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RESPONSES TO QUESTIONS AND ORAL QUESTION PERIOD  
(PRELIMINARY PROCEEDINGS)

FOR

WEDNESDAY, 18 NOVEMBER 2009

Responses to Questions Taken As Notice

Questions by Members

**Speaker:** The hon. Leader of the Opposition.

**Premier's responsibility re: PNP**

**Leader of the Opposition:** Thank you, Madam Speaker.

This government campaigns on having a government that had open, transparent and accountable government. Premier, it's been over a year - well over a year - since the issue, since the black cloud surrounds you and your government's mismanagement of the PNP.

During the spring session, Premier, you confirmed that you were going to take full responsibility for the mismanagement of the program. Premier, is that still the case?

**Speaker:** The hon. Premier.

**Premier Ghiz:** Absolutely.

I'd like to take this opportunity to take thank the Leader of the Opposition very much for her question, Madam Speaker.

As we all know, the Provincial Nominee Program has been a phenomenal program for our province, starting back in the year 2001. It's allowed Prince Edward Island to really help lead the nation since the year 2001 in terms of percentage of population growth. In fact, I believe last year we had - east of Saskatchewan - the highest population growth of any province in the

country.

It's brought a lot of investment to our local small business economy here in Prince Edward Island. Also, the cultural diversity that we now see in this province is absolutely phenomenal because of it.

We're very excited that it's been such a great program that started back in 2001, and I think at the end of the day this program will be thanked for a long time to come.

Thank you, Madam Speaker.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Today we're going to see just how well those management skills of this government are.

My question to you: Are you sure you're still comfortable with the decision you're taking full responsibility?

**Speaker:** The hon. Premier.

**Premier Ghiz:** Madam Speaker, again, this is a program that was started in 2001.

The Auditor General recently looked into the program, and for all intents and purposes it was a very good report. There was approximately 20 recommendations that were made and our government is going to follow along with those recommendations. In fact, the majority of them have already been implemented.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, today is not about the Auditor General, nor is it about the conflict of interest commissioner.

It's about your management skills in regards to this program. My question. In the fall of 2008 the Auditor General decided to go in on his own and audit this program. In January he briefed the present minister of all the wrongdoings. In April he presented to the House and the general public all his findings.

My question, Premier: Now that you've had well over a year with the Auditor General confirming that your chosen minister, deputy minister and privileged minister, Brooke MacMillan, broke many rules - Premier, you're the CEO of this government. There's 8,000-plus people that work for you.

My question to you: Did you personally, personally review Brooke MacMillan's work in regards to him as a deputy minister directly accountable to you, the Premier of the province?

**Speaker:** The hon. Premier.

**Premier Ghiz:** Thank you very much, Madam Speaker.

No, I didn't personally review. That's why we have checks and balances in our system. The Auditor General has done a review of

the system. We actually had a senior deputy minister and someone from the Attorney General's office also review it, and those findings have all come back. At the end of the day what we're doing is we're implementing the 20 recommendations that the Auditor General has put forward.

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** I'm sorry, Madam Speaker, but that's just not good enough.

Today is about accountability and, Premier, you're directly responsible for all the behaviour of your deputy minister. If you refer to the Provincial Treasury, human resource division, that talks about conflict of interest guidelines for your deputy minister: Disclosure, directly accountable from the deputy minister to the Premier. Administrative responsibility, direct line authority from the deputy to you.

My question to you: When you get back to look at this document, in Section 9 it clearly states: Employees must not accord preferential treatment in relation to any official matter, to family members, friends, other persons, or organizations in which an employee, family members or friends have a financial or other interest.

My question: Did you personally review your deputy minister's files to ensure he did not give preferential treatment to any MLA, friend, or family member, or associate. Did you do that work?

**Speaker:** The hon. Premier.

**Premier Ghiz:** Obviously, Madam Speaker, that work's been done.

The Auditor General looked at this report. I believe the Leader of the Opposition put out a press release earlier today talking about the great work that the Auditor General did and all the work that was gone into that report.

We've had a senior deputy minister in the department and the Attorney General look into it as well. I know the Leader of the Opposition is upset that yesterday the conflict commissioner came out again and said that none of our MLAs were in conflict whatsoever. In fact, they went above and beyond when it came to looking for clearance to be able to apply to this program.

In fact, they pointed out that one MLA did not go and see the conflict commissioner first, and it happened to be one of the Leader of the Opposition's former colleagues.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, today is about accountability.

It's not about the conflict of interest commissioner, nor is it about the Auditor General. It's about your management skills. You're the premier of the province, the CEO.

Now picture this: Private sector business, a CEO finds that his manager breaks the rule

that many times on 4% of the files.

My question to you: Did you go back? It's your responsibility to do some work here. Did you go back and personally review all of Brooke's decisions to ensure the MLAs did not get preferential treatment? Did you do that work?

**Mr. Bagnall:** No, he didn't. No, he didn't.

**Speaker:** The hon. Premier.

**Premier Ghiz:** Thank you very much, Madam Speaker.

I realize the Leader of the Opposition's upset that the conflict of interest commissioner came out yesterday and pointed out that none of the MLAs or Cabinet ministers or anyone did anything improperly. We know she's hoping that people have done things improperly. Unfortunately for her, no one has. They've all followed the guidelines, as the conflict of interest commissioner has pointed out.

The conflict of interest commissioner pointed out that the Auditor General looks into all of these issues. He's looked into all those files with the MLAs, with the Cabinet ministers, with anyone who has been on seniors compensation, and he's made his recommendations.

If the Auditor General had found anything that had have been, like the Leader of the Opposition thought, fraud or anything else, he would have pointed that out. As the conflict commissioner points out, he has not indicated anything along those lines.

What he pointed out was there was some deficiencies with regards to the program. What our government's doing is being an accountable government because we're taking those 20 recommendations and we are implementing them.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, the proof is always in the pudding, in the details.

My question to you, Premier: In the fall of 2008 the former minister responsible for the PNP confirmed that at the end of July 600 Island businesses were refused investment units. These companies were told the program was shut down.

The Auditor General confirmed that your deputy, your privileged deputy, confirmed that he broke the rules. He actually reopened the program as well for two days. The Auditor General also confirmed there was 15 applications from MLAs and members in this House.

My question to the Premier: As CEO of the government, as the man that's responsible for 8,000 employees - who has direct accountability, not the conflict of interest commissioner, it says the deputy has to go right to the Premier - did you do work, and how did you protect the public to ensure that your deputy minister didn't give preferential treatment to any of these people that he approved investment units for?

**Speaker:** The hon. Premier.

**Premier Ghiz:** Thank you very much, Madam Speaker.

Very easily. The Auditor General looked into all of these files. The conflict of interest commissioner reviewed all the guidelines and came back and said there was nothing wrong.

I find it ironic that the Leader of the Opposition likes to attack bureaucrats and say that they should not be able to do this, they should not be allowed to do this. It's funny. When she was a bureaucrat - 25 years, I understand - she was able to get a loan from the lending authority. There's no problem with her being a bureaucrat and accessing a government program. Then she goes and she becomes an MLA. She gets contracts through Holland College, through MRSB, another contract through Holland College. She goes to the conflict commissioner and the conflict commissioner says: Everything's okay. Well, fine, everything probably is okay. The same as everything is okay for our government MLAs as well.

The only real question here is why is there one standard for the Leader of the Opposition and another standard for everyone else.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, today we're actually talking about

the Premier and his work experience.

If we want to get into work experience, 27-plus years of management compared to golf courses.

**Some Hon. Members:** Oh, oh!

**Leader of the Opposition:** Yes, my question to you, to the Premier: Did you personally review all these transactions to ensure that the people in the public understand and want to ensure that the public can rest, that you did your work here? Did you review any of these files? Did you?

**Speaker:** The hon. Premier.

**Premier Ghiz:** Absolutely, Madam Speaker.

That's why we had the Auditor General of the province,- and the Leader of the Opposition came out with a press release today and even said: The Auditor General in this office put in more than 2,000 hours conducting their investigation that included interviews with Citizenship and Immigration Canada, conducting interviews with immigrants, talking to staff of Island Development Incorporated, and carrying out a thorough investigation of all documentation on this file.

That's what you say the Auditor General did. The Auditor General has reviewed all this. We had the conflict of interest commissioner have a review now twice - MLAs and Cabinet ministers - because the Leader of the Opposition kept still making biased opinions and biased allegations in this Legislative Assembly and to the general

public.

All the due diligence has been done, and I'm very happy to say that our government is implementing all 20 of the recommendations that Auditor General has outlined.

**Some Hon. Members:** Hear, hear!

**Leader of the Opposition:** Madam Speaker, this has to do with management skills.

Your deputy minister broke the rules. My question to you is: Did you review the application dates? Did you go get Mr. MacMillan's files out? Because you're the CEO of the company and you want to protect public - so you actually got the files and you looked to see what were the dates on the files from the MLAs, and what are the dates from the poor people in similar businesses that were all turned down. Did you do that? Because that's part of your job.

**Speaker:** The hon. Premier.

**Premier Ghiz:** I realize the Leader of the Opposition is getting emotional here, Madam Speaker, because she is hoping for a big conspiracy that does not exist.

But I can assure her that yes, I did, I actually went out and I asked a senior deputy minister, Mr. Paul Jelley, and also someone from the Attorney General's office to go out and investigate the handling of the former deputy's files with regards to the Provincial Nominee Program.

They came back, investigated, and said there was no direct conflict of interest. The

Auditor General reviewed the file, came back and said: No direct conflict of interest. Reviewed all the same information that the Leader of the Opposition is asking about today. Just to point that out. Came back and said: No direct conflict of interest, but there could be a perceived conflict of interest, therefore there is a conflict.

What did we do? We made sure and I made sure that the former deputy return those funds. Now, there was two other deputies that the Leader of the Opposition used to work for, Mr. Peter McQuaid and Mr. Pat Dorsey. I'm wondering, has the Leader of the Opposition gone to Peter McQuaid or gone to Pat Dorsey or perhaps gone to Pat Dorsey's boss, Gail Shea, to make sure that he returned those funds?

I wonder if the Leader of the Opposition is taking a leadership position here to make sure that she's living up to accountability for members that she worked for, Madam Speaker.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Let's remind the House today is November 18<sup>th</sup>. You're the Premier of the Province.

My question to you Premier: Is your deputy minister, your privileged deputy - let's get into some of the details in the rules then, Premier. One rule of the provincial program, the nominee program, clearly stated that business units could be invested in restaurants if the money was going to be

used for expansion. Yet Brooke MacMillan approved an MLA that was on record in the media saying that that money went into his operational fund.

Explain that. Explain how that's not preferential treatment, Mr. Premier.

**Speaker:** The hon. Premier.

**Premier Ghiz:** Obviously, Madam Speaker, not only do we have the Leader of the Opposition who is questioning the Conflict of Interest Commissioner, who is an independent commissioner of this Legislative Assembly, now she's questioning the work of the Auditor General of the province who has reviewed all those files.

The Auditor General quite frankly has come out and already said - the Auditor General reviewed all files related to MLAs. The Auditor General reviewed all files related to those members on seniors compensation, and the Leader of the Opposition gets into the opening and closing of the program. The Auditor General reviewed all those. If there was anything improperly done he would have reported back.

I'm sorry to the Leader of the Opposition that our government is a government of accountability that has gone out and made sure we followed the processes.

**An Hon. Member:** Shame, shame!

**Premier Ghiz:** That we went - and when there was a complaint made we asked for an investigation -

**Mr. Bagnall:** Shame on you, Premier.

**Premier Ghiz:** - where it came back and it cleared it. The Auditor General went in and reviewed the program.

**Mr. Bagnall:** Shame on you, Premier.

**Premier Ghiz:** We're following through with the recommendations. We've had a Conflict of Interest Commissioner that has now come out and said: No one has breached any conflict whatsoever. In fact, our members have gone above and beyond by going to see the conflict commissioner first.

I'm sorry to the Leader of the Opposition here that she's not getting to where she wants to, but our government does believe in accountability.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Simple question Premier. Did you ever look at any of the details in any of the files?

**Speaker:** The hon. Premier.

**Premier Ghiz:** Thank you very much, Madam Speaker.

That's why I asked our senior deputy, Mr. Paul Jelley. I asked someone from the Auditor General's office. We've had the Auditor General look into it. So yes, these files have been reviewed.

If - if - the Leader of the Opposition is perhaps questioning Mr. Paul Jelley, questioning the Attorney General's office, questioning the Auditor General, and questioning the conflict commissioner, I think it's a clear sign of exactly where the Leader of the Opposition - what she believes in. She believes everyone else is wrong, but she's right.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, it's quite interesting that Mr. Paul Jelley sat on the IIDI board that didn't do a thing.

They didn't do any due diligence on these files, their eyes were shut. You're the Premier, the CEO. My question to you is again: According to the Auditor General, Brooke MacMillan allowed three companies to receive PNP units to the tune of 8, 12 and 12 units per company outside the maximum rule for 4 that was in place.

Premier, in these specific cases was there any known - as Treasury Board guidelines state: Someone connected to the employee shall include a family member, friend, business associate or former business associate.

Did you check Brooke's files to ensure that he did not have any connection by friendship or business associate? Did you go check on those files?

**Speaker:** The hon. Premier.

**Premier Ghiz:** Thank you very much, Madam Speaker.

That's exactly why the Auditor General looked into this file. If he had have found anything improper in those files, he would have reported it back through. We also had - now she's questioning Paul Jelley and the Attorney General's office.

Here we have a Leader of the Opposition that goes - and when she's a bureaucrat she gets a low-interest loan while she's a bureaucrat. Or not a low-interest loan, a loan from the lending authority within the provincial government. When she's an MLA she goes through the conflict commissioner to get contracts through Holland College, MRSB, and in fact through the hon. Member from Montague-Kilmuir when he was Minister of Agriculture.

Everything's fine for the Leader of the Opposition, but everybody else is wrong. It's really quite shameful.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, we are talking about management skills.

By the way, let's do the math on that 3% that he found the error in. If you do the statistics on it, it means there are 86 to 90 cases there that probably there are broken rules on.

Premier, did you check those files? By the

way, in my past of 27 years I actually fired people. I'm questioning you in terms of the relationship between Brooke, your buddy, and not fire this man.

**Some Hon. Members:** Oh, oh!

**Speaker:** The hon. Premier.

Order, please!

**Premier Ghiz:** Thank you very much, Madam Speaker.

**An Hon. Member:** Unbelievable.

**Premier Ghiz:** The Leader of the Opposition is absolutely right. Her party did come to power in 1996 and went out and fired 800 people. What did they do? They broke their human rights. But not only did they break their human rights, they then went on, and when the courts ruled that it was improper they challenged it from the Supreme Court to the Appeals Court of Prince Edward Island. Why? Because they didn't believe the Supreme Court of Prince Edward Island.

Then when they didn't believe the Appeal Court of Prince Edward Island, they tried to challenge it to the Supreme Court of Canada. Then it was rejected again. Then they came out and they asked for an electoral boundaries to be redrawn in this province. An independent commissioner came out and did that. What did they do when they got a report that they didn't like? They threw that out as well.

Now we have a Leader of the Opposition that gets a Conflict of Interest

Commissioner's report that she doesn't like. She's dismissing that. She gets an Auditor General's report that she doesn't like. She dismisses that.

It must be a difficult life, Madam Speaker, if you're right and everyone else is wrong all of the time.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, we're talking about the CEO of the provincial government.

If you take a look at someone that would be a CEO in a private sector company and have even 30, 40 people working for them, we're talking about what you did to ensure to the shareholders - in this case the general public of PEI - just what your actions were around management.

My question to you: Will you now go back and review personally Brooke's dealings on these files to ensure there was no preferential treatment? It's your job to do that.

**Speaker:** The hon. Premier.

**Premier Ghiz:** Thank you very much, Madam Speaker.

All that has been done by Mr. Paul Jelley and the Attorney General's office, by the Auditor General. I find it really quite unfortunate that the Leader of the Opposition still continues to believe that the

Conflict of Interest Commissioner was wrong. I read her press release. She doesn't even respect the Conflict of Interest Commissioner who went and approved her getting contracts through Holland College and through MRSB.

Obviously, the Leader of the Opposition has a double standard here. There's one set of rules for her and then there is another set of rules for everyone else.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, we're talking about 1,878 files, we're talking about 600 businesses that were refused to participate in the program.

Your privileged deputy minister that is accountable to you, again, on the files that we're talking about, the Auditor General confirmed there was a problem. That's the Auditor General's job is to confirm the problem. It's your job to go in there and ensure how big the problem is and then actually fix the problem.

In this case, how do you demonstrate to the public leadership and accountability ensuring public trust when you never looked at any of the files? How do you ensure that?

**Mr. Bagnall:** Shame, shame!

**Speaker:** The hon. Premier.

**Premier Ghiz:** Thank you very much, Madam Speaker.

That's exactly what we're doing. There's a role here in this province for the Auditor General, and that is for the Auditor General to go in and review different government departments at different times. The Auditor General has come in and reviewed the Provincial Nominee Program, and the administration of it, where he's pointed out this is not taxpayers' dollars. This is investments from a private sector individual making an investment with another private sector individual. The Auditor General has come in and reviewed these files.

What am I doing? I've instructed our minister and our deputy to make sure -

**An Hon. Member:** (Indistinct).

**Premier Ghiz:** - that all of those recommendations are implemented.

Thank you, Madam Speaker.

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, to the Premier.

Brooke MacMillan was your chosen deputy, and your personal friend. You seem to be awful comfortable in supporting his behaviour. My question is: Could you tell the House what actual work you did? Not in terms of you gave it to someone else to do this, or you gave it to someone else to do that. There was a number of red flags there. What personal work did you do in regards to Mr. MacMillan to understand how big the problem was? How many times did he break the rules on all the files that he was involved

with? How many times?

**Mr. Bagnall:** He covered it up.

**Speaker:** The hon. Premier.

**Premier Ghiz:** Thank you very much, Madam Speaker.

I can tell the Leader of the Opposition that I did everything that I was supposed to do, and that is, a complaint came to me, I asked the deputy Provincial Treasurer at the time to do an investigation. I asked him also to include the Auditor General's report. They came back and they reported back to me that there was no actual conflict of interest, something that the Auditor General confirmed as well, and said that there was a perceived conflict.

The only mistake that was made was that our government followed the precedent of the previous government. But what we did was we corrected our mistake in making sure that Mr. MacMillan returned those funds.

I still ask the Leader of the Opposition: Follow the precedent of Peter McQuaid, who was the principal secretary to the premier, and to Pat Dorsey, who is now the vice-president of ACOA. What has the Leader of the Opposition done to make sure that they returned those funds as well, Madam Speaker?

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, a public inquiry when it comes will take care of the program since the beginning, but my question to the Premier.

Premier, you keep referring to Paul Jelley. In these guidelines, Brooke's not accountable to Paul Jelley. He's got nothing to do with it. Brooke's accountable to you. He has to disclose to you. He has to get permission from you. My question to you - though since you don't want to talk about it, we're going to move to the now environment, energy and forestry minister.

**Mr. M. Currie:** Good coverup, Premier.

**Leader of the Opposition:** Tell me this - and we have the whole session to get to the bottom, and the whole next two years of the program.

My question, Mr. Minister: Did you have concerns about your former deputy Brooke MacMillan and his dealings with the PNP? Did you?

**Speaker:** The hon. Minister of Environment - the hon. Minister of Innovation and Advanced Learning.

**Mr. Campbell:** Thank you very much, Madam Speaker.

The Premier's clearly indicated here this afternoon the Auditor General has reviewed these files in depth. The Leader of the Opposition herself has admitted that as late as today in a press release issued talking about the in depth and great work the Auditor General has done. The files of the deputy were reviewed by Mr. Paul Jelley

and by a member from the Attorney General's office.

Due diligence has been done here, and it's a shame that the Leader of the Opposition doesn't recognize the good work of the bureaucracy of this province.

Thank you, Madam Speaker.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, I would like to go back to the environment and energy minister to ask him, to ask this question.

I've checked with rule 62, too, on page 16 of the rule book, which tells the House that if you would like to, you can answer the question. Could you please answer the question?

**An Hon. Member:** (Indistinct).

**Speaker:** The hon. Minister of Innovation and Advanced Learning.

**Mr. Campbell:** Thank you very much, Madam Speaker.

I don't know what more we can tell the Leader of the Opposition. We've got reports from the Auditor General. We've got reports from the Attorney General's office. We have reports from the Conflict of Interest Commissioner. We saw here in the spring sitting that the Leader of the Opposition continuously questioned the integrity of the

Auditor General, yet she comes out today with a press release indicating her support for the great work and the in-depth review of the program that was done by the Auditor General.

The Premier has taken every step possible with respect to the former deputy minister, and I applaud him and this government.

Thank you, Madam Speaker.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Stratford-Kinlock.

**Mr. Bagnall:** (Indistinct) he's mad.

#### **Update on Stratford school construction**

**Ms. Dunsford:** I'll keep it quick to ensure momentum continues. My question is to the Minister of Education and Early Childhood Development, and Attorney General. With kindergarten starting in Island schools in less than one year, which is not too far in the future, and the exceptional demands on schools such as Glen Stewart, where capacity is an issue, could the minister please update the House on the current construction activity at the school in Stratford?

**Speaker:** The hon. Minister of Education and Early Childhood Development, and Attorney General.

**Mr. Greenan:** Thank you, Madam Speaker.

In response to the question from the hon. member, the Eastern School District have

put forth a plan to build a new school on the site, a new 4 to 6 school, and that is progressing well. They have completed the site preparation -

**Mr. Bagnall:** Nice to have a written answer there.

**Mr. Greenan:** - at the Department of Transportation and Public Works. We've done some paving for parking and some asphalt. That's phase one. Phase two, we've done the foundations, the walls are going up, and there's steel arriving next week for the roof. The whole project is on schedule and will be completed by September 2010 for the children.

Thank you.

**An Hon. Member:** Good.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Stratford-Kinlock, supplementary?

#### **Air quality in Glen Stewart school**

**Ms. Dunsford:** Thank you, Madam Speaker.

That's great. Great update, very happy to hear it, and all the residents in Stratford and parents of young children are very happy to hear that update.

Could you also update the House with regards to last year in the House a commitment by the education department in making sure that the air quality system -

**Mr. Bagnall:** Different question.

Linkletter.

**Ms. Dunsford:** - in the current Glen Stewart school -

**Number of education assistants**

**Speaker:** Hon. member, your supplementary question has to relate to the -

**Ms. Biggar:** Thank you, Madam Speaker.

**Ms. Dunsford:** Has to do with Glen Stewart School, right?

My question is to the Minister of Education and Early Childhood Development.

**Speaker:** Well, it has - you were talking about the building of the school.

Our Island schools have a diverse makeup of students in the classroom. Some of these students have special needs that require special support. My question to the minister is: Can you explain how the ratio for education assistants is allotted, and how many education assistants are in our schools today compared to 2007?

**Ms. Dunsford:** Yes, and the air quality issue is because of the building of the other school, so I'm trying to tie those two together.

**Speaker:** The hon. Minister of Education and Early Childhood Development, and Attorney General.

**Speaker:** Carry on.

**Ms. Dunsford:** Yes. I'll cut it short, like I said, but there was an issue with air quality, and because of the building of the new school there's a lot of parents still concerned about the quality in the old school.

**Mr. Greenan:** Madam Speaker, in response to the question from the Member from Tyne Valley-Linkletter, currently, as you would know, we are very inclusive.

I would like the minister, if he could, to update the House on the work that has been done, if it's been done, and what the air quality is like now.

We have a very inclusive model here on Prince Edward Island, where we provide services to all children. Those students that need special assistance, whether they be teacher assistants or youth workers, we do have a model here in the province, and we have provided over the years an increase. I can recall that in 1997 we had about 112 EAs in the system, and this year we have approximately 300. So there's the support there from the department of education and the school boards in providing assistance to students.

Thank you, Madam Speaker.

**Speaker:** Actually, minister, I'm not going to allow you to answer that.

That was a different question. That was relating to the air quality in the old school. I know you'll understand that.

We have this past year increased the

The hon. Member from Tyne Valley-

previous year's by 16: 10 went to the Eastern School District, five went to the Western School Board, and one went to the French Language School Board.

Thank you.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Tyne Valley-Linkletter.

**Ms. Biggar:** Thank you, Madam Speaker.

Supplementary for the minister of education.

Mr. Minister, of those numbers that you quoted, could you please break those down into the number of education assistants in each school board on PEI?

**Speaker:** The hon. Minister of Education and Early Childhood Development, and Attorney General.

**Mr. Greenan:** I don't have the specific numbers, but I will get those numbers for the member.

Thank you.

**Speaker:** Thank you.

The hon. Leader of the Opposition.

**IAL minister's responsibility re: PNP**

**Leader of the Opposition:** Thank you, Madam Speaker.

Since the previous minister continues to be muzzled by the government - he did offer to

come to Public Accounts after the Auditor General's report, and he wasn't allowed to do that - my question then is to the innovation and advanced learning minister.

The Auditor General also confirmed wrongdoings by another person that works for you by the name of Neil Stewart. He, like Brooke, also got a promotion. My question to you: Did you personally review his files to understand to understand the full depth of the problem of the wrongdoings?

**Speaker:** The hon. Minister of Innovation and Advanced Learning.

**Mr. Campbell:** Thank you very much, Madam Speaker.

Again, the Leader of the Opposition issues a press release today commending the work of the Auditor General in this province. It's situations like this - that's why we have the Auditor General. The Auditor General has done a thorough review of this program. The Leader of the Opposition has commented on that herself today. Of course, she spent most of the spring sitting here criticizing the work of the Auditor General. Well, she's had some form of an epiphany lately where she actually thinks he's done great work., something I've been trying to tell her all along. So now she turns to directing her criticism to another highly trained professional in this province, the Conflict of Interest Commissioner.

**An Hon. Member:** (Indistinct).

**Mr. Campbell:** Directing her criticism to a senior bureaucrat in this province. She talks about 27 years of service to this province

and her value of the bureaucracy in this province. I suggest she should be ashamed of herself for attacking the bureaucracy in this province.

Thank you, Madam Speaker.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Leader of the Opposition.

**Leader of the Opposition:** Madam Speaker, let's be quite clear.

We're holding the government accountable, the Premier, and your leadership on this file. My question to you: Did you review Neil Stewart's files to have a full appreciation for just how many times he broke all the rules to the business community, which you're also accountable to?

**Mr. Bagnall:** I'll answer it for him. No, he didn't.

**Speaker:** The hon. Minister of Innovation and Advanced Learning.

**Mr. Campbell:** Thank you very much, Madam Speaker.

Again, that's the role of the Auditor General. That's why we have the Auditor General in this province. I would suggest that I'm very proud to be part of an accountable government that actually had rules in his program. Because since its inception under the previous government, led by the Member from Georgetown-St. Peters, there were no rules. It's a pleasure to be part of a government that actually has

rules to be reviewed by the Auditor General. Because in the early stage of this program it was easier to get four units of PNP than it was to get a cup of coffee at a Tim Horton's drive through.

Thank you, Madam Speaker.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Georgetown-St. Peters.

**C&D site in Hazelbrook (further)**

**Mr. M. Currie:** Thank you, Madam Speaker.

A question for the minister of environment. Almost two years ago you issued a ministerial order to close the Hazelbrook C&D site. Can you tell us today what this company's doing different that now puts them back in compliance?

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

**Mr. Brown:** (Indistinct) the member for the question.

The ministerial order was placed due to - the operator of the Hazelbrook facility was encroaching upon the 30-metre buffer zone that surrounds one of these sites. The order was issued to say: Get out of that buffer zone, move her back into your original site and into your original plan. That's what the order was about. Since then, he has moved his operations back within the buffer zone - outside of the buffer zone - in the area that he was approved for, Madam Speaker.

**Speaker:** The hon. Member from Georgetown-St. Peters.

**Mr. M. Currie:** I guess the question I have then, then: Did it take almost two years for this company to get back in compliance? When you issued an order, were they back in compliance within a month or two months? How long before they were back in compliance?

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

**Mr. Brown:** Madam Speaker, there were a number of questions of where the buffer zone was, and there were a number of concerns. There was a dispute between the department and between the operator of the facility where the buffer zone was, where the actual lines were and where the C&D material was being placed.

A number of experts were brought in. There was disagreement among the experts where the material was. It was one of these situations that was he said, they said sort of things, and it did take a number of months to resolve this issue. The developer did hire a private consultant that came in, clearly outlined it to the department, we went out and checked it, and we resolved the issue and the ministerial order was lifted.

**Speaker:** The hon. Member from Georgetown-St. Peters.

**Mr. M. Currie:** So, Madam Speaker, what I gather from his answer is that this company has been back in compliance for quite a period of time and all the extra tippage fees that they had to absorb to haul to another

site you'll have to rebate - is that true? - to this company?

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

**Mr. Brown:** Thank you, Madam Speaker.

That is up to the operator of the facilities. If he wishes to take government to court over what has been done here, he has that right. He can challenge us, the department, at any time in the court. I believe what was done here was a matter of negotiations over the period where one expert said: No, it's here, and the other expert said: No, it's here.

Until we went out actually with a digger and dug it up and checked it, and that's when I determined that: Look, he has moved his material back out of the buffer zone, he has complied with the ministerial, I'm lifting the ministerial order, now he can apply for a permit, and a number of conditions has been placed on that permit.

I must say, the operator the facility was quite cooperative in his efforts there. The community was quite cooperative in their efforts. I believe we have a win-win situation here. But, if he wants to sue, he can.

**Speaker:** The hon. Member from Georgetown-St. Peters.

**Mr. M. Currie:** Madam Speaker, I'd say that he has been in compliance for quite a period of time and I'd say it was a political decision to close him.

You said in the paper today that you have an

agreement on all three parties, the residents and your department and the operator. If you have an agreement, can you table that tri-party agreement now where there's strict guidelines to follow by the company?

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

**Mr. Brown:** Sure, Madam Speaker, if the access to information or freedom of information allows me to, I'll table it.

Thank you.

**Speaker:** The hon. Member from Georgetown-St. Peters.

**Mr. M. Currie:** Thank you, Madam Speaker.

Minister, you also said in the paper today that this site will be closed in 12 months. Is that correct? You're going to close this site permanently in 12 months?

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

**Mr. Brown:** Thank you, Madam Speaker.

At the end of 12 months no C&D material will be entering this site. As I indicated yesterday when answering a question from the member of the area, we have no regulations on the proper closure of these facilities. It was an oversight of - when this legislation was brought in a number of years ago.

We're developing those regulations as we speak, but with this developer we've

basically outlined what has to be done for him to close the site. So yes, the site will be closed in one year and then he has six months to cap it, and to cap it properly, and to close the gates to the facility.

But the one-year permit is for C&D. He must close the C&D site in one year. Then we've gone the extra step. Instead of him taking his trucks and just leaving the site at the end of one year, and leaving a pile of garbage there, leaving it open to the environment, we've issued orders that say: When you're on your way out the gate, you better cap it, you better grass it, you better make sure it's environmentally sustainable, and you better be able to monitor it over the next couple of years.

That's what we've done, Madam Speaker.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Georgetown-St. Peters.

**Mr. M. Currie:** Thank you, Madam Speaker.

What I have in my hand is a permit for 18 months to operate a C&D site in Hazelbrook, not for 12 months. Who can we believe? Minister?

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

**Mr. Brown:** Madam Speaker, he can believe me.

If he looked at the conditions behind the permit, he'll see no C&D material can enter

that site after 12 months. I've given the operator of that facility 6 months to properly close the site.

After 12 months he could have packed up, drove down the highway, and left that site open. That's unacceptable to me and this government, and that's why we insisted: We're going to allow you to operate for 12 months, and you have 6 months to cap it, grass it, make sure that all the wells are in place, and that it's back to its natural profile of the land.

**Some Hon. Members:** Hear, hear!

**Speaker:** The hon. Member from Georgetown-St. Peters, final question.

**Mr. M. Currie:** Thank you, Madam Speaker.

Minister, could you bring back to the house a list of all the C&D sites that are on Prince Edward Island and how many we have?

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

**Mr. Brown:** Madam Speaker, it pleases me to do that.

Thank you.

**Speaker:** Thank you.

[End of Question Period]