

JOURNAL OF THE LEGISLATIVE ASSEMBLY

THURSDAY, 5 APRIL 2018

The House met at 2:00 p.m.

Prayers

Routine Proceedings

Journals

Journals for Tuesday, 19 December 2017 were adopted by the House without amendment.

Doors were opened

Hon. Mr. Speaker welcomed Members, staff and the media to the continuation of the 3rd Session of the 65th and offered the following remarks:

Honourable Members, this being the first opportunity, I feel compelled to offer some comment on events in the House on the last sitting day of the Fall 2017 Session. As members will recall, late the sitting day on December 20th, the Leader of the Third Party used the word “farce” in debate in reference to the work of this House and some Members. In the context in which the word was used, I found it to be unparliamentary and requested that the Leader of the Third Party retract the word. He refused to comply and, as a result, was unanimously suspended from the service of the House for the remainder of that sitting day for disregarding the authority of the Speaker of Legislative Assembly. Honourable Members, I am aware that the word “farce” has been used in this House and has not been deemed unparliamentary in the past; however, given the context in which this word was used in this case, it caused considerable disorder and, more importantly, maligned the work of Members in this House in the conduct of their serious legislative responsibilities. Given the use of the word in this context and after consulting with the Clerk, I found it to be unparliamentary. While I did not reference the parliamentary authorities that day, I feel it is important to draw your attention to Beauchesne’s Parliamentary Rules and Forms (6th Edition) citations 484(3) and 491 and invite you to review them in an effort to avoid a repeat performance.

Thank you for allowing me the opportunity to provide clarification. I consider the matter closed; however, deemed it important to provide the relevant parliamentary authorities. Members may well hear the word “farce” in debate during this or some future session of the Assembly and it may not cause intervention from the Chair. Should the word be used; however, in the context which offends the parliamentary authorities cited, members have my assurance that I will be intervening once again.

Citation 484(3):

“...a member will not be permitted by the Speaker to indulge in any reflections on the House itself as a political institution; or to impute to any member or members unworthy motives for their actions in a particular case; or use any profane or indecent language; or to question the acknowledged and undoubted powers of the House in a matter of privilege; or to reflect upon, argue against or in any manner call in question the past acts and proceedings of the House, or to speak in abusive or disrespectful terms of an Act of Parliament. (Bourinot, pp. 360-361).

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and,

Citation 491:

The Speaker has consistently ruled that language used in the House should be temperate and worthy of the place in which it is spoken. No language is, by virtue of any list, acceptable or unacceptable. A word which is parliamentary in one context may cause disorder in another context, and therefore be unparliamentary.”

On Motion of Hon. Premier, seconded by Hon. Leader of the Opposition:

WHEREAS Ms. Amy Unwin was appointed as Assistant Sergeant-at-Arms of the Legislative Assembly of Prince Edward Island on November 14, 2017,

AND WHEREAS Ms. Unwin resigned as Assistant Sergeant-at-Arms effective January 25, 2018

THEREFORE BE IT RESOLVED that Mr. Shane R. Carr of Stanhope be appointed Assistant Sergeant-at-Arms of the Legislative Assembly of Prince Edward Island effective immediately.

The motion was carried unanimously and resolved accordingly.

Mr. Carr presented himself at the bar of the House and Hon. Mr. Speaker, on behalf of all members, congratulated him on his appointment as Assistant Sergeant-at-Arms. Hon. Mr. Speaker also congratulated Mr. Paul Gormley of Charlottetown on his recent appointment as Assistant Director of Security for the Legislative Assembly.

Hon. Mr. Speaker made the following remarks:

“Honourable Members, as discussed with House Leaders yesterday, the purpose of the Recognition of Guests is to recognize visitors who are present in the Public or Speaker’s Galleries. As all Members know, in the past, considerable flexibility has been provided to allow other recognitions of viewers and statements that more appropriately should fall under the routine Statements by Members. Beginning today, I will accord some leeway for Leaders of recognized parties in the House to recognize viewers not present in the Galleries or to make very brief statements relating to provincial events. Other Members will continue to be permitted to recognize visitors in attendance in the Galleries; however, some discretion is expected of Members to not repeatedly recognize visitors who have already been recognized.

Also, Members, other than party leaders, will not be permitted to make statements under this routine. Statements by Members are to be made under the routine Statements by Members and a rotation has been established for this purpose. On occasion, I may allow Members an opportunity to recognize a viewer of proceedings not present in the Galleries but this should not occur regularly and, with the assistance of House Leaders, should be limited in number each sitting day.

Thank you for your anticipated cooperation in this regard.”

Matters of Privilege

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None

Statements by Members

2:28 Alan McIsaac (Vernon River-Stratford) recognized the MacPhail Homestead.

Allen Roach (Montague-Kilmuir) recognized the Souris Harbour authority.

Colin LaVie (Souris-Elmira) recognized the work of home care workers.

2:34

Questions by Members

At the beginning of Oral Question Period, Hon. Mr. Speaker made the following with respect to his revised approach to the routine *Question By Members*:

Honourable Members, before I ask the Honourable Leader of the Opposition to start off questioning, I just want to remind all members about the 40-second rule. It still applies; 40 seconds for the question, 40 seconds for the answer.

That applies also to the Third Party, government members, and the independent members. Your first question is 40/40. Your number one and number two supplementaries are 25 seconds each with no preamble; no preamble on your first and second supplementary, and 25 seconds for the question, 25 for the answer.

Statements by Ministers

3:15 Hon. Heath MacDonald (Finance) provided information on the Greater Charlottetown Area Chamber of Commerce's launch of the new PEI Network.

3:17 Brad Trivers (Rustico-Emerald) and Hannah Bell (Charlottetown-Parkdale) added their comments.

3:21 Hon. Jordan Brown (Education, Early Learning and Culture and Justice and Public Safety) updated the House on amendments to the Conflict of Interest Act.

3:23 Jamie Fox (Borden-Kinkora) and Hannah Bell (Charlottetown-Parkdale) added their comments.

3:26 Hon. Sonny Gallant updated the House on trauma-related conditions and Worker's Compensation.

3:29 Jamie Fox (Borden-Kinkora) and Peter Bevan-Baker (Kellys Cross-Cumberland) added their comments.

Presenting and Receiving Petitions

None

Tabling of Documents

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3:34 Peter Bevan-Baker (Kellys Cross-Cumberland) tabled,

1st, by leave, documents supporting ostomy supplies.

2nd, by leave, petitions calling for better road maintenance on Highway 19 and 19A in district 17.

Hon. Chris Palmer (Economic Development and Tourism) tabled, by leave, answers to written questions Nos. 1225-1238 of the 2nd Session and answer to written question No. 46 of the 3rd Session.

The Clerk informed the House that the following documents were received, pursuant to Rule 80 (k) of the Rules of the Legislative Assembly, by the Office of the Clerk and tabled intersessionally since the House last met on December 20, 2017:

2016-2017 Annual Report for the Public Schools Branch

2016-2017 Rapport annuel pour La Commission scolaire de langue français

2016-2017 Annual Report for PEI Museum and Heritage Foundation

2016-2017 Annual Report *for the Victims of Crime Act*

2016-2017 Annual Report for Innovation PEI

Holland College Financial Statements for the year ended March 31, 2017

UPEI Consolidated Financial Statements April 30, 2017

2016-2017 Annual Report for the PEI Student Financial Assistance Corporation

2017 Report of the Conflict of Interest Commissioner

2018 Report of the Auditor General to the Legislative Assembly

2016-2017 Annual Report for the Public Service Commission

Special Report of the Electoral Boundaries Commission (March 13, 2018)

2016-2017 Annual Report for Risk Management and Insurance

2016-2017 Annual Report for the PEI Liquor Control Commission

Judicial Remuneration Review Commission Report (January 2018)

2014-2015 Annual Report for Finance, Energy and Municipal Affairs

2015-2016 Annual Report for Finance

And,

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Answers to Written Questions for the 2nd Session of the 65th General Assembly:
1114-1140, 1314-1353, 1409, 1410, 1491- 1493, 1495, 1496, 1505-1507, 1509, 1511-1513, &
1515

Answers to Written Questions for the 3rd Session of the 65th General Assembly:
1, 2, 4-6, 8, 9, 12-19, 22, 23, 32, 40-42, 50, 51

Reports by Committees

None

Introduction of Government Bills

Bills introduced and read a First Time:

3:37 **An Act to Amend the Workers Compensation Act** (Bill No. 2) by Hon. Sonny Gallant (Workforce and Advanced Learning).

An Act to Amend the Conflict of Interest Act (Bill No. 5) by Hon. Jordan Brown (Justice and Public Safety and Attorney General).

Motions Other Than Government

With unanimous consent to proceed without proper notice the following Private Members Bill was introduced and read a First Time:

An Act to Amend the Municipal Government Act (No. 2) (Bill No. 111) by Brad Trivers (Rustico-Emerald).

With unanimous consent to proceed without proper notice, Hon. Leader of the Opposition moved, seconded by Steven Myers (Georgetown-St. Peters), the following Motion (No. 34):

BE IT RESOLVED that this Legislative Assembly supports consensus government as one of the ballot options for the upcoming electoral reform referendum.

Debate was commenced by the Mover (3:44); continued by the Seconder (3:55); Bradley G. Trivers (Rustico-Emerald) (4:37); and on his Motion, debate was adjourned.

With unanimous consent to proceed without proper notice the following Private Members Bill was introduced and read a First Time:

An Act to Amend the Conflict of Interest Act (Bill No. 112) by Hannah Bell (Charlottetown-Parkdale).

Leader of the Third Party moved, seconded by Hal Perry (Tignish-Palmer Road) the following Motion (No. 31):

WHEREAS climate change is a crisis that will deeply affect Prince Edward Island;

AND WHEREAS Prince Edward Island should continue to show leadership in combatting climate change;

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AND WHEREAS there is a growing global movement calling for governments and institutions to shift investments to companies that are not heavy emitters of greenhouse gasses;

AND WHEREAS the province, as 31 December 2015, had \$154,630,358 invested in fossil fuels;

AND WHEREAS renewable energy and other non-greenhouse gas emitting investments can offer comparable or superior return on investments;

THEREFORE BE IT RESOLVED that the Legislative Assembly urge Government to examine the feasibility of divesting from all fossil fuel;

THEREFORE BE IT FURTHER RESOLVED that the Legislative Assembly encourage Government to establish guidelines for ethical investment to ensure that government investments align with provincial priorities.

Debate was commenced by the Mover (4:44); continued by Bradley G. Trivers (Rustico-Emerald) (4:54); and on his Motion, debate was adjourned.

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

7:00 p.m.

Orders of the Day (Government)

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

REGISTERED PROFESSIONAL PLANNERS ACT (Bill No. 20)

Promoter: Hon. Richard Brown
Chair: Kathleen Casey

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

Adjournment

9:00 On Motion of Alan McIsaac (Government House Leader), seconded by Hal Perry (Tignish-Palmer Road), the House adjourned until 10:00 a.m. on Friday, April 6, 2018.

Charles H. MacKay
Clerk of the Legislative Assembly