

EC2008-357

EXECUTIVE COUNCIL ACT
ATTORNEY GENERAL
AUTHORITY TO ENTER INTO AN AGREEMENT
(SUPPLEMENTARY MEMORANDUM OF AGREEMENT
RESPECTING CONTRIBUTIONS TO
YOUTH JUSTICE SERVICES AND PROGRAMS)
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 Attorney General to enter into an agreement with the Government of Canada, as represented by the Minister of Justice, to extend for the period 1 April 2008 to 31 March 2013, the supplementary agreement respecting federal contributions to youth justice services and programs (otherwise known as the Intensive Rehabilitative Custody and Supervision Agreement), such as more particularly described in the draft agreement.

EC2008-358

EXECUTIVE COUNCIL ACT
ATTORNEY GENERAL
AUTHORITY TO ENTER INTO AN
AMENDING AGREEMENT
(PROPERTY AND CASUALTY INSURANCE COMPENSATION)
WITH
PROPERTY AND CASUALTY INSURANCE COMPENSATION
CORPORATION

Pursuant to clause 10(d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Attorney General to enter into an agreement with the Property and Casualty Insurance Compensation Corporation/Société d'indemnisation en matière d'assurances IARD to amend the Participation Agreement dated November 2, 1988 to revise Compensation Fund asset requirements, such as more particularly described in the draft agreement.

EC2008-359

EXECUTIVE COUNCIL ACT
 MINISTER OF COMMUNITIES, CULTURAL AFFAIRS AND LABOUR
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CANADA-PRINCE EDWARD ISLAND
 BUILDING CANADA FUND
 COMMUNITIES AGREEMENT 2007-2017)
 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 Minister of Communities, Cultural Affairs and Labour to enter into an agreement with the Government of Canada, as represented by the Minister of Transport, Infrastructure and Communities, to provide a joint framework for implementation of the Communities Component of the Building Canada Fund, such as more particularly described in the draft agreement.

EC2008-360

EXECUTIVE COUNCIL ACT
 MINISTER OF INNOVATION AND ADVANCED LEARNING
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CANADA-PRINCE EDWARD ISLAND
 LABOUR MARKET DEVELOPMENT AGREEMENT)
 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 Minister of Innovation and Advanced Learning to enter into an agreement with the Government of Canada as represented by the Minister of Human Resources and Skills Development, styled Minister of Human Resources and Social Development, and the Canada Employment Insurance Commission, as represented by its chairperson, to set out terms and conditions for implementation of new labour market development arrangements in Prince Edward Island, such as more particularly described in the draft agreement.

EC2008-361

EXECUTIVE COUNCIL ACT
 MINISTER OF INNOVATION AND ADVANCED LEARNING
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CANADA-PRINCE EDWARD ISLAND
 LABOUR MARKET AGREEMENT)
 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 Minister of Innovation and Advanced Learning to enter into an agreement with the Government of Canada as represented by the Minister of Human Resources and Skills Development, styled Minister of Human Resources and Social Development, to set out the vision, objectives and principles of the parties and their roles and responsibilities related to delivery of labour market programs and services in Prince Edward Island from the date of signing to 31 March 2014, such as more particularly described in the draft agreement.

EC2008-362

EXECUTIVE COUNCIL ACT
 MINISTER OF EDUCATION
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CANADA-PRINCE EDWARD ISLAND AGREEMENT
 COMPLEMENTARY PROJECT REGARDING
 OFFICIAL LANGUAGES IN EDUCATION –
 SOCIÉTÉ ÉDUCATIVE DE L'ÎLE-DU-PRINCE-ÉDOUARD –
 2007-08 AND 2008-09)
 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 Minister of Education to enter into an agreement with the Government of Canada, as represented by the Minister of Canadian Heritage, Status of Women and Official Languages, to establish a cooperation framework to support delivery of new French first-language college programs in Prince Edward Island by the Société éducative de l'Île-du-Prince-Édouard for fiscal years 2007-08 and 2008-09, such as more particularly described in the draft agreement.

EC2008-363

EXECUTIVE COUNCIL ACT
 PREMIER
 AND
 MINISTER OF INNOVATION AND ADVANCED LEARNING
 AUTHORITY TO ENTER INTO
 A MEMORANDUM OF UNDERSTANDING
 (RE: LE COLLÈGE ACADIE Î.-P.-É.)
 WITH
 LA SOCIÉTÉ ÉDUCATIVE DE L'ÎLE-DU-PRINCE-ÉDOUARD

Pursuant to clause 10(d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier and the Minister of Innovation and Advanced Learning to enter into a Memorandum of Understanding with La Société éducative de L'Île- du-Prince-Édouard, to set out the terms and conditions for operation of le Collège Acadie Î.-P.-É. as a publicly-funded, post-secondary educational institution in Prince Edward Island for the period 1 April 2008 to 31 March 2013, such as more particularly described in the draft agreement.

EC2008-364

FINANCIAL ADMINISTRATION ACT
 SPECIAL WARRANT
 (SUPPLEMENTARY CAPITAL EXPENDITURE
 FOR FISCAL YEAR 2008-09)
 TOURISM PEI

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 Capital Fund for Tourism PEI as follows:

Account Class	Account Name	Amount
	Equipment	
1131-05006	Machinery and Equipment	<u>\$650,000.00</u>

EC2008-365

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 OMAR A. ELZEIN AND FAIZAH M. ELZEIN
 (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 Omar A. ElZein and Faizah M. ElZein, both of Edmonton, Alberta to acquire an interest in a land holding of approximately two decimal one two (2.12) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Earthfresh Foods Corp. of Toronto, Ontario.

EC2008-366

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MARJORIE FERGUSON
 (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 Marjorie Ferguson of Scarborough, Ontario to acquire a land holding of approximately forty-one (41) acres of land in Lot 38, Kings County, Province of Prince Edward Island, being acquired from the Estate of Raymond Gill and the Estate of Anne T. Gill of Charlottetown, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Marjorie Ferguson and on all successors in title.

EC2008-367

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 C. GARTH MACKENZIE
 (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 C. Garth MacKenzie of Cardigan, Prince Edward Island to acquire a land holding of approximately ten (10) acres of land in Lot 53, Kings County, Province of Prince Edward Island, being acquired from J. Vernon MacNeil and Kathy L. MacNeil, both of Binbrook, Ontario.

Further, Council noted that the said land holding, being Provincial Property No. 482828, 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.

EC2008-368

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARLOWE GLENN WOOD AND ROSALIND BRENDA WOOD
(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 Marlowe Glenn Wood and Rosalind Brenda Wood, both of Abbotsford, British Columbia to acquire a land holding of approximately twenty-nine decimal two (29.2) acres of land in Lot 25, Prince County, Province of Prince Edward Island, being acquired from Brenda Cobb of Freetown, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Marlowe Glenn Wood and Rosalind Brenda Wood and on all successors in title.

EC2008-369

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HARTZEN CONSULTING 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 Hartzen Consulting Ltd. of Edmonton, Alberta to acquire a land holding of approximately two decimal one two (2.12) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Earthfresh Foods Corp. of Toronto, Ontario.

EC2008-370

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HOWMAC FARMS 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 Howmac Farms Ltd. of North Wiltshire, Prince Edward Island to acquire a land holding of approximately thirty-seven (37) acres of land in Lot 31, Queens County, Province of Prince Edward Island, being acquired from Raymond Berrigan of North Wiltshire, 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.

EC2008-371

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
M & M RESOURCES 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 M & M Resources Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately seventy (70) acres of land in Lot 51, Kings County, Province of Prince Edward Island, being acquired from Greg Ryan of Montague, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said M & M Resources Inc. and on all successors in title.

EC2008-372

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SWEET FARMS 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 Sweet Farms Inc. of Knutsford, Prince Edward Island to acquire a land holding of approximately zero decimal six three (0.63) acres of land in Lots 5, 6 and 7, Prince County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island of Charlottetown, Prince Edward Island.

EC2008-373

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
GRANDVIEW FARMS LIMITED
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Grandview Farms Limited of Montague, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to three hundred and eighty-two decimal five (382.5) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Grandview Farms Limited files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2008-374

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 883264, LOT 59, KINGS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately one hundred and four (104) acres of land, being Provincial Property No. 883264 located in Lot 59, Kings County, Prince Edward Island and currently owned by Daniel R. Ross Inc. of Belfast, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately four decimal five (4.5) acres and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 24 June 2008.

EC2008-375

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 919373, LOT 66, KINGS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately one hundred and ninety-five (195) acres of land, being Provincial Property No. 919373 located in Lot 66, Kings County, Prince Edward Island and currently owned by O'Faelan Farms Inc. of Vernon, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately one decimal five (1.5) acres and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 24 June 2008.

EC2008-376

AN ACT TO AMEND THE LIQUOR CONTROL ACT
DECLARATION RE

Under authority of section 7 of *An Act to Amend the Liquor Control Act* Stats. P.E.I. 2008, 2nd Session, c. 21 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Liquor Control Act" to come into force effective 24 June 2008.

EC2008-377

**LIQUOR CONTROL ACT
REGULATIONS
AMENDMENT**

Pursuant to section 8 of the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14, the Prince Edward Island Liquor Control Commission, with the approval of the Lieutenant Governor in Council, made the following regulations:

1. The *Liquor Control Act* Regulations (EC704/75) are amended by the addition of the following after section 96:

97. The hearing fee payable under subsection 27.1(1) of the Act is \$500.

Fee payable under subsection 27.1(1) for hearing before adjudicator

2. These regulations come into force on July 5, 2008.

EXPLANATORY NOTES

The amendment prescribes the fee payable under subsection 27.1(1) of the Act for a hearing before an adjudicator.

EC2008-378

**LIQUOR CONTROL ACT
REGULATIONS
AMENDMENT**

Pursuant to section 8 of the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14, the Prince Edward Island Liquor Control Commission, with the approval of the Lieutenant Governor in Council, made the following regulations:

1. Clause 70(f) of the *Liquor Control Act* Regulations (EC704/75) is amended by the deletion of the words “Revenue Tax Act Regulations (EC258/87) or a video lottery device authorized under the Video Lottery Scheme Regulations (EC361/91)” and the substitution of the words “*Revenue Tax Act* Regulations (EC258/87) or a video lottery device authorized under the *Lotteries Commission Act* Gaming Centers Control Regulations (EC409/05)”.

2. These regulations come into force on July 5, 2008.

EXPLANATORY NOTES

The amendment corrects the name of the regulations referred to in the provision which restricts a licensee from having or permitting a slot machine or any type of gambling or betting machine in the licensee’s licensed premises except an entertainment device licensed under the *Revenue Tax Act* Regulations or a video lottery device authorized under the *Lotteries Commission Act* Gaming Centers Control Regulations.

EC2008-379

**REAL PROPERTY TAX ACT
REGULATIONS
AMENDMENT**

Pursuant to section 43 of the *Real Property Tax Act* R.S.P.E.I. 1988, Cap. R-5, Council made the following regulations:

1. (1) Subsection 24.1(1) of the regulations is repealed and the following substituted:

24.1 (1) Where a person is eligible under section 5.1 of the Act to receive a tax credit in respect of a residential property for a calendar year, the amount of the tax credit is the amount determined by the formula

$$[A - B] \times [(C/D) \times ((1.50 - E)/100)]$$

where

- A is the assessed value of the residential property as of December 31, 2007;
- B is the sum of
- (a) the value obtained by adjusting the assessed value of the residential property as of December 31, 2002 with the annual percentage increase in the All-Items Consumer Price Index for Prince Edward Island for the calendar year 2002 and for every subsequent calendar year up to and including the calendar year 2006; and
 - (b) the value obtained by adjusting the assessed value of any improvements made to the residential property after December 31, 2002 with the percentage increase in the All-Items Consumer Price Index for the Prince Edward Island for every calendar year after the calendar year in which the improvement was made up to and including the calendar year 2006;
- C is the number of days during the calendar year for which the credit is calculated that the residential property was owned by the person;
- D is the number of days in the calendar year for which the credit is calculated; and
- E is the amount of the tax credit per \$100 of assessment that the person is eligible to receive under section 5 in respect of the residential property.

Tax credit,
residential property

(2) Subsection 24.1(2) of the regulations is repealed and the following substituted:

(2) Notwithstanding subsection (1), where a person is eligible under section 5.1 of the Act to receive a tax credit in respect of a residential property for a calendar year, and the residential property is located in the City of Charlottetown, the amount of the tax credit is the amount determined by the formula

$$(A-B) \times (C/D) \times E/100$$

where

- A is the assessed value of the residential property as of December 31, 2005;
- B is the sum of
- (a) the value obtained by adjusting the assessed value of the residential property as of December 31, 2004 with the annual percentage increase in the All-Items Consumer Price Index for Prince Edward Island for the calendar year 2004; and
 - (b) the assessed value of any improvements made to the residential property in the calendar year 2005;
- C is the number of days during the calendar year 2005 for which the credit is calculated that the residential property was owned by the person;
- D is the number of days in the calendar year for which the credit is calculated; and
- E is the municipal non-commercial tax rate per \$100 of assessment.

Tax credit,
residential property,
City of
Charlottetown

2. (1) Subject to subsection (2), these regulations are deemed to have come into force on November 2, 2007.

(2) Subsection 1(2) of these regulations is deemed to have come into force January 1, 2006.

EXPLANATORY NOTES

SECTION 1 repeals and replaces the current provisions in the regulations that explain how the owner-occupied residential property tax credit established by the Act is calculated. The new provisions reflect recent amendments to the Act concerning the freeze on owner-occupied residential property assessments.

SECTION 2 provides for the commencement of these regulations.

EC2008-380

SUMMARY PROCEEDINGS ACT TICKET REGULATIONS AMENDMENT

Pursuant to subsection 10(3) of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Part 38 of Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended

(a) by the deletion of item 19; and

(b) by the deletion of items 60 and 61 and the substitution of the following:

61 Mixing a non-domestic pesticide without holding a Loader/mixer Certificate or a Pesticide Applicator Certificate.....	29	1,000 (individual) 5,000 (corporation)
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2. These regulations come into force on July 5, 2008.

EXPLANATORY NOTES

These regulations update the offence provisions in the *Summary Proceedings Act*, Ticket Regulations for the *Pesticides Control Act*, Regulations.

EC2008-381

UNIVERSITY ACT UNIVERSITY OF PRINCE EDWARD ISLAND BOARD OF GOVERNORS APPOINTMENT

Pursuant to clause 8(1)(a) of the *University Act* R.S.P.E.I. 1988, Cap. U-4 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Linnell Edwards Charlottetown (vice Dr. David Wong, term expired)	24 June 2008 to 31 May 2011

EC2008-382

**WILDLIFE CONSERVATION ACT
HUNTING AND TRAPPING SEASONS REGULATIONS
AMENDMENT**

Pursuant to section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

1. Schedules I and II of the *Wildlife Conservation Act* Hunting and Trapping Seasons Regulations (EC330/99) are revoked and the following substituted:

SCHEDULE I**HUNTING SEASONS AND LIMITS**

Game	Open Season	Daily	Possession
Pheasant	No open season	-	-
Ruffed Grouse	September 29 - December 31	3	6
Hungarian (Grey) Partridge	October 20 – November 15*	3	6
Snowshoe Hare*** (Rabbit)	October 1 - February 28	5	-
Fox	November 1 - January 31	-	-
Raccoon	October 15 - January 31	-	-
Coyote	October 1 - March 31**	-	-

NOTE:

* There will be no open season for Hungarian (Grey) Partridge in Lots 1-10 inclusive, and in Lots 43-47 inclusive, in 2008/2009.

** Hunting with hounds is permitted from October 1 – February 28. The running of hounds for training or for any other purpose will not be permitted from March 1 through September 30, except by permit.

*** A Snowshoe Hare Snaring License is required to snare snowshoe hare.

SCHEDULE II**TRAPPING SEASONS**

Furbearing Animals	Open Season
Beaver (Prince and Queens Counties)	8:00 a.m., October 31 – February 28*
Beaver (Kings County)	November 15 – February 28*
Mink	8:00 a.m., October 31 – February 28*
Muskrat	8:00 a.m., October 31 - February 28*
Weasel	8:00 a.m., October 31 - February 28*
Fox (snaring & trapping)	November 15 - January 31
Fox (modified foothold trap only) **	November 1 - November 14
Raccoon	October 15 – February 28
Coyote (snaring & trapping)	November 15 - January 31
Coyote (modified foothold trap only) **	November 1 - November 14
Red Squirrel	No closed season
Skunk	No closed season

NOTE:

* During the month of February, trap sets for beaver, muskrat and mink are restricted to those set in or over water. Weasel traps are restricted to Victor rat traps.

** A "modified foothold trap" is a foothold trap that has been altered to improve the humaneness of the trap by laminating the jaws, off-setting the jaws or padding the jaws.

2. These regulations come into force on July 5, 2008.

EXPLANATORY NOTES

These regulations establish season dates and bag limits for the hunting and trapping of wildlife during fall and winter 2008/2009.