

# JOURNAL OF THE LEGISLATIVE ASSEMBLY

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WEDNESDAY, 20 DECEMBER 2017

The House met at 2:00 p.m.

## **Prayers**

## **Routine Proceedings**

## **Journals**

Journals for Friday, 15 December, 2017 were adopted by the House without amendment.

Doors were opened

## **Matters of Privilege**

None

## **Statements by Members**

2:11 Richard Brown (Charlottetown-Victoria Park) thanked Assembly staff for work during the session and acknowledged Charlottetown as the Birthplace of Confederation.

2:13 Chris Palmer (Summerside-Wilmot) thanked the volunteers involved in the Kin Family Christmas Appeal 2017.

2:14 Jamie Fox (Borden-Kinkora) acknowledged the work of Leona Quigley, who has delivered the Journal-Pioneer in Borden-Carleton for 41 years.

2:16

## **Questions by Members**

## **Statements by Ministers**

3:01 Hon. Premier announced that the Electoral Boundaries Commission has been asked to draft an electoral map as it would appear under a Mixed Member Proportional Representation electoral system.

3:03 James Aylward (Leader of the Opposition) and Hannah Bell (Charlottetown-Parkdale) added their comments.

3:06 Hon. Paula Biggar (Transportation, Infrastructure and Energy) recognized women taking part in the PEI Business Women's Association Leadership Program.

3:09 Darlene Compton (Belfast-Murray River) and Hannah Bell (Charlottetown-Parkdale) added their comments.

## **Presenting and Receiving Petitions**

None

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### Tabling of Documents

Hon. Jordan Brown (Education, Early Learning and Culture) tabled, by Command, the 2015-2016 Annual Report for the Island Regulatory and Appeal Commission for the period ending March 31, 2016.

Hon. Premier tabled, by leave, a letter Hon. Gerard Mitchell, Chair of the Electoral Boundaries Commission.

Jamie Fox (Borden-Kinkora) tabled, by leave, a written question to the Minister of Justice and Public Safety.

Sidney MacEwen (Morell-Mermaid) tabled, by leave, written questions to the Minister of Health and Wellness.

### Reports by Committees

None

### Introduction of Government Bills

None

### Government Motions

None

### Orders Of The Day (Government)

3:15 The following Bill was further considered by a Committee of the Whole House:

**PUBLIC INTEREST DISCLOSURE AND WHISTLEBLOWER PROTECTION ACT** (Bill No. 25)

Promoter: Hon. H. Wade MacLauchlan

Chair: Kathleen Casey

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

3:24 Hon. Speaker put the Question. A Recorded Division on the Motion for adoption of the Committee Report being sought, the names were recorded by the Clerk Assistant as follows:

Nays (10)

Hannah Bell (Charlottetown-Parkdale)

Leader of the Third Party

Hon. Leader of the Opposition

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Matthew MacKay (Kensington-Malpeque)  
Jamie Fox (Borden-Kinkora)  
Bradley G. Trivers (Rustico-Emerald)  
Sidney MacEwen (Morell-Mermaid)  
Darlene Compton (Belfast-Murray River)  
Steven Myers (Georgetown-St. Peters)  
Colin LaVie (Souris-Elmira)

Yeas (15)

Richard Brown (Government House Leader)  
Hon. Allen Roach (Finance)  
Hon. Paula Biggar (Transportation, Infrastructure and Energy)  
Hon. Premier  
Hon. Alan McIssac (Agriculture and Fisheries)  
Hon. Robert Henderson (Health and Wellness)  
Hon. Robert Mitchell (Communities, Land and Environment)  
Bush Dumville (West Royalty-Springvale)  
Hon. Tina Mundy (Family and Human Services)  
Hon. Heath MacDonald (Economic Development and Tourism)  
Hon. Jordan Brown (Education, Early Learning and Culture)  
Hon. Sonny Gallant (Workforce and Advanced Learning)  
Kathleen Casey (Charlottetown – Lewis Point)  
Chris Palmer (Summerside-Wilmot)  
Hal Perry (Tignish-Palmer Road)

Motion was **CARRIED** and resolved accordingly.

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

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

**WATER ACT** (Bill No. 13)

Promoter: Hon. Robert Mitchell  
Chair: Kathleen Casey

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

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

The following Bills were read a Third Time and Passed:

**AN ACT TO AMEND THE CHILD PROTECTION ACT** (Bill No. 3)

**AN ACT TO AMEND THE HEALTH SERVICES ACT** (Bill No. 6)

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**AN ACT TO REPEAL THE REGISTERED NURSES ACT** (Bill No. 10)

**AN ACT TO AMEND THE REGULATED HEALTH PROFESSIONS ACT** (Bill No. 11)

**AN ACT TO AMEND THE EARLY LEARNING AND CHILD CARE ACT** (Bill No. 14)

**AN ACT TO AMEND THE ELECTRIC POWER ACT** (Bill No. 17)

**APPROPRIATION ACT (CAPITAL EXPENDITURES) 2018** (Bill No. 19)

**AN ACT TO AMEND THE MUNICIPAL GOVERNMENT ACT** (Bill No. 7)

**PLANNING STATUTES AMENDMENT ACT** (Bill No. 21)

**AN ACT TO AMEND THE CIVIL SERVICE SUPERANNUATION ACT** (Bill No. 15)

**AN ACT TO AMEND THE TEACHERS' SUPERANNUATION ACT** (Bill No. 8)

**AN ACT TO AMEND THE CROWN PROCEEDINGS ACT** (Bill No. 4)

**AN ACT TO AMEND THE REAL PROPERTY TAX ACT** (Bill No. 9)

**SUPPLEMENTARY APPROPRIATION ACT (NO. 2) 2017** (Bill No. 26)

5:10 The Order was read for the Third Reading of the following Bill:

**Water Act** (Bill No. 13)

Leader of the Third Party moved, seconded by Hannah Bell (Charlottetown-Parkdale), that the House discharge with Order read and recommit the Bill to a Committee of the Whole House for further debate, pursuant to Rule 71(1) of the *Rules of the Legislative Assembly*.

Speaking to the Motion: Bradley G. Trivers (Rustico-Emerald) (5:10).

There being no further speakers, Hon. Mr. Speaker called on Leader of the Third Party to close debate.

5:15 Hon. Mr. Speaker put the Question. A Recorded Division being sought, the names were recorded by the Clerk as follows:

Yeas (9)

Hannah Bell (Charlottetown-Parkdale)  
Leader of the Third Party  
Hon. Leader of the Opposition  
Matthew MacKay (Kensington-Malpeque)  
Jamie Fox (Borden-Kinkora)  
Sidney MacEwen (Morell-Mermaid)  
Darlene Compton (Belfast-Murray River)

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Steven Myers (Georgetown-St. Peters)

Colin LaVie (Souris-Elmira)

Nays (15)

Richard Brown (Government House Leader)

Hon. Allen Roach (Finance)

Hon. Paula Biggar (Transportation, Infrastructure and Energy)

Hon. Premier

Hon. Alan McIssac (Agriculture and Fisheries)

Hon. Robert Henderson (Health and Wellness)

Hon. Robert Mitchell (Communities, Land and Environment)

Bush Dumville (West Royalty-Springvale)

Hon. Tina Mundy (Family and Human Services)

Hon. Heath MacDonald (Economic Development and Tourism)

Hon. Jordan Brown (Education, Early Learning and Culture)

Hon. Sonny Gallant (Workforce and Advanced Learning)

Kathleen Casey (Charlottetown – Lewis Point)

Bradley G. Trivers (Rustico-Emerald)

Chris Palmer (Summerside-Wilmot)

Hal Perry (Tignish-Palmer Road)

The Motion was defeated.

The following Bill was read a Third Time and Passed:

### **WATER ACT** (Bill No. 13)

5:19 The Order was read for the Third Reading of the following Bill:

### **Public Interest Disclosure and Whistleblower Protection Act** (Bill No. 25)

Leader of the Third Party moved, seconded by Hannah Bell (Charlottetown-Parkdale), that the House discharge with Order read and recommit the Bill to a Committee of the Whole House for further debate, pursuant to Rule 71(1) of the *Rules of the Legislative Assembly*.

There being no speakers, Hon. Mr. Speaker called on Leader of the Third Party to close debate.

5:22 Rising on a Point of Order, Richard Brown (Charlottetown-Victoria Park) objected to the Leader of the Third Party's use of the word "farce" in reference to the work of the Legislative Assembly and Members. Hon. Mr. Speaker asked the Leader of the Third Party to withdraw the word. The Leader of the Third Party refused to withdraw the remark. Hon. Mr. Speaker again requested the member to withdraw the word, to which he refused.

Hon. Mr. Speaker then advised that pursuant to Rule 38 of the *Rules of the Legislative Assembly* that he had no choice but to name the Leader of the Third Party for disregarding the authority of the chair. Hon. Mr. Speaker then addressed the Leader of the Third Party as Peter Bevan-Baker. Hon. Mr. Speaker then requested a Motion to suspend the Member from the services of the House.

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Hon. Mr. Speaker called on Hon. Alan McIsaac (Agriculture and Fisheries), who moved, seconded by Hon. Premier:

**THAT** Peter Bevan-Baker be removed from service in the Legislative Assembly Chamber until the next sitting of the Legislature.

Hon. Mr. Speaker put the Question which was **CARRIED**. Hon. Mr. Speaker then instructed the Sergeant-at-Arms to escort Peter Bevan-Baker from the Chamber.

Hon. Mr. Speaker put the question on the Motion to discharge the Order for Third Reading.

The Motion was defeated.

The following Bill was read a Third Time and Passed:

**PUBLIC INTEREST DISCLOSURE AND WHISTLEBLOWER PROTECTION ACT** (Bill No. 25)

The following Bill was read a Third Time and Passed:

**LOBBYIST REGISTRATION ACT** (Bill No. 24)

Hon. Alan McIsaac (Agriculture and Fisheries) then advised that Government had concluded the business it wished to conduct during the fall sitting.

Hon. Mr. Speaker advised the House that Her Honour, the Lieutenant-Governor of Prince Edward Island had arrived at the Hon. George Coles Building for the purpose of presenting the Address in Reply to Her Honour's Speech at the Opening of the present Session and granting Royal Assent to Bills passed during this session. Hon. Mr. Speaker then left the Chair in anticipation of Her Honour's arrival in the Chamber.

Her Honour entered the Legislative Chamber, preceded by the Black Rod. Hon. Mr. Speaker reported that the House did this day wait upon Her Honour, the Lieutenant-Governor and presented their Address in Reply to Her Honour's Speech, and that she had been pleased to receive the same and given reply thereto assigned by Her Honour, all the Members of this House standing, and is as follows:

“MR. SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY,

It is a pleasure for me to be with you to receive your address in reply to the Speech from the Throne with which I opened the present Session of the Legislative Assembly.

I thank you for the careful consideration which you have given to the matters contained in the Speech, as well as for the address which you have just presented to me.”

The Clerk advised the House as follows:

“Your Honour:

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The Legislative Assembly has passed certain Bills during this, the Third Session of the Sixty-fifth General Assembly, and now begs Your Honour's consideration of the grant of Royal Assent for the following Bills:

**AN ACT TO AMEND THE CHILD PROTECTION ACT** (Bill No. 3)

**AN ACT TO AMEND THE CROWN PROCEEDINGS ACT** (Bill No. 4)

**AN ACT TO AMEND THE HEALTH SERVICES ACT** (Bill No. 6)

**AN ACT TO AMEND THE MUNICIPAL GOVERNMENT ACT** (Bill No. 7)

**AN ACT TO AMEND THE TEACHERS' SUPERANNUATION ACT** (Bill No. 8)

**AN ACT TO AMEND THE REAL PROPERTY TAX ACT** (Bill No. 9)

**AN ACT TO REPEAL THE REGISTERED NURSES ACT** (Bill No. 10)

**AN ACT TO AMEND THE REGULATED HEALTH PROFESSIONS ACT** (Bill No. 11)

**WATER ACT** (Bill No. 13)

**AN ACT TO AMEND THE EARLY LEARNING AND CHILD CARE ACT** (Bill No. 14)

**AN ACT TO AMEND THE CIVIL SERVICE SUPERANNUATION ACT** (Bill No. 15)

**AN ACT TO AMEND THE ELECTRIC POWER ACT** (Bill No. 17)

**PLANNING STATUTES AMENDMENT ACT** (Bill No. 21)

**LOBBYIST REGISTRATION ACT** (Bill No. 24)

**PUBLIC INTEREST DISCLOSURE AND WHISTLEBLOWER PROTECTION ACT** (Bill No. 25)

**SUPPLEMENTARY APPROPRIATION ACT (NO. 2) 2017** (Bill No. 26)

And Private Members Bills:

**AN ACT TO AMEND THE WORKERS COMPENSATION ACT** (Bill No. 102)."

Royal Assent was announced by the Hon. Lieutenant-Governor in the following words:

"In Her Majesty's name, I assent to these Bills."

Hon. Mr. Speaker then said:

"May it please Your Honour,

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We, Her Majesty's loyal and dutiful subjects of the Legislative Assembly of Prince Edward Island in session assembled, approach Your Honour at the close of our labours with sentiments of unfeigned devotion and loyalty to Her Majesty's person and Government. We do humbly beg for your Honour's acceptance of a Bill intituled:

### **APPROPRIATION ACT (CAPITAL EXPENDITURES) 2018 (Bill No. 19)**

Thus placing at the disposal of the Crown the means by which Government can be made efficient for the service and welfare of the Province."

To this Bill, Royal Assent was announced by the Clerk in the following words:

"The Honourable Lieutenant-Governor doth thank Her Majesty's loyal and dutiful subjects, accepts their benevolence and assents to this Bill in Her Majesty's name."

### **[Appendix ?? – Progress of Bills – Page ???]**

Her Honour was then pleased to address the House and commend all Hon. Members for the conscientious manner in which deliberations were conducted to this point during this Third Session of the Sixty-fifth General Assembly, wished all Members good health and prosperity and that peace and freedom for all people shall be more nearly achieved.

Her Honour retired from the Chamber and Hon. Speaker resumed the Chair, thanked all Hon. Members and staff for their work during the session and wished everyone a Merry Christmas.

### **Adjournment**

On Motion of Hon. Alan McIsaac (Agriculture and Fisheries), seconded by Hon. Premier, the House adjourned to the call of the Speaker.

Charles H. MacKay  
Clerk of the Legislative Assembly