December 1, 2010

Standing Committee on Legislative Management

Motion 56: The Future of Province House

Members of the Legislative Assembly;

The Standing Committee on Legislative Management is pleased to present its report on public consultations in regard to the long-term structural maintenance and interpretation of Province House.

Committee Mandate

The Standing Committee on Legislative Management is charged with policies for the administration of the Legislative Assembly; the provision of security, facilities and services, including allocation to party caucuses and individual members; the appointment, supervision and management of the staff of the Legislative Assembly, other than the staff of party caucus offices and the office of the Leader of the Opposition; review of estimates of expenditure for the Legislative Assembly, including the forecasts and analysis of expenditures and financial commitments of the Legislative Assembly; and other matters necessary for the efficient and effective operation and management of the Legislative Assembly.

Committee Membership

Permanent members of your committee are:

- Jim Bagnall
- Paula Biggar
- Hon. Richard Brown
- Hon. Kathleen Casey (Chair)
- Hon. Olive Crane
- Sonny Gallant

Robert Henderson also served as a substitute member.

Committee Activities and Consultations

On April 29, 2010, Hon. Olive Crane moved the following motion:
Motion 56 – Province House

WHEREAS Province House has been home to the Island’s Legislature since 1847, and is therefore the most important building in the province for the celebration and interpretation of our 237-year legacy of representative democracy;

AND WHEREAS the building itself is badly in need of repair, both inside and out;

AND WHEREAS more resources and space in the building should be made available for a dynamic program of public education and participation, celebrating our precious legacy of representative government in Prince Edward Island;

AND WHEREAS the management of Province House, including the allocation of space and division of resources, is currently a federal-provincial responsibility, outlined in detail in the 1974 Agreement Between the Government of Canada and the Government of Prince Edward Island;

THEREFORE BE IT RESOLVED that the Standing Committee on Legislative Management be tasked to review the 1974 Province House Agreement between the Government of Prince Edward Island and the Government of Canada, and to report back to the Legislative Assembly with recommendations for revisions to that Agreement which will, 1) ensure the long-term structural maintenance of the building, including basic needed repairs; and 2) transform Province House into a much more dynamic place for engaging Islanders in the history, culture and operation of their own Legislature and democracy;

THEREFORE BE IT FURTHER RESOLVED that the Committee be directed to meet between the third and fourth Sessions of this General Assembly and make final report to the Legislative Assembly during the Fall 2010 sitting;

AND THEREFORE BE IT FURTHER RESOLVED that, notwithstanding Rule 104(2), the Committee hold public meetings and otherwise seek the opinion of Islanders on this matter.

The motion was carried unanimously.

Your committee met on June 17, 2010 to discuss its work plan for Motion 56. On September 29, 2010, your committee held its first public meeting, and with Parks Canada’s cooperation, did so in the library on the second floor of Province House. During this meeting your committee received a presentation from Jewel Cunningham, Field Unit Superintendent with Parks Canada. Ms. Cunningham discussed Parks Canada’s role and mandate, the national historic significance of Province House, and Parks Canada’s interpretive program for Province House. Your committee were also addressed by Foster Millar and Holly Hinds, representing the PEI
Department of Transportation and Infrastructure Renewal. Mr. Millar and Ms. Hinds discussed the expertise needed to maintain a building of Province House’s age and significance, the results of a recent study on the condition of the Province House envelope, and the costs of maintaining the building if it were to become solely a provincial responsibility. Finally, your committee received a presentation by Mr. Harry Baglole, a private citizen. Mr. Baglole spoke of the magnitude of the effort to construct Province House, and the pride it embodied. Mr. Baglole argued that the federal government must live up to its responsibilities according to the 1974 federal-provincial agreement and attend to the repair of Province House immediately. He argued that the agreement should then be renegotiated so that the Province has more of a say in the building’s usage and interpretation.

Your committee held a second public meeting on October 14, again in the Province House library, and received presentations from Mr. Henk van Leeuwen on behalf of Culture PEI, from Mr. James Macnutt QC, from Mr. Peter Rukavina, from Ms. Catherine Hennessey, and from Mr. Wendell Dawson on behalf of the PEI Branch of the Royal Commonwealth Society. Mr. van Leeuwen spoke about re-engaging Islanders by hosting cultural events at Province House and provided many suggestions on the types of art, themes, exhibits and events that could enliven the building and draw Islanders to it. Mr. Macnutt discussed the architectural significance of Province House and its embodiment of Island independence, democracy and history. He suggested that the Province may wish to pursue a UNESCO World Heritage Site designation for the building, and offered his legal services without charge in preparing an application. Mr. Rukavina encouraged the committee to consider transformations to Province House that would enhance the utility of the building for everyday purposes and draw Islanders to it as community, governmental and democratic centre. Ms. Hennessey urged the committee to be mindful of the care and preservation of artifacts and building fabric as it makes recommendations for the future of Province House, but also suggested that the federal government is not attending to its responsibilities in terms of maintaining the building. Finally, Mr. Dawson discussed the Royal Commonwealth Society’s views on the care of historic buildings, and recommended that pressure be put on the federal government to set aside proper funding for Province House, that reparative work begin immediately and follow a timeline agreeable to all parties involved and that supervision be the responsibility of the federal Minister of Heritage with Parks Canada held accountable.

Your committee also received written submissions from Eileen Brown-Wilt, the City of Charlottetown, Ralph MacDonald, MP Shawn Murphy, and Douglas Sobey, as well as additional submissions by Henk van Leeuwen and James Macnutt QC.

Your committee thanks all those who provided their views on the future of Province House.
Recommendations

After careful consideration of all the information received, your committee is pleased to submit the following recommendations to the Members of the Legislative Assembly:

1. **Your committee is of the view that the continued presence of Parks Canada at Province House is imperative and in the long-term best interest of restoring and maintaining the building for Islanders and all Canadians.**

Your committee recognizes that the federal government, through Parks Canada, plays an important role at Province House by commemorating our nation’s history. Parks Canada has also made significant contributions through the years according to the agreement signed with PEI in 1974. The restoration of the building that took place in the early 1980s was an impressive feat. Canadians and Islanders alike continue to be thankful for Parks Canada’s work and ongoing commitment in this regard. The Charlottetown Conference brought about the birth of Confederation and it is fitting and appropriate that a federal entity continue to highlight this very important event in Canadian history for all Canadians. Islanders in turn are also very proud of the integral and substantive role they played in the birth of Confederation by hosting the Charlottetown Conference at their Colonial Building in September of 1864 and wish to see the interpretation of this important meeting continue at Province House.

2. **Your committee urges Parks Canada to live up to the responsibilities assigned to it under the 1974 Province House Memorandum of Agreement (MOA) in regard to structural maintenance of Province House.**

Province House, from the foundation to the roof, has been in need of repair for some time. In August, 2010, Parks Canada commissioned, through Public Works Canada, a study/assessment on Province House to determine the condition of the building and to identify the nature of any structural problems that may exist. The preliminary results of the study determined that the building has “no immediate risks to public safety or issues permanently affecting the building as a cultural resource” (Remarks of Jewel Cunningham, Field Unit Superintendent, Parks Canada PEI). Your committee is of the opinion that not posing a risk to public safety is simply not enough for a provincial legislature or for a building of such national and provincial significance. It reflects poorly on our country and our province if a building of the importance of Province House does not receive the care and attention it so richly deserves. This must change and it will take cooperation and good will between provincial and federal partners in renegotiating the terms of the Memorandum of Agreement to ensure that it does. Islanders and Canadians deserve no less.
3. **Your committee recommends that Province House be fully restored before the 150th anniversary of the Charlottetown Conference in 2014 and that a long-term legacy fund be established to ensure the building is maintained into the future.**

Your committee has been advised by Parks Canada that the final report of the study/assessment on Province House is expected to be ready by early 2011 and will form the basis for a phased work program to be carried out over a number of years. Your committee is of the strong opinion that this work must be completed in time for celebrations surrounding the 150th anniversary of the Charlottetown Conference in 2014. Charlottetown, and specifically Province House, will be the focus of the country as we celebrate this important milestone and will continue to be a focus as the nation builds to celebrations surrounding the 150th anniversary of Canada in 2017. Province House is the last remaining building so intimately involved in the creation of our nation and it is unacceptable that the building be in anything less than pristine condition as these important celebrations get underway. In addition, and after this restorative work is completed, a reliable and consistent source of federal funding must be identified and a legacy fund established to ensure that the building never again falls into a state of disrepair. Preliminary estimates place the cost of this restorative work at approximately $4,000,000. Your Committee is of the opinion that this is a very small price for the federal government to pay to ensure the restoration and maintenance of one of the Canada’s most important buildings.

The establishment, after restoration, of the legacy fund will ensure that the building will remaina powerful symbol of our nationhood for future generations of Canadians. Further delay will only result in further deterioration of the building and greater additional costs in the future. One need look no further than the federal Parliament Buildings to see what happens when necessary repairs are put off. The Auditor General identified in her spring, 2010 report that delays dating back to 1992 have resulted in the progressive erosion of the Parliament Buildings’ heritage character, to the point that some elements are now irretrievably lost. No one would wish to see the same happen at Province House.

4. **Your committee stresses that Province House, in addition to the national historic significance noted above, is Prince Edward Island’s most important provincial building, and as such, the Provincial Government must become more actively involved in ensuring that the building is maintained and well cared for.**

As noted, Parks Canada has been identified as not living up to the terms and conditions of the 1974 agreement by allowing Province House to fall into its current state of disrepair. However, your committee is not satisfied that the other signatory to the agreement, specifically the Department of Transportation and Infrastructure Renewal, has done enough to monitor the agreement and to ensure that Parks Canada is fulfilling the obligations assigned to it under the agreement. Deterioration of the roof, masonry, foundation and other structural elements has
been common knowledge yet it is not clear that TIR has been sufficiently present to insist that Parks Canada complies with the agreement. Accordingly, your committee recommends that Transportation and Infrastructure Renewal become more assertive in managing maintenance at Province House and ensuring that the building is well cared for.

Your committee rejects the notion that the expertise required to restore and maintain a building such as Province House does not exist on PEI. Examples of provincially managed buildings, such as Government House and other beautifully restored structures in Charlottetown and beyond, are evidence that architectural history can be preserved on Prince Edward Island by Islanders. In fact, in a Guardian editorial on October 13th, it was pointed out that noted historical authority Professor Thomas Symons has deemed Charlottetown to be one of the most important historic sites in North America due to the fact that over 200 buildings present in 1864 continue to exist today. Clearly Islanders can keep history alive. Your committee dismisses views to the contrary, and instead sees the task of restoring our own legislative building as an excellent opportunity to demonstrate the expertise of Island trades people. Province House was, after all, built and furnished by Islanders as an example of our learning, abilities and self-sufficiency as a colony. If we could create such an edifice then, surely we can restore and maintain it today.

5. Your committee recommends that the Legislative Assembly take on a greater role in the management of Province House.

The Legislative Assembly must make its voice heard in the preservation, operation and interpretation of Province House that is, first and foremost, the provincial legislature. The Legislative Assembly is elected by the people of Prince Edward Island, to which the building belongs. It is only right, then, that decisions about the building be made locally. They can not be left solely to Parks Canada, where much of the authority actually comes from the Atlantic Region Office in Halifax. The irony is not lost on your committee that today the power to make maintenance decisions over Prince Edward Island’s legislative building exists in Nova Scotia, from which our ancestors insisted on gaining independence many years ago. Your committee believes that the Legislative Assembly ought to insist on the same degree of local decision-making at our legislature today, and that the Assembly should be the entity to make those decisions as part of its legislative mandate.

6. Your committee recommends that the 1974 Province House Memorandum of Agreement be revised and the Legislative Assembly be added as a signatory.

The agreement signed by the federal and provincial governments in 1974 was valuable and appropriate at that time. Province House was in need of structural repair. More and more visitors were drawn to it as the Birthplace of Confederation. Islanders and Canadians benefitted
by the Ministry of Indian Affairs and Northern Development, and later Parks Canada, taking on restoration responsibilities as the federal representative in the agreement. Transportation and Public Works was the caretaker of provincial buildings and so was the logical provincial representative. However, much has changed since 1974. Parks Canada has become a federal government agency responsible for generating a portion of its own revenue. The provincial department of Transportation and Infrastructure Renewal has further developed in its abilities. The Legislative Assembly has grown as an institution, with greater staffing, functions and services required for the operation of a modern and responsive provincial parliament. The primary function of Province House continues to be the seat of the Legislative Assembly of Prince Edward Island and the place where legislative governance is carried out. Thus it is proper for the main entity of the building to be a signatory to the agreement and to ensure that the interests of the Legislative Assembly of PEI and its elected members are considered in a revised agreement that governs the seat of the Provincial Legislature.

7. Your committee recommends that a Province House Committee be formed.

A Province House Committee should be formed to bring the signatories of a revised agreement together to make decisions on the structure and maintenance of Province House and the grounds around it. The committee should consist of one representative of Parks Canada, one representative of Transportation and Infrastructure Renewal and two representatives of the Legislative Assembly. The frequency of the committee’s meetings should be formalized within the revised agreement and the mandate clearly stated to ensure that it has decision-making powers on structural and maintenance issues and on expenditures associated with the federal building legacy fund (when established as per recommendation 3). The Standing Committee on Legislative Management would be responsible for identifying Assembly representatives on the Committee with Parks Canada and the Department of Infrastructure Renewal respectively responsible for identifying their representatives.

8. Your committee recommends that a revised Province House Memorandum of Agreement include a re-allocation of space designated for the use of the Legislative Assembly and Parks Canada within the building.

Your committee recommends that a re-allocation of space within the building occur to reflect the greater presence of the Legislative Assembly and to make more effective use of the various rooms within the building. Specifically, your committee recommends that:

- The first floor, western wing should be reserved entirely for the use of the Legislative Assembly. At present the Office of the Legislative Assembly requires additional space to effectively deliver the programs and services ordered by the Legislative Assembly. This would represent the transfer of two offices from Parks Canada to the Legislative Assembly. Parks staff relocated from these offices would be accommodated in what is
now used as a lunchroom (with the lunchroom being relocated elsewhere, if deemed necessary). In addition, the only Parks Canada staff that should have office space at Province House are those employees who have direct responsibility for the delivery of interpretive services at Province House. Other Parks Canada field unit programming for other parts of Prince Edward Island’s National Parks must not be administered from Province House. Legislative Assembly requirements are such that all available space (and more) is necessary to deliver the services required by the Assembly and Parks Canada has sufficient office space at other locations to administer programming unrelated to Province House.

- With respect to the remainder of the eastern wing, 1st floor, the gift shop should remain; however, it should be re-purposed as something useful for Islanders and visitors alike, including, but not limited to, offering administrative services similar to a branch of Access PEI, selling national park passes, providing visitor information and offering selected and appropriate items for sale. There must also be acknowledgment and consideration given in the revised MOA respecting revenue realized at the site (including the advisability on the continuation of a donation box at the site) and a proper accounting as to the use of these proceeds.

- The Lecture Theatre should continue with present usage, with occasional use for provincial press conferences and other events, for the video display of House proceedings during special occasions when the public gallery cannot accommodate all visitors (ie: Budget, Throne Speech, etc) and for the Parks Canada film.

- On the second floor, the Confederation Chamber should continue to be interpreted as the meeting place of the 1864 Charlottetown Conference.

- The Clerk of Executive Council Office, 2nd floor, should be re-purposed as office and/or meeting space for the use of the Leader of the Official Opposition and, on the third floor, the room connected to the Government Caucus Lounge should be used and secured as year-round office and/or meeting space for the Premier.

- The two rooms on the north side of the second floor western wing should continue to serve as display rooms while the Assembly is not in session, but with a greater emphasis on interpreting the past and present of the Legislative Assembly. During sessions, these rooms must continue to be converted to serve as the kitchen and Opposition Caucus Lounge.

- The Legislative Library, 2nd floor, should revert to the Legislative Assembly, as it presents the greatest opportunity to enliven Province House. Impressive as the artifacts may be, your committee believes that maintaining the library as a rarefied space fixed in a
moment of time does not make for interesting interpretation, nor does it accurately portray what was once a hub of activity. Instead, opening the library space presents many possibilities for enhancing Province House for visitors and Members. During sessions of the Assembly the library could be used as the Government Members’ Lounge (with the present 3rd floor lounge converted to a strict Members-only lounge during sessions). At other times, this room could be used for visitors to conduct genealogical research in partnership with the Provincial Archives and to view thematic displays on Island history. Art exhibits, small concerts, re-enactments of speeches, lectures and countless other events could take place in the Province House Library, without compromising the historic fabric of the room. Opening the Library would also afford visitors and Members the impressive view from Province House down historic Great George Street, providing yet another perspective on the building’s symbolic centrality in the capital city.

- Use of the Legislative Assembly Chamber should continue to be reserved for the Legislative Assembly, with the revised agreement reflecting that its interpretation is an important part of the overall interpretation of the Building and an acknowledgment that the Legislative Assembly has a shared responsibility in this regard (as is presently the practice).

9. Your committee recommends that a revised agreement include a life-cycle plan for the Province House structure.

For the future of the building it is key that maintenance and restoration are planned in advance. Doing so will ensure that proper funding can be accurately forecast and allocated. Strictly adhering to a comprehensive life-cycle plan by following through on scheduled maintenance will ensure that structural problems will be addressed in a timely manner. When problems do occur, dealing with them early will ensure that structural damage does not persist and costs are contained.

10. Your committee recommends that interpretation of Province House be expanded and enhanced in order to include the full scope of legislative and democratic history on PEI, including but not limited to the Charlottetown Conference of 1864.

Province House is in its 163rd year and is the second oldest of all Canadian legislatures. Over the decades many important events have taken place in Province House and many persons of note have worn the groove in the stone of the entryway a little bit deeper. This building was built as a testament to Island democracy and self-governance and continues to stand for those principles today.

Yet, the modern visitor to Province House likely does not understand how important this building was to a young British colony. Today’s visitor likely gains little knowledge of what took
place at Province House in the seventeen years before the Charlottetown Conference or in the 146 years afterward. Instead, the interpretive emphasis is put squarely on the Charlottetown Conference of 1864 and little else. In fact, a Parks Canada 2009 visitor survey showed that 19% of respondents believed that the Legislative Assembly of PEI no longer holds its sessions in Province House (Province House National Historic Site Visitor Information Program 2009 Report, prepared by Pascale van der Leest, Atlantic Service Centre).

The history of Province House encompasses responsible government, the Land Question, the Free Education Act, the right to vote for all adults, the Comprehensive Development Plan, and so much more. Your committee does not wish to diminish the significance of the Charlottetown Conference; it was an extremely important event for PEI and for all Canadians. But it is not so significant to merit the exclusion of all else that has occurred before or since, and your committee strongly feels that more of Province House’s history needs to be highlighted for Islanders and off-Island visitors and for the benefit of the many Island school-children who visit Province House every year.

11. Your committee recommends that in the revised MOA, interpretation of Province House be jointly delivered, with Parks Canada bringing expertise on the Confederation messages and the Legislative Assembly focusing on Province House’s colonial, provincial and legislative history.

Collaboration between Parks Canada and the Legislative Assembly in the delivery of important messages will significantly improve the visitor experience. Symbolically, being greeted by a joint and unique collaborative interpretive service (with a distinct uniform reflecting this collaborative initiative) would demonstrate that Province House is a provincial building that also has national significance. Further, both Parks Canada and the Legislative Assembly must commit to the delivery of this service without attempting, in any way, to recover the cost of the service by charging an entrance or admission fee to Province House. Parks Canada has raised this possibility over the years and, in fact, are presently charging for commercial tours; however, your Committee firmly believes this is sending the wrong message and discouraging participation and visitation to a building that uniquely embodies strong messages of both our pride as a nation and as a province. No other jurisdiction in Canada charges a fee to visit their Legislative Assembly and your Committee is of the firm opinion that neither should a fee be charged to enter a building as important to Islanders and Canadians as Province House.

12. Your committee recommends that as we proceed into the future with the interpretation and operation of Province House, attempts to re-engage Islanders with their legislature must be made whenever possible.
There is currently a disconnection between Islanders and Province House, which your committee believes is rooted in the misconception that this is a federal rather than provincial building. As discussed elsewhere in this report, this misconception must be dissolved by shifting the interpretive focus of Province House from a single event of national significance to the full breadth of Island democratic history. Islanders must also see the Legislative Assembly and the provincial government taking a greater role in and having a greater presence at Province House. Greater effort to bring Islanders to Province House must be made, whether through hosting administrative government services, partnerships with local cultural organizations, specialized tours, events at all times of the year, or other methods. In other provincial and territorial legislatures across Canada the emphasis is first and foremost on the people of that province or territory: their democratic history, their culture, their future direction. There is never any question of who the legislature belongs to; nor should there be here on PEI.

13. Your committee recommends that a Visitor Services and Public Engagement division within the Office of the Legislative Assembly be created.

An interpretative program that properly encompasses the full scope of Province House’s history and the current operation of the Legislative Assembly cannot be achieved in a piecemeal fashion according to occasionally available resources. A full-time Visitor Services Coordinator, reporting to the Clerk of the Legislative Assembly, would oversee interpretive messaging and programs, as well as supervise Legislative Interpreters who interact with visitors directly. The Coordinator would also be tasked with forming partnerships with external groups in the culture, heritage, education and tourism sectors in order to make Province House a venue for events and exhibitions that engage the public.

14. Your committee recommends that the Office of the Legislative Assembly further investigate the possibility of obtaining a UNESCO World Heritage Site designation for Province House.

Your committee was informed that many national and sub-national legislatures around the world have this designation, and that it may be of some benefit to Province House. Your committee has not had an opportunity to fully explore this recommendation and suggests that the Office of the Legislative Assembly further investigate the possibility and report to this committee on the requirements, and potential benefits and impacts of such a designation.

Conclusion

Your committee wishes to thank the Members of the Legislative Assembly for identifying the important issues contained in Motion 56; the various individuals and organizations who shared their views on the future of Province House; and Parks Canada for providing the Province House Library as a space for your committee’s public consultations.
In its recommendations your committee has outlined several key principles for Province House, including lasting structural integrity, comprehensive historical interpretation, effective use of space, local decision-making and responsibility, re-engagement of Islanders, and a new management and operational framework. Your committee is confident that if the recommendations contained in this report are adopted by the Legislative Assembly, the future of Province House will be bright and the building, with the Legislative Assembly of Prince Edward Island as its main occupant, will be a continued source of pride for Islanders and Canadians for generations to come.

Respectfully submitted,

Hon. Kathleen Casey, MLA
Chair
Standing Committee on Legislative Management