

Prince Edward Island

Daily Journal for the
Legislative Assembly for
Thursday, November 23, 2006

The House met at 2:00 p.m.

PRAYERS

ROUTINE PROCEEDINGS

Journals:

Journals for Tuesday, November 21, 2006 were adopted by the House without amendment.

Doors were opened

Matters of Privilege:

There were none.

Statements by Members:

Fred McCardle (Borden-Kinkora) made a Statement recognizing the late Colbourne Clow's induction into the Atlantic Agricultural Hall of Fame.

Helen MacDonald (St. Eleanors-Summerside) made a Statement on the annual Summerside Christmas Parade, November 27.

2:12 Richard Brown (Charlottetown-Kings Square) made a Statement recognizing National Drug and Addictions Awareness Week, November 19 - 25.

2:14 Pursuant to Rule 44, Beth MacKenzie (Park Corner-Oyster Bed), rising on privilege, objected to a Guardian newspaper report today respecting her personal employment status.

2:15 Questions by Members:

Statements by Ministers:

2:57 Honourable Premier made a Statement announcing provincial government support for the Government of Canada's recognition of Quebec as a nation within a united Canada.

3:00 Honourable Leader of the Opposition added his comments.

3:03 Honourable Premier made a Statement on a Queen Elizabeth Hospital staffing announcement being held later in the day.

- 3:04 Honourable Leader of the Opposition added his comments.
- 3:05 Honourable Elmer MacFadyen (Community and Cultural Affairs) made a Statement on an Emergency Preparedness brochure titled "72 hours - Is your family prepared?"

Presenting and Receiving Petitions:

There were none.

Tabling of Documents:

Honourable Mitch Murphy (Provincial Treasurer) tabled, by Command, the Annual Report of the Risk Management and Insurance Section for the period ending March 31, 2006.

Carolyn Bertram (Crapaud-Hazel Grove) tabled list of member countries of the Organization for Economic Co-operation and Development, and various articles regarding the Visitor GST Rebate Program.

3:09 **Reports by Committees:**

Wes MacAleer (Charlottetown-Spring Park), Chair of the Standing Committee on Fisheries, Intergovernmental Affairs and Transportation, presented a Report on Proposed Amendments to Off-Highway Vehicle Act Regulations.

(See Appendix B, Page ???)

ORDERED, that the Report be received.

Speaking on the Motion that the Report of the Committee be adopted: Wes MacAleer (Charlottetown-Spring Park); Richard Brown (Charlottetown-Kings Square); Andy Mooney (Souris-Elmira) (3:19); Wayne Collins (Winsloe-West Royalty) (3:20); Honourable Gail Shea (Transportation and Public Works) (3:21); Honourable Leader of the Opposition (3:23); and Honourable Philip Brown (Tourism) (3:25).

ORDERED, that the Report be adopted.

Introduction of Government Bills:

There were none.

MOTIONS OTHER THAN GOVERNMENT:

The following Private Members Bill were introduced and read a First Time:

An Act to Amend the Freedom of Information and Protection of Privacy Act (Bill No. 101) by Richard Brown (Charlottetown-Kings Square).

3:29 **Payday Loans Act** (Bill No. 100) by Richard Brown (Charlottetown-Kings Square).

Honourable Robert Ghiz moved, seconded by Richard Brown, the following Motion for a Resolution (Motion No. 11):

WHEREAS the Chief Electoral Officer is the chief officer responsible for the fair and transparent conduct of elections;

AND WHEREAS the exercise of these duties in a fair and transparent manner is essential to the integrity of our democratic process;

AND WHEREAS the practice in Prince Edward Island has been to have the Chief Electoral Officer serve at the pleasure of the Premier;

AND WHEREAS many other jurisdictions have recognized that the integrity and independence of the office of the Chief Electoral Officer is better protected by having the individual appointed by an all-party committee of their respective legislatures to serve a fixed term;

AND WHEREAS the unprecedented manipulation of the electoral boundaries by the Conservative Party demonstrates how far the Conservative Government is willing to go to seek partisan advantage in the electoral process;

THEREFORE BE IT RESOLVED that section 2(1) of the *Election Act* be amended such that it is the Legislative Assembly of Prince Edward Island that appoints the Chief Electoral Officer to a ten-year term;

THEREFORE BE IT FURTHER RESOLVED that the terms and conditions of his/her employment are subject to the same protections as those enjoyed by the Auditor General.

Debate was commenced by the Mover (3:31); continued by the Seconder (3:48); Cletus Dunn (Government House Leader) (4:10); Olive Crane (Morell-Fortune Bay) (4:12); Wilbur MacDonald (Belfast-Pownal Bay) (4:15); Eva Rodgerson (West Point-Bloomfield) (4:17); Wayne Collins (Winsloe-West Royalty) (4:21); and Carolyn Bertram (Crapaud-Hazel Grove) (4:30).

4:37 There being no further speakers, the Mover then closed the debate.

4:52 Honourable Mr. Speaker put the Question. A Recorded Division being sought, the names were recorded by the Clerk as follows:

Nays (17)

Beth MacKenzie (Park Corner-Oyster Bed)
Honourable Elmer MacFadyen (Community and Cultural Affairs)
Honourable Jamie Ballem (Environment, Energy and Forestry)
Wilfred Arsenaault (Evangeline-Miscouche)
Honourable Premier
Honourable Jim Bagnall (Agriculture, Fisheries and Aquaculture)
Honourable Gail Shea (Transportation and Public Works)
Honourable Philip Brown (Tourism)
Cletus Dunn (Government House Leader)
Wayne Collins (Winsloe-West Royalty)
Dr. David McKenna (Glen Stewart-Bellevue Cove)
Wes MacAleer (Charlottetown-Spring Park)

Honourable Chester Gillan (Health, Social Services and Seniors)
Fred McCardle (Borden-Kinkora)
Eva Rodgerson (West Point-Bloomfield)
Andy Mooney (Souris-Elmira)
Wilbur MacDonald (Belfast-Pownal Bay)

Yeas (3)

Richard Brown (Charlottetown-Kings Square)
Carolyn Bertram (Crapaud-Hazel Grove)
Honourable Leader of the Opposition

Motion resolved in the Negative.

4:55 Honourable Mr. Speaker declared recess until 7:00 p.m.

7:00 P.M.

GOVERNMENT MOTIONS:

Motion No. 2 (Seniors in the Workforce), being again called, debate was resumed by Honourable Philip Brown (Tourism) (7:01); Fred McCardle (Borden-Kinkora) (7:05); and Honourable Premier (7:09).

7:25 There being no further speakers, the Mover then closed the debate.

Honourable Mr. Speaker put the Question which was **CARRIED UNANIMOUSLY** and resolved accordingly.

ORDERS OF THE DAY - GOVERNMENT:

7:33 The following Bill was read a Second Time and referred to a Committee of the Whole House:

AN ACT TO AMEND THE REAL PROPERTY TRANSFER TAX ACT (Bill No. 7)

Promoter: Honourable Mitch Murphy

Chair: Wilfred Arsenault

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

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 CIVIL SERVICE ACT (Bill No. 2)

Promoter: Honourable Mitch Murphy

Chair: Wilfred Arsenault

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

ORDERED, that the Report of the Committee be adopted.

8:14 The Order of the Day being read for the adjourned debate on the Draft Address, Honourable Mr. Speaker called on Wilbur MacDonald (Belfast-Pownal Bay) to resume the debate; continued by Eva Rodgerson (West Point-Bloomfield) (8:35); and, on her Motion, debate was adjourned.

ADJOURNMENT:

9:00 On Motion of Cletus Dunn (Government House Leader), seconded by Dr. David McKenna (Glen Stewart-Bellevue Cove), the House adjourned until 10:00 a.m. on Friday, November 24, 2006.

Charles H. MacKay
Clerk of the Legislative Assembly