince County's first microbrewery.

2:27

Questions by Members

During Oral Question Period, Hon. Madam Speaker directed Members to turn cell phones off to ensure that debate is not interrupted.

Statements by Ministers

3:08 Hon. Premier provided an overview of the Pan-Canadian Framework on Clean Growth and Climate Change.

3:12 Bradley G. Trivers (Rustico-Emerald) added his comments and sought clarification, to which Hon. Premier responded. Leader of the Third Party added their comments.

3:19 Hon. Premier summarized the Crime Prevention and Police Service Model Review.

3:22 Hon. Leader of the Opposition and Leader of the Third Party added their comments.

3:25 Hon. Paula Biggar (Transportation, Infrastructure and Energy) discussed combating impaired driving via amendments to the *Highway Traffic Act*.

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Hon. Leader of the Opposition and Leader of the Third party added their comments.

Presenting and Receiving Petitions

None

Tabling of Documents

Hon. Allen Roach (Finance) handed a Message from His Honour, the Honourable H. Frank Lewis, Lieutenant Governor of the Province of Prince Edward Island, transmitting Supplementary Estimates of Expenditures to Hon. Madam Speaker, who asked the Clerk to read the same to the House as follows:

“Honourable Francis (Buck) Watts, MLA
Speaker of the Legislative Assembly
197 Richmond Street
Charlottetown, Prince Edward Island

His Honour, the Honourable H. Frank Lewis, Lieutenant Governor of the Province of Prince Edward Island, hereby transmits the Supplementary Estimates of Expenditure of the Province of Prince Edward Island in Support of the Supplementary Appropriation Act (No. 2) 2016 that were required to carry out the public services of the Province for the fiscal year ending March 31, 2016.

In accordance with the provisions of the *Constitution Act, 1867*, the Prince Edward Island Terms of Union, 1873, and the *Financial Administration Act*, His Honour recommends the same to the Legislative Assembly.

Commended by

Paul Ledwell
Clerk of the Executive Council
and Secretary to Cabinet

Signed by

Honourable H. Frank Lewis
Lieutenant Governor

At Government House, Charlottetown
Prince Edward Island
This 30th day of November, 2016”

By Command of His Honour the Lieutenant-Governor, Hon. Allen Roach (Finance) presented to the House Supplementary Estimates of Expenditures for the Province of Prince Edward Island in support of the Supplementary Appropriation Act (No.2) 2015.

ORDERED, that consideration of the Supplementary Estimates in Committee of the Whole House be added to the Orders of the Day until such time as they are despatched.

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Hon. Robert Mitchell (Communities, Land and Environment) tabled, by leave, responses to written questions Nos. 1063 and 1064.

Hon. Premier tabled, by leave, the Pan-Canadian Framework on Clean Growth and Climate Change: Canada's Plan to Address Climate Change and Grow the Economy.

Hon. Premier tabled, by leave, the Crime Prevention and Policing Service Model Review (June 2016) and the Crime Prevention and Policing Service Model Review PHASE TWO (December 2016).

Colin LaVie (Souris-Elmira) tabled, by leave, a written question to the Minister of Economic Development and Tourism.

Reports by Committees

Jordan Brown (Charlottetown-Brighton), Chair of the Standing Committee on Health and Wellness, presented a report of the said committee on Committee Activities.

[Appendix ??? – Health and Wellness – Page ???]

ORDERED, that the Report of the Committee be received.

Speaking to the Motion for Adoption: Jordan Brown (Charlottetown-Brighton) (3:34); James Aylward (Stratford-Kinlock) (3:38); and Bradley G. Trivers (3:42).

ORDERED, that the Report of the Committee be adopted.

Bush Dumville (West Royalty-Springvale), Chair of the Standing Committee on Education and Economic Development, presented a report of the said committee on Committee Activities.

[Appendix ??? – Education and Economic Development – Page ???]

ORDERED, that the Report of the Committee be received.

Speaking to the Motion for Adoption: Bush Dumville (West Royalty-Springvale) (3:49); Steven Myers (Georgetown-St. Peters) (3:52); and Bradley G. Trivers (3:56).

ORDERED, that the Report of the Committee be adopted.

Introduction of Government Bills

The following bill was introduced and read a First Time:

Supplementary Appropriation Act (No. 2) 2016 (Bill No. 60) by Hon. Allen Roach (Finance).

Government Motions

None

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Orders of the Day (Government)

4:00 The following Bill was read a Second Time and referred to Committee of the Whole House:

AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (NO. 2) (Bill No. 50)

Promoter: Hon. Paula Biggar
Chair: Chris Palmer

After some time spent therein, Hon. Madam Speaker resumed the Chair and the Chairperson reported the Bill agreed to with amendment.

ORDERED, that the Report of the Committee be adopted.

4:40 The following Bill was read a Second Time and referred to Committee of the Whole House:

AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (NO. 3) (Bill No. 51)

Promoter: Hon. Paula Biggar
Chair: Chris Palmer

After some time spent therein, Hon. Madam Speaker resumed the Chair and the Chairperson reported the Bill agreed to with amendment.

ORDERED, that the Report of the Committee be adopted.

4:51 The following Bill was further considered by a Committee of the Whole House:

MUNICIPAL GOVERNMENT ACT (Bill No. 58)

Promoter: Hon. Robert Mitchell
Chair: Jordan Brown

After some time spent therein, Hon. Madam 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.

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

7:00 p.m.

Motions Other Than Government

Motion No. 39 (A Child Advocate for Prince Edward Island) being again called, debate was resumed by Hon. Premier (7:03); and Steven Myers (Georgetown-St. Peters) (7:16).

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7:21 There being no further speakers, the Mover (James Aylward, Stratford-Kinlock) closed the debate.

Hon. Madam Speaker put the Question. A Recorded Division being sought, the Clerk recorded the names as follows:

Nays (14)

Hon. Richard Brown (Workforce and Advanced Learning)
Hon. Paula Biggar (Transportation, Infrastructure and Energy)
Hon. Premier
Hon. Doug Currie (Education, Early Learning and Culture)
Hon. Tina Mundy (Family and Human Services)
Bush Dumville (West Royalty-Springvale)
Pat Murphy (Alberton-Roseville)
Hon. Robert Henderson (Health and Wellness)
Hon. Heath MacDonald (Economic Development and Tourism)
Hon. Robert Mitchell (Communities, Land and Environment)
Sonny Gallant (Evangeline-Miscouche)
Hal Perry (Tignish-Palmer Road)
Chris Palmer (Summerside-Wilmot)
Jordan Brown (Charlottetown-Brighton)

Yeas (8)

Leader of the Third Party
Hon. Leader of the Opposition
Matthew MacKay (Kensington-Malpeque)
James Aylward (Stratford-Kinlock)
Sidney MacEwen (Morell Mermaid)
Darlene Compton (Belfast-Murray River)
Steven Myers (Georgetown-St. Peters)
Colin LaVie (Souris-Elmira)

Motion resolved in the Negative.

Motion No. 47 (Urging the province to exempt all forms of home heating from the HST) being again called, debate on an amendment was resumed by Colin LaVie (Souris-Elmira) (7:32); Hon. Paula Biggar (Transportation, Infrastructure and Energy) (7:44); Leader of the Third Party (7:50); and James Aylward (Stratford-Kinlock) (8:00).

There being no further speakers, Hon. Madam Speaker put the question on the amendment which **CARRIED UNANIMOUSLY.**

Debate on the main motion, as amended, was continued by Hon. Richard Brown (Workforce and Advanced Learning) (8:11); Colin LaVie (Souris-Elmira) (8:24); and Hon. Alan McIsaac (Agriculture and Fisheries) (8:28).

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8:31 There being no further speakers, the Mover (Hon. Leader of the Opposition) closed the debate.

Hon. Madam Speaker put the question on the main motion (as amended). A Recorded Division being sought, the Clerk recorded the names as follows:

Nays (14)

Hon. Richard Brown (Workforce and Advanced Learning)
Hon. Paula Biggar (Transportation, Infrastructure and Energy)
Hon. Premier
Hon. Alan McIsaac (Agriculture and Fisheries)
Hon. Doug Currie (Education, Early Learning and Culture)
Hon. Tina Mundy (Family and Human Services)
Bush Dumville (West Royalty-Springvale)
Pat Murphy (Alberton-Roseville)
Hon. Robert Henderson (Health and Wellness)
Hon. Heath MacDonald (Economic Development and Tourism)
Hon. Robert Mitchell (Communities, Land and Environment)
Sonny Gallant (Evangeline-Miscouche)
Hal Perry (Tignish-Palmer Road)
Chris Palmer (Summerside-Wilmot)
Jordan Brown (Charlottetown-Brighton)

Yeas (8)

Leader of the Third Party
Hon. Leader of the Opposition
Matthew MacKay (Kensington-Malpeque)
James Aylward (Stratford-Kinlock)
Sidney MacEwen (Morell Mermaid)
Darlene Compton (Belfast-Murray River)
Steven Myers (Georgetown-St. Peters)
Colin LaVie (Souris-Elmira)

Motion resolved in the Negative.

Sonny Gallant (Evangeline-Miscouche) moved, seconded by Matthew MacKay (Kensington-Malpeque), the following Motion (No. 81):

WHEREAS the Legislative Assembly of Prince Edward Island held legislative sessions exclusively in Province House from January 26, 1847 until November 27, 2014;

AND WHEREAS Province House was locally designed, built and furnished, reflecting the dedication, skill and accomplishment of Island craftspeople and has been described in the Royal Gazette as "...an honour to the Island, commanding a feeling of pride and satisfaction in all who entered";

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AND WHEREAS Province House is widely recognized as one of the finest parliamentary buildings in the Commonwealth, and continues to have a special place in the hearts and minds of Prince Edward Islanders as a powerful symbol of parliamentary democracy, provincehood and our right to self government and determination;

AND WHEREAS Province House is in dire need of extensive structural and conservation work yet remains as the seat of the Legislative Assembly of Prince Edward Island;

AND WHEREAS Province House is owned by the Province of Prince Edward Island, a 1974 Memorandum of Agreement between the Governments of Canada and Prince Edward Island assign responsibility for the structural maintenance and repair of Province House to the Government of Canada;

AND WHEREAS the Standing Committee on Legislative Management, pursuant to the Rules of the Legislative Assembly, is charged with matters associated with the provision of facilities and services for the functioning of the Legislative Assembly and other matters necessary for the efficient and effective operation and management of the Legislative Assembly;

THEREFORE BE IT RESOLVED that the Legislative Assembly of Prince Edward Island request that the Governments of Canada and Prince Edward Island work collaboratively during the conservation of Province House to ensure that it is completed in a thorough and comprehensive manner, respecting the traditions and Island craftsmanship so proudly displayed during the time of construction;

THEREFORE BE IT FURTHER RESOLVED that the Government of Prince Edward Island, through the Department of Transportation, Infrastructure and Energy, participate in all meetings associated with the conservation of Province House to ensure that provincial and Legislative Assembly interests are well represented.

AND THEREFORE BE IT FURTHER RESOLVED that the Department of Transportation, Infrastructure and Energy provide quarterly updates to the Standing Committee on Legislative Management on progress made on the conservation and restoration of Province House and on the installation of facilities and services necessary for the reestablishment of a modern and functioning Legislature at Province House;

AND THEREFORE BE IT FURTHER RESOLVED that structural and conservation work be completed without unnecessary delay allowing the Legislative Assembly to return to Province House for the conduct of provincial legislative business as soon as possible.

Debate was commenced by the Mover (8:39); continued by the Seconder (8:42); and Hon. Paula Biggar (Transportation, Infrastructure and Energy) (8:45); who moved, seconded by Hon. Premier, the following amendment:

Delete the second operative clause, and substitute with the following:

THEREFORE BE IT FURTHER RESOLVED that the Legislative Assembly of Prince Edward Island request Government of Canada to continue to include the Government of Prince Edward Island through the Department of Transportation, Infrastructure and Energy, as an invited

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participant in all meetings associated with the conservation of Province House in order to ensure that provincial and Legislative Assembly interests are well represented. , and,

In the third operative clause, add the words “the Governments of Canada and Prince Edward Island through” before the words “Department of Transportation, Infrastructure and Energy”, and add the words “, in cooperation with Parks Canada,” after the word “Energy”.

There being no further debate on the amendment, Hon. Madam Speaker put the question which was **CARRIED**.

Debate on the Main Motion, as amended, was continued by Steven Myers (Georgetown-St. Peters) (8:55).

8:55 There being no further speakers, the Mover then closed the debate.

Hon. Madam Speaker put the question, which was **CARRIED UNANIMOUSLY** and resolved accordingly.

Adjournment

8:58 On Motion of Sonny Gallant (Government House Leader), seconded by Pat Murphy (Alberton-Roseville), the House adjourned until 2:00 p.m. on Wednesday, December 14, 2016.

Charles H. MacKay
Clerk of the Legislative Assembly