

EC2007-75

EXECUTIVE COUNCIL ACT
 PROVINCIAL TREASURER
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (MEMORANDUM OF UNDERSTANDING
 FOR THE COLLECTION OF DEBTS)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Provincial Treasurer to enter into an agreement with the Government of Canada, as represented by the Canada Revenue Agency, to establish the conditions and procedures by which taxpayer information will be exchanged and set-off monies will be collected in respect of debt owing under the Prince Edward Island Student Loan Program, such as more particularly described in the draft agreement.

EC2007-76

FINANCIAL ADMINISTRATION ACT
 SPECIAL WARRANT
 (SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2005/06)
 PRINCE EDWARD ISLAND PUBLIC SERVICE COMMISSION

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Prince Edward Island Public Service Commission as follows:

Account Class	Account Name	Amount
EMPLOYEE BENEFITS		
EMPLOYEES' FUTURE BENEFITS		
0146-03101	EI (VRP Leave)	\$ 125,300.00
0146-03104	Group Life (VRP Leave)	22,600.00
0146-03106	Health and Dental (VRP Leave)	126,800.00
0146-03107	CPP (VRP Leave)	218,900.00
0146-03132	Early Retirement Incentive	2,450,000.00
0146-03143	Retirement Pay – Health Sector	1,044,800.00
0146-03154	UPP Pension (VRP Leave)	<u>190,000.00</u>
	Sub-total	\$4,178,400.00

**GOVERNMENT PENSION
CONTRIBUTION**

0147-02724	Interest on Unfunded Pension Liability	\$1,623,100.00
0147-03103	Civil Service Superannuation Fund Pension Contributions	6,824,500.00
0147-03127	Teachers Superannuation Fund Pension Contributions	<u>2,088,500.00</u>
	Sub-total	\$10,536,100.00
	Total	<u>\$14,714,500.00</u>

EC2007-77

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
CHARLOTTETOWN AREA DEVELOPMENT CORPORATION
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to advance a loan in the amount of four million, five hundred thousand dollars (\$4,500,000.00) to the Charlottetown Area Development Corporation.

EC2007-78

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JAMES LEONARD BENTLEY AND PAMELA SEITZ
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to James Leonard Bentley and Pamela Seitz, both of Alberton, Prince Edward Island to acquire a land holding of approximately fifteen decimal four five (15.45) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from Dr. Francis Edwin Pineau of Hunter River, Prince Edward Island PROVIDED THAT the portion of the said real property located outside of the Community of O'Leary, approximately twelve decimal four (12.4) acres, is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-79

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ROBERT ENGLEHUTT, STEPHEN GALLANT AND ALBERT MCDONALD
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Robert Englehutt, Stephen Gallant and Albert McDonald, all of Dartmouth, Nova Scotia to acquire an interest in a land holding of approximately one hundred and forty-five decimal nine (145.9) acres of land in Lot 15, Prince County, Province of Prince Edward Island, being acquired from Innovative Properties Inc. of Dartmouth, Nova Scotia.

EC2007-80

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 WHITLEY HOOD
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Whitley Hood of Benson, North Carolina to acquire an interest in a land holding of approximately ninety-eight (98) acres of land in Lot 61, Kings County, Province of Prince Edward Island, being acquired from Sylvia G. Johnson of Benson, North Carolina.

EC2005-81

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 RANDOLPH L. JONES, JR. AND BONNIE J. JONES
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Randolph L. Jones, Jr. and Bonnie J. Jones, both of Jackson, Wyoming to acquire a land holding of approximately one decimal zero one (1.01) acres of land in Lot 63, Kings County, Province of Prince Edward Island, being acquired from Ronald Brown and Beverly Brown, both of Montague, Prince Edward Island.

EC2007-82

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RANDOLPH L. JONES, JR. AND BONNIE J. JONES
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Randolph L. Jones, Jr. and Bonnie J. Jones, both of Jackson, Wyoming to acquire a land holding of approximately thirty-five decimal five one (35.51) acres of land in Lot 63, Kings County, Province of Prince Edward Island, being acquired from Ronald Brown and Beverly Brown, both of Montague, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-83

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BRENTON MICHAEL LEONESIO
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Brenton Michael Leonesio of Paradise Valley, Arizona to acquire a land holding of approximately ten decimal three eight (10.38) acres of land in Lot 49, Queens County, Province of Prince Edward Island, being acquired from R. Harold (Hal) Smith and Jeremy Smith, both of Stratford, Prince Edward Island.

Further, Council noted that the said land holding, being part of Provincial Property No. 720250, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2007-84

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARJORIE RIENDEAU AND MICHEL RIENDEAU
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Marjorie Riendeau and Michel Riendeau, both of Stoney Creek, Ontario to acquire a land holding of approximately fourteen decimal three (14.3) acres of land in Lot 11, Prince County, Province of Prince Edward Island, being acquired from William Palmer and Sheila Joanne Palmer, both of Ellerslie, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-85

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
A.J.L. HOLDINGS INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to A.J.L. Holdings Inc. of St. Phillip, Prince Edward Island to acquire a land holding of approximately thirty-two decimal eight two (32.82) acres of land in Lot 16, Prince County, Province of Prince Edward Island, being acquired from Anna Mae Barlow of Summerside, Joan Thibideau of Miscouche, Diane Painchaud and Gary Gallant, both of Wellington, and Marcia Arsenault of St. Nicholas, all in Prince Edward Island.

EC2007-86

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ALLISARY HOMEOWNERS ASSOCIATION LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Allisary Homeowners Association Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately eleven decimal three four (11.34) acres of land in Lot 38, Kings County, Province of Prince Edward Island, being acquired from Albert MacDonald and Wendy MacDonald, both of Charlottetown, Prince Edward Island.

EC2007-87

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HARBOUR REFLECTIONS INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Harbour Reflections Inc. of Rusticoville, Prince Edward Island to acquire a land holding of approximately fifteen decimal eight (15.8) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from Hugh John MacNeill and Violet A. MacNeill, both of Rusticoville, Prince Edward Island.

EC2007-88

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HATTON FARMS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hatton Farms Inc. of Midgell, Prince Edward Island to acquire a land holding of approximately seventeen decimal five (17.5) acres of land in Lot 40, Kings County, Province of Prince Edward Island, being acquired from Cletus L. Decoursey of Midgell, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-89

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HILLTOP PRODUCE LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hilltop Produce Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately one hundred and three decimal three seven (103.37) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Andrew Lawless of Kinkora, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 292698, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2007-90

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HILLTOP PRODUCE LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hilltop Produce Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately fifty-one decimal four nine (51.49) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Neville Lawless, Bertha Lawless, Andrew Lawless, James Lawless, Donna Lawless, Kenny Lawless and Jacqueline Lawless, all of Kinkora, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 793133, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2007-91

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HILLTOP PRODUCE LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hilltop Produce Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately forty-five (45) acres of land in Lots 26 and 27, Prince County, Province of Prince Edward Island, being acquired from Neville Lawless of Kinkora, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-92

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HILLTOP PRODUCE LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hilltop Produce Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately twelve (12) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Neville Lawless of Kinkora, Prince Edward Island.

EC2007-93

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HILLTOP PRODUCE LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hilltop Produce Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately sixty-five decimal five four (65.54) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Neville Lawless and Andrew Lawless, both of Kinkora, Prince Edward Island.

EC2007-94

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HILLTOP PRODUCE LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hilltop Produce Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately ninety-eight (98) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Neville Lawless and Bertha Lawless, both of Kinkora, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-95

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HILLTOP PRODUCE LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hilltop Produce Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately one hundred and forty-one decimal zero one (141.01) acres of land in Lots 26 and 27, Prince County, Province of Prince Edward Island, being acquired from Neville Lawless and Bertha Lawless, both of Kinkora, Prince Edward Island.

Further, Council noted that part of the said land holding, being Provincial Property No. 282160, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2007-96

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JOPPE FARMS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Joppe Farms Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately fifty-six decimal seven two (56.72) acres of land in Lot 16, Prince County, Province of Prince Edward Island, being acquired from Eliza Joppe and Jennie Joppe, both of Summerside, Prince Edward Island PROVIDED THAT the part of the said real property that has not received subdivision approval, approximately forty-nine decimal eight (49.8) acres, is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2007-97

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RILEIGH'S RETREAT LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Raleigh's Retreat Ltd. of Summerside, Prince Edward Island to acquire a land holding of approximately nine decimal six one (9.61) acres of land in Lot 23, Queens County, Province of Prince Edward Island, being acquired from Kevin Williston and Jennifer Williston, both of Moncton, New Brunswick, SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Raleigh's Retreat Ltd. and on all successors in title.

EC2007-98

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SEYMOUR DESROCHES PROPERTIES LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Seymour DesRoches Properties Ltd. of Kinkora, Prince Edward Island to acquire a land holding of approximately zero decimal seven (0.7) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Seymour DesRoches and Wendy DesRoches, both of Kinkora, Prince Edward Island.

EC2007-99

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WEST PRINCE AUTO GLASS LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to West Prince Auto Glass Ltd. of Union, Prince Edward Island to acquire a land holding of approximately one decimal five (1.5) acres of land in Lot 5, Prince County, Province of Prince Edward Island, being acquired from Donald Horne and Darlene Horne, both of Shubenacadie, Nova Scotia.

EC2007-100

**LENDING AGENCY ACT
P.E.I. LENDING AGENCY
APPOINTMENTS**

Pursuant to section 4 of the *Lending Agency Act* R.S.P.E.I. 1988, Cap. L-8.2 Council made the following appointments:

NAME	TERM OF APPOINTMENT
Wayne Fudge Charlottetown (reappointed)	20 January 2007 to 20 January 2010
Gerard LeClair Kildare (reappointed)	20 January 2007 to 20 January 2010

EC2007-101

**LIQUOR CONTROL ACT
REGULATIONS
AMENDMENT**

Pursuant to section 8 of the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14, Council made the following regulations:

1. Clause 14(1)(e) of the *Liquor Control Act* Regulations (EC704/75) is revoked and the following substituted:

(e) seating shall be provided that is sufficient to seat the number of persons set out in the capacity permit issued for the dining room under the *Fire Prevention Act*, R.S.P.E.I. 1988, Cap. F-11;

2. Clause 23(c) of the regulations is revoked.

3. Section 74 of the regulations is revoked and the following substituted:

74. (1) A licensee who holds a dining room license, or both a dining room license and a lounge license, shall, when requested by the Commission, provide to the Commission a report in such form as the Commission may require showing the separate gross retail values of liquor and food sold on the licensed premises. Report of food and liquor sales

(2) A licensee who holds a dining room license, but not a lounge license, shall ensure, as a condition of the license, that the gross retail sales value of all of the liquor sold in the dining room in any year does not exceed the gross retail sales value of all of the food sold in the dining room during the year. Restriction on liquor sales

(3) A licensee who holds both a dining room and lounge license shall ensure, as a condition of both licenses, that the gross retail sales value of all of the liquor sold in the dining room and lounge in any year does not exceed 30% of the gross retail sales value of all of the food sold in the dining room and lounge during the year. Idem

4. These regulations come into force on February 24, 2007.

EXPLANATORY NOTES

SECTION 1 clarifies the amount of seating that a licensee needs in respect of a dining room. Currently a licensee has to have, as a minimum, seating for thirty persons. The proposed amendment will require seating

sufficient for the number of persons set out in the capacity permit issued for the dining room under the *Fire Prevention Act*.

SECTION 2 revokes a provision that requires the holder of a lounge license to report liquor and food sales to the Commission on an annual basis. This approach is not wanted and is inconsistent with an amendment effected by section 3 of these regulations.

SECTION 3 clarifies that that a licensee who holds either a dining room license, or a dining room license and a lounge license, must report liquor and food sales to the Commission only when requested by the Commission. This section also explains that such a licensee must ensure that the gross retail sales value of all liquor sold in his or her licensed premises during a year must not exceed a specified percentage of the gross retail sales value of all food sold in the premises during that year.

SECTION 4 provides for the commencement of these regulations.

EC2007-102

POLICE ACT PROVINCIAL POLICE CONSTABLE APPOINTMENTS

Pursuant to section 6 of the *Police Act* R.S.P.E.I. 1988, Cap. P-11 Council authorized the following persons to exercise the powers of a provincial police constable effective 13 February 2007:

Michael Robert Chaloner
Damien Mitchell Clarke
Christopher James Conwell
Jana Lynn Doucette
Mark Gerard Keizer
Tara I. Lea
Michael Bruce Rae

Further, Council ordered that, should any of the aforementioned persons cease to be employed with the Charlottetown Police Department, his or her appointment as a provincial police constable shall terminate coincident with the date employment with the Charlottetown Police Department is terminated.

EC2007-103

PUBLIC DEPARTMENTS ACT ACTING MINISTER APPOINTMENTS

Under authority of subsection 4(2) of the *Public Departments Act*, R.S.P.E.I. 1988, Cap. P-29 the following appointments were made:

Honourable Mitch Murphy to be Acting Minister of Development and Technology from the 17th through 19th February 2007; Honourable Gail Shea to be Acting Minister of Development and Technology on 20th February 2007; and Honourable Mitch Murphy to continue as Acting Minister from 21st February 2007 for the duration of the absence from the Province of Honourable Mike Currie.