

Prince Edward Island

Daily Journal for the  
Legislative Assembly for  
**Thursday, November 1, 2007**

The House met at 2:00 p.m.

## **PRAYERS**

## **ROUTINE PROCEEDINGS**

### **Journals:**

Journals for Tuesday, October 30, 2007 were adopted by the House without amendment.

Doors were opened

### **Matters of Privilege:**

There were none.

### **Statements by Members:**

2:11 Paula Biggar (Tyne Valley-Linkletter) made a Statement recognizing aboriginal people of Prince Edward Island.

2:13 Robert Henderson (O'Leary-Inverness) made a Statement acknowledging 2008 as the International Year of the Potato.

Michael Currie (Georgetown-St. Peters) made a Statement of tribute to Diagnostic Chemicals Limited.

### **2:18 Questions by Members:**

### **Statements by Ministers:**

2:59 Honourable Carolyn Bertram (Communities, Cultural Affairs and Labour) made a Statement on the 30<sup>th</sup> anniversary of the Acadian Communities Advisory Committee and the 20<sup>th</sup> anniversary of the first French Services Policy.

### **Presenting and Receiving Petitions:**

There were none.

### **Tabling of Documents:**

3:03 Honourable Ron MacKinley (Transportation and Public Works) tabled various articles

relating to the Winsloe Route 2 Intersection.

Honourable Gerard Greenan (Education and Attorney General) tabled, by Command, the 2006-2007 Annual Report of the Victims of Crime Act for the period ending 31 March 2007.

**Reports by Committees:**

Honourable Premier, pursuant to Committee Guideline No. 7, announced changes in the membership of Standing Committees of the Legislative Assembly.

Janice Sherry (Summerside-Wilmot), Chair of the Standing Committee on Social Development, presented a First Report of the said committee on Committee Activities.

**(See Appendix E, Page ???)**

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

**Introduction of Government Bills:**

There were none.

**MOTIONS OTHER THAN GOVERNMENT:**

There were none.

**ORDERS OTHER THAN GOVERNMENT:**

There were none.

**GOVERNMENT MOTIONS:**

Honourable Premier handed a Message from His Honour, the Honourable Kenneth R. MacDonald, Administrator of the Province of Prince Edward Island, transmitting Supplementary Estimates of Expenditures, etc. to Honourable Madam Speaker, who asked the Clerk to read the same to the House as follows:

Honourable Kathleen Casey, MLA  
Speaker of the Legislative Assembly  
Province House, Charlottetown  
Prince Edward Island

His Honour, the Honourable Kenneth R. MacDonald, Administrator of the Province of Prince Edward Island, hereby transmits Supplementary Estimates of Expenditure that were required to carry on the public services of the Province for the fiscal year ending 31 March 2006, and for the fiscal year ending 31 March 2007.

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

Robert Allan Rankin  
Clerk of the Executive Council

Honourable Kenneth R. MacDonald  
Administrator  
At Charlottetown, Prince Edward Island  
this 1<sup>st</sup> day of November, 2007

By Command of His Honour, the Honourable Kenneth R. MacDonald, Administrator of the Province, Honourable Premier presented to the House Supplementary Estimates of Expenditure for the Province of Prince Edward Island in support of the Supplementary Appropriation Act 2007.

Honourable Premier moved, seconded by Honourable Wes Sheridan (Provincial Treasurer) 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, to which the House agreed.

Honourable Wes Sheridan (Provincial Treasurer) sought, and received, consent of the House to revert to

**Introduction of Government Bills:**

The following Bill was introduced and read a First Time:

**Supplementary Appropriation Act 2007** (Bill No. 21) by Honourable Wes Sheridan (Provincial Treasurer).

**ORDERS OF THE DAY - GOVERNMENT:**

3:10 The following Bill was read a Second Time and referred to a Committee of the Whole House:

**AN ACT TO AMEND THE SCHOOL ACT** (Bill No. 20)

Promoter: Honourable Gerard Greenan  
Chair: Robert Henderson

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

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

3:18 The following Bill was read a Second Time and referred to a Committee of the Whole House:

**AN ACT TO AMEND THE REAL PROPERTY TAX ACT** (Bill No. 15)

Promoter: Honourable Wes Sheridan  
Chair: Janice Sherry

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

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

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

**AN ACT TO AMEND THE PUBLIC PURCHASING ACT (Bill No. 12)**

Promoter: Honourable Wes Sheridan

Chair: Bush Dumville

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

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

3:37 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. 9)**

Promoter: Honourable Wes Sheridan

Chair: Cynthia Dunsford

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

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

3:43 The following Bill was read a Second Time and referred to a Committee of the Whole House:

**AN ACT TO AMEND THE LIQUOR CONTROL ACT (Bill No. 5)**

Promoter: Honourable Richard Brown

Chair: Pat Murphy

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

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

3:52 The following Bill was read a Second Time and referred to a Committee of the Whole House:

**TOBACCO TAX ACT (Bill No. 2)**

Promoter: Honourable Wes Sheridan

Chair: Sonny Gallant

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

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

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

House:

**AN ACT TO AMEND THE REAL PROPERTY ASSESSMENT ACT (Bill No. 14)**

Promoter: Honourable Wes Sheridan

Chair: Robert Mitchell

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

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

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

**AN ACT TO AMEND THE DOG ACT (Bill No. 18)**

Promoter: Honourable Neil LeClair

Chair: Charlie McGeoghegan

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

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

4:06 The Order of the Day being read for the consideration of the Estimates in Committee, Paula Biggar (Tyne Valley-Linkletter), took the Chair of the Committee to further consider the Estimates for the Department of Environment, Energy and Forestry (complete); P.E.I. Energy Corporation (complete); and the Office of the Attorney General (complete).

Honourable Madam Speaker resumed the Chair and the Chairperson reported progress and requested leave to sit again, to which the House agreed.

5:10 Honourable Madam Speaker declared recess until 7:00 p.m.

**7:00 P.M.**

**GOVERNMENT MOTIONS:**

7:03 Honourable Robert Ghiz moved, seconded by Honourable Carolyn Bertram, the following Motion for a Resolution (Motion No. 6):

**WHEREAS** the collapse of Polar Foods represents the single largest industrial policy failure in Prince Edward Island, resulting in a loss of at least \$31 million to Island taxpayers;

**AND WHEREAS** the collapse of Polar Foods also caused the loss of hundreds of jobs in rural communities and the significant consolidation of the fish processing sector;

**AND WHEREAS** repeated efforts to have the previous government conduct an inquiry into the reasons behind the loss of millions of dollars and hundreds of Island jobs were obstructed;

**AND WHEREAS** neither Islanders nor the Legislative Assembly have yet to hear from anyone other than Conservative politicians as to why the government behaved so recklessly in the allocation of public funding to Polar Foods, particularly on the eve of the 2003 election;

**AND WHEREAS** successive governments must learn from the collapse of Polar Foods such that future government industrial policy initiatives never again expose Island taxpayers to such risk;

**THEREFORE BE IT RESOLVED** that the Legislative Assembly instruct the Standing Committee on Fisheries, Intergovernmental Affairs and Transportation to conduct a thorough review of the collapse of Polar Foods, with a mandate to call witnesses;

**THEREFORE BE IT FURTHER RESOLVED** that the Standing Committee on Fisheries, Intergovernmental Affairs and Transportation report back to the Legislative Assembly before the close of the Spring Session of 2008.

Debate was commenced by the Mover; continued by the Seconder; who moved, seconded by Honourable Wes Sheridan (Provincial Treasurer); the follow amendment:

Insert the following words after the word, Transportation, in the final operative clause:

be authorized to meet after the prorogation of the 1<sup>st</sup> Session of the 63<sup>rd</sup> General Assembly.

There being no speakers to the amendment, Honourable Madam Speaker put the Question on the amendment which was **CARRIED**.

Debate on the Motion, as amended, was resumed by Michael Currie (Georgetown-St. Peters).

7:08 There being no further speakers, the Mover then closed the debate.

Honourable Madam Speaker put the Question on the Motion, as amended, which was **CARRIED**.

With consent, the House reverted to

#### **MOTIONS OTHER THAN GOVERNMENT:**

Cynthia Dunsford moved, seconded by Buck Watts, the following Motion for a Resolution (Motion No. 13):

**WHEREAS** there is growing concern regarding the health effects of pesticide use on our population, particularly on our children;

**AND WHEREAS** a recent public petition signed by 4200 Islanders against the use of cosmetic lawn pesticides certainly warrants further review and assessment, with the potential of a province-wide ban;

**AND WHEREAS** the City of Charlottetown has already requested the right to have the legal authority to ban cosmetic pesticides;

**AND WHEREAS** different municipal regulatory regimes will create confusion and added challenges around the enforcement of regulations;

**AND WHEREAS** other cities and towns across Canada have also received similar representations of concern on this identical issue, albeit in a less formal manner;

**THEREFORE BE IT RESOLVED** that this Legislative Assembly give the Standing Committee on Agriculture, Forestry and Environment a mandate to fully review the implementation and potential impacts of a province-wide ban on the use of cosmetic lawn pesticides.

Debate was commenced by the Mover; continued by the Seconder (7:15); who moved, seconded by Bush Dumville (West Royalty-Springvale), the following amendment:

Add the following as the final operative clause:

**THEREFORE BE IT FURTHER RESOLVED** that the Committee be authorized to meet after the prorogation of the 1<sup>st</sup> Session of the 63<sup>rd</sup> General Assembly and make report to this House during the Spring 2008 Session.

There being no speakers to the amendment, Honourable Madam Speaker put the Question which was **CARRIED**.

Debate on the Motion, as amended, was continued by Jim Bagnall (Montague-Kilmuir) (7:20); and Honourable Premier (7:21).

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

Honourable Madam Speaker put the Question on the Motion, as amended, which was **CARRIED UNANIMOUSLY** and resolved accordingly.

With consent, the House reverted to

#### **GOVERNMENT MOTIONS:**

Honourable Carolyn Bertram (Communities, Cultural Affairs and Labour), sought, and received, unanimous consent of the House to replace Motion No. 14 (Recognizing the 100<sup>th</sup> Anniversary of the Publication of Anne of Green Gables), as tabled, due to a number of factual errors, with the following Motion:

**WHEREAS** Lucy Maud Montgomery's first novel, Anne of Green Gables was published in Boston by L. C. Page and Company in 1908;

**AND WHEREAS** the adventures of Anne Shirley, and the vivid descriptions of life in rural Prince Edward Island at the turn of the nineteenth century, struck an immediate chord and led to lasting fame for the author;

**AND WHEREAS** Montgomery continued to write about her home province and produced a further seven books that featured Anne Shirley, as well as 12 other novels, 500 short stories and 500 poems;

**AND WHEREAS** the story of Anne has been recounted in both silent and spoken motion pictures, television movies and series in Canada, Great Britain, and Japan and in musical theatre productions;

**AND WHEREAS** the Charlottetown Festival's production of Anne of Green Gables is Canada's longest running mainstage musical theatre production and has been seen by more than two million people all over the world;

**AND WHEREAS** Anne of Green Gables is the subject of numerous scholarly articles, web sites and publications;

**AND WHEREAS** Montgomery's novel has become a classic and has been translated into at least 17 languages, which has introduced readers all over the world to L. M. Montgomery's view of Prince Edward Island;

**AND WHEREAS** for 100 years, Anne of Green Gables has served, and continues to serve, as a fictional ambassador for Prince Edward Island and still represents a major attraction for visitors to the province;

**AND WHEREAS** Anne herself is our most famous fictional Islander and one of the most internationally recognized Canadian literary figures;

**AND WHEREAS** the Anne of Green Gables novel has continued to be read and enjoyed in the intervening century and today serves youth as a symbol of determination, idealism and imagination, providing enrichment and a sense of natural wonder;

**THEREFORE BE IT RESOLVED** that the year 2008 be proclaimed and celebrated as the centenary year of the publication of L.M. Montgomery's Anne of Green Gables;

**THEREFORE BE IT FURTHER RESOLVED** that all Islanders be encouraged to read or re-read Anne of Green Gables and celebrate the achievement of Lucy Maud Montgomery.

7:26 Debate was commenced by the Mover; continued by Honourable Premier, Jim Bagnall (Montague-Kilmuir) (7:32); and Honourable Gerard Greenan (Education and Attorney General) (7:33).

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

Honourable Madam Speaker put the Question on the Motion, which was **CARRIED UNANIMOUSLY** and resolved accordingly.

#### **ORDERS OF THE DAY - GOVERNMENT:**

The Order of the Day being read for the consideration of the Estimates in Committee, Paula Biggar (Tyne Valley-Linkletter), took the Chair of the Committee to consider the Estimates for the Department of the Provincial Treasury (complete); Employee Benefits (complete);



Council of Atlantic Premiers (complete); General Government (complete); Interest Charges on Debt (complete); PEI Lending Agency (complete); Technology Asset Management (complete); Auditor General (complete); and P.E.I. Public Service Commission (complete).

After sometime spent therein, Honourable Madam Speaker resumed the Chair and the Chairperson reported that the Committee had gone into supply to be granted to Her Majesty and had come to certain resolutions thereon, which said resolutions she was directed to report to the House whenever it should be pleased to receive the same.

**ORDERED**, that the Report of the Committee be now received.

The said Resolutions were severally read at the Table and are as follows:

**RESOLVED**, that the following sums be granted and placed at the disposal of the Crown.

**(ESTIMATES OF REVENUE AND EXPENDITURE ARE PRINTED AS APPENDIX F, PAGE  
???)**

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

**ADJOURNMENT:**

9:13 On Motion of Robert Vessey (Government House Leader), seconded by Sonny Gallant (Evangeline-Miscouche), the House adjourned until 10:00 a.m. on Friday, November 2, 2007.

Charles H. MacKay  
Clerk of the Legislative Assembly