

Prince Edward Island

Daily Journal for the
Legislative Assembly for
Thursday, December 7, 2006

The House met at 2:00 p.m.

PRAYERS

ROUTINE PROCEEDINGS

Journals:

Journals for Tuesday, December 5, 2006 were adopted by the House without amendment.

Doors were opened

Matters of Privilege:

There were none.

Statements by Members:

2:06 Wilfred Arsenault (Evangeline-Miscouche) made a Statement on community economic development initiatives in the Evangeline area.

Cletus Dunn (Government House Leader) made a Statement congratulating Janet Charchuk on her personal achievements.

2:10 Richard Brown (Charlottetown-Kings Square) made a Statement on youth addiction strategies across Canada.

Questions by Members:

Statements by Ministers:

Honourable Premier handed a Message from Her Honour, the Honourable Barbara A. Hagerman, Lieutenant Governor of the Province of Prince Edward Island, transmitting Estimates of Capital Revenues and Capital Expenditures to Honourable Mr. Speaker, who asked the Clerk to read the same to the House as follows:

Honourable Greg Deighan, MLA
Speaker of the Legislative Assembly
Province House, Charlottetown
Prince Edward Island

Her Honour, the Honourable Barbara A. Hagerman, Lieutenant Governor of the Province of Prince Edward Island, hereby transmits the Estimates of Capital Revenues and

Expenditures required to carry on the public services of the Province for the fiscal year ending 31 March 2008, and, also until the final passage of the capital estimates for the fiscal year ending 31 March 2009.

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

Commended by

W. Alexander (Sandy) Stewart
Clerk of the Executive Council

Honourable Barbara A. Hagerman
Lieutenant Governor
At Charlottetown, Prince Edward Island
this the 5th day of December, 2006

By Command of Her Honour the Lieutenant-Governor, Honourable Premier presented to the House the Estimates of Capital Revenues and Capital Expenditures required to carry on the public services of the Province for the fiscal year ending 31 March 2008.

Honourable Premier moved, seconded by Honourable Mitch Murphy (Provincial Treasurer), that consideration of the Estimates of Capital Revenues and Capital Expenditures in Committee of the Whole House be added to the Orders of the Day until such time as they are despatched, to which the House agreed.

- 2:55 Honourable Mitch Murphy (Provincial Treasurer) made a Statement on Capital Estimates for 2007-2008.
- 3:05 Honourable Leader of the Opposition made his response.
- 3:10 Honourable Elmer MacFadyen (Community and Cultural Affairs) made a Statement recognizing the Workers Compensation Board's efforts on the health and safety of young workers.
- 3:13 Richard Brown (Charlottetown-Kings Square) added his comments.
- 3:15 Honourable Gail Shea (Transportation and Public Works) made a Statement on road cameras, a new service being offered by government.

Richard Brown (Charlottetown-Kings Square) added his comments.

Presenting and Receiving Petitions:

There were none.

Tabling of Documents:

Richard Brown (Charlottetown-Kings Square) tabled a Mental Health and Addictions Strategy for Manitoba, a Prevention of Sexual Exploitation of Children for Saskatchewan, and Drug-Endangered Children Act legislation for Alberta.

Reports by Committees:

There were none.

Introduction of Government Bills:

The following Bills were introduced and read a First Time:

3:16 **An Act to Amend the Tourism Industry Act** (Bill No. 18) by Honourable Philip Brown (Tourism).

An Act to Amend the Planning Act (Bill No. 17) by Honourable Elmer MacFadyen (Community and Cultural Affairs).

An Act to Amend the Municipalities Act (Bill No. 16) by Honourable Elmer MacFadyen (Community and Cultural Affairs).

An Act to Amend the Teachers' Superannuation Act (Bill No. 19) by Honourable Elmer MacFadyen (Community and Cultural Affairs).

MOTIONS OTHER THAN GOVERNMENT:

Honourable Robert Ghiz moved, seconded by Richard Brown, the following Motion for a Resolution (Motion No. 12):

WHEREAS the Progressive Conservative Government on April 18, 2006 filed documents with the Supreme Court of Canada to seek leave to appeal decisions of the Supreme Court of Prince Edward Island in relation to cases involving political discrimination;

AND WHEREAS successive Supreme Court decisions have found that the amendments to the *Human Rights Act* made by the Progressive Conservative Government to limit the range of remedies available to Islanders whose rights are violated in cases of political discrimination are in direct violation of the Charter of Rights and Freedoms;

AND WHEREAS the Appeal Division of the Supreme Court upheld the Jenkins decision, noting that "the withdrawal of remedies actually helps to sustain the patronage system" and that "history has shown that absent adequate legislative protection against discrimination on grounds of political belief, such employees are vulnerable to job loss because of patronage";

AND WHEREAS the Supreme Court of Canada has upheld the decisions of the Supreme Court of Prince Edward Island and have denied the government the right to an appeal;

THEREFORE BE IT RESOLVED that the Government of Prince Edward Island move quickly to respect the successive rulings of the Supreme Court of Prince Edward Island and the Supreme Court of Canada and allow the eleven Islanders whose charter rights were violated to have immediate access to the justice that they were denied under the *Human Rights Act*.

Debate was commenced by the Mover (3:23); continued by the Seconder (3:54); and

Honourable Premier (4:35).

There being no further speakers, the Mover then closed the debate (4:54).

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

Nays (16)

Honourable Elmer MacFadyen (Community and Cultural Affairs)
Honourable Jamie Ballem (Environment, Energy and Forestry)
Wilfred Arsenault (Evangeline-Miscouche)
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)
Fred McCardle (Borden-Kinkora)
Eva Rodgerson (West Point-Bloomfield)
Honourable Mildred Dover (Education and Attorney General)
Helen MacDonald (St. Eleanors-Summerside)
Honourable Mitch Murphy (Provincial Treasurer)
Olive Crane (Morell-Fortune Bay)
Wilbur MacDonald (Belfast-Pownal Bay)

Yeas (3)

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

Motion resolved in the Negative.

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

7:00 P.M.

GOVERNMENT MOTIONS:

7:08 Honourable Gail Shea moved, seconded by Wayne Collins, the following Motion for a Resolution (Motion No. 16):

WHEREAS the Canadian Cadet Movement is one of the nation's oldest youth programs, dating back to 1862 when early cadet units were known as Drill Associations;

AND WHEREAS cadets is a hands-on, activity-based program for Canadian youth ages 12 to 18;

AND WHEREAS member recruits participate in programs run by either the Sea Cadets, Army Cadets or the Air Cadets;

AND WHEREAS young cadets are encouraged to become responsible and contributing members of their communities;

AND WHEREAS cadets gain enhanced self-confidence and physical fitness, while also learning valuable skills that range from teamwork and leadership to decision-making;

AND WHEREAS as a federally-sponsored program, there are no fees, dues or costs for members, with only basic fund-raising encouraged among cadets and parents;

AND WHEREAS on Prince Edward Island and across Canada, cadets are making a positive contribution through their environmental, citizenship and community-based activities, such as assisting with the annual road-side cleanup;

AND WHEREAS currently there are 500 cadets in eight units across Prince Edward Island;

AND WHEREAS Island cadet leaders have launched a recruitment drive in the Province's schools, with some squadrons aiming to boost membership by 50 percent;

THEREFORE BE IT RESOLVED that the Members of this Assembly commend the Cadets organization for their contribution to Canadian and Island youth over the years, and encourage Prince Edward Islanders to support the Cadets in their current recruitment drive;

THEREFORE BE IT FURTHER RESOLVED that the Members of this Assembly encourage the federal government to continue to provide funding for the Cadets programs.

Debate was commenced by the Mover; continued by the Seconder (7:29); Richard Brown (Charlottetown-Kings Square) (7:52); Carolyn Bertram (Crapaud-Hazel Grove) (7:54); Dr. David McKenna (Glen Stewart-Bellevue Cove) (7:58); Honourable Premier (8:00); Wes MacAleer (Charlottetown-Spring Park) (8:08); Honourable Jamie Ballem (Environment, Energy and Forestry) (8:11); and Wilbur MacDonald (Belfast-Pownal Bay) (8:14).

There being no further speakers, the Mover then closed the debate (8:15).

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

ORDERS OF THE DAY - GOVERNMENT:

8:16 The following Bill was further considered by a Committee of the Whole House:

POLICE ACT (Bill No. 10)

Promoter: Honourable Mildred Dover

Chair: Dr. David McKenna

After some time spent therein, Honourable Mr. 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.

ADJOURNMENT:

On Motion of Cletus Dunn (Government House Leader), seconded by Wes MacAleer

(Charlottetown-Spring Park), the House adjourned until 10:00 a.m. on Friday, December 8, 2006.

Charles H. MacKay
Clerk of the Legislative Assembly