

HANSARD



PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY

Speaker: Hon. Greg Deighan

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TABLE OF CONTENTS	PAGE
MATTERS OF PRIVILEGE AND RECOGNITION OF GUESTS	668
STATEMENTS BY MEMBERS	670
WEST POINT-BLOOMFIELD (O'Leary Ladies Auxiliary)	670
BELFAST-POWNAL BAY (Recognition of Shellfishers)	670
CRAPAUD-HAZEL GROVE (Montreal Massacre Remembrance)	671
RESPONSES TO QUESTIONS TAKEN AS NOTICE	672
ORAL QUESTIONS	672
LEADER OF THE OPPOSITION (New Montague School-further)	672
LEADER OF THE OPPOSITION (Updates Needed at Elm Street School)	674
LEADER OF THE OPPOSITION (School for Stratford)	677
ST. ELEANORS-SUMMERSIDE (Funding for Generation XX)	679
ALBERTON-MIMNEGASH (Public Transport Fund)	679
CHARLOTTETOWN-KINGS SQUARE (Youth Addiction Treatment-further)	680
STATEMENTS BY MINISTERS	686
TRANSPORTATION AND PUBLIC WORKS (December 6 th Memorial)	686
COMMUNITY AND CULTURAL AFFAIRS (Heritage Registrations)	687
HEALTH, SOCIAL SERVICES AND SENIORS (RCMP Youth officer in Cornwall)	688
EDUCATION AND ATTORNEY GENERAL (French-Second-Language Education in Canada 2006 Report)	689
TOURISM (Tour de PEI-International Women's Cycling Event)	690
TABLING OF DOCUMENTS	692
ORDERS OF THE DAY (GOVERNMENT)	692

BILL 10 (Police Act-Committee)	692
ADJOURNED	729

The Legislature sat at 2:00 p.m.

Matters of Privilege and Recognition of
Guests

Speaker: The hon. Provincial Treasurer.

Mr. Murphy: Thank you, Mr. Speaker.

First of all I want to welcome visitors to the public gallery. We have a very good crowd today.

I understand a large part of that crowd is a group down from western PEI, districts 26 and 27, that are on a tour of the capital area today. I want to welcome them.

I also see some members of the PEI Shellfish Association who are joining us here today.

I also want to recognize Nancy Key, one of the more astute and honest political commentators in the province.

Some Hon. Members: Hear, hear!

Speaker: All right, hon. members.

Mr. Murphy: I'd like to welcome Nancy here.

Last evening I had the opportunity to attend the East Prince Family of Schools Christmas concert held at Three Oaks High School in Summerside. I just want to say what a wonderful evening it was. A tremendous crowd. The gym at Three Oaks High School was full. A wonderful evening of talented students performing for a packed audience. I just wanted to offer congratulations to those students, to their teachers, and all the organizers of that event.

I believe last night Peter Gallant, the music director at Summerside Intermediate, told us

that that was the 28th year of the East Prince Family of Schools Christmas concert. Of course, that was started by Mr. (Indistinct) Dent, an instructor at Three Oaks. A lot of his legacy was on display there last night.

Finally, I'd like to offer congratulations to a PEI resident who's now living in South Africa. That, of course, being Kristin Roe who swam the waters between Cape Town and Robben Island earlier this week. Of course, many people will remember Kristin's successful swim of the Northumberland Strait in July of 2005.

With that, I wish everyone would enjoy the afternoon.

Some Hon. Members: Hear, hear!

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you, Mr. Speaker.

I, too, would like to welcome everyone to the gallery today, especially all our visitors from the western end of the Province.

Today is also a solemn day as we recognize the Montreal massacre, violence against women and violence in general. I'd like to congratulate all the organizers for the ceremony that took place over at the Confederation Centre earlier today.

I'd also like to recognize a few other people in the gallery today. I'd like to recognize Mr. Sandy MacKay, the outgoing president of UPSE. I'd like to congratulate him on all his great work that he's done over the years on behalf of many workers here in the Province of Prince Edward Island.

It's also great when you get a chance to recognize someone. I've been now in politics about three and a half years. In my

three and a half years in politics I've had nothing but praise, nothing but thank yous, and nothing but basically congratulating me on all the positions I've taken since I've been in politics. So it's great to welcome Nancy Key here as well today.

Finally, Mr. Speaker, *je voudrais dire bonjour à tous mes amis de la région d'Évangéline-Miscouche et j'espère que s'ils regardent les présentations aujourd'hui, ils les aimeront et qu'ils auront un joyeux Noël et une bonne année.*

Merci beaucoup, monsieur le président.

I would like to say hello to all my friends in the Evangeline-Miscouche district and I hope that if they are watching the proceedings today that they will enjoy them, and that they will have a Merry Christmas and a Happy New Year.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Alberton-Miminegash.

Mr. Dunn: Thank you, Mr. Speaker.

I'd like to take this opportunity as well to welcome all the people to the gallery. We have a great crew here from West Prince to enjoy the proceedings. They told me they're looking for fireworks, but I said the wick is pretty short on the other side. So I don't expect a whole lot.

I hope you will not be disappointed. I hope you enjoy your tour of the Lieutenant-Governor's residence this afternoon. I understand it's beautiful. They've hired Bonnie Martin to decorate the place. So, hopefully, you enjoy the rest of your day.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Thank you, Mr. Speaker.

I, too, would like to rise to welcome everybody to the public gallery this afternoon. In particular, I'm very pleased to see my cousin and my friend, Nancy Key, here in the public gallery. She and her husband, as you might know, own a very successful law firm in Summerside. I have to say that Nancy and I and her mother, my aunt Dorothy Doyle, are kindred spirits in many ways. We do have some interesting conversations. So I want to welcome Nancy to the gallery this afternoon.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Transportation and Public Works.

Ms. Shea: Thank you, Mr. Speaker.

I also would like to rise and welcome everyone to the public gallery today, particularly the visitors here from West Prince. I did promise that I wouldn't introduce each of them by name. They are taking in much history today with their visit here and they will be visiting Fanningbank when they leave here.

I just would like to say that last night in this House we paid tribute to volunteers and what they do for communities. These people that we have in the public gallery today are part of why we live in such a great Province. So, enjoy your day.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from West Point-Bloomfield.

Ms. Rodgeron: Thank you, Mr. Speaker.

I want to welcome all the people to the gallery today, especially the people from West Prince. It's not that often we see a group this large in the gallery from West Prince. When I look around again it's nice to see all the familiar faces. So I surely hope they have great day.

I also want to say hello to all the viewers. I know they're all watching, get feedback on the comments from the Legislature. I just wanted to say hello to everyone that's watching today all across the Province, but especially the people in West Prince. Look forward to listening to their phone calls and getting their feedback from the session.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Statements by Members

Speaker: The hon. Member from West Point-Bloomfield.

O'Leary ladies auxiliary

Ms. Rodgeron: Thank you, Mr. Speaker.

On November 14, 1956, an energetic group of ladies met in the basement of the O'Leary Elementary School and thus began the Community Hospital Ladies Auxiliary. At that time, the organization was known as Community Hospital Ladies Aid.

Over the last 50 years, this dedicated group of ladies has accomplished a great deal and provided the hospital with much needed and useful pieces of equipment and materials. Today the Community Hospital Ladies Auxiliary operates the New to You Shop out of Guardian Drugs as a fundraiser and provides clothing for needy families as well. In total, they have provided the hospital with more than half a million dollars in funding over the years.

Recently, the Community Hospital Ladies Auxiliary held a 50th anniversary celebration and presented gifts to numerous individuals. To mention a few, presentations were made to Marion MacKenzie, a founding member and the first president of the auxiliary, and to Isabel Stetson, the only charter member still active. In addition, during the banquet, Ruth Smallman and Wanda Dunbar performed a short skit which highlighted some great memories of the auxiliary's many years of community service.

I congratulate the members of the Community Hospital O'Leary Ladies Auxiliary for their untiring efforts over the past 50 years, and I know work continues, and plans are made to continue, into the future.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Belfast-Pownal Bay.

Recognition of shellfishers

Mr. MacDonald: Thank you very much, Mr. Speaker.

What I'd first like to do is recognize the shellfish industry and its chairman, Clifford Bernard, who I understand is in the gallery.

Two long-standing members of the Prince Edward Island shellfish industry were honoured recently for their contributions in the development of this industry. The Provincial Minister's Shellfish Recognition Award was presented to John MacLeod of Vernon, better known as 'JD,' and Sandy Mills of Lower Newtown.

The shellfish industry contributes almost \$70 million to our Island economy and provides employment for more than 2,500

people. JD MacLeod has been involved with the shellfish industry for 50 years and is deeply connected to the Vernon and the Orwell Rivers. He purchased his first oyster lease almost 40 years ago and has always had two or three leases on the Vernon and Orwell Rivers.

John is married to Jean and they have two children, David and Kim, and five grandchildren. JD and his son, David, also operate the family farm.

In 1994 John was a founding member of the Orwell-Vernon River Watershed Management Association and he continues to work very hard to conserve our rivers. John has also been a long-standing member of the Queens County Shellfish Association, the PEI Aquaculture Alliance, and the PEI Shellfish Association.

Sandy Mills also has been active and a member of the mussel industry for many years. Sandy began working with Joe VanDenBrent, Prince Edward Island's pioneer mussel farmer, in the early 1980s and now works for United Mussel Farms. Sandy puts long hours in as a crew supervisor-boat captain and is also a diver. He continues to work hard in many aspects of the daily operations of the mussel industry.

Sandy lives in Lower Newtown with his wife, Jeannette, and two children and says he is very optimistic about the future of the shellfish industry.

On behalf of my colleagues, I extend sincere congratulations and a big thank-you to these two fine gentlemen.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Crapaud-

Hazel Grove.

Montreal Massacre remembrance

Ms. Bertram: Thank you, Mr. Speaker.

Earlier today, members of this Legislature and of the community came together at Memorial Hall for a service of remembrance, because on December 6, 1989, classes were in session at the École Polytechnique at the University of Montreal located on the north slope of Montréal. It was the largest engineering school in Canada with about 5,000 students enrolled at that time. A six-storey, yellow brick building housed the classrooms and offices.

To the students, it seemed like a normal day, cold and drizzly. It was the last day of the session, with final presentations going on in different places. About 60 students sat in the classroom on the building's second floor. It was just after 5:00 p.m. and the sky had darkened. For some that made it easier to focus on the lecture offered by two students about the mechanics of heat transfer, the incident that day only minutes away. For 45 minutes that day 17 years ago, an enraged gunman roamed the corridors of this university, killing 14 women.

Marc Lepine, 25, separated the men from the women before opening fire on the classroom of female engineering students.

Violence of this nature, regardless of motivation, is always deeply disturbing. This incident, however, was doubly shocking due to the motivation of the killer. Lepine blamed many of his problems in life, including not being accepted into engineering school, on females. This eventually manifested itself in what is now called the Montreal Massacre.

Today we remember those women, their families, their friends. We also remember all

victims of violence. Marc Lepine was a troubled man in his twenties and was an at-risk youth in his formative years. Violence, hate, and revenge led to such a horrific loss of human life and potential.

We need to ensure that both men and women are respected. We need to raise both to believe that aggression and violence are unacceptable forms of self-expression. We need to encourage and model values of empathy, respect, and care rather than strength and dominance. Let us not forget that the strongest people are actually the most self-aware and caring.

So in closing, we remember their memories today but also the hope that by continued work to create a healthy society we can promote and inspire connection, inclusiveness, and non-violence in all relationships.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Responses to Questions Taken As Notice

Speaker: The hon. Minister of Tourism.

Mr. P. Brown: Thank you, Mr. Speaker.

At the end of Question Period I'll be tabling a number of documents relative to the questions asked about the Legends of Golf event.

Questions by Members

Speaker: The hon. Leader of the Opposition.

New Montague school (further)

Leader of the Opposition: Thank you, Mr. Speaker.

Hopefully he doesn't have selective amnesia like the Premier and will remember who was golfing that day.

But my first question is for the minister of education today. Madam Minister, in a November 28th media report you indicated that a public meeting would be held last week to discuss the results of the environmental assessment of the Montague school.

Mr. Speaker, the minister is not being open with the parents and students of the Montague school. An environmental site assessment was never undertaken. Minister, why would you suggest that a proper environmental assessment was being undertaken when, of course, that was not the case?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, the environmental part of building any school or any building like that is done under transportation and public works.

But what I did indicate in the House when I was asked about it was that there was an environmental assessment done, that there was going to be a meeting of parents and staff in Montague with members of transportation and public works and with some education staff. That meeting was held. It's my understanding that the gentleman from transportation and public works did an excellent job, I'm told, in explaining just what was in the report and answering the questions that were there. My staff say that the people who were in attendance were very pleased with the answers that were there. I tabled the environmental assessment last week here in the House.

Speaker: The hon. Leader of the

Opposition.

Leader of the Opposition: Thank you very much, Mr. Speaker.

Madam Minister, was that a public meeting? Was it open to anyone?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, the meeting was held at the request of parents and staff. It was actually a meeting that was called by the principal, it's my understanding. It wasn't one that we called ourselves. But it's my understanding that the principal sent out messages to the parents of the students and that the staff were invited as well.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you very much, Mr. Speaker.

It was my understanding that it was not a public meeting. If you have to send out invitations, it's not an open, public meeting, Madam Minister. A new question for the same minister. I don't believe that an environmental assessment has been carried out. What you carried out was an asbestos abatement study. You also found that there were PCBs present. I think the Friends of Montague High School put it best when they say: An environmental site assessment would expose all possible harmful hazards located in the present high school site. Madam Minister, when will the full environmental assessment be undertaken?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, it's my understanding that transportation and public works did the same kind of environmental

study that they do on any one of these schools.

It's my understanding that their results were made available to all members of the House, and thence to the public, through my tabling of the document last week. So if there are any concerns that some of the parents have indicated to the opposition, then certainly they should get in touch with the transportation and public works department. I'm sure they're more than able to answer any questions relative to the site.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you very much, Mr. Speaker.

I thought all those questions were going to be answered at a public meeting, but I guess since that public meeting was not a public meeting, and there was no environmental assessment, that's why there's still questions being asked.

I've now got a question for the minister of environment. Your minister of education does not believe the existence of PCBs and asbestos in the current site warrants an environmental assessment, I guess. The Friends of Montague High School have a different view. They are concerned about the health and safety of the students. Do you share the minister's view that an environmental assessment is now not necessary?

Speaker: The hon. Minister of Environment, Energy and Forestry.

The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, thank you.

I think if the hon. member wants to go back

into Hansard, he'll see where I said last week that the meeting that was going to be held in Montague was for the parents and the staff, and that was the wording that I used. It was not advertised in the paper because it was a meeting that the principal had initiated and it was - and he invited, my understanding, he invited the parents and the staff of the school.

It's also very clear to me that the hon. member may be trying to misrepresent the situation because it seems to me that transportation and public works are well aware of what needs to be done, what needs to be tested, in an environmental assessment. They did that. As I indicated last week in the House, they've done this in all the schools that have been built across the province. There have been assurances made to everybody involved in all of those schools and in Montague that these are professional people who know how to adequately deal with situations that might present difficulties, not just for the environmental health of the building but for themselves, the staff, the students, and anyone else involved. They are concerned about the environmental issues, Mr. Speaker.

Speaker: The hon. Leader of the Opposition.

Updates needed at Elm Street school

Leader of the Opposition: Thank you very much, Mr. Speaker.

Obviously the minister should be uncomfortable to hold a public meeting, but this is a clear indication of what happens after you're in power for 10 years. Forget about what the parents and the students are saying. The government's right, they're wrong.

I've got another question now for the

minister of education. On October 16th of this year the Member from Crapaud-Hazel Grove and I accepted an invitation from the Elm Street Home and School Association. We went and took a tour of the school. Apparently, we were the only MLAs who took them up on their September invitation. Is it little wonder, Mr. Speaker? This school has no cafeteria. Students cook food in microwaves in the classroom. It is drastically over-crowded. The windows are leaking. The roof is leaking. Its electrical system can't accommodate current usage. It was built in the 1960s and is woefully out of date. Madam Minister, when do you plan on visiting Elm Street school?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, it seems to me that the hon. member cannot chastize this government in relation to schools across the province.

When we got into government, we had to replace one where there was mould. We've since worked with the school boards. They identify the priorities, Eastern, Western, and French school boards. Each year we have built and worked on schools across this province. We have certainly upgraded more schools in our 10 years in government than they did before. As I say, there is absolutely no way that they can chastize this government for any lack of capital repairs and building construction for schools across this province. We've done certainly our share.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Again, Mr. Speaker, a minister who stands up and says don't worry about what the parents are saying, don't worry about what the students are saying, don't worry about what the

teachers are saying. We're the government, we're right, everyone else is wrong.

My question is: When are you going to tour Elm Street school?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, I don't know whether the hon. member thinks he can put words in my mouth but he certainly can't.

I'll speak for myself, and I don't like my words being misrepresented by him standing up and saying: She's saying this and she's saying that, when I didn't say that. If he wants to quote what I've said, certainly he's free to do that, but if he's going to misrepresent my words, that's not his prerogative.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: That was a great answer, Mr. Speaker.

An Hon. Member: (Indistinct).

Speaker: All right, hon. member.

Leader of the Opposition: That was a clear indication of what happens when you're in power for too long. When will the minister be touring Elm Street school?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, I've already been to Elm Street school.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you very much. When were you there?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, I don't have the exact date (Indistinct).

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Another clear indication, Mr. Speaker, of how this government has selective amnesia.

They can remember everything that governments did wrong going back to the early 1900s but they can't remember anything that they did wrong over the last 10 years. It's really quite unbelievable that a government can be in that situation, but I guess that's what happens when you're in power too long.

More importantly, Madam Minister, when will this school be getting the much needed upgrades that they so desperately need?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, as I mentioned earlier, the school boards indicate their priorities to government and each year we receive those priorities.

We work with the school boards and we also do capital repairs around the whole province. We have our current capital projects listed and those are available for the public. I think they were indicated last year during our capital budget. The minister of finance will be making his capital budget known again for this year. So, in cooperation with the school boards, we designate the schools that are up for repair and/or replacement.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you very much, Mr. Speaker.

It's unfortunate that the Elm Street school has been allowed to deteriorate to the extent that it has over the last 10 years. Perhaps one of the greatest problems is the lack of an adequate gym. As the minister knows, an adequate gymnasium is essential for a population of 500 students. I'm sure the minister is aware of the very peculiar problem that the gym poses. Could she inform this House of what that problem is and how she plans on fixing it?

Ms. Bertram: Good question.

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, we have built three new gymnasiums in that area, if my memory serves me correctly.

We have Athena. We're working certainly on Parkside. We work in cooperation with the organizing bodies, whether they be school boards or tourism associations. We work with our groups, not against them.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you very much, Mr. Speaker.

I don't know who the minister is listening to and I wish she'd please listen to the questions in the House because these are very important questions for parents of students who are going to Elm Street school, for potential parents, for the students, and for the teachers.

My question was: The gymnasium has a very peculiar problem. I'm wondering: Could you please tell us what that problem is and how you're going to fix it?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, I'm sure that information is available to my staff and to the people who are in charge of capital repairs and to the school boards. So if he's looking for a list, I can get that and bring the answer back tomorrow, but I don't have it at my fingertips right now.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Surely, Madam Minister, like you've said, if you toured the school like you indicated, you would know what the peculiar problem is in the gym. How are you going to fix it and what is the specific problem?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, we can't really go in and take the posts down without actually doing a lot more than that.

So the necessities required to fix Elm Street have been pointed out to me by my colleague who represents that area and, certainly, she has made me aware of the issues there. We work, as I say, with the school boards. The school boards identify their top priorities and we will continue to do that.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you very much, Mr. Speaker.

Madam Minister, 10 years ago mobiles were put in at the Elm Street school on a temporary basis. Guess what? Ten years later the mobiles are still there and they are still full. Here's a school whose enrollment

has increased to 510 this year. They actually had to send 30 students to another school because of over-crowding.

Madam Minister, here's a school that is old, out of date, and busting at the seams. They are even teaching in the hallways. Madam Minister, why is Elm Street School being ignored by your government?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, actually it's not being ignored by our government.

We are currently working on Parkside -that was the top priority identified by the Western School Board - and Elm Street is the second on the list. So when we finish the work that we need to finish in Parkside, it's my understanding that Elm Street will be the next one to be addressed.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you very much, Mr. Speaker.

A new question for the same minister. It's clear that for whatever reason, Summerside's voice, both around the caucus and Cabinet table has been either sadly silent or, worse yet, ignored. The students and parents of Summerside deserve better. Madam Minister, give me a date and the parents a date and the students a date when the problems will be addressed at Elm Street school.

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, as I indicated to the hon. member, we're currently working on Parkside.

Elm Street is the one school that the Western School Board has identified as the next priority. As I indicated, I think the hon. member had better look back in history, see what their record was in relation to the mould in the schools, and look at the gyms that we've replaced both at Athena, at Summerside High and so on, Summerside Intermediate. I think that the hon. member should actually be giving our government credit for the work that we've done. We've done a lot of school work around the province. We have a capital budget that spans a five-year time span and I think that our government has committed itself to quite a lot of construction during the 10 years that we've been in government.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you very much, Mr. Speaker.

It's unfortunate that the only thing this minister can get up and say is what other governments did in the past. I'm not concerned with that. I'm concerned with what we can do today to make sure that our students can have the best possible education in the safest and best learning environment. That's what I'm concerned with, Madam Minister.

School for Stratford

But I've got a new question for the minister of education. Parents and community leaders in Stratford are waiting for word on whether or not they will be getting a new school. They're anxious to know what the government plans are. How does Glen Stewart student population projections compare with other schools in the Eastern School District?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, I might like to remind the hon. member that when we came into government the students in Athena were occupying the basement of the old vocational school and the mould that was there was certainly something that the previous government had ignored.

The school was condemned, and yet they have the audacity to stand in the House and criticize our government. We've spent millions of dollars in the last 10 years to build schools. Maybe if their previous colleagues had paid more attention to the schools in Summerside they wouldn't be in the shape that they were in when we took over, or the shape that the hon. member is describing now.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Mr. Speaker, a couple of things.

The minister used to be a teacher. I wish she'd listen to the questions. I asked a very specific question. I'm not concerned about the past. I don't care if they were Liberal, Conservative, NDP, Green. What I'm concerned with today, Madam Minister, is the education that our students are receiving. I want to make sure that they can receive the best possible education. I want to know a direct answer to this question. How does Glen Stewart student projection populations compare with other schools in the Eastern School District?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, maybe if the hon. member would listen to the answers he wouldn't have to ask the same question all the time.

But in relation to Glen Stewart, I think we

have to understand that as my colleague the Minister of Tourism tried to point out yesterday, you work with your associations, with the groups. We have duly elected representatives of the people. The school boards, the trustees are elected. It's a democratic process. They represent the people and we work with them. They have asked us to help them look at a study that will be quite pervasive, not only in relation to populations but also in relation to a number of other issues, economic and so on, across not only the Eastern School Board but probably the Western School Board, and maybe even into the other provinces.

But we have to take a look at the declining enrollment issue across our whole province. So the Western School Board has asked us to cooperate with them on that and that's where we are right now.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you. Just so the minister knows, Glen Stewart, I believe - I could be wrong on this - is in the Eastern School District.

But, Mr. Speaker, I want to know: In the minister's views, what is an acceptable number of Stratford students to warrant a new school?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, as the hon. member knows, the figures for not only Stratford but for Stone Park, all the surrounding schools, have been made available, were made available in the report from the Eastern School District, and so we're working with the Eastern School District in relation to the issue of declining enrollments in the schools across the province.

Speaker: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you, Mr. Speaker.

I understand that, hopefully, there's an assessment underway into the viability of a new intermediate school in Stratford. I'm wondering: When will that report be ready and will it be ready before the next election?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, the Eastern School District just recently submitted their report to the Department of Education and, as I indicated a moment earlier - maybe he wasn't listening - we will work with the Eastern School District in order to decide where we go from here.

Speaker: The hon. Member from St. Eleanors-Summerside.

Funding for Generation XX

Ms. MacDonald: Mr. Speaker, my question today is for the Minister of Development and Technology.

Generation XX in my district is a non-profit, youth organization in Summerside which recently celebrated its 10th anniversary. This youth centre offers life skill development and a safe haven for 13 to 18-year-olds in the city. My question for the minister is this. The volunteer board recently made an application to the Community Development Bureau for funding towards its capital campaign. Can the minister inform this House the status of this application?

Speaker: The hon. Minister of Development and Technology.

Mr. Currie: Mr. Speaker, I'm very pleased

to announce that we did make a funding requirement for Generation XX.

It certainly plays an important role in the city of Summerside for the youth. I'd like to thank the volunteer board for the hard work they do with the youth of Summerside, and also for the two members from Summerside, and very pleased to announce that we've contributed \$20,000 to Generation XX.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Alberton-Miminegash.

Public transit fund

Mr. Dunn: Thank you, Mr. Speaker.

I have a question for the Minister of Community and Cultural Affairs who I understand is responsible for the public transit fund for Prince Edward Island. I'd like the minister to inform the House if there's any money for support for research for an Island-wide transit system.

Speaker: The hon. Minister of Community and Cultural Affairs.

Mr. MacFadyen: Thank you, Mr. Speaker.

Yes, under the public transit funding that's available to the province, there are applications that were in from the PEI coalition along with West Prince transportation for studies.

Speaker: The hon. Member from Alberton-Miminegash.

Mr. Dunn: Under the same fund, I'm just wondering if there's any assistance going to be provided for Transportation West which is an organization of volunteers in the West Prince area who provide a wonderful service for people who have challenges. I'm

wondering if there's any consideration given to that organization under the funding program.

Leader of the Opposition: Good question.

Speaker: The hon. Minister of Community and Cultural Affairs.

Mr. MacFadyen: Thank you, Mr. Speaker.

There was an application in from Transportation West for the study and as I said earlier, the application is combined. The PEI Transportation Coalition will be doing a study based on the need across the whole Island and West Prince will be considered under that application.

Speaker: Final supplementary.

The hon. Member from Alberton-Miminegash.

Mr. Dunn: Mr. Speaker, I'm not getting the answer I'm looking for.

Leader of the Opposition: Now you know what we feel like.

Mr. Dunn: I'm wondering if the minister can inform the House if there's any money set aside for buses or vans for Transportation West.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Community and Cultural Affairs.

Mr. MacFadyen: Thank you, Mr. Speaker.

Yes, there is money set aside and it will be approved.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from

Charlottetown-Kings Square.

Youth addiction treatment (further)

Mr. R. Brown: Thank you, Mr. Speaker.

My question goes to the minister of health. Last May I asked the minister a number of questions about treatment for youth drug abuse in Summerside, or Prince Edward Island in general. There was a good debate in this House at that time and there were commitments made that things are going to be done. I want the minister to inform this House what has been done since May, especially with the Summerside area.

Speaker: The hon. Minister of Health, Social Services and Seniors.

Mr. Gillan: Thank you, Mr. Speaker.

I certainly do have good recollection of those debates here. They have carried over in discussion on a province-wide basis now, and the hon. Opposition House Leader may have known from some recent media that we have moved it along to the policy stage now. We are looking at doing something here in-province. It was agreed upon pretty well by all of those that we had contacted - not only our own staff, experts, but also the parents in particular of these affected students who are suffering from substance abuse - that while the program that was provided by their province, and it still is, to move these individuals out-of-province was not sufficient for the large and growing number of students. So, Mr. Speaker, we're at the stage now where we are taking a look at an in-province facility.

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Thank you, Mr. Speaker.

The Leader of the Opposition and myself

met with a group of parents in Summerside the last couple of weeks and they were very concerned. They thought something was going to be in the throne speech. I'm just wondering: How many times did you, minister, meet with this group from Summerside, a group of parents who are really concerned about this problem?

Speaker: The hon. Minister of Health, Social Services and Seniors.

Mr. Gillan: Mr. Speaker, I think the group that he is referring to addressed caucus on two occasions, one for sure, on two occasions.

I, myself, did not meet the last opportunity with these individuals but there have been contacts through my staff. I think there has been a very fair sharing of information. This particular group that he is referring to in the Summerside region did have the minister of finance at a recent meeting. I don't think that there is any information that either my staff or that I have not been made privy too so I think the idea of communication has been wide open.

I know, like all concerned citizens and groups, that they want to get things done as soon as possible and don't spare the cost. It's not a matter of sparing the cost. It's a matter of doing what is the very best and most efficient and professional way to deal with these needy youth and I think that we are doing that, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Thank you, Mr. Speaker.

I have a question for the Attorney General. The group in Summerside has asked for space to be utilized in the Summerside youth facility. I understand there are rooms available that are not being utilized. Can you

tell me how many rooms are not being used in the Summerside youth offenders facility?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, the facility when it was built was made up into quads, as the hon. member might know, and there aren't very many people, I have to say. Both those in closed custody and those in open custody, they don't total up to a very large number. So I think there is a possibility of doing just what the hon. member is suggesting. I've had consultations with the minister of health in that regard. We just haven't come to a final decision on that, hon. member.

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Thank you, Mr. Speaker.

Another question to the Attorney General. How many people work at that facility?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Excuse me. Did you say how many people are in the facility?

Mr. R. Brown: How many people work in the (Indistinct)?

Ms. Dover: Work in the facility? I don't have that number but I can bring that back tomorrow for the hon. member.

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Thank you, Mr. Speaker.

Can the minister tell me how many incarceration days were utilized in that facility last year?

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Again, Mr. Speaker, I don't have that number but the hon. member would probably understand that there weren't very many.

Those figures I can bring back tomorrow. We certainly have a base staff that's required 24/7 in that facility but the numbers are not great. Even when we transferred the youth from Georgetown to that facility, it still didn't add up to a whole lot of people, and there may be days when there are certainly fewer than a dozen there. We have to take a look at occupying that space in a more fruitful way.

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Mr. Speaker, I want to thank the minister for her answers there.

Back to the minister of health. The Nova Scotia government has just released an inquiry report yesterday and the name of the report is: Spiralling Out of Control - Lessons Learned from a Boy in Trouble. Has the minister read this report?

Speaker: The hon. Minister of Health, Social Services and Seniors.

Mr. Gillan: No, I have not, Mr. Speaker.

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Mr. Speaker, a question to the minister of health.

This is a very good report. It was commissioned last year by the Government of Nova Scotia on the recommendations of the tragic death of Theresa Envoy. It is the story about a young person's path to a very

tragic event that left three children without a mother. I want to make it clear. I'm not talking about the staff at the young offenders' facility and that. I know we have great staff at the department of health and social services and child family.

Is the minister aware of this, you know, the problems that they had in Nova Scotia and how we can help out and read this report and get some recommendations from it?

Speaker: The hon. Minister of Health, Social Services and Seniors.

Mr. Gillan: Mr. Speaker, I think I'm fairly knowledgeable because of the information that I have read through research, but, most importantly, have been given to me by my staff and what we are working on collectively.

I don't think there was ever a moment when we denied that there is substance abuse by an ever-growing number of youth. Many, I think erroneously, refer to the problem as youth addictions. I don't think in many cases and in maybe most cases that the youths are necessarily addicted at this point, but still there is a tremendous substance abuse and that is what we have to address.

I know that in most instances the police are not able to handle this. These youths fall through their jurisdictional ability and that is why it is necessary to put in the programs that will help them. We do have and have been working with these programs for quite some time. I think, although the hon. Opposition House Leader is not inferring that this government is deaf to programs that other provinces are doing and we have given guidance counselling at many different levels - I'm sure, Mr. Speaker, that you've heard me speak of that in the past - but it is the in-house facility aspect that we are now looking at.

As I say, we do want to march in a steady fashion towards culminating that. This past week on the *Compass* program there were interviews aired regarding a facility and the advantages of this. I'm quite aware of all of this. I think that the steps that we have taken and will take in the near future are going to be the correct ones.

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Mr. Speaker, also, like, the minister talks about the education system and the teachers and that.

I understand that. I understand how hard the teachers work. In the commissioner's report from Nova Scotia, I want to just quote: The issues teenagers and their families face today are much changed from the past. Teachers today are having to attend to more specific behaviour issues than in the past which translate into what appears to be a huge increase in the number of suspensions and behaviour issues within the school.

We cannot expect our teachers to be spending so much time as this report said on some of these students. We need a facility here so some of these troubled students can go to. We cannot expect our teachers to be everything to our society here today. Our parents are - like we have people working double jobs nowadays and that, and we're putting too much emphasis on our teachers. I'm not against the teachers. I believe in the teachers. They do a great job on Prince Edward Island. But we can't expect them to do everything. Does he not see my point? Like, we need a facility on PEI, we need it soon, before this spirals out of control.

Leader of the Opposition: Good question.

Speaker: The hon. Minister of Health, Social Services and Seniors.

Mr. Gillan: Not to be abrupt, but I do not disagree with any of the remarks that the hon. member has just said.

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: That brings me back to my point then, Mr. Speaker.

This group in Summerside - and I commend them. I met with them. I feel for them. I feel for these parents. They really love their children and they really want to do something about it. But they approached this government in 2003 right after the election. I guess they didn't need to be looked after at that time. They've been working with this government. This is a couple of years now. They've been recommending that we use the Summerside facility for some sort of treatment facility. We can't be sending them off to Sussex. Because I just have a report here from Sussex which is looking for more money. There are students living in squalor, I guess you can say, according to this report. There's no gymnasium. The worst problem is the boys' dorm is in the basement.

We can't be sending our children off to this type of environment. Can you not understand that parents of this area - and these parents are parents across Prince Edward Island, there's just not a Summerside issue - can you not understand? You've been at this job since 2003. Why can't we have this facility up and running for our youth on Prince Edward Island?

Leader of the Opposition: Good question.

Speaker: The hon. Minister of Health, Social Services and Seniors.

Mr. Gillan: Mr. Speaker, I disagree with just about everything that the member has uttered this time.

To suggest for a moment that we here on Prince Edward Island would be sending these disaffected youth off to a place of squalor is unheard of. The individuals, the families that have gone over to the Portage in New Brunswick, have been very satisfied.

But there is a steady progression, yes, 2003 and beyond, and I think that the substance abuse probably could be paraphrased by suggesting that there has been a movement there the last 10 to 15 years here among the youth in this province as to substance abuse. We have been working in different fashion with different mechanisms to try to cure that.

An in-house facility is one of the latest. There are problems of that, and again I refer to this particular television program that was aired this week. It suggested that a number of provinces have passed regulation that the youth can be put in an involuntary method into these establishments and be kept there. That type of legislation is seen to be fairly proactive. In other words, others, some people would say: Under the *Charter of Rights and Freedoms* an individual has the authority or the right or the privilege, if they don't like a confinement, to leave from a place. The facility in New Brunswick is one of those that operates under voluntary confinement. In other words, the individual suffering from the abuse must want to go there, and throughout the course of the treatment they must want to say.

So we're looking carefully at that. We do not want to have an establishment or a facility or programs based on a policy that we cannot implement for the benefit of the individual and their families.

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Mr. Speaker, I'll table the report on the youth addiction centre in

Sussex and the people that work there, concerns about the facility.

One of the quotes is: The centre's two classrooms are shoe-horned into five trailers' assemblies, which also includes offices. Students are often forced to sit in hallways because the classrooms can't hold enough. There is no gymnasium. The worst problem is the boys' dorm in the basement. I'll table that later. He makes it look out like some Shangrila over there.

I want to just read a quote - and it's going to take a minute but it's going to be very fast - from the the commissioner's report. AB, which is the young person's name that was convicted over in Nova Scotia, is now - and this is his final recommendations to legislators and government:

"AB is now receiving supports and opportunity. He is taking advantage of them. I wish him the best as he continues his sentence. He should recognize the opportunities in the midst of this tragedy and do his best to get his life back on track. Unfortunately, it took a criminal conviction and a custodial sentence to reach him."

I agree with the minister on changes to the containment or getting these children in treatment.

"This should not have been the only way that our society is able to reach a small group of troubled teens who are at risk of 'spiralling out of control.' We should be able to halt the spiral: through prevention, through quick action, through creative thinking, through programs that address clearly identified needs. And we should be able to stop behaviour like AB's once it starts, through a more flexible and responsive provisions in the youth criminal law."

Here's the main line, Mr. Speaker:

“Our children and youth at risk deserve it. Their families deserve it. Our society deserves it. I urge the Province to take action - AB’s situation must not be repeated.”

Minister, I’m going to ask you. We need this facility in Summerside or we need a treatment facility for our young people on Prince Edward Island. I hope that this government is just not waiting for another polling period in order to make this announcement and use it for political advantage. The children of PEI deserve this. They need this. Minister, you’ve been at it for three years. Give me a date when this facility is going to be available.

Speaker: The hon. Minister of Health, Social Services and Seniors.

Mr. Gillan: Mr. Speaker, what started out as good debate at a professional level for a logical reason, and a very severe problem, has now gotten down into one of political guttering as to the fact that we are playing politics.

I think that the House and the gallery watching, and particularly all people watching, understand the severity of what we are talking about. In particular, if there was any one sector of our population that when they get in trouble, if anyone does not pay heed, it is the youth. I have spent my previous life working with youth. Our Assembly here is full of individuals who give time. We talked about volunteering last evening here in this House on volunteering, and particularly to the youth.

We are doing this for the youth. We need to do it in a logical, sequential stage. We need to do and put in place the very best programming that will help the most precious segment of our population, the youth.

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Thank you, Mr. Speaker.

All talk. That’s all you are, Mr. Minister, all talk. Great speeches, great talk, no action. This group has been after you since 2003. We know there is a problem in this Island. I know there’s a lot of members want to put their heads away on this one and not think it’s here. It’s here. There’s crystal meth on the street. I talked to the police chief of Charlottetown. We have a problem. Let’s face up to it and let’s do something about it than just political rhetoric. That’s what we in the opposition are calling for - action and less talk. When are you going to make this facility available for the youth on Prince Edward Island?

Leader of the Opposition: Good question.

Speaker: The hon. Minister of Health, Social Services and Seniors.

Mr. Gillan: Mr. Speaker, the hon. Member from Charlottetown-Kings Square started off our debate by suggesting that there was nothing in the throne speech.

I’m holding up a copy, as you can see, of that throne speech. On page 7 there is a paragraph which states: “A Youth Addictions Strategy will be developed, emphasizing community-based programming to offer a range of necessary services for young people, from harm prevention to addiction treatment.” Mr. Speaker, we are following through on that promise.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Mr. Speaker, thank you

very much.

Another question to the same minister. Just more paper. We met with Dr. Sheldon Cameron up there. God bless this person, an excellent person. That group in Summerside has an action plan. They have ideas. We have the facilities. We have the people that could man those facilities. They're not being utilized. They're being under-utilized right now. What is holding you up? That's the simple question that the parents of the Summerside area and Prince Edward Island are asking. What's holding you up?

Speaker: The hon. Minister of Health, Social Services and Seniors.

Mr. Gillan: Mr. Speaker, although it is Question Period, he should obviously also still pay attention to the answers.

I've indicated a number of things that we have been working on. I've indicated probably one of the latter ones that we have to be able to clear out of the way, a hurdle, and that is the idea of confinement. When we do have a facility, when we do incarcerate or put into confinement an individual - even though it is for their own better health and the health of their family if they're put in there by their family - that individual, according to the *Charter of Human Rights and Freedoms* - and I know that the hon. Member from Charlottetown-Kings Square is on his feet repeatedly reminding us of the Charter and its abilities and that we should stay under the umbrella of it. I know that he would not as an individual want us to do something that is outside that Charter. So we have to be sure that as we take our final steps that they are the correct ones.

Speaker: Final question.

The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Thank you, Mr. Speaker.

It didn't stop Alberta, it didn't stop Saskatchewan and it's not stopping Manitoba from implementing those kinds of legislative changes, because they put their youth ahead of their political careers.

Now I ask the minister of finance: Will you make the money available, minister, in order for this facility to be open for the young people of Prince Edward Island?

Speaker: The hon. Provincial Treasurer.

Mr. Murphy: Mr. Speaker, it's interesting. A lot of comment about East Prince and Prince County in the Legislature today, which is good.

Just as we made the money available for Parkside new gym, just as we made the money available for the renovations at SIS, just as we made the money available for a new school at Athena, just as we're going to make money available for Elm Street, just as we made money available for the new hospital, we'll make money available for a youth addictions treatment.

Some Hon. Members: Today, today!

Some Hon. Members: Hear, hear!

Some Hon. Members: (Indistinct)!

Speaker: End of Question Period.

I just hope the people in the gallery would stay for five minutes for a short ceremony on the anniversary of the Montreal Massacre.

Thank you.

Statements by Ministers

Speaker: The hon. Minister of

Transportation and Public Works.

Ms. Shea: Mr. Speaker, I rise today to pay tribute to the 14 young women who were murdered in cold blood at L'École Polytechnique in Montreal on December 6th, 1989, simply because they were women.

As a society, we must remember these 14 engineering students and we must all work against violence to ensure this never happens again.

I also rise to invite this Assembly to remember eight women who were murdered here on Prince Edward Island, again, simply because they were women.

On Prince Edward Island our support services to victims of domestic violence served 1,375 women and 540 youth clients over the past year and responded to 17,000 inquiries. It's obvious we have much to do right here at home in violence prevention.

Our hearts go out to the families of all these young women who have had their lives violently robbed from them. The families will suffer forever. However, by our actions, working against domestic violence, these families can take some comfort in knowing their daughters did not die in vain.

The roses which we have on the floor of the House today represent these young women. I would ask all members of this Assembly to please stand and spend the next few moments reflecting on the impacts of violence against women as I read the names of the 14 young women murdered in Montreal and the eight women murdered on Prince Edward Island.

Following the reading of the names please join me in a minute of silence.

Genevieve Bergeron, 21, Civil Engineering;
Helene Colgan, 23, Mechanical

Engineering;
Nathalie Croteau, 23, Mechanical Engineering; Barbara Daigneault, 22, Mechanical Engineering; Anne-Marie Edward, 21, Chemical Engineering; Maud Haviernick, 29, Materials Engineering; Barbara Maria Klucznik, 31, Materials Engineering; Maryse Laganiere, 25, Staff of L'École Polytechnique; Maryse LeClair, 23, Materials Engineering; Anne-Marie Lemay, 27, Mechanical Engineering; Sona Pelletier, 28, Mechanical Engineering; Michele Richard, 21, Materials Engineering; Annie St. Arneault, 23, Mechanical Engineering; Annie Turcotte, 21, Materials Engineering.

The women murdered on Prince Edward Island, we remember:

Carrie McMurrer; Elaine Myers; Shirley Anne Duguay; Della Waddell; Mary Waite; Kimberly Ann Byrne; Debbie Holmes; Crystal Dawn Bearisto

[There was a moment of silence.]

Ms. Shea: Thank you, Mr. Speaker.

Speaker: The hon. Minister of Community and Cultural Affairs.

Mr. MacFadyen: Thank you, Mr. Speaker.

The care and stewardship of our heritage resources has been highlighted often. We have introduced a new *Archaeology Act* and had much discussion regarding the care of historical artifacts. I would like today to speak to another part of our heritage, one that engages the participation and pride of our citizens in a resource that is open and obvious for all to see. Our heritage buildings and places are perhaps our biggest artifacts. They have stories to tell. They reflect our pride and accomplishments.

In November, in my capacity as Minister Responsible for Heritage, I registered 11

additional Heritage places under the terms of the *Heritage Places Protection Act*. These registrations include the St. John Evangelist Church and six homes in Victoria, The Tirna nOg Inn in St. Peter's Bay, the Hudson Homestead in Cascumpec, La Petite France bed and breakfast in Alberton and the Clifton United Church in Stratford.

Prince Edward Island has almost 350 listings on the Canadian Register of Historic Places. These listings reflect well upon us as a province, but also on the individual property owners who know and understand the value of heritage to our communities.

Much of the success of our heritage places program is due to the members of the Heritage Places Advisory Board. Mr. John Cousins has been a long-time member of this board, most recently as chairman. Unfortunately for us, Mr. Cousin has tendered his resignation from the board due to personal reasons. However, I take this opportunity on behalf of government to publicly thank him for his contribution to this board.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Crapaud-Hazel Grove.

Ms. Bertram: Thank you, Mr. Speaker.

I would just like to rise to respond to the minister and extend our best wishes to Mr. John Cousins as he goes on to other things in life. We certainly appreciate the work that he did on the board.

But just to speak to heritage protection and the site designation, I think we have to think about the legal obligations. There are legal ramifications for a government that does not pursue the protection of artifacts under the

provincial jurisdiction. I think that we need to see that a full-hearted provincial museum is established here on Prince Edward Island, coincided with an artifactory, and could even perhaps house the provincial archives as well. It would be a learning centre for all Islanders and be a tourist destination for those that would be interested in the historical component of Prince Edward Island.

So I hope that the minister and his department continue to work towards this. It's an anniversary of 2007 for the PEI Museum and Heritage Foundation. It will be my hope that this being the anniversary of this, that they will work to implement a provincial museum in (Indistinct).

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Health, Social Services and Seniors.

Mr. Gillan: Mr. Speaker, I stand to recognize today as National Day of Remembrance and Action on Violence Against Women.

I would like to take this opportunity to congratulate the towns of Stratford and Cornwall for supporting the RCMP Youth Officer Program in their communities.

On Friday last week, I was invited to East Wiltshire School by the Town of Cornwall to officially announce that Constable Dave Swansburg has been appointed as an RCMP Youth Officer for the Cornwall family of schools. The focus of the RCMP Youth Officer Program is to educate youth on a number of relevant safety issues, foster positive relationships between youth and police, help youth develop a better understanding of the roles of RCMP, build a sense of community responsibility among individuals and provide them with the knowledge and confidence to make safe and

responsible choices.

This program is of particular interest to the Department of Social Services and Seniors because of its attention to family violence prevention and education. I understand that the Town of Cornwall became involved in the program as the result of the 2005 report of the PEI Association of Chiefs of Police on Domestic Violence. Findings in that report stated that children are involved in 50% of all calls to police that involve domestic violence.

Family violence and crime prevention is everyone's business. I commend all municipalities in the province who are participating in the RCMP Youth Officer Program and working with government and community partners to break the cycle of violence in our Prince Edward Island communities.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Thank you, Mr. Speaker. *Merci.*

Shortly, I will be tabling the 2006 State of French-Second-Language and Education in Canada report. This report is prepared each year by Canadian Parents for French to monitor and report on how well French-Second-Language programs are doing across Canada.

Canadian Parents for French is a group of volunteers dedicated to French-Second-Language learning opportunities for young Canadians. There are over 557 CPF members on PEI. I don't think they're in the gallery right now, but I was anticipating welcoming two of those members to the gallery, Claude Parent, who is the vice-

president and Gail Lecky, who is executive director. Also from the department of education, and this group may be coming in later, Lucille Fontaine from the French Programs division from the Department of Education.

PEI continues to do very well in French-Second-Language education. As the report states, and I will be tabling it, over 64% of Island students are in French Immersion or Core French programs, which is the third highest participation rate in the country, only surpassed by Quebec and New Brunswick. Last year we had 4,164 students in French Immersion, or 20% of our student population. Again, third in the country after New Brunswick and Quebec.

There is no doubt that one of the driving factors in our success is the tremendous support that we receive from the members of Canadian Parents for French. Clearly, the Canadian Parents for French organization is one of our best role models for parent involvement in education in our province. They promote French-Second-Language education in a variety of ways, such as advocating for strong French-Second-Language programs, and CPF French summer camps were held this year in Summerside, Charlottetown, Montague and the Magdalenes, resulting in a total of 1,200 camper days by Island students.

The CPF recognize the excellent work of PEI French-Second-Language teachers each year. They have a French Educator of the Year award. They continue to introduce innovative programs such as the new École Ambassadrice Program which recognizes schools that demonstrate strong support for French programming. This year, they will designate 23 PEI schools as French Ambassador Schools.

We value our strong partnership with Canadian Parents for French. Working

together, we are able to provide Island students with more and better opportunities to learn and enjoy both of Canada's official languages.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Crapaud-Hazel Grove.

Ms. Bertram: *Merci monsieur le président. J'aimerais aussi féliciter CPF pour tout son travail pendant les années ici à l'Île-du-Prince-Édouard.*

Thank you, Mr. Speaker. I would like to congratulate the CPF as well, for all the work it has accomplished throughout the years here on Prince Edward Island.

They have done tremendous work, CPF over the years, on Prince Edward Island. Different people holding executive director positions over the years and serving on their board has done tremendous work promoting with families. Because let's face it, there's been over the years- since the 1970s and its conception in the late 1970s - there's been many families or children from families where parents don't speak French. Obviously it's the second language programs, and CPF has been a bridge between school and the students. They have fostered programs that have really initiated a great desire in our province, and across the country, to learn French as a second language.

As the minister stated, we are to be proud here on Prince Edward Island because we are recognized across the country for our second language programming. It is our hope that continues, but it is important that it is continued to be fully funding and supported. Certainly it's been a disappointing part - on just a side note - for

Core French programming that the monitoring program has been cut for Core French schools. That's something I hope the Department of Education can reevaluate. Because it's certainly a positive - being in a school where you're the only French speaker, the monitor comes in usually from Quebec and spends time in the schools over the course of the year. They're usually students and it's been a wonderful program. But that's been cut over the last couple of years, the Core French programming.

But another part is that in the Core French program as well, they've piloted, I believe, it is in St. Peters, where Core French begins at grade 1. Well, that doesn't hold true for all schools across PEI. It would be nice to see that initiation take place across the province because I think it's a wonderful stepping stone that children get a first hand look at the language when they are in grade 1.

But I think we have wonderful educators out there that are doing tremendous work, making it fun to learn French on Prince Edward Island. I just hope it continues that, the love of French continues here on Prince Edward Island. I support the CPF. I'm so glad that the minister recognizes them today and I would like to offer our congratulations to them in their continued efforts.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Minister of Tourism.

Mr. P. Brown: Thank you, Mr. Speaker.

As Minister of Tourism I'd like to rise to inform members of the House that this summer Prince Edward Island will be host to an international women's cycling event known as Tour de PEI to be held in June from the 10th to the 14th.

This exciting announcement marks the inaugural event for the Island as host to such a prestigious world class race. The Confederation Bridge will partner with the *Union Cycliste International* or UCI, and the World Cup Cycling Organization, as part of the celebration of Confederation Bridge's tenth year of operation.

The UCI is an international federation of cyclists which is located in Switzerland. In 1998, the UCI developed a world cup circuit for women in order to promote a higher calibre of athletes. The circuit now travels to ten countries: Australia, Switzerland, Spain, Belgium, France, Denmark, Norway, Holland, Germany and Canada. There are approximately 20 teams representing 120 athletes.

The organizing committee will develop, coordinate and host this cycling event, which is one of only 15 international world cup events, which will provide great excitement and new challenges to the cycling teams as well as great thrills for spectators of all ages.

Professional races will include a circuit race in Summerside, a time trial on the Confederation Bridge, staged races beginning in Cavendish to parts of the North Cape Coastal Drive and then returning to Cavendish, the next day from Cavendish along the Points East Coastal Drive and again returning to Cavendish, and a criterium race in Charlottetown, an exciting 50-lap race of one kilometre for each lap in the downtown streets of Charlottetown. Amateur events will feature and be open to serious amateur cyclists, men and women, under the same conditions as professional races. The criterium race event will also feature a celebrity race and a youth race.

Event organizers have set out clear objectives, such as profiling women in sports, promoting cycling as a healthy

choice, profiling Prince Edward Island on the international scene. Also providing Prince Edward Island with an event that is consistent with our tourism strategy, and financial support to our Island hospitals, as the Prince County Hospital and the Queen Elizabeth Hospital have been chosen as the benefit charities of this event.

In closing, Tourism PEI is very pleased to partner in this event and we look forward to hosting the world from the 10th to the 14th of June 2007 for this very special event.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Speaker: The hon. Member from Crapaud-Hazel Grove.

Ms. Bertram: Thank you, Mr. Speaker.

Certainly this is an event that will be watched around the world and certainly will be an opportunity for people, international cyclists, to be here, women cyclists to go back to their countries of origin and talk about PEI and its beauty. Especially it's a nice time of the year that they are come, in June.

But seeing that it's taking place - the minister stated, the Confederation Bridge, coastal drive, the Cavendish area - I would hope - I know there's not going to be a lot of time - but to make it a safe cycling event, that paved shoulders are not part of the entire coastal drive in the Cavendish area. And that the minister perhaps will be looking into infrastructure dollars through the department of highways for such an event to see extra safety for that.

Another part I'd like to bring up relative to this is the GST rebate that is perhaps going to be cancelled by the federal government. This is particularly important to such an

event because they are international people coming to this, they are delegates, and their registration fees, if this goes through, would comply to a GST on top of that. So it is implicated into such an event or any other potential events coming to Prince Edward Island at an international level.

So I would just like to conclude by wishing the organizers the best of luck on this, and I hope that we have great participation.

Thank you, Mr. Speaker.

An Hon. Member: Hear, hear!

Presenting and Receiving Petitions

Tabling of Documents

Speaker: The hon. Minister of Education and Attorney General.

Ms. Dover: Mr. Speaker, I would like to table the document that I referred to earlier entitled *The State of French-Second-Language Education in Canada 2006*, the annual report, the executive summary, and I move, seconded by Honourable Provincial Treasurer, that the same be now received and do lie on the Table.

Speaker: Shall it carry?

Some Hon. Members: Carried.

Speaker: The hon. Minister of Tourism.

Mr. P. Brown: Thank you, Mr. Speaker.

I'd like to table documents relative to the Legends of Golf event. I'd like to table the press release put out by Tourism PEI on October 4th, 2006. I'd also like to table the post-event report for the event. I'd like to table the Making the Connection-Legends of Golf Onsite Research Report July 2006. I'd like to table the summary of post-event

media coverage and press clipping report for 2006. I'd like to table a letter from Tourism Charlottetown, the Prince Edward Island Convention Partnership, in support of the event. I'd like to table a letter from Golf Prince Edward Island in support of the event. I'd like to table a letter from Rodd Hotel and Resorts in support of the event. Finally, I'd like to table a letter from the Tourism Industry Association of Prince Edward Island in support of the event.

Speaker: Seconded by?

Mr. P. Brown: The hon. Minister of Environment, Energy and Forestry.

Speaker: All in favour?

Some Hon. Members: Agreed.

Reports by Committees

Introduction of Government Bills

Government Motions

Orders of the Day (Government)

Speaker: The hon. Provincial Treasurer.

Mr. Murphy: Mr. Speaker, I move, seconded by the hon. Minister of Education and Attorney General, that the 10th Order of the Day be now read.

Speaker: Shall it carry?

Some Hon. Members: Carried.

Clerk: Order No. 10, *Police Act*, Bill No. 10 in Committee.

Speaker: The hon. Provincial Treasurer.

Mr. Murphy: Mr. Speaker, I move, seconded by the Honourable Minister of Education and Attorney General, that this

House do now resolve itself into a Committee of the Whole House to take into consideration the said Bill.

Speaker: Shall it carry?

Some Hon. Members: Carried.

Speaker: The hon. Member from Glen Stewart-Bellevue Cove, Chairperson for the Committee of the Whole.

Ms. Dover: Permission to bring my assistant, Ms. Ellie Reddin, onto the floor, please?

Some Hon. Members: Agreed.

Ms. Dover: Thank you.

Chair (McKenna): The House now in a Committee of the Whole House to take into consideration a Bill to be intituled *Police Act*.

Is it the pleasure of the Committee that the Bill now be read clause by clause?

Some Hon. Members: Agreed.

Chair: Do you want to give a brief overview first?

Ms. Dover: I did.

Yes. Hon. members, you will remember that last week I gave a general comment on what was in the whole bill and the background to it. I have it here again, but I think most of you probably remember the discussion for that.

It's a bill that began back in 1951. It has on at least eight different occasions been amended, but they've been piecemeal, these amendments, and have resulted in a lot of inconsistencies within the bill.

There's a difficult process when it comes to

appointing police officers. In 1990 a new police act was brought forward. It wasn't passed. In 1998 the hon. Member from Charlottetown-Kings Square took in a private member's bill. It went to a standing committee. They received a number of comments about that bill at the time. It received rather mixed support and the standing committee recommended that we investigate different procedures around the country used when it comes to appeals of complaints.

We indoctrinated a lot of the comments that came from the standing committee and research that we've done and we now have the current bill in front of us.

Chair: 1 In this Act

(a) "auxiliary constable" means a person who is appointed as an auxiliary constable under subsection 45(1);

(b) "chief officer" means, in respect of a police service, the chief officer, or the commanding officer, of the police service;

(c) "civilian instructor" means a person who is appointed as a civilian instructor of the Atlantic Police Academy under subsection 51(1);

(d) "Code" means the Code of Professional Conduct and Discipline established by the regulations;

(e) "complaint" means a complaint made under Part VII or Part VIII of this Act, as the context indicates;

(f) "council" means the council of a municipality;

(g) "Department" means the Office of the Attorney General;

(h) "Deputy Police Commissioner" means

the person who is appointed as the Deputy Police Commissioner under section 16;

(I) “Director” means the Director of the Atlantic Police Academy;

(j) “fiscal year” means, in respect of the Government, the period beginning on April 1 in one year and ending on March 31 in the next year;

(k) “former Act” means the *Police Act* R.S.P.E.I. 1988, Cap. P-11;

(l) “instructing officer” means a person who is appointed as an instructing officer of the Atlantic Police Academy under subsection 48(1), and does not include the Director;

(m) “investigator” means a person who

(I) is appointed by the Minister under section 4 to conduct an investigation into any matter relating to policing and law enforcement in the province,

(ii) is employed or hired by the Police Commissioner under subsection 17(2) to conduct investigations in respect of complaints, or

(iii) is designated by the chief officer of a police department under section 26 to conduct an investigation into a complaint,

as the context indicates;

(n) “member of a police department” means the chief officer of the police department or any other police officer of the police department, but does not include any auxiliary constable appointed to assist the members of the police department;

(o) “member of a police service” means a person who is

(I) a member of a police department,

(ii) a member of the Royal Canadian Mounted Police, where an agreement entered into under subsection 8(1) is in force, or

(iii) a member of the Provincial Police Service, where the Provincial Police Service is established under subsection 6(1);

(p) “member of the Provincial Police Service” means the chief officer of the Provincial Police Service or any other police officer of the Provincial Police Service, but does not include any auxiliary constable appointed to assist the members of the Provincial Police Service;

(q) “member of the Royal Canadian Mounted Police” means the commanding officer of the Royal Canadian Mounted Police in the province or any other member of the Royal Canadian Mounted Police who is stationed in the province pursuant to an agreement entered into under subsection 8(1), but does not include any auxiliary constable appointed to assist the members of the Royal Canadian Mounted Police;

(r) “Minister” means the Attorney General;

(s) “police cadet” means a person who is appointed as a police cadet under subsection 50(1);

(t) “Police Commissioner” means the person who is appointed as the Police commissioner under section 16;

(u) “police department” means

(I) the police department established for the City of Charlottetown,

(ii) the police department established for the City of Summerside,

(iii) the police department established for the Community of Borden-Carleton,

(iv) the police department established for the Town of Kensington, or

(v) any other police department that is established for a municipality under and in accordance with the *Charlottetown Area Municipalities Act* R.S.P.E.I. 1988, Cap. C-4.1 or the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13;

(v) “police service” means

(I) the Provincial Police Service, where the Provincial Police Service is established under subsection 6(1),

(ii) the Royal Canadian Mounted Police, where an agreement entered into under subsection 8(1) is in force, or

(iii) a police department;

(w) “Provincial Police Service” means the Prince Edward Island Provincial Police Service referred to in section 6;

(x) “special constable” means a person who is appointed as a special constable under subsection 46(1).

Shall it carry?

Some Hon. Members: Carried.

Leader of the Opposition: No, I have a question.

Chair: Question from the hon. Leader of the Opposition.

Leader of the Opposition: Thank you.

So, who appoints the Police Commissioner?

Ms. Dover: He’s appointed by Executive Council.

Leader of the Opposition: Okay. Did you

consider having the Police Commissioner appointed by the Legislative Assembly?

Ms. Dover: We did.

Leader of the Opposition: And?

Ms. Dover: We feel that this is what the practice in quite a lot of the other acts across the province of where the Police Commissioner is or where the heads of certain bodies are appointed by Executive Council. We felt that there was no reason why it couldn’t happen in this event as well.

Leader of the Opposition: So I know when, for example, you appoint a Provincial Court judge, the Law Society sends you basically a list of names on people who applied. They kind of rank them, or not rank them, but give them a grade. I forget how it works exactly. Will you be doing the same here for this, perhaps consulting our four police municipalities in Prince Edward Island and asking them for a list of names?

Ms. Dover: What I would anticipate happening is that there would be some kind of an advertisement or there would be a seeking of interest. That kind of initiative. I wouldn’t anticipate that we would do this without speaking to some people who would be knowledgeable about the person who could best perform the role.

In my view, it should be someone who is well versed in law and in the workings of the police people who perform their daily services.

Leader of the Opposition: Is there a Police Commissioner in place now?

Ms. Dover: Norman Carruthers is the one who has been named, but he’s just receiving a stipend. That’s all.

Leader of the Opposition: Okay. How did

he get named?

Ms. Dover: (Indistinct).

Leader of the Opposition: I think he's great.

Ms. Dover: Yes.

Leader of the Opposition: He'd be somebody I think the Legislative Assembly would approve, but I'm just wondering how he got his appointment.

Ms. Dover: It was done through Executive Council, but you're right. It was in recognition of the high respect in which he's held.

Leader of the Opposition: Okay. The police associations that you consulted with are the police municipalities and the two unions. Are they for this direction on how you should appoint a police commissioner?

Ms. Dover: I'm sorry, my assistant here is just saying that under section 25.1 of the Criminal Code, the public authority is coming from that Section.

I'm sorry, what was your question?

Leader of the Opposition: Okay, my question now, I'll have to recall it.

The two unions that represent the police officers and the four municipalities. I know now that there was questions on whether or not consultations took place, whether or not they took place. I understand from what I see in the paper that there was some more consultations that took place over the last couple of days, which was good to see.

How are they feeling on the appointment of commissioner? Were they okay with it?

Ms. Dover: Probably Ms. Reddin could best

answer that since she was at that meeting.

Ellie Reddin Policy Advisor: We're going to have further discussions with them. We aren't sure, I couldn't say for sure, how they understand the appointment of the commissioner. They do know that it has to be a qualified person and that qualifications will be in the regulations. We've discussed that with them.

Leader of the Opposition: Okay.

Ms. Dover: They are concerned that it would be somebody who has knowledge of their job.

Chair: Shall it carry?

Some Hon. Members: Carried.

Chair: 2(1) Where there is a conflict between a provision of this Act or the regulations made under this Act and a provision of any other enactment, the provision of this Act or the regulations made under this Act prevails.

(2) Every collective agreement that is binding on the members of a police department is subject to this Act and the regulations and, where there is a conflict between the agreement and this Act or between the agreement and the regulations, this Act and the regulations prevail.

Shall it carry?

Ms. Dover: I would like to move an amendment to this section, please.

This section caused some concern among the police associations because they felt that somehow the province was going to be interfering in their collective bargaining process and that was never the intention. However, the wording of it, we have to say, was a little bit vague. So I have an

amendment and I have copies for all the members if the Pages want to hand them out, but I'll read it in the interim.

It says:

Subsection 2(2) of the Act is amended by the deletion of the words "every collective agreement that is binding on the members of a police department is subject to this Act and the regulations and, where there is a conflict between the agreement" and the substitution of the words "where there is a conflict between a collective agreement that is binding on the members of a police department".

So we're just deleting the first section and substituting that portion.

Subsection 24(2) we'll get to later on and 33(3), but in this case it has to do with the clarification that the conflict between a collective agreement that is binding on the members of the police department and this act or between the agreement and the regulations, this act and the regulations prevail.

So I'll move the adoption of that amendment, please.

Chair: We need a seconder.

Ms. Dover: The hon. Member from Evangeline-Miscouche.

Chair: Shall it carry?

Some Hon. Members: Carried.

Chair: So, carry section 2?

Leader of the Opposition: I have a quick question. Are you talking in this section about regulations? How much will be taking place in regulations compared to what's in the bill?

Ms. Dover: Quite a lot, actually. There was a lot of work that had to go into the act, and the regulations will take a long time as well. So we've indicated to those who expressed some concern that because it will take some time in the new year to get the regulations drafted that they probably won't be finished till around the time of the spring sitting of the Legislature, and therefore the Act won't be proclaimed until the regs are ready to go.

Which means if there were any issues, any portions of the act where's there's a real concern, whether there's a feeling that the act just can't work, that we'd be willing to take a look at amendments to the act in the spring. If that should happen, then that's the case.

Leader of the Opposition: I got an even better suggestion for you.

Ms. Dover: Okay.

Leader of the Opposition: Why don't we pull this off the floor right now? Why don't we ask probably even members - I'm not sure which committee, but one of the committees will hold some hearings and we'll invite the four police municipalities association. We'll invite in the two unions, we'll invite in the general public. We'll hear what they have to say on it, if there has to be an amendments or anything like that. We'll come back and you can be working on the regulations in the meantime. We'll come back and we'll do everything altogether.

In that way - you probably got people saying to you, complaining there hasn't been any consultations, there hasn't been this. I know I've been reading the paper, I gotten calls coming into my office, I've been - a firm commitment that we should go ahead and consult with people. Why don't we just do that and then we'll have lots of work to do?

Ms. Dover: If we hadn't have done the

amount of work that has already gone into this act I might be more willing to do that, but because there has been a lot of input into the act, because we've incorporated a lot of the comments that were held at the standing committee where the hon. Member from Charlottetown-Kings Square's bill was sent to standing committee, and we incorporated a lot of the comments made at that time, so it's my feeling that we should move forward at this time.

Leader of the Opposition: I somewhat think that you have a minor point there. But I just think of myself, the hon. Member from Crapaud-Hazel Grove, the hon. Member from Glen Stewart-Bellevue Cove, the hon. Member from Borden-Kinkora, the hon. Member from Charlottetown-Spring Park, the hon. Member from Winsloe-West Royalty, the hon. Member from Morell-Fortune Bay, we weren't there at that time.

There's probably some new people on the police force, there's probably some new people that are representing the unions, there's definitely new mayors in place. I think it's important to hear these new people's views and it's important for us as legislators to have the opportunity to hear these new people's views. So I'm going to ask you again, will you reconsider?

Ms. Dover: As I say, we have consulted quite a good deal. We did briefings with a number of people, certainly with the opposition office, with government members, yesterday with the police associations. So it's my feeling that we've done enough consultation. There will be opportunity for amendments if something really doesn't work, but it's my feeling that the act is ready to go forward in its current states.

Leader of the Opposition: Is that the feeling of the City of Charlottetown?

Ms. Dover: They sent a letter in saying that they would like to hear any amendments that were proposed yesterday in the meeting, and then they said they would like to have time to consult any amendments that came. So I sent a letter back to them saying that there will be an opportunity if they feel that there are sections that are just not workable, and basically the same comment that I made a minute ago that the opportunity will be there. If there is something that really doesn't work, so be it, but just about everybody across PEI, it seems to me, has had an opportunity for some kind of input.

Leader of the Opposition: Like you said, I don't want to - and I know you don't like me interpreting your words, but you said something along the lines of: Yes, they do have some issues and they want to know what the amendments were yesterday and they want to know more information.

So if we did move it to a committee, everybody would have a great opportunity to have their voices heard, to be able to give their input and do all those things. I'm just saying if the legislation passes now, the regulations aren't going to be done until the spring session of the Legislature, what's the rush?

Ms. Dover: There isn't any great rush necessarily, but it's time that - the bill had its origins back in 1951. It has, as I've said, a number of changes that have been made and it's my feeling that it's time to move forward. We have indicated that if there are problems they can talk to us because we will be working on the regulations, but it's my feeling we should proceed with this. In my view it's time.

Leader of the Opposition: Well, we'll agree to disagree.

Ms. Dover: Okay.

Chair: Shall Section 2 be carried as amended?

Some Hon. Members: Carried.

Chair: Administration.

3(1) The Minister is responsible for policing in the province and for the administration of this Act and the regulations.

(2) The Minister shall promote the preservation of peace, the prevention of crime and the efficiency, adequacy and effectiveness of police services.

(3) The Minister may, for the purpose of carrying out his or her functions under this Act,

(a) liaise, consult and co-operate with any person or body in Canada to encourage consistency in procedures, proceedings, standards and any other matters, relating to police services;

(b) consult with and advise councils and chief officers of police departments on all matters relating to police departments and police matters;

(c) provide to councils and chief officers of police departments information and advice respecting the management and operation of police departments, techniques in handling special problems, training and other information that the Minister considers to be of assistance; and

(d) assist in co-ordinating the work and efforts of the police services in the province.

(4) The Minister may delegate to any employee of the Department any of the functions of the Minister under this Act.

Shall it carry?

Some Hon. Members: Carried.

Chair: 4(1) The Minister may appoint such person as the Minister considers appropriate as an investigator and may direct the investigator to conduct an investigation into any matter relating to policing and law enforcement in the province, including an investigation respecting the operation and administration of a police department.

(2) The Minister may appoint a person with technical or other specialized knowledge to assist an investigator.

(3) An investigator has all of the powers, authorities, privileges, rights and immunities of a police officer under subsection 15(2) during the investigation and any proceedings relating to the matter under investigation.

(4) On completing the investigation, an investigator shall prepare and submit to the Minister a written report of his or her findings.

(5) On receipt of the report of an investigator, the Minister shall review the report and may, after doing so, take whatever action the Minister considers appropriate in the circumstances.

(6) Where the person who is appointed as an investigator under subsection (1) is a member of the police department of a municipality, the Government shall, upon written request from the municipality, reimburse the municipality for the salary of, and the expenses incurred by, the member while acting as an investigator.

(7) Where the police department of a municipality is the subject of an investigation conducted under this section, the municipality shall, after receipt of a notice from the Government of the costs it incurred in respect of the investigation, reimburse the Government for these costs,

unless the Government waves the payment of these costs under subsection (9).

(8) The costs for which a municipality is required under subsection (7) to reimburse the Government are a debt due by the municipality to the Government, are payable on demand and

(a) may be recovered, with costs, by the Government by action in any court of competent jurisdiction; or

(b) may be deducted, by the Government, from any grant payable out of provincial funds to the municipality.

(9) The Government may waive the payment of all or any part of any debt due by a municipality to the Government under this section.

Shall it carry?

Some Hon. Members: Carried.

Chair: 5(1) The Minister may, at any time the Minister considers it appropriate to do so, by order,

(a) require the police department of a municipality to provide policing service for another municipality;

(b) require the Royal Canadian Mounted Police, or the Provincial Police Service, to provide policing services in a municipality; and

(c) require a police service to transfer the investigation of an alleged offence to another police service, and require that other police service to complete the investigation of the alleged offence.

(2) Where the Minister makes an order under subsection (1), the Minister shall ensure that a copy of the order is provided,

as soon as possible, to the chief officer of each police service affected by the order.

(3) A member of a police service shall, upon the request of the Minister, deliver to any person named by the Minister all warrants, papers, exhibits, photographs and other information or records in his or her possession or under his or her control dealing with any criminal case that is the subject of an investigation by another police service.

(4) Where the police department of a municipality has, pursuant to an order made under subsection (1), provided policing services for another municipality, the Government shall, upon written request of the municipality whose police department provided the policing services, reimburse that municipality for the salary and other expenses incurred by its police department in order to provide those policing services.

(5) A municipality that receives policing services from the police department of another municipality, or from the Royal Canadian Mounted Police or the Provincial Police Service, pursuant to an order made under subsection (1) shall reimburse the Government for the costs incurred by the Government in respect of the provision of the policing services pursuant to subsection (4), unless the Government waives the payment of those costs under subsection (7).

(6) The costs for which a municipality is required under subsection (5) to reimburse the Government are a debt due by the municipality to the Government, are payable on demand and

(a) may be recovered, with costs, by the Government by action in any court of competent jurisdiction; or

(b) may be deducted, by the Government, from any grant payable out of provincial

funds to the municipality.

(7) The Government may waive the payment of or any part of any debt due by a municipality to the Government under this section.

Shall it carry?

Question from the hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Police departments and the RCMP, I know from experience in the city, they cooperate with each other tremendously right now. I've never seen an instance where one department did not cooperate with another department, especially the RCMP and the City of Charlottetown. I commend all officers in that area, both the RCMP and the city police in cooperation.

This seems like a lot of bureaucracy in order for what's happening on an informal basis right now and, to my opinion, is operating quite efficiently.

Ms. Dover: I agree with you and I do admire the cooperative efforts that go on between the RCMP and the municipality police. However, this is copied fairly well from provisions in the Nova Scotia police act and it's standard verbiage for what is actually done in practice, like you say, but needs to be down on paper just so it's clear. That probably is part of the trouble with current *Police Act*. There is a lot of it that's done that people understand, is done a certain way, but it needs to be down on paper so that everybody is clear.

Mr. R. Brown: But what currently happens right now - so the RCMP is called in, there is a situation in the city right now and the RCMP has to be called in for assistance. Do they have to wait for you to get an order?

Ms. Dover: No.

Mr. R. Brown: The minister may at any time -

Ms. Dover: The key word there is may. But say there was some kind of an uprising in Charlottetown and they needed the RCMP, it just allows the minister the right to call the RCMP or call another municipal police force and ask them to assist. It just is there to provide in legislation what basically happens now anyway.

Mr. R. Brown: What I see in this situation is right now - and I'm not saying the RCMP or the City of Charlottetown - but with this kind of section in here now, they'll say: We better cover off before we start going from one jurisdiction to another. I see a division occurring here. But if you're confident it's not going to happen and there has been no situations - but I just see a lot of paperwork or a lot of the officers starting to say: That's RCMP territory, this is our territory. The minister now wants the bookkeeping of when we're sharing services and all that?

Ms. Dover: No, I'm not saying that it has to get done all the time, but certain crimes do fall under federal jurisdictions, for example, drug crimes. So the RCMP would be able to go into the city and perform raids or whatever, and they cooperate back and forth. This just puts in legislation what can and does happen, but yet you need to have it there so that it's clear that if there is a request from Charlottetown for the Summerside police, that their wages could be sent to Charlottetown to (Indistinct). So it just puts in legislation what procedure would need to be followed in the event that a disagreement occurred.

Mr. R. Brown: Last year you increased your budget, I think, 500,000 or \$600,000 for a street drug crime unit.

Ms. Dover: Yeah.

Mr. R. Brown: Has any of that money gone to the City of Charlottetown in order to support their street drug crime problem, or is it all gone to the RCMP and are they controlling that?

Ms. Dover: It went to the RCMP and we got three extra officers on account of this. I have to say, and I think I've said it here in the House, that this was a unique situation. Because here was a province paying for extra officers and that hadn't been done in other provinces. The RCMP let it be known that we had done this and they credit the extra strength of the RCMP and the drug squad in a lot of the drug busts that have occurred recently.

Mr. R. Brown: A lot of the drug busts have been a result of joint ventures by the city police and the RCMP.

Ms. Dover: Yeah, they work together.

Mr. R. Brown: But the city police, their people have to be taken off other units in order to fight this. There's not enough money for the City of Charlottetown in this effort. I thought there would be an allocation of some money into them too. I know a lot of the police officers and I know a lot of the work they do and they've done a tremendous job in this area, in street drug crimes in Charlottetown.

I'm told by some of them that they need more officers in that area. The city's budget is quite restricted. They haven't had an increase, I think, in their municipal grants or equalization payments in 10 years, or nine anyway. So I'm just wondering why nothing was allocated or why - I guess under this section you could have sent some RCMP into the city, I guess.

Ms. Dover: The RCMP, they have a portion of the drug responsibility, but then you do have street officers in the city and they work

on drug issues as well, street level drugs. So you have a unique sharing of responsibilities in that regard. But we added enough money to add three more officers to the RCMP.

Chair: Section 5, carried?

Some Hon. Members: Carried.

Chair: Part II.

Prince Edward Island Provincial Police Service.

6(1) Subject to subsection (7), the Lieutenant Governor in Council may establish a police force to be known as the Prince Edward Island Provincial Police Service.

Ms. Dover: Now I may point out here that this is putting in this *Police Act* something that we don't have right now, that we're not anticipating creating, because we do have the RCMP and we're quite pleased with their work. But we felt that when we were doing the *Police Act* we should have a section that relates to the possibility some day down the road, if it was ever needed, of a Provincial Police Service. It's comparable again to similar provisions in the Nova Scotia police act. But it just provides the basic framework so that it could be established if we thought it needed to be. But this is how it would be set up if we so chose to do so.

Mr. R. Brown: I thought under the current *Police Act* the RCMP are the Provincial Police.

Ms. Dover: They're called the Provincial Police but they're really not a Provincial Police like they have, for example, in Ontario where they have the OPP and Quebec where they have their own provincial police.

Mr. R. Brown: No, but under the contract you're their chief.

Ms. Dover: Yes, but they're not a Provincial Police per se.

Mr. R. Brown: Why aren't they?

Ms. Dover: Because they're federal.

Mr. MacDonald: I have a question.

Chair: The hon. Member from Belfast-Pownal Bay.

Mr. MacDonald: (Indistinct) might as well ask. As Attorney General, do you get information from the Attorney General of Canada and other attorney generals in provinces on whatever - related to police work. Do you get that information?

Ms. Dover: It's available to us and we meet on a regular basis.

Mr. MacDonald: Do you at any time get enough information that it should be passed on to the Members of the Legislative Assembly?

Ms. Dover: It would be my understanding that we would not.

Mr. MacDonald: You won't do that.

Ms. Dover: No, because if there was something that is available for public knowledge that could be made available - but usually the kinds of information that, for the most part, gets shared deal with confidential issues. But anything that's public is certainly available. But no, it's not something we would share here in the Legislature for the most part. Then it becomes public.

Mr. MacDonald: I think at certain times the House of Commons has something.

Ms. Dover: They would share only what was public knowledge. They're willing to make public knowledge.

Mr. MacDonald: I think there was a couple of occasions where they were briefed. I don't know what it was about. Over the years I've read that. Not being part of it, but I've read that. Certainly the opposition I know has been briefed on a number of occasions.

Ms. Dover: As you would understand, anything that's before the courts, we absolutely refuse to talk about publicly because you can bias or can be accused of having bias.

Mr. MacDonald: I don't really mean before the courts. Information that might be vital -

Ms. Dover: But things like how many arrests were made, how much - that kind of information could be made available. But anything that could be used or is being used in an investigation would certainly not be made public.

Chair: Question from the Opposition House Leader.

Mr. R. Brown: So what authority do you have over the RCMP right now? Is it just that you sign a contract with them, they just go out and police, they just report to Zaccardelli in Ottawa or do they report back to you? Who's their boss, you or Zaccardelli?

Ms. Dover: There is a contract between the province and the members that are here. Each year they come to meet with me and ask what the provincial priorities are. Each year they submit a report to me, which I then present to the House. If there was a major issue that I really wanted them to address, I would speak to Chief Officer Randy Robar. But they report to me under

the contract, but they are certainly a member of the federal RCMP and their Chief Officer would be Zaccardelli.

Mr. R. Brown: So they don't report to you as -

Ms. Dover: On a monthly basis (Indistinct).

Mr. R. Brown:- monthly basis or, you know: Minister, or Attorney General, this particular problem is occurring and that particular problem is occurring or (Indistinct) -

Ms. Dover: I'm not involved in their daily actions, but there's quite a high level of cooperation between - they do submit an annual report under section 8 and the officials from my department meet with them on a monthly basis, but I don't.

Mr. R. Brown: But you as Attorney General - and I consider you the chief law enforcement person on Prince Edward Island. I don't consider the RCMP.

Ms. Dover: Well, I am.

Mr. R. Brown: You're the public oversight.

Ms. Dover: I am.

Mr. R. Brown: So don't they sit down with you and say: Look there's this problem, there's that problem. Why do we have to wait until something happens before it happened?

Ms. Dover: They give me a heads-up if something's going down, but I don't require that they report to me on a monthly basis, although they met with my officials. But if I had a question about anything or if they felt there was something I should know about, they give me a heads-up or I give them a heads-up.

Mr. R. Brown: I'm not asking them for a detailed investigations or anything. I know when I was on the police commission in the City of Charlottetown we met monthly with the police chief and the police chief just went over and said: I feel this problem's increasing or that problem is increasing. By no way did we discuss individual cases and in no way would I. But the chief at that time, and I know the current chief, is very - there's a two-way street on the committee. The committee then becomes familiar with the issues that are happening in our society. I guess you could more or less call it confession. Where the police, who are the eyes - and I'm not saying the police officers or anything like that, they're just saying: City, you have a drug problem or you have too many speeders, or we feel this is happening or that's happening. It was a two-way discussion. So the political side or the public oversight could say: Okay, and maybe more resources are needed, or a change in allocation of resources or maybe we can work this in or work that in.

Ms. Dover: When we get to section 8 - I think we're currently on section 6.

Mr. R. Brown: But that's an annual report.

Ms. Dover: No, no, no, but all the duties and the -

Mr. R. Brown: Okay, good.

Ms. Dover: It's just over a little bit further, hon. member.

Mr. R. Brown: Okay, we'll wait.

Chair: We're at 6(2) The Provincial Police Service shall, on and after its establishment under subsection (1), be under the control and direction of the Minister.

(3) The Minister may, with the approval of the Lieutenant Governor in Council, appoint

a person to be the chief officer of the Provincial Police Service.

(4) The chief officer of the Provincial Police Service may, with the approval of the Minister, from time to time appoint eligible persons to the Provincial Police Service to be known as provincial police officers and may designate them as officers with a specified rank.

(5) A person appointed as a member of the Provincial Police Service shall, before commencing his or her duties as a member of the Provincial Police Service, take the oath, or solemn affirmation, of office as prescribed in the regulations.

(6) Within three months after the end of each fiscal year of the Government, the chief officer of the Provincial Police Service shall prepare and submit to the Minister an annual report on the affairs of the Provincial Police Service during the previous fiscal year of the Government.

(7) No police force may be established under this section while an agreement made pursuant to subsection 8(1) is in force.

Shall it carry?

Some Hon. Members: Carried.

Chair: 7(1) The authority, responsibility and duty of a person who is member of the Provincial Police Service include

- (a) maintaining law and order;
- (b) preventing crime;
- (c) enforcing the penal provisions of
 - (I) the laws of the province, and
 - (ii) the laws of Canada;

(d) assisting victims of crime;

(e) apprehending persons who may lawfully be taken into custody;

(f) laying charges and assisting in prosecutions;

(g) executing warrants that are to be executed by peace officers;

(h) obeying the lawful orders of the chief officer;

(I) assisting in the enforcement of an order of the court; and

(j) assisting a coroner in the performance of the coroner's functions,

and the person may exercise these authorities and shall discharge these responsibilities and duties throughout the province.

(2) The Provincial Police Service shall provide the policing services described in subsection (1) and such other policing services as the Minister may direct.

Shall it carry?

Some Hon. Members: Carried.

Mr. Collins: Can I just have one question, if I may?

Chair: The hon. Member from Winsloe-West Royalty.

Mr. Collins: We're talking here about the Prince Edward Island Provincial Police Service, which is, if I (Indistinct) to understand it, an as yet to be established organization. So when this act does take effect, current police officers on the job in the municipalities or in the RCMP, especially those within the municipalities,

are they defacto members of a Provincial Police Service? Or where do they then derive their authority?

Ms. Dover: That comes further in part 4, sections 9 through 14. They come under police departments. This just is the framework that allows for the setting up of a Provincial Police if the province so chose to do so some day down the road. When we're doing the *Police Act*, we figured it would be appropriate to put it in at this time. We'll get to that later on. But this is the section that you were asking about, hon. member, in relation to the Royal Canadian Mounted Police.

Chair: Shall it carry?

Some Hon. Members: Carried.

Chair: 8(1) The Lieutenant Governor in Council may, from time to time, enter into an agreement or agreements with the Government of Canada for the use or employment of the Royal Canadian Mounted Police for the policing of the province or any part of the province.

(2) An agreement entered into under subsection (1) may contain such terms and conditions, including financial arrangements, as may be agreed upon and the Lieutenant Governor in Council shall have full power and authority to carry out any such agreement.

(3) When an agreement entered into under subsection (1) is in force, the Royal Canadian Mounted Police are responsible for the policing of all or any part of the province as provided in the agreement.

(4) Subject to the terms of the agreement entered into under subsection (1), the members of Royal Canadian Mounted Police shall have the authorities, responsibilities and duties assigned to the

members of the Provincial Police Service under subsection 7(1) and may exercise these authorities and shall discharge these responsibilities and duties throughout the province.

(5) The Royal Canadian Mounted Police shall provide the policing services described in subsection (4) and such other policing services as the Minister may direct.

(6) Subject to the terms of the agreement entered into under subsection (1), the members of the Royal Canadian Mounted Police shall be under the general control and supervision of the Minister.

(7) For greater certainty, where an agreement entered into under subsection (1) is in force,

(a) the *Royal Canadian Mounted Police Act* (Canada); and

(b) the complaints process set out in that Act,

continue to apply to the members of the Royal Canadian Mounted Police.

(8) The commanding officer in the province of the Royal Canadian Mounted Police shall ensure that a register is kept of all persons who are appointed by the commanding officer under section 45 as auxiliary constables to assist the members of the Royal Canadian Mounted Police in the performance of their duties in which is recorded

(a) the name and address of each auxiliary constable;

(b) the date of the appointment and the date of revocation or suspension of the appointment; and

(c) the date of birth of the auxiliary

constable,

and shall file with the Minister, within three months after the end of each calendar year, a copy of the register as it reads on December 31 of the preceding calendar year, including any changes made to the register during the preceding calendar year.

(9) For the purposes of this Act, the agreement called the "Prince Edward Island Provincial Police Services Agreement" that was entered into in 1992 by the Lieutenant Governor in Council under the former Act with the Government of Canada and that provides for the use or employment of the Royal Canadian Mounted Police for the policing of the province is deemed to have been entered into under subsection (1) and to continue in force according to its terms.

Shall it carry?

Question from the Opposition House Leader.

Mr. R. Brown: How many Mounties are on PEI currently?

Ms. Dover: Approximately 100.

Mr. R. Brown: One hundred. Is that the complement they have requested?

Ms. Dover: They would certainly like more. We've been adding to that on a regular basis, but they probably would appreciate getting more.

Mr. R. Brown: How many are federally funded?

Ms. Dover: Our agreement is 70-30, 70% funded by the province and 30% by the federal government, but then there are others that are federally funded in totality. Do you know the number?

Mr. R. Brown: Is that the 70-30 for the officers that are on the highway patrol? Is that the split for them too?

Ms. Dover: All of them, right.

Mr. R. Brown: So we sign a contract with the feds and they pay 30% of it.

Ms. Dover: Yes. We signed it back in 1992. It's a 20-year agreement. It will expire in 2012.

Mr. R. Brown: So, why wouldn't the federal government under this arrangement pay for the 30% of the municipal police forces? They provide just as good service. Not saying taking over the RCMP, but 70-30. You think if they're paying 30% of the RCMP cost, why wouldn't they pay 30% of the municipal cost?

Ms. Dover: Not all municipalities here in the province have police forces. Some have just one or two. Of course, the larger municipalities have more. They enter into agreements and pay for these forces for the most part themselves.

Mr. R. Brown: I notice here it's just a register you get from the RCMP. Basically, that's how many personnel they have. That's how the contract is written, how many officers you have. That's just a payroll list to me.

Ms. Dover: No. It outlines more than just the numbers and the pays. Policing, you see, is a provincial responsibility. So we enter into a contract with the RCMP to provide policing services rather than have a provincial police service like Quebec and Ontario have, for example.

The municipalities choose to have their own municipal police forces as well. They operate and direct them for the most part on their own.

Mr. R. Brown: So Quebec and Ontario have their police forces. Does the federal government pay 30% of the provincial police force?

Ms. Dover: No.

Mr. R. Brown: They don't.

Ms. Dover: No.

Mr. R. Brown: What role does the RCMP play in Quebec?

Ms. Dover: Just the federal responsibilities, like where it comes in under the *Criminal Code of Canada*.

Mr. R. Brown: So they just deal with federal issues, do they?

Ms. Dover: And any other federal acts that there are.

Mr. R. Brown: So do the municipal police deal with them? Are we talking, like, FBI stuff where the RCMP would do this section of the Criminal Code and municipal policing does the other section?

Ms. Dover: They have a presence in all the provinces of Canada where it comes to areas of federal responsibility.

Mr. R. Brown: I'm like the Member from Pownal Bay, I'd like to see some sort of public - I know they give you a report once a year, how many crimes and stuff like that, but I'd like to see a letter from the head of the RCMP on Prince Edward Island, or head of the agreement on Prince Edward Island, sort of like.

Ms. Dover: I think I tabled the report.

Mr. R. Brown: Yes. No, no, no. It's a report that says we have so many officers, we have this and that. I'd like to see a letter

signed by the chief saying that he is satisfied with the policing dollars he's receiving from the provincial government or he has any concerns.

Ms. Dover: I personally don't think he would probably send that kind of letter. I know he would like to have more dollars and have more officers. I think that's (Indistinct).

Mr. R. Brown: But we as MLAs that represent our area, we hear lots of concerns about policing. Lots of concerns about not enough Mounties on the road, or lots of accidents, or what's happening here, or what's happening there. We never really get, like, an auditor's report from the RCMP in order to tell us. Like, this seems sort of restrictive that the RCMP will report to Executive Council and all that.

What kind of feedback do we get other than our constituents from the law enforcement to say: Look, we recommend it. There's no -

Ms. Dover: I think the report that I tabled last week was a fairly extensive summary of the work they've done, the cases they've worked on. Actually, I think it indicated that the incidents of crime, from the RCMP perspective, the numbers seem to indicate that they have decreased.

So I think that the work being done here in PEI, although it can always be better, I think they're relatively satisfied. As I say, the report is more than just a series of statistics. It does have some commentary as well from Randy Robar.

I think the report indicates that they're doing a great service in PEI. Can it be improved? Obviously. Could we use more officers? Undoubtedly. The incidents of crime, certainly, they work with drugs. They do work with street accidents. I'm comfortable with what they're doing for sure. But as I

say, we would always use improvements, I suppose.

Chair: Any other questions?

The hon. Member from Winsloe-West Royalty.

Mr. Collins: Yes. Under 8(a), the appointment of auxiliary constables to assist members of the RCMP, when you spoke earlier about the complement of about 100 RCMP officers, did you mean the full members of the Royal Canadian Mounted Police on Prince Edward Island? Or is that inclusive of the auxiliary constables?

Ms. Dover: Just that.

Mr. Collins: Just that. How many auxiliary RCMP officers or constables are there in the province today? Is there a cost to their employment?

Ms. Dover: Ms. Reddin thinks there might be 45 but she's not sure.

Mr. Collins: Forty-five. So these are trained people. As I understand, further in the act it speaks: you can't be an auxiliary constable unless you've been properly trained. Who pays for those auxiliary officers? Is this a volunteer effort?

Ms. Dover: There's a section, section 45 (9), that deals with auxiliary constables. Did you want to make a comment?

Ellie Reddin Policy Advisor: (Indistinct)

Mr. Collins: I'm sorry, I didn't hear you.

Ms. Dover: She says partly they're volunteer and partly they're paid, but they're not full-fledged police officers.

Mr. Collins: Is their payment something that is worked into the contract that the

province has with the RCMP?

Ellie Reddin Policy Advisor: Yes.

Mr. Collins: All right, thank you.

Chair: The hon. Member from Morell-Fortune Bay.

Ms. Crane: (Indistinct) does that include special constables in native communities?

Ms. Dover: Sorry, I couldn't hear you.

Ms. Crane: When you were talking about constables that are auxiliary constables, does that include constables in native communities?

Ms. Dover: There are special RCMP who are assigned to the native community. They are regular RCMP members. They don't necessarily live in the community, but they have responsibility for the community.

Ms. Crane: Are there also though some special constables in the native community that are auxiliary RCMP, but they actually live in the community and work there?

Ms. Dover: I know in my own constituency there was a gentleman who was an RCMP member who lived in the community but actually he wasn't assigned to policing in that community. There was a bit of a conflict of interest that could have been perceived and so he wasn't the person with the responsibility for the community.

Chair: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Thank you.

What kind of audit do we have on the RCMP? Do you get an auditor's report or something that says: They're doing a good job for you, they're cost-effective? Is our

auditor general allowed to enter and check their work out in PEI in order to see that we're getting good value for money? (Indistinct) I'm saying, we're not.

Ms. Dover: I don't know the answer to that. I know that we can direct the Auditor General to look at a certain aspect of where government spends its money. I would be very surprised if there was a feeling that they needed to be audited.

Mr. R. Brown: So as the Attorney General of Prince Edward Island you'd never direct them to go into the RCMP and just see, you know -

Ms. Dover: I feel we're getting good value for our money, so I would be reluctant to do that.

Mr. R. Brown: So the federal government, the new federal government as they want to be called, or the new Government of Canada, for a short time -

Chair: For how long a period of time.

Mr. Currie: For a long time.

Leader of the Opposition: Really, you like the cuts they're making? Do you agree with their position?

Mr. R. Brown: So there was quite a bit of statements made by the new Government of Canada on policing in Canada and how they are going to up policing in Canada. How many officers are going to be allocated to Prince Edward Island under the new Government of Canada's 2,500 new officers that they're going to put on the street?

Ms. Dover: The announcement was made that there would be 2,500 extra officers assigned across Canada. They haven't been broken down according to provincial allocations yet. As you might remember

from yesterday, there is concern about the money and where it's going to come from for all of that. But no, we haven't been told our allocation. It will probably be by population.

Mr. R. Brown: Five?

Ms. Dover: I say by population.

Mr. R. Brown: Oh, by per capita, but you're against per capita, your government.

Chair: Depends on what it is.

Mr. R. Brown: So when you argued last year the federal Liberal, the Minister of Community and Cultural Affairs, how he went up and got a better deal out of the Liberal government of the day and how he fought for that better deal, so now we're back per capita.

Ms. Dover: Careful now.

Mr. R. Brown: Well you didn't get a better deal under the transport, it's by per capita.

Ms. Dover: Careful now.

Mr. R. Brown: Under Bill C-48 you never got a better deal for us, it's under per capita.

Mr. MacFadyen: Once I signed (Indistinct).

Mr. R. Brown: No, you get nothing out of a Tory government. You get nothing out of them. That was a Liberal bill. Bill C-48 was a Liberal bill that gave us 12 million bucks.

Mr. Murphy: (Indistinct) fiscal imbalance for a day (Indistinct).

Leader of the Opposition: You better be careful, because the Conservative fiscal imbalance (Indistinct).

Mr. R. Brown: They're just like you guys waiting until after the election. They'll show you their fiscal imbalance.

Chair: Question from the hon. Member from Charlottetown-Kings Square (Indistinct).

Mr. R. Brown: When the auditor general of the US or when the President of the United States stands up and says: I'm going to put 50,000 officers on the street, that President of the United States or the attorney general of the United States transfers money to the states in order for this to happen. Mr. Harper can get up and say he wants 2,500 new officers. I want to know when we're getting this. Like, we should get how many out of those 2,500 officers, 10? Yeah, I think we should get 10.

Ms. Dover: Roughly 10.

Mr. R. Brown: Are we getting 10 officers and when are we getting the 10 officers?

Ms. Dover: We had a meeting of justice ministers in Newfoundland about three weeks ago and we talked to the federal minister about it and asked some questions but we didn't get the answers. So I can't tell you, but it would be our expectation that we would get probably 10.

Mr. R. Brown: So is there going to be like a provincial-federal agreement on this or is he just going to send down federal (Indistinct)?

Ms. Dover: I would suppose there would be an agreement, yes.

An Hon. Member: You must have lost debate (Indistinct)?

Mr. R. Brown: No, I didn't lose any debate. Just the federal government, I want to know when the officers are coming. They make all

kinds of announcements up there, they're making all kinds of them. They're up there: Law and order, law and order.

Leader of the Opposition: Cut the Status of Women.

Mr. R. Brown: Cut the Status of Women.

Leader of the Opposition: Cut court challenges.

Mr. R. Brown: We're going to put 2,500 new police officers on the street.

Leader of the Opposition: Forget about the environment.

Chair: Section 8 carry?

Mr. R. Brown: So is that in the federal budget now, the additional money?

Ms. Dover: I don't know.

Mr. R. Brown: You don't know?

Ms. Dover: I don't know if it's in the federal budget.

Mr. R. Brown: You're the chief of Prince Edward Island. You'd think if some federal government announced new officers you'd check it out and get up there and get our -

Ms. Dover: We tried to check it out but we didn't get any answers.

Mr. R. Brown: I know it's pretty hard to check out their budget, they're trying to steal the CPP from pensioners to balance their budget. Yeah, I want to know when our 10 officers are coming to PEI and how they are going to be allocated.

Ms. Dover: I don't know the answer to that question.

Leader of the Opposition: Who's the head of the RCMP?

Ms. Dover: For the province, I am.

Leader of the Opposition: Federally.

Ms. Dover: Zaccardelli.

Mr. R. Brown: Not any more.

Chair: Not any more, did he go?

Ms. Dover: He left?

An Hon. Member: Yeah.

Ms. Dover: Today?

Chair: Okay, section 8 carried?

Some Hon. Members: Carried.

Chair: Part IV.

Police Departments.

9(1) Where a police department is established for a municipality, the council of the municipality shall appoint a person to be the chief officer of the police department.

(2) A person shall not be appointed, in a permanent capacity, as the chief officer of a police department, unless the person has the training and other qualifications required by the regulations, but a person may, without such training and qualifications, be appointed in a temporary capacity, as the chief officer of a police department, if the person is a police officer of the police department.

(3) A person shall not be appointed, in a temporary capacity, as the chief officer of a police department for a period in excess of six months.

(4) A person who has been appointed, in a temporary capacity, as the chief officer of a police department may not be reappointed as the chief officer in such capacity without the prior approval of the Minister, and any such reappointment shall be for the shortest time period that the Minister considers necessary.

Shall it carry?

Mr. R. Brown: No, I got a big question.

Chair: Only take little ones here.

Mr. R. Brown: This is the municipal police force?

An Hon. Member: Yes it is.

Mr. R. Brown: Okay. Now, under the new Government of Canada's 2,500 new officers, how many is the City of Charlottetown going to get under that program?

Ms. Dover: I can't tell you. All I can tell you is what I said.

Mr. R. Brown: So with just a press release.

Ms. Dover: I don't know, I can't speak for the federal government.

Mr. R. Brown: Okay, are you going to guarantee that the City of Charlottetown and the City of Summerside and the municipal police forces are going to share in that 2,500 new officers?

Ms. Dover: In the first place, I don't know how many we're getting.

Mr. R. Brown: You said 10.

Ms. Dover: I'm saying I expect it might be 10, but I can't make a determination as to where they're going to go or anything like that.

Mr. R. Brown: No, but wouldn't you agree that the municipal police forces should share in some of that new government money, (Indistinct) money?

Ms. Dover: It depends on what the memorandum of understanding says. So I can't predict the kinds of conditions that may be placed around these extra police officers.

Mr. R. Brown: So why wouldn't they do the same agreement they did under Bill C-48, allocate you the money under the department, under the government, and say: Okay, we're going to give you 2,500 officers. Costs 75 million a year to run, you'll get 500,000 a year out of it, and then you as minister for this area can say: My priorities in this area are three new Mounties and I'm going to give the City of Charlottetown two new police officers under this program and -

Leader of the Opposition: Especially for drugs.

Mr. R. Brown: - I'm going to give the City of Summerside two new officers under this program. Won't that work much better? Why would the municipal police forces be left out of this deal? I don't know why our city MLAs aren't here fighting with me to get us this money.

Ms. Dover: The thing is, it may well work that way.

Mr. R. Brown: May well work, it was announced -

Ms. Dover: No, may well work -

Mr. R. Brown: - in March, the budget.

Ms. Dover: Hold it now, hold on a second.

Mr. R. Brown: He ran around at election,

2,500 new officers.

Ms. Dover: Hold on now. I'm saying that it may be that way. It may well be assigned by so many for the municipal police and so many for the RCMP and so on. It may well work that way. Thing is, I can't tell you, I can't predict what's going to be there.

What we want to know is how it's going to be funded, what portion of it is going to be funded by the RCMP. I know from listening to the ministers was that the comment was made to the federal minister that it was your police, your announcements.

Mr. R. Brown: Yes that's right.

Ms. Dover: (Indistinct) however -

Mr. R. Brown: Back it up.

Ms. Dover: We didn't get that guarantee, I have to say.

Mr. R. Brown: Okay. What are you fighting for?

Leader of the Opposition: Like the Cornwall bypass.

Mr. R. Brown: That's been announced 18 times. There's more paper on the Cornwall bypass, you could build (Indistinct) with it. Anyway, what's your department fighting for?

An Hon. Member: Numbers.

Mr. R. Brown: Numbers.

Ms. Dover: What we're fighting for is permanent full federal funding. Now whether or not we get that or not -

Mr. R. Brown: Great. But what allocation? What are you going to do for the City of Charlottetown and the town of Summerside,

municipal police force?

Leader of the Opposition: Kensington.

Mr. R. Brown: Kensington and Borden-Carleton in order for them to get some of this benefit. Because let's be honest here. I think most of the money would be needed and I know I'm going to be shouted down (Indistinct) something. But the City of Charlottetown and the town of Summerside need a lot of this money and I'm wondering is it going to be allocated - are you going to fight for that in order to get a block grant and you determine where the money goes? He's not going to determine anything any more.

Ms. Dover: If I could tell you, hon. member, I certainly would, but I can't give you that information. Number one, I don't know how many of the 2,500 police people we're going to get. I don't know whether or not it will be fully funded. The ministers are not going to be very happy if the larger portion of the payment has to come from the provinces. So it's still being evolved, but I trust the Harper government to deliver on their promises. They have been doing that all along. I have no doubt that they will do the -

Mr. R. Brown: You looking for an appointment?

Ms. Dover: - very best thing that they can do for the provinces.

Mr. R. Brown: Are you looking for an appointment?

Chair: The hon. Leader of the Opposition.

Mr. R. Brown: And then I'm going back.

Leader of the Opposition: The hon. Member from Charlottetown-Kings Square also raised another great point that he's been

working on for the last three years. Since they're going to introduce another 2,500 RCMP officers, obviously they're going to have to be trained. Have you been taking his idea and negotiating with the federal government for us, since we've got the facilities here on Prince Edward Island to help train some more of these RCMP officers.

Mr. R. Brown: Good question, good. I asked the minister of industry this. I don't think he's done anything on it. Are we going to get some of those training facilities in Summerside?

An Hon. Member: (Indistinct).

Mr. R. Brown: Sorry.

Ms. Dover: I asked -

Mr. R. Brown: What did we get? RCMP getting trained up there?

Mr. Currie: (Indistinct) services up there, yes.

Mr. R. Brown: How much are we getting from them? You're just making that up as you go.

Mr. Currie: No, I'm not.

Mr. R. Brown: Yes you are.

Mr. Currie: RCMP are using the facilities up there, yes.

Mr. R. Brown: And how much do you get out of the RCMP? Bring that back to us tomorrow.

Leader of the Opposition: How many under the new 2,500 RCMP will be trained on Prince Edward Island?

Mr. R. Brown: That's a good question.

Ms. Dover: To be quite honest, I don't know. Because I don't know what our allocation is (Indistinct). But my colleague is correct, and by the way, I did mention it to the federal minister and asked whether or not -

Leader of the Opposition: Did you mention the hon. Member from Charlottetown-Kings Square name?

Mr. R. Brown: No.

Leader of the Opposition: Because I've got the paperwork. He sent off the letter.

Ms. Dover: Anyway -

Mr. R. Brown: Zaccardelli sent me one back. No way.

Ms. Dover: - the bottom line is that the RCMP currently do - my colleague is right. They currently do use the Summerside facility for some of their training.

Mr. R. Brown: Good. No, one comment.

Chair: One comment.

Mr. R. Brown: If I was in the minister's shoes and I was looking at last -

Ms. Dover: And you were a Conservative.

Mr. R. Brown: No, I would never be a Conservative. I looked at the last budget, when the Attorney General of Canada got up and made this grandiose announcement that he's going to put 2,500 officers on the streets of Canada, just like George Bush said down in the United States. It was right what was said at the convention, Stéphane said: If you want to know what this federal government is going to do, just read last week's US president statements because we'll do whatever he does the week later.

Ms. Dover: Stéphane who?

Mr. R. Brown: The next prime minister.

Leader of the Opposition: The next prime minister.

Mr. R. Brown: Anyway, if I was in your shoes -

Mr. MacDonald: You'd be back in Montreal, the new convention in three years.

Leader of the Opposition: That's not very nice. Stéphane Dion will be with us for a long time. He's going to be prime minister.

Chair: We're trying to carry this.

Mr. R. Brown: I got one more comment. If I knew 2,500 new police officers, which maybe equates into \$75 million, if I knew that was coming into the federal government, I would have a proposal together, as a minister of a province. I would be sending that proposal off to the federal government saying: Here's what PEI's decision is. Here's what we want, we're not going -

Leader of the Opposition: Show some leadership.

Mr. R. Brown: Yes, so, some leadership. That's what I'd be doing. Why can't you get together with your other colleagues and say: We're responsible under the constitution for policing. You made the promise, Madam Minister, here's what we want.

Ms. Dover: Guess what?

Leader of the Opposition: What?

Ms. Dover: That was already said to the federal minister by (Indistinct) -

Mr. R. Brown: They're not listening, are

they?

Ms. Dover: - Newfoundland about three weeks.

Mr. R. Brown: Okay, are they listening?

Chair: Let's find out.

Ms. Dover: We'll find out.

Leader of the Opposition: (Indistinct) their own cabinet ministers, why would they listen to the provincial cabinet minister?

Chair: Shall it carry?

Some Hon. Members: Carried.

Chair: Let's go to number 10.

Mr. R. Brown: Don't ram this through. Ramming it through.

An Hon. Member: Who put you in charge?

Mr. R. Brown: You're not the chairman.

Chair: I'm reading this.

10(1) The chief officer of a police department shall

(a) appoint the police officers of the police department;

(b) appoint the civilian employees of the police department; and

(c) subject to the Code and to any collective agreement binding on the members of the police department, promote, discipline, including suspend or dismiss, or reinstate such officers and employees.

(2) A person who is appointed as a member of a police department under this section or section 9 shall, before commencing in the

performance of his or her duties as a member of the police department, take the oath, or solemn affirmation, of office as prescribed in the regulations.

(3) The chief officer of a police department shall ensure that an identification card containing the information required by the regulations is issued to a person who is appointed as a member of the police department before that person commences in the performance of his or her duties.

(4) A copy of an identification card purporting to be signed by the chief officer is proof that the individual named therein is a member of the police department referred to in the card.

(5) A member of a police department shall, on demand by any person, produce his or her identification card for inspection, unless in the opinion of the member it would be dangerous for the member to comply with the demand.

(6) The chief officer of a police department shall ensure that a register is kept of all persons who are appointed by the chief officer

(a) under subsection (1) as police officers of the police department; and

(b) under section 45 as auxiliary constables to assist the members of the police department in the performance of their duties,

in which is recorded

(c) the name and address of each police officer and auxiliary constable;

(d) the date of the appointment, and the date of any revocation or suspension of the appointment, of each police officer and auxiliary constable;

(e) the date of birth of each police officer and auxiliary constable; and

(f) the qualifications required by the regulations of each police officer and auxiliary constable as of the date of his or her appointment.

(7) The chief officer of a police department of a municipality shall, within three months after the end of each calendar year, file with the Minister an annual report for the preceding calendar year, which includes the information and documents required by the regulations.

(8) The police department shall act under the direction of the Minister.

Shall it carry?

The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: So who's running the provincial police department? Is it going to be the municipality or you, minister?

Ms. Dover: The municipal -

Mr. R. Brown: Will pay the bills I guess.

Ms. Dover: The municipalities will be in control, basically, of their own police officers. At the present time it's a fairly cumbersome process and periodically the Executive Council gets a request to approve the appointment process and the appointment of certain police officers to the municipality.

This subsection 1, for example, will provide that the chief officer shall appoint the police officers and the civilian employees of the police department, but since ultimately the responsibility for policing rest with the Attorney General, then the minister is responsible for all the policing in the

province. That's stated here in the act that the police department shall act under the direction of the minister.

We were fairly brief. It's not as extensive as the provisions that you'd find in most other provinces. The intent wasn't to change how police departments currently operate or to place additional requirements on them, but we were trying to facilitate the continued efficient and effective operation of the current police departments.

It's not as extensive as it would be if you looked at the Nova Scotia act, which we did rely on a great deal, but for the most part what we have here will make it more efficient.

Chair: Shall it carry?

Mr. R. Brown: No. There has to be a chain of command here. Okay?

Ms. Dover: There is.

Mr. R. Brown: When there is a disaster in Charlottetown or anything like that. So, who -

Ms. Dover: The minister in that case would have the chief responsibility.

Mr. R. Brown: No, no, no. The mayor of the municipality has the responsibility. Who has -

Mr. MacFadyen: (Indistinct).

Mr. R. Brown: What?

Mr. MacFadyen: (Indistinct) executive officer of the city.

Mr. R. Brown: See, that's where I differ with you. I think the mayor should be in charge when things happen (Indistinct).

Mr. MacFadyen: (Indistinct) municipality act where the authority is delegated.

Mr. R. Brown: Anyway. You're going to be running all the departments in Prince Edward Island.

Ms. Dover: No, no, no.

Mr. R. Brown: All the police departments shall act under the direction of the minister. So the police chief goes into the mayor and says: Look, you have no authority over me, I report to the Attorney General.

Ms. Dover: There's no question in any of the legislation across any of the jurisdictions across Canada that the Attorney General is responsible for policing. Now, that's not to get in and micro-manage the affairs of each department. Just as the Premier is responsible for governing the whole of the Province, he doesn't micro-manage the city or the municipalities or anything like that. But he has the overall responsibility.

For policing, the Attorney General has the overall responsibility. I have no intention of going into the city and looking at their books or anything like that. In fact, quite a lot of the responsibility for policing is staying as it is. In fact, as I mentioned a moment ago, we're trying to make it less cumbersome. Trying to make it work more efficiently. It's our feeling that this section does that.

Mr. R. Brown: Do you have the same power with the RCMP as you have under this section?

Ms. Dover: The Attorney General is responsible for policing. That's the overall responsibility.

Mr. R. Brown: So the head of the RCMP reports to you?

Ms. Dover: Basically, yes.

Mr. R. Brown: On Prince Edward Island.

Ms. Dover: Here on PEI.

Mr. R. Brown: So any instances happen, you're in charge of the situation? Like if we have another situation down in Souris, you're the boss?

Ms. Dover: Well, I -

Mr. R. Brown: You can't blame the feds. You can't blame the feds or anything like that. You can't say: The feds sent them in. You're the boss.

So, was the Souris situation - the Attorney General at the time was in charge of that situation?

Ms. Dover: The Attorney General is responsible for policing.

Mr. R. Brown: Okay. He was in charge of the situation and the policing that was conducted at the Souris wharf when that happened?

Ms. Dover: Now the problem there was that it was felt by the Province that the cause of the problem rested with the federal government. So although the Attorney General was responsible for the policing, the incident occurred because the federal government hadn't taken care of a situation that they knew was potentially explosive.

Mr. R. Brown: Okay, so -

Ms. Dover: So that's why the bill was sent to the federal government.

Mr. R. Brown: How did that bill go? Did we get paid for it?

Ms. Dover: No. I talked personally to Anne

MacLellan at the time. She disagreed with paying it. So that's basically where it still is.

Mr. R. Brown: Okay, but the new Government of Canada, what does the new Government of Canada think? That is, your buddies.

Ms. Dover: We haven't gotten a final answer from them either.

Mr. R. Brown: It's been -

An Hon. Member: (Indistinct).

Mr. R. Brown: Yes. No. We will blame the old government, but the new government, which is your buddies, have they given you the money? Have you talked to them about it?

Ms. Dover: Not yet.

Mr. R. Brown: Not yet. How long has the new Government of Canada been in power?

Ms. Dover: Not as long as the old government.

Mr. R. Brown: No, I know, but you say -

An Hon. Member: (Indistinct).

Ms. Dover: Anyway, hon. Member -

Chair: Shall it carry?

Mr. R. Brown: No, this is a serious situation.

Chair: Carried?

Carried. Okay.

Mr. R. Brown: I know the members don't want to listen to it because the new Government of Canada, they're all waiting for appointments. No. That's a \$500,000 bill

that you guys - you should be fighting for the City of Charlottetown police department instead of trying to shove this bill through.

An Hon. Member: It's not in this section.

Mr. R. Brown: You should be fighting for the City of Charlottetown. You're not.

Some Hon. Members: Oh, oh!

Mr. MacFadyen: The City of Charlottetown pays for their police services themselves through taxes.

Mr. R. Brown: (Indistinct) you guys criticized the federal Liberal government for not paying the 500,000. The request hasn't even gone into the new government.

Chair: Number 11.

Mr. R. Brown: Anyway, ram it through.

Chair: 11 A person shall not be appointed as a police officer of a police department, whether in a permanent or temporary capacity, unless the person has the qualifications, including those related to training and experience, required by the regulations.

Shall it carry?

Some Hon. Members: Carried.

Chair: 12 A certificate purporting to be issued and signed by a chief officer of a police department to the effect that the person to whom it is issued is a member of the police department is, without proof of the chief officer's appointment, authority or signature, admissible in evidence, and is, in the absence of evidence to the contrary, proof of the facts stated therein.

Shall it carry?

Some Hon. Members: Carried.

Mr. R. Brown: I just have one quick question.

Chair: One quick question.

Mr. R. Brown: Section 4 back there about identity cards, which I agree with 100%, are we going to have one identity card for all officers in Prince Edward Island? Or is each police department going to make up their own identity card?

Ms. Dover: What goes on the card will be specified in regulation, but it will be the same kind of information on each card.

Mr. R. Brown: No, but you have a great system down at highway safety. Can't they produce one card for PEI that the officers can go down there and get their card instead of you determine the card in the four different places? Why can't you make an agreement that says you all get your cards there?

Ms. Dover: That's what we're trying to do. Like I say, that will be set out in regulations, but that's our hope, yes.

Mr. R. Brown: You just made that goal up, didn't you?

Chair: Shall it carry?

Mr. R. Brown: Anyway, keep going.

Ms. Dover: No.

Chair: Carried.

13 The authority, responsibility and duty of a person who is member of a police department include

(a) maintaining law and order;

(b) preventing crime;

(c) enforcing the penal provisions of

(i) the laws of the province,

(ii) the laws of Canada, and

(iii) the bylaws of the municipality served by the police department;

(d) assisting victims of crime;

(e) apprehending persons who may lawfully be taken into custody;

(f) laying charges and assisting in prosecutions;

(g) executing warrants that are to be executed by peace officers;

(h) obeying the lawful orders of the chief officer;

(i) assisting in the enforcement of an order of the court; and

(j) assisting a coroner in the performance of the coroner's functions,

and the person may exercise these authorities and shall discharge these responsibilities and duties throughout the province.

Shall it carry?

Mr. R. Brown: No. I'm just wondering -

Chair: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: This is municipal police departments.

Ms. Dover: Basically, they're the same responsibilities as you had in the Provincial

Police service. The only difference is in section 13(c)(iii) where we've added that they have to be responsible for the bylaws of the municipalities served by the police department. So, that's the only new section. Otherwise, it's the same list of responsibilities as we had under the Provincial Police (Indistinct).

Mr. R. Brown: Okay.

Chair: Shall it carry?

Oh, sorry.

The hon. Member from Winsloe-West Royalty.

Mr. Collins: (Indistinct) clarification here. Saying that they "shall discharge these responsibilities and duties throughout the Province," so I would assume in cases of pursuit, whether it's into or out of a municipality, the officer in pursuit certainly has the right to continue to discharge those duties, right? No matter where they happen to be?

Ms. Dover: That's right.

Mr. Collins: All right. Thank you.

An Hon. Member: Carried.

Chair: Carried. Okay.

14 (1) A member of a police department shall carry out his or her duties, and exercise his or her powers, authorities, and rights under this Act in a manner consistent with the Code.

(2) For greater certainty, the Code applies in respect of

(a) any disciplinary proceeding involving a member of a police department that is conducted under this Act in respect of a

complaint; and

(b) any other disciplinary proceeding involving a member of a police department that is conducted internally by the police department outside of this Act, whether that proceeding is governed by a collective agreement that is binding on the members of the police department or not.

Shall it carry?

Mr. R. Brown: No.

Chair: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: This really where the tire hits the pavement. Who's going to develop the code?

Ms. Dover: The Charlottetown Police Department has already instituted a code of conduct and discipline for their members. For several years the Prince Edward Island police chiefs have been requesting the establishment of a standard code across the Province.

We feel this will benefit police chiefs and police officers by providing consistent guidelines, but the Charlottetown Police Department already has instituted a code of conduct for their members.

Mr. R. Brown: Are you as chief law enforcement officer in Prince Edward Island - under this act the police department shall act under the direction of the minister as outlined under section 8 - are you going to develop a code of conduct for all officers on Prince Edward Island?

Ms. Dover: It will be in the regulations. Yes, every other province has a code of conduct.

Mr. R. Brown: So the City of

Charlottetown's code will be abolished and the new regs that you will be bringing in will be a standardized set of codes across Prince Edward Island?

Ms. Dover: I think it will be a standard code, but I don't see any great discrepancy between what they have established and what the Province (Indistinct).

Mr. R. Brown: No. Yeah. Look, I think you should have a provincial code.

Ms. Dover: I think we need a standard code.

Chair: The hon. Member from Belfast-Pownal Bay.

Mr. MacDonald: How would the code differ from section 13?

Ms. Dover: I'm sorry?

Mr. MacDonald: How would the code differ from section 13? What does a code mean there? In their actions or -

Ms. Dover: Section 13 is the code that we just read.

Mr. MacDonald: Yes. Is that code that you're (Indistinct)?

Ms. Dover: Would just set out codes of behaviour that would be expected of police officers. Disciplinary. Like, codes of practice. If you look at Section 1(b) of the definition, it says it's going to be established by regulation, Section 1(b).

Mr. MacDonald: Okay. I'm just wondering how much more than Section 13, which seems to cover pretty well everything you would think, but the code -

Ms. Dover: What you have in section 13 is basically their responsibilities under the act. What would be in a code of conduct would

refer to things they should or shouldn't do in relation to discipline and self-discipline and would set out the kind of discipline like the police chief might take over members. But it's more a code of conduct as opposed to the list in 13 which was the area of their responsibility.

Mr. MacDonald: Very good.

Chair: Carried.

Mr. R. Brown: No, Chairman.

Chair: Sorry.

The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Are you going to be working with the unions and the police association - I know you've been working with the police chiefs association, but will you be working with PANS, Police Association of PEI, plus the two unions that are represented, the officers, in developing this code?

Ms. Dover: Yes.

Mr. R. Brown: And will it be more than the consultation that took - will they have copies of the code as it goes through the system?

Ms. Dover: They will be a participant.

Mr. R. Brown: They will be a participant on the committee that will be developing the code?

Ms. Dover: We will be asking for their input as we work our way through, the same as we did before.

Mr. R. Brown: Will the police chiefs be on the committee to develop the code?

Ms. Dover: Yes.

Mr. R. Brown: But the officers, representatives in the union, will not be on the committee?

Ms. Dover: We'll certainly include them, but it would be anticipated that we would have the police chiefs probably involved.

Mr. R. Brown: Police chiefs, but not police officers, representatives in the union?

Ms. Dover: There could be people that are appointed by their fellow members to participate, but that hasn't been decided yet.

Mr. R. Brown: I think you would have had less of a problem with the act, with the police association -

Ms. Dover: If they're interested and they want to participant, I mean, we certainly wouldn't exclude them.

Mr. R. Brown: So if they write you a letter after this act is done and you start up the committee to start to develop the code, you will ask - and if they ask to be a member of the committee to participate in the development of the code, you will have no problem appointing one of their representatives to the committee to develop the code?

Ms. Dover: We'll be contacting them and indicating that we are developing them. We would certainly take a look at their input, but whether or not they'd be appointed to a committee remains to be seen.

Mr. R. Brown: Remains to be seen, what do you mean by that? You haven't decided whether they're going to be on it or not on it?

Ms. Dover: That's right.

Mr. R. Brown: So you wouldn't take the advice of this?

Ms. Dover: If we have to meet with everybody involved or interested in the developing of the regulations, we'd be back in another 55 years working on this. So although we don't want to rush it, we have to take a look at an efficiency as well. So as I said, if they're interested and they want to provide input - but we can't put a representative of everybody on a committee, it just gets too cumbersome.

Mr. R. Brown: I'm not asking you to put every police officer on the committee, I'm just asking you to put maybe the appointee of the Police Association of Prince Edward Island. I'm asking you to take one of those officers that are on the street that will have to abide by the code in order for that officer to have feed back.

Times are changing out there on the street. I've got a ton of respect for the chiefs and I think they do a great job, but on the street is a lot different today than it was years ago. My recommendation would be you go to PANS or the Police Association of Prince Edward Island and say: We're developing this code of conduct that your officers that are on the street are going to have to abide by. We'd like you on this committee in order to have your input into it. Because at some point in time some people may say: You have to do it this way. An officer on the streets says: These are the situations that I run into.

Let's face it. No one in this room has been a police officer on the streets and have to put up with what those officers have to do some evenings, and they work pretty hard. I've talked to a lot of policeman around and their biggest problems are with family violence and things like that. That's a rough job they have. That's a rough job and it's pretty hard for - no offence to the bureaucrats, but it's

pretty easy for a bunch of bureaucrats to sit down and lay out a great code of conduct for an officer. But he or she is in the middle of a family dispute, the kids have been beat up and everything, and he's got to get a code of conduct booked out in order to see what's going on here?

Mr. Dunn: It should be second nature.

Mr. R. Brown: What do you mean it should be second nature?

Mr. Dunn: A code of conduct should be something (Indistinct) pie in the sky (Indistinct).

Chair: (Indistinct) somebody ahead of you.

Mr. R. Brown: That's different than the code of conducts I've seen. But anyway, it's a pie in the sky code of conduct. It's: Be a good guy.

Chair: The hon. Member from Winsloe-West Royalty.

Mr. Collins: Thank you, Mr. Chairman.

Could the minister tell us, does the RCMP have a code of conduct?

Ms. Dover: Yes they do.

Mr. Collins: Does each municipal police department on Prince Edward Island each have its own separate code of conduct?

Ms. Dover: I know that the city does -

Mr. Collins: The city does?

Ms. Dover: - and the -

Mr. Collins: Does the City of Summerside have one?

Ms. Dover: I don't know if they have one.

Only Charlottetown.

Mr. Collins: Only Charlottetown.

Ms. Dover: But that's why they've been asking for a standard code of conduct. We'll certainly be developing that in conjunction with, not only police officers, but other police associations across Canada.

Mr. Collins: Do you know who wrote the code of conduct for the City of Charlottetown?

Ellie Reddin Policy Advisor: I don't know who wrote it, but the codes of conduct in other provinces are very similar to Charlottetown.

Mr. Collins: Yes, I'm accepting that. That it's sort of a national standardized type of code for the conduct of police officers.

Ellie Reddin Policy Advisor: Yes, they're quite similar, (Indistinct) maybe somewhat different, but basically it boils down to the same thing. So we have lots of examples and we will be working with the union representatives and also with the chiefs of police. They work in separate groups, but we will work with them in developing the code.

Mr. Collins: The Member for Charlottetown-Kings Square spoke earlier about, and was lobbying therefore, input from the police officers union or membership representative, and I don't disagree with that in terms of their having input into the development of the code under the regulations as they're being put together.

But I would also put another oar in there as well and certainly urge members of the general public to also have some voice in the formulation of a code of conduct of police officers. Because quite frankly, at this point, I've heard a lot from officers about

they being the primary stakeholders in this *Police Act*. I would like to make it clear the primary stakeholders in this *Police Act* are the general public of Prince Edward Island, the citizens of this province who look up to and rely heavily on their police forces to maintain the law and order and to serve and protect them. I would say we, the citizens, are the primary stakeholders here.

So with that, I would certainly urge the public to take an interest and for the minister to somehow provide some sort of a venue for the public to have input into this code of conduct.

Chair: Shall it carry?

Some Hon. Members: No.

Chair: The hon. Leader of the Opposition.

Leader of the Opposition: Thank you.

I agree 100% for a change with the hon. Member from Winsloe-West Royalty, and I now move that we take this bill off the floor, send it to committee and allow the police officers, the unions and the general public to have their say on this bill.

Thank you very much.

Mr. R. Brown: I second that resolution.

Ms. Dover: I don't think that the hon. member -

Some Hon. Members: Carried.

Mr. R. Brown: Hold it now, are we voting?

Chair: It wasn't a motion, was it?

Mr. R. Brown: Yes. What do you think, he just gets up and talks like that? No, you guys do.

Ms. Dover: I'm not sure that the hon. Member from Winsloe-West Royalty said what the Leader of the Opposition said.

Mr. Collins: No, I did not. (Indistinct) I didn't say that this should go to committee. The minister was saying that she and her department would certainly welcome the input of police officers in the development of this code and they'll certainly be asked for their input along the road. I didn't view this as any kind of a committee that's going to have some sort of veto rights here given to any parties, that this is work within the department.

My only encouragement here was to the general public to take an interest in this. The Member from Charlottetown-Kings Square knows very well from his experience in public hearings before on the matter of a police act that the citizens of this province really would appreciate an updated police act to help govern the way things are happening.

All I'm saying is that they should take -

An Hon. Member: (Indistinct).

Mr. Collins: Excuse me, I do have the floor, hon. member -

Some Hon. Members: Continue.

Mr. Collins: I do want my point to be very clearly made here -

Leader of the Opposition: I agree.

Mr. Collins: - and not confused by the hon. Leader of the Opposition. I do not feel that it is necessary to take this to a public hearing. There have been oodles of opportunity over the years - going all the way back to that public hearing that was held years ago - for the general public to take in an interest in this issue, and if anyone has had any

concerns in the past about the behaviour of police officers, it won't hurt them at all to let your department know that. Or even to take an opportunity to read the current code of the City of Charlottetown police department and see what they like about it and what they don't like about it. Or the national codes that are out there.

As Ms. Reddin has pointed out, the anticipated code here is probably going to be very much a standardized code across the country. I think we as citizens should take an interest in that because we deal daily with the police as well in a myriad of circumstances in life and we look up to them. We respect them and we just want to make sure that we're all dealing from the one page here.

Chair: Any further discussion on the amendment?

Some Hon. Members: Carried.

Chair: The hon. Member from Alberton-Miminegash.

Mr. Dunn: I think we have a legitimate motion on the floor, (Indistinct) the hon. Leader of the Opposition.

Chair: No, we're going to vote on it.

Mr. Dunn: What?

Chair: We're going to vote upon - we're having a discussion. We're still discussing it.

Mr. Dunn: So it's still on the floor?

Chair: What we're voting on is - are we going to carry section 14 as is.

Mr. R. Brown: What about our motion? It was carried.

Chair: No. Are we voting on section 14? Number 14, carried?

Some Hon. Members: Carried.

Chair: Okay.

Mr. R. Brown: Point of order, Mr. Chairman.

So are you ruling our motion out of order or are we just not going to vote on it any more?

Chair: What's your motion?

Mr. R. Brown: That it goes to -

Leader of the Opposition: Since it was my motion.

The motion was - I thought the hon. Member from Winsloe-West Royalty was pointing out that he wanted to see public input. I would like to move this bill to a committee so that we can have public input from the police officers, the unions and the general public.

Chair: Okay. Are we going to vote on the amendment? Can we do that?

Mr. R. Brown: Give us a ruling.

Chair: We have a ruling. Your motion is a substantive motion. It has to be sent in, written. So otherwise we're just going back to the original motion.

Leader of the Opposition: It has to be sent in - so I can just write it down on a piece of paper and send it in?

Chair: Prior notice, not just today.

Leader of the Opposition: I disagree with that.

Mr. R. Brown: So we give notice today,

then.

Chair: Yes, send it in. Not now.

Leader of the Opposition: So nothing can be changed -

Chair: That's a substantive motion.

Ms. Dover: It requires notice.

Chair: Yes, it requires notice to do that.

Mr. Dunn: (Indistinct) amending anything.

Chair: You didn't amend anything to this section. That's what (Indistinct).

Leader of the Opposition: No, I realize that, but I was prepared to come in today, because I didn't think that there was a movement to have public input, and then when I heard other members talking about how they thought public input, that's why I decided to move forward with this motion. So of course it just came off the top of my head that I thought this was a good idea.

Chair: We'll continue with section 15 today.

Mr. R. Brown: Sure, ram her through.

Chair: Part V.

Powers, Authorities and Immunities of Police Officers.

15(1) In this section, "police officer" means

(a) a member of the Provincial Police Services;

(b) a member of the Royal Canadian Mounted Police;

(c) a member of a police department;

(d) the Director of the Atlantic Police Academy; and

(e) an instructing officer of the Atlantic Police Academy.

(2) A police officer is a peace officer and has

(a) all the powers, authority, privileges, rights and immunities of a peace officer and constable under the common law, the *Criminal Code* (Canada) and any other federal or provincial enactment; and

(b) the power and authority to enforce and to act under every enactment of the province.

(3) A police officer who is charged with an offence under a provincial enactment shall not be convicted if it is made to appear to the judge before whom the offence is being prosecuted that the police officer

(a) committed the offence while discharging his or her responsibilities;

b) was reasonably justified in committing the offence having regard to the responsibility being discharged; and

(c) conducted himself or herself in a reasonable manner having regard to all the circumstances.

(4) No action or other proceedings for damages lies or shall be instituted against a police officer for anything done by the police officer in good faith in the performance or intended performance of any duty or in the exercise or in the intended exercise of any power under this Act, or for any neglect or default of the police officer in the performance or exercise in good faith of any such duty or power.

Shall it carry?

Mr. R. Brown: No I have a question.

Chair: The hon. Member from Charlottetown-Kings Square.

Mr. R. Brown: Thank you very much, Mr. Chairman, for the opportunity to ask questions.

Chair: No problem. We'll always take questions.

Mr. R. Brown: Yes.

Leader of the Opposition: Don't know about the answers.

Mr. R. Brown: Police officer means -

Chair: No, we'll take questions.

Mr. R. Brown: Okay. A member of the Provincial Police Services, Royal Canadian Mounted Police, Police Department, Atlantic Police Academy. So is the UPEI police considered a police department?

Ms. Dover: No, they are not.

Mr. R. Brown: So the UPEI police, which are currently police officers under the current *Police Act*, sworn in as constables, will no longer be police officers.

Ms. Dover: Under section 46. If you look under section 46, they are covered there and it will outline their special -

Mr. R. Brown: No, no, you're calling them special constables. These officers at UPEI have been provincial police officers, sworn officers, for a number of years. They performed a good service. You're saying no? Madam Minister, the Minister of Community and Cultural Affairs doesn't think they're worth it. Were the members of the police force at UPEI sworn constables under the provincial *Police Act*?

Ellie Reddin Policy Advisor: They have been and -

Mr. R. Brown: Have been.

Ellie Reddin Policy Advisor: - they will have the same powers as police officers. It's just that because they don't belong to a police department they have to be treated in a somewhat different way. They will be appointed by the minister since they don't belong to a police department and their powers will be in their appointment.

Mr. R. Brown: No, no. They're appointed now by the minister. The police department at UPEI, they have a police department at UPEI.

Ellie Reddin Policy Advisor: No, they don't. It's not a police department.

Mr. R. Brown: So they're not a police anymore?

Ellie Reddin Policy Advisor: They are police officers who don't work in a police department. The same thing with - sometimes there are police officers from out-of-province who come in on special duties and they require appointments by the minister. They will be special constables as well. It will be covered in Section 46.

Mr. R. Brown: But the current police officers at UPEI could assist the police officers in the City of Charlottetown. Will that be still occurring?

Ellie Reddin Policy Advisor: Yes.

Mr. R. Brown: If the police officers in the City of Charlottetown say: I need the use of the police at UPEI, will they have the same authority as the police officer in the City of Charlottetown?

Ellie Reddin Policy Advisor: Yes. There

won't be any change for them. It's just that they aren't part of a police department.

The Legislature adjourned until tomorrow, Thursday, at 2:00 p.m.

An Hon. Member: Carried.

An Hon. Member: Call the hour.

Mr. R. Brown: Call the hour. The hour was called before it was carried.

An Hon. Member: The section was carried.

Leader of the Opposition: Ramming it through, ramming it through.

Ms. Dover: Mr. Chairman, I move the Speaker take the Chair, and that the Chairman report progress and beg leave to sit again.

Chair: Shall it carry?

Some Hon. Members: Carried.

Chair: Mr. Speaker, as Chairman of a Committee of the Whole House, having had under consideration a Bill to be intituled *Police Act*, I beg leave to report that the Committee has made some progress and begs leave to sit again. I move that the report of the Committee be adopted.

Speaker: Shall it carry?

Some Hon. Members: Carried.

Speaker: The hon. Government House Leader.

Mr. Dunn: Mr. Speaker, I move, seconded by the hon. Member from St. Eleanors-Summerside, that this House adjourn and stand adjourned until tomorrow afternoon at 2:00 p.m.

Speaker: Shall it carry?

Some Hon. Members: Carried.

