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**LEGISLATIVE ASSEMBLY**  
**OF**  
**PRINCE EDWARD ISLAND**

**TRANSCRIPT OF**  
**STATEMENTS BY MEMBERS**  
**AND THE**  
**ORAL QUESTION PERIOD**  
**FOR**

**Wednesday 22 November 2006**



**ORAL QUESTION PERIOD 22 NOVEMBER 2006 PRELIMINARY PROCEEDINGS**

**STATEMENTS BY MEMBERS**

**Speaker:** The hon. Member from Park Corner-Oyster Bed.

**RECIPIENTS OF ORDER OF PRINCE EDWARD ISLAND**

**Ms. MacKenzie:** Thank you, Mr. Speaker.

I, too, would like to say hello to Mark Gallant. Mr. Speaker, this year the Advisory Council for the 2006 Order of Prince Edward Island had to choose three honourees from a list of 30 individuals to serve as an inspiration to us all. I'm sure it was a difficult task.

First conferred in 1996, the Order of Prince Edward Island recognizes Islanders who show excellence or outstanding leadership in their community and in their chosen profession.

Dr. Sheldon R. Cameron is a distinguished Island physician and was recognized for his outstanding work in the field of geriatrics and, more importantly, for a life dedicated to providing care for Islanders trapped in a world of addictions.

Frank J. Ledwell has been honoured for his contribution to education and to the Island's culture. As a teacher and author, a poet, and a mentor to generations of Islanders, Frank Ledwell was also recognized for his tremendous efforts on behalf of his community in the area of sports, 4-H, and his church.

Dorothy Lewis was honoured for her extensive volunteer work through her community, church, and central organizations as the Alpha York Women's Institute of

which she has been a member for more than 50 years. She is also a well-known entrepreneur operating several successful tourism ventures with her husband Frank, including the Stanhope Ice House and as a partner of Vacationland Travel Park.

For their spirit, energy and caring for their community, I congratulate these individuals. They are extraordinary Islanders and models of service for all Islanders.

Thank you, Mr. Speaker.

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

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

**O'LEARY CENOTAPH**

**Ms. Rodgeron:** Thank you, Mr. Speaker.

On Sunday, October 29<sup>th</sup>, under a beautiful rainbow, veterans, families and friends gathered for the re-dedication of the O'Leary cenotaph.

It took more than a year of planning and hard work by the committee and for everyone in the community of O'Leary and surrounding area, it was well worth the time and effort.

Mr. Speaker, the original memorial was a huge granite rock hauled from a local field in the winter of 1919. This stood in the centre of the town and served as the cenotaph for over 85 years. After world War II, the brass plaque on it was replaced with a granite plaque listing the names of those who died in both wars. The granite plaque is now incorporated into the

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new monument.

Our government is pleased to have been one of the major contributors to this project along with Veteran Affairs Canada. In addition, there were many corporate and private sponsors who donated and made this project worthwhile.

I congratulate the Royal Canadian Legion, Branch No. 2 of O'Leary on the rededication of the cenotaph and of the establishing of the surrounding Veterans Memorial Park. It is a wonderful tribute to honour those from our district who have given so much that we may enjoy the freedoms we hold so dear today.

A sincere thank-you is also extended to Grant Gay and his committee for their efforts on behalf of the Royal Canadian Legion, Branch No. 2.

Thank you, Mr. Speaker.

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

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

**REMARKS**

**Ms. Bertram:** Thank you, Mr. Speaker.

I feel compelled today to rise on a matter of a personal nature, which I am not raising as a point of privilege.

Last evening the Liberal Opposition presented a motion to this House calling on government to consider tax breaks for children's sporting equipment. This motion was defeated by the government but during the debate, a

government member made some remarks that I found very disappointing and, as well, feel she misled the public.

Mr. Speaker, I entered public life wanting to hopefully make a difference and support the lives of Islanders. Yes, indeed, people say that you need thick skin in this job but last night's comments seemed to cross the line of acceptable in my personal view. Comments were directed involving my employment, wage, home and, to some extent, family. I find this unacceptable.

I may in debate charge government or ministers in a professional capacity related to their portfolios but never have I personally attacked. I want to share to all members of this House that this is politics at its worst. Not only attacking a member personally but making incorrect statements is disheartening. What was said by this member is now in the public record. I do not ask for an apology but I do ask that members in the present and future think about what happened last night. What messages are we sending to the people using this style of debate and why offer such misleading and offensive claims?

I will for the correction of the public record table documents later in the proceedings today to clarify false information given last night.

Therefore in close, I stand today dismayed but hopeful that we can learn from this and move on to our real purpose in this legislature - working for Islanders.

Thank you, Mr. Speaker.

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

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**Speaker:** Questions by Members starting with Responses to Questions Taken as Notice

The hon. Leader of the Opposition.

### EMPLOYEE POSITIONS OF 1997

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

My first question today is for the Premier and many questions still remain unanswered about this government's discriminatory purge that took place back in 1997. As Leader of the Tory party, this Premier told Islanders he wouldn't engage in discrimination. He said only people in high policy positions would be affected. Will the Premier please tell the House how many of the 754 casual and seasonal workers were in policy positions that he let go?

**Mr. R. Brown:** Good question.

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, there's been a lot of debate about this issue. The Leader of the Opposition has covered most of it quite well. We've answered those questions numerous times and I don't have that kind of detail here but as I indicated yesterday, there were a number of complaints dealt with. I'd have to look back in my notes to see exactly how many there were. I would remind the hon. members that they were suggested a couple of days ago that in the 1986-87 period there was only one complaint. In fact, there were 61 complaints settled at that time, not one as they had suggested. So they're trying to portray themselves as never having been there that they don't believe in any kind of

situation that would involve patronage and yet we know full well that that's not the way that they have acted in the past. It doesn't appear to be the way they have acted behind closed doors. Reading today's paper, I am reminded again that the Leader of the Opposition for several days seemed to be very unsure of his position when talking to his newly nominated candidate in this regard but anyway leave that as it may be.

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

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

And again, the Premier fails to answer the question. And I'm wondering back in 1997 when this Premier committed one of the largest purges in the history of this province, 754 casual and seasonal workers lost their jobs. I'm wondering can the Premier please inform this House how many of those positions were in high policy positions?

**Speaker:** The hon. Premier.

**Premier Binns:** Well, Mr. Speaker, the hon. member knows the answer to that question. He knows that these positions, these were seasonal jobs in which people re-applied every year. People in higher policy positions do not re-apply for their jobs every year as those people did. The unfortunate thing about this was that the former government had left these people vulnerable, had left them in positions where they had to re-apply, go on bended knee, and ask their MLA if they could have their job back. The forced them into doing that over and over and over and over. And you know what, if they didn't follow the good advice of the government of the day,

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they didn't get their job back the next year. That's simply what happened and so they always kept them on this kind of suspended animation. You know, am I going to get my job back? And so they followed the political line, I suppose. We changed that. The first government in the history of the province had the courage to change that system and you know what? Since we have put in recall legislation, nobody has to come back and ask our government can I have my job back. If they're doing a good job, they're recalled automatically.

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

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

And the facts speak for themselves. This Premier was responsible for the largest discriminatory purge in the history of this province. The Premier disobeyed courts. The Supreme Court of Prince Edward Island that ruled against his legislation in relation to the *Human Rights Act*, disobeyed again the Supreme Court of Prince Edward Island and then even tried to appeal it all the way to the Supreme Court of Canada before, finally, it was thrown out. And now this Premier has to recognize that his actions were not acceptable. The purge that took place in 1997 was one of the most disgraceful periods in the history of this province. The discrimination was rampant and Islander taxpayers continue to pay for those excesses to this day. It has never been clear to me. How did the Premier decide on 754 Islanders who he felt deserved discrimination? How did the Premier come up with those names?

**Speaker:** The hon. Premier.

**Premier Binns:** Well, Mr. Speaker, unfortunately, the hon. member's preamble, as usual, is way off base and I would remind him that the decision of the Court of Appeal only dealt with the constitutionality of the amendments and not the discrimination as he suggests. The factual question of whether the complainants were actually discriminated against was never determined by the Court of Appeal and it was not properly in front of the trial judge to make that determination in any event.

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

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

The Premier has already admitted guilt by settling with 750 Islanders based on discrimination. He already admitted that he discriminated against so there's no point trying to argue that, Mr. Premier.

Mr. Speaker, another question for the Premier. Did the Premier and his people decide who was to be fired in his own office? Did he sit down with personal files and create a black list himself?

**Speaker:** The hon. Premier.

**Premier Binns:** Absolutely not! We had thousands of applications when we came in to government, many of whom had worked for government in years previous, many who were fired from their jobs in 1986-87 even though they worked perhaps seven or eight years or whatever the term was prior to that. They were all fired. They were all removed. They didn't have a chance to apply again. If they did apply, their applications were simply

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set aside. We said we'd look at all the applications that came forward and we took people who were qualified to do the work and certainly did not sit down and make a list, as he suggests.

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

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

Unfortunately, when the Premier settled on 750 discriminatory cases, he acknowledged the fact that he discriminated against these Islanders for political belief. Then when there were 11 more, he tried to cap the human rights payouts that could be made based on that and yet he thought that that was wrong. He took it all the way to the Supreme Court of Canada. Even in this Legislative Assembly here in the Province of Prince Edward Island claimed that it was of national importance and that other provinces would want to come on board. We all know that that never happened. We all know that the Supreme Court of Canada never heard that decision. My question now is perhaps it was the Premier's Cabinet who decided who to discriminate against. Was that how it worked? Did individual Cabinet ministers come up with a list of names of people to discriminate against? Was that how it worked? Did individual Cabinet ministers come up with a list of names on people to discriminate against?

**Speaker:** The hon. Premier.

**Premier Binns:** You know, Mr. Speaker, if the hon. member was anywhere near in being correct in his assertion, it would be one thing. But the reality is that for the first time - I mean we took major steps to ensure that

people who had been working for us on a year-round basis for the Province of Prince Edward Island were in my view were being discriminated against by his party when they were in office because they would never classify those people. They just left them in positions year after year after year even though sometimes they had fairly senior jobs. We changed that. We classified hundreds of jobs in the public service so that those people no longer had to feel that they owed anything to a political master; yes, to their employer to the Government of Prince Edward Island, yes. They owed the responsibility of doing a good job but they didn't owe anything politically to any party. As long as the former government was in office, that was the situation. Well, guess what? We not only retained those people; we gave them the opportunity to have classified jobs in the public service because we believed that that was the right thing to do. Now I can't be responsible for everything's that happened in the past but I can tell you we've had some of the most progressive legislation this province has ever seen and taking that kind of discriminatory practice out of the operations of government and I'm confident that based on the steps we've taken so far that this province has made great steps and we'll continue in that direction in the future.

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

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

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

But again, the facts speak for themselves. This Premier is responsible for over 750 discriminatory practices here in the Province

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of Prince Edward Island. That can't be debated. We've even had Supreme Court Justices in this province compare this government to tyrants in the way that they treated individuals here in this province.

My supplementary question to the Premier is this: Did individual Cabinet ministers participate in phone calls to Islanders who were going to be fired? Did members of this Premier's Cabinet participate in phone calls to Islanders telling them that they were out of work, Mr. Premier?

**Speaker:** The hon. Premier.

**Premier Binns:** Not to my knowledge, Mr. Speaker.

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

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

Not to this Premier's knowledge but again it still is a fact that this Premier participated in the discrimination against 750 Islanders. Around the same time that the Premier was participating in this massive discrimination, he was also arranging a big payoff for a select few around the Premier himself. And to this day, it's hard to tell just how many millions of dollars the Premier's friends made from the deal at Dundarave. Will the Premier please tell the House his motivation in hurting and discriminating against more than 750 Islanders while he was arranging for big payoffs to his friends?

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, this is

astonishing really but (indistinct) it's not really because we expect that from the Leader of the Opposition. But I remind him again when he charges discrimination, discrimination was not the issue that was before the Court of Appeal. It was not the issue that was before the Supreme Court. The only issue before those courts was the question of whether the amendment which dealt with putting a cap on the amount of money that was paid was constitutional. That was the only questions being considered.

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

### COST OF DUNDARAVE

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

I just want to ask this question again. You know, here he is firing 750 Islanders discriminating against them. At the same time, he's working out deals for Dundarave that we're paying off millions of dollars of taxpayers' money. Will the Premier please tell the House his motivation in herding and discriminating against more than 750 Islanders while he was arranging payoffs to his friends and the Premier can't stand here and say he didn't discriminate? Yes, you did.

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, that's absolutely nonsense. The hon. Leader of the Opposition can make all the charges he likes in that regard. The reality is that we were following up, as he should remember, on an RFP as a Request for Proposals for expansion of the Brudenell Golf Course complex and it was his government that initiated that process



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and, yes, Mr. Speaker, we did complete it. We had another 18 holes built so we now have one of the finest golf complexes anywhere east of probably Toronto and probably sometimes rated higher than any in eastern Canada including Ontario. But Mr. Speaker, his assertion is absolutely ridiculous. He knows full well it's not the case but it suits his political flight well but I tell you the flight will crash.

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

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

And I knew the Premier was going to stand up here and make ridiculous accusations so I just thought I'd bring a little proof here and it's from the Auditor General when he did an audit of the Dundarave deal. And he says here that the golf academy was valued at between \$1.7 and \$2.1 million yet this Premier paid out \$3.55 million for something that was valued only around the \$2 million range. Mr. Premier, why the discrepancy? This is what the Auditor General says: \$2 million value. But you paid out \$3.5 million. Why did you throw away \$1.5 million, taxpayers' dollars.

**Speaker:** The hon. Premier.

**Premier Binns:** Well, I didn't and I've answered that question every year now since 2003 at least. Well, he's been here and he wants to check the Hansard, he'll find the answer.

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

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

And that's because we've never had an answer to that question because the Premier does not have an answer on why he threw away \$1.5 million of taxpayers' dollars but, obviously, this Premier shows no remorse for his discriminatory practice, kind of like he shows no remorse for the way he handled the Polar Foods file by what we read in *The Guardian* last week. So I'm going to move on here to a new question for the Premier.

**SANDING CONTRACTS**

I'm wondering how many sanding contracts have been handed out by this government over the past several months.

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

**Ms. Shea:** Thank you, Mr. Speaker.

I believe we have around 60 private sanders.

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

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

And I think we should go back to the Premier for these questions. I'm just wondering: Can the Premier please inform this House and Islanders whether or not those contracts were tendered out?

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

**Ms. Shea:** Thank you, Mr. Speaker.

No, they haven't been tendered out. They haven't been tendered out in recent memory

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for at least the last 25 years.

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

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

Here we are, contracts not tendered out. I'm wondering: Can the Premier please confirm whether or not those are five-year contracts?

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

**Ms. Shea:** Yes, they are five-year contracts.

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

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

Here we are with five-year contracts, value of about \$6 million and untendered. Does the Premier believe that that's fair to Island taxpayers?

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

**Ms. Shea:** Thank you, Mr. Speaker.

Maybe the hon. member or the Leader of the Opposition is not aware but Transportation and Public Works does tender most things. When it makes sense to tender things, TBW Maintenance is exempt from the *Public Purchasing Act* so in this case, with the sanding contracts we're getting very good service from our sanders. And over the past number of years, there's been such a fluctuation in fuel prices that the department has come up with a fuel clause for the sanders

and also with a base for the Consumer Price Index to adjust contracts, which allowed us to go to a five-year contract.

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

**EMPLOYEE POSITIONS OF 1997(FURTHER)**

**Mr. R. Brown:** Mr. Speaker, my question goes to the Premier of Prince Edward Island.

Mr. Premier, when you fired those 750 people and you said you cleaned up patronage on Prince Edward Island and discrimination, were those people allowed to re-apply for those jobs when they were come available?

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, I didn't fire those people.

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

I'll ask the Premier again in very simple terms. When the Premier came into office in 1996, he didn't re-hire over 1,000 people in the Civil Service. Then he went on and changed the legislation and, correct me if I'm wrong, Mr. Premier, but were these people exempted or not allowed to re-apply for those jobs in the Civil Service?

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, I'm not sure if I understand the question. Is he speaking about jobs that were within the public service within the classified service or are you talking

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about seasonal employment here?

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

**Mr. R. Brown:** I'm talking about seasonal and casual, Mr. Speaker. This government changed legislation. They hired - first of all, they fired over 1,000 people or discriminated over 1,000 people, then re-hired a bunch of people of their own. Ministers got involved in the hiring process and that and the firing process and then they changed legislation that wouldn't allow these people to re-apply for their jobs. Wouldn't you think, Mr. Premier, that that is a very discriminatory practice that you wouldn't allow these people to re-apply for their jobs?

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, again as I've indicated earlier, you know the practice of the former government had been that people would have to re-apply every year. They'd put in a new application for their jobs. They had to go back and check with the MLA. You could see the lineup starting after Christmas. Every Monday morning or whatever it was at the MLA office hours, people were lined up out the door waiting to go in to see the MLA. Can I get my job back? Here's my application. A lot of people were denied the opportunity to be hired by the former government, people that had worked for the government. In fact, many worked for the government in the period from 1979 to 1986, I think it was. These were good people. They were people that, you know, drove snowplows or sanders, worked in forestry, worked in various government service, agriculture, fisheries on a seasonal basis and they didn't

seem to have any chance of getting jobs. They were let go by the government and they could re-apply all they want. They never had a chance to get a job back. That was unfortunate. We realized that that system had to change and as a result, we made changes. We brought in the recall system so that there's no lineup at the MLA's door any more. People don't have to pledge their political support or anything else to an MLA to work in the seasonal industries in our province and we're proud of that system because it works well and has removed discrimination from the system.

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

**Mr. R. Brown:** Mr. Speaker, the Premier of Prince Edward Island is trying to leave an impression there that his MLAs weren't involved in the process there. In court documents filed in the Supreme Court of Prince Edward Island - and these are documents that have been accepted by their lawyers. The factums have been accepted and I want to read one of the quotes from one of the affidavits.

In or about March of 1997 - this is one of their plaintiffs - in or about March of 1997, I spoke with my local MLA, the now Auditor General, and was told that I could not expect assistance in maintaining my hours with the PEILCC. After being told in April that I would not receive my summer job, I met with Pat Mella in her office and was told I should be happy with what I got. I should be happy with what I got.

Here's another one, Mr. Speaker, and he tries to let Islanders believe that -

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**Speaker:** Hon. member, would you get to the question please.

**Mr. R. Brown:** Pretty tough. I know it's pretty tough. Okay Mr. Minister, so are you saying your MLAs weren't involved in the process when affidavits accepted by your government proved this point?

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, I've always maintained that people could have access to the MLAs. What I've said consistently is that we've changed the system. Nobody has to go and beg the government MLA to keep their job these days. We have changed that. We've moved on and we're not sure whether the Opposition has moved on or not. In fact, you know, if you just read today's paper, it's pretty clear that they are split right down the middle. They haven't decided what side they're on. We know what side we're on.

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

**Mr. R. Brown:** Mr. Speaker, I want to inform this House and I want to make it quite clear to the public of Prince Edward Island I, the MLA from District 12, Charlottetown, Prince Edward Island, will never go into a civil servant's office or a public servant's office and fire them like you did, Mr. Premier. That is a commitment from me to Islanders. I will never fire anybody. I was there in 1996, Mr. Premier, when Eugene Rossiter was coming to our offices and the list would come out each and every morning. I was there seeing it. It was horrible what was happening, just horrible!

**Speaker:** Question, hon. member.

**Mr. R. Brown:** Here's another quote. He says his MLAs weren't involved. I was never asked my personal affiliation until a member from Montague asked me for that information. The gall of the Premier to stand up here today and saying, Mr. Premier, you were involved in discrimination. Why won't you admit it?

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, I've already answered these questions over and over.

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

**Mr. R. Brown:** Do you think it's acceptable that your MLAs did this in 1996 telling people they can't get things or what is your political affiliation?

**Leader of the Opposition:** Good question.

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, I don't think we even took office until something like the 27<sup>th</sup> of November in 1996. That was them in 1996. That was their practice.

**Speaker:** The hon. Member from Glen Stewart-Bellevue Cove.

**PROVINCE'S CREDIT RATING**

**Dr. McKenna:** Thank you, Mr. Speaker.

I have a question, a couple of questions for the Provincial Treasurer. And my first question is last week I believe Moody's upgraded their

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rating for Prince Edward Island. Would the minister please indicate to the House what this rating increase is and what it means for the province?

**Speaker:** The hon. Provincial Treasurer.

**Mr. Murphy:** Well, I want to thank the hon. member for the question and he is correct. Last week we did receive another upgrade from Moody's Investment Service. We had been upgraded in August of 2006 to A1. We received another upgrade last week to AA2. And to answer the second part of his question, it simply means that the interest cost on the debentures we issue or the money we borrow will be less so it will be a better credit rating is a cost savings to the province.

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

**Speaker:** The hon. Member from Glen Stewart-Bellevue Cove.

### INCOME SPLITTING FOR SENIORS

**Dr. McKenna:** Thank you, Mr. Speaker.

Another question. Last month the finance minister, Jim Flaherty, announced that retired couples who are seniors will be allowed to split their incomes for taxation purposes. Can the minister explain what this means to the House and what plans the minister is going to do for seniors and for our taxes as well?

**Speaker:** The hon. Provincial Treasurer.

**Mr. Murphy:** Well, Mr. Speaker, the member is correct. I believe the end of October the federal minister of finance had announced that he was going to allow income splitting of

pension incomes. I think that was effective for the taxation year 2007 and because many Island pensioners are seniors living on fixed incomes, this will, of course, benefit those individuals. It is a loss of some tax revenue from the province to the province but given that those tax savings are going to be passed on to pensioners, many of those pensioners, seniors with fixed incomes, we welcome and support the move. We estimate that the tax measures foregone; that is, the relief from the federal tax and the provincial income tax for those people taking advantage of the splitting of pension incomes, will save Islanders about \$6.4 million in tax payments.

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

### POLITICAL AFFILIATION

**Mr. R. Brown:** Thank you very much, Mr. Speaker.

I want to go back to the Premier. Mr. Premier, in an affidavit filed in the Supreme Court of Prince Edward Island accepted by your government lawyers, which means you accept it as a government, I was never asked my personal party allegiances until May, 1997, when the current minister of agriculture - I can't say his name - asked me for this information. Mr. Premier, do you think this is acceptable for your MLAs asking political affiliations of people?

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, I don't know the context of that. I was not party at that discussion. We have something that was stated by one person. I can't reasonably

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comment on that.

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

**Mr. R. Brown:** Mr. Speaker, this is affidavits that have been filed in the Supreme Court of Prince Edward Island, accepted by the government lawyers, accepted by this government as facts. Now I'm going to go back to the Premier. You can waiver on it whatever way you want but if this was actually said, which you accept it, is this acceptable?

**Speaker:** The hon. Premier.

**Premier Binns:** Well, Mr. Speaker, as you know, government in order to settle these cases made an offer to these claimants and a settlement was made. I think that speaks for itself and cases were closed and I know the hon. member would like to bring each case up again and go through them all and so on. The reality is we've dealt with those. I can't - you know, I don't have the files in front of me here that he's got nor do I intend to bring them. I've never dealt with them. I've never been involved with these cases and we consider that the matter has been dealt with and is complete.

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

**Mr. R. Brown:** Mr. Speaker, I'll ask the Premier a direct question. Do you think that this is acceptable for politicians to be asking people their political affiliation, basically breaking the *Election Act* law because politicians aren't allowed to ask people how they vote? Do you believe that politicians

should be allowed to ask people that this sworn affidavit? Do you believe your MLAs should be asking people those questions?

**Speaker:** The hon. Premier.

**Premier Binns:** Well, Mr. Speaker, I think their actions speak for themselves and our actions are two things primarily that when we classified people, we didn't ask them if they worked for the government for 20 years or 10 year or 5 years or 30 years, what their political affiliation is, was. We said this is a job function that goes year round. It's important to government and if you've been doing a good job, we're going to classify those positions and we did that without regard to political affiliation. The people were not asked what their politics was. I happen to know that many of those people supported the Liberal Party, were often at Liberal Party meetings, never attended a meeting of my party but that was okay because they were doing a good job and I knew they'd continue to do a good job and I respected that so we changed the law. We also changed the law in regard to recall. That's where we stand and so seasonal employees are not asked what their affiliation is from election to election although some people change. We don't care. If they're doing a good job, then they keep their job.

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

**Mr. R. Brown:** Yes or no, Mr. Premier. Do you think that it's right for MLAs, Cabinet ministers, to be asking people their political affiliation?

**Speaker:** The hon. Premier.

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**Premier Binns:** Mr. Speaker, the hon. member doesn't seem to understand. I keep telling him. We have made those changes so that that is not asked for. We don't care about that.

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

**Mr. R. Brown:** Mr. Speaker, I'll try it this one more time. I know he'll go around in circles but yes or no, Mr. Premier. Do you believe that MLAs and Cabinet ministers should be asking people's political affiliations?

**Speaker:** The hon. Premier.

**Premier Binns:** I've already answered that question.

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

**Mr. R. Brown:** Yes or no, Mr. Premier. You haven't answered.

**Speaker:** The hon. Premier.

**Premier Binns:** Mr. Speaker, that's again why I changed the system because we didn't think the system was right. We wanted a system that was fair and remove that kind of discriminatory question.

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

**HIRING CASUAL EMPLOYEES**

**Mr. R. Brown:** Mr. Speaker, the Premier goes on about changing the system, changing

the system. Let's put it in perspective here. You fired over 1,000 people. You changed the law that people couldn't re-apply for their jobs, okay. Then in 2002 -2005 you come up with a new scheme and I'm going to tell the people of Prince Edward Island what it was. Casual people will be brought into the government. These were people that were brought in without going through the Civil Service Commission. Then after a few months or a few years, they would have what you call a casual conversion program and only those casual people that were in the system at the time hired by the MLAs and by the government members were allowed to re-apply for those jobs. Do you think those casual conversion processes you went through were legal?

**Speaker:** The hon. Premier.

**Premier Binns:** Well, I'd remind the hon. member that some of those people had been there 18, 20 years, perhaps 30 years in some cases and others were shorter. But the reality is that we converted those positions to eliminate discrimination. That, I think, has worked well. It does happen on occasion where someone is needed in an emergency or because a job has to be done and there isn't time to go to competition and people will be called in to a position and sometimes, yes, they do get valuable experience. It gives them an opportunity to work and I won't suggest that that never happen because it does happen on occasion but I can also tell him that it hasn't happened very much in recent years. He will in fact recall that we substantially reduced the size of the public service. We gave people a chance to retire with a severance package and they made their decisions in that regard and so there really has

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not been very much hiring done by government in recent years.

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

**Mr. R. Brown:** I can't believe this guy, Mr. Speaker, how he can get up and say this stuff. Go to your public service commission report for 2000. You inflated the Civil Service by more than 700 people. Go to your 2000 report just before the election. You hired over 700 people. Now I'm going to go back to you. How were those 700 people in the casual divisions hired, Mr. Premier?

**Speaker:** The hon. Premier.

**Premier Binns:** Well, Mr. Speaker, again when we changed the system, we set up a seasonal hiring centre where people would apply not controlled by the MLAs, separate division of government that would handle this hiring.

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

**Mr. R. Brown:** Mr. Speaker, is the Premier telling this House that no one was brought into government that didn't go through the seasonal hirings?

**Speaker:** The hon. Premier.

**Premier Binns:** I'm not sure if I heard that question 100% but I again want to restate that casual conversion was a program that we brought in to make improvements to the system. In fact, it was endorsed and supported by the Union of Public Sector Employees. It wasn't, as he would suggest, some kind of a

scheme. It was a planned program supported by the union that would recognize the good contributions that people were making.

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

**SETTLEMENT COST OF CLAIMS**

**Mr. R. Brown:** Mr. Speaker, yesterday in the House, the Premier upon a question by me the previous day indicated to this House and I'm going to quote it in the Hansard. In 1997-98 there was 749 complaints and the settlement cost is \$1.6 million. Do you stand by that number?

**Speaker:** The hon. Premier.

**Premier Binns:** Sorry, Mr. Speaker, I didn't hear that question.

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

**Mr. R. Brown:** Mr. Speaker, I'll repeat the question. Yesterday in the House, the Premier upon answering questions that I asked him the day before, his answer was: In 1997-1998 there was 749 complaints that settled at a cost of \$1.6 million. Do you stand by that number?

**Speaker:** The hon. Premier.

**Premier Binns:** Yes, I do and I also reported that there were 61 claims in the 1987 period. Not one has he reported to the House and the settling of those cost about \$600,000.

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



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**Mr. R. Brown:** Thank you very much, Mr. Speaker.

I will be tabling later in this House the public accounts report from 1997-1998, page 63 for all of you. You can go and read it. Human Rights Settlement - \$2,750,000. So who is right? I'm asking you, Mr. Speaker. Who is right - the public accounts of Prince Edward Island or the people who gave you that information?

**Speaker:** The hon. Premier.

**Premier Binns:** Well, Mr. Speaker, there's a chance that he's only telling part of the story here. He was asking about an amount paid out to these individuals. That's what I was talking about at least. I assume he was talking about the same thing. I expect that if there's a difference, it probably has to do with legal fees that may have been paid to counsel relative to these transactions.

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

**Mr. R. Brown:** Mr. Speaker, here is a Premier that criticized legal fees of the previous government. So are you telling this House that legal fees were \$400,000 for those settlement costs of \$1.6 million? Twenty-five percent of the cost was legal fees.

**Speaker:** The hon. Premier.

**Premier Binns:** I'd have to verify the numbers but I can try to break that down for him if he likes.

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

**DISCRIMINATION ACCOUNTS**

**Mr. R. Brown:** Mr. Speaker, another question to the Premier.

So were these human rights settlement cases right here on page 63 - Now these are directly out of the public accounts - were there other settlements of discrimination out of other accounts; i.e. the insurance account?

**Speaker:** The hon. Premier.

**Premier Binns:** Well, Mr. Speaker, if he wants to put these questions in writing, we'll try and answer them. Obviously, I don't have that kind of information at my fingertips. I don't have public accounts in front of me. He's going back a lot of years now and all I can tell him, once again, is that, you know, the difference between this government and their government is that they did nothing to correct the problem. We fixed the problem. We have put a system in place that's second to none and they can go back and review all these cases. They can do that from now to eternity. It's not going to change anything. What changed something was a government that had the fortitude and the vision and the commitment to make sure that these kinds of practices would not continue in the future and so we have made major changes to the provincial system which I believe are far beyond what had been done in the past and certainly what they would be prepared to do now. They still don't know what side of patronage they are on, two reports in every newspaper coming out from their party.

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

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**Mr. R. Brown:** I'll repeat it again. This politician will never ever go into a civil service office and fire them like you did or your other ministers, Mr. Premier.

Mr. Premier, I can believe you in saying you changed the system and made it better for people but really the system was changed in 1989 with amendments to the *Human Rights Act* brought in by the Liberal government. Now I can agree and believe you if you can deny like you knew the Charter of Rights or anything. But in his testimony at the Human Rights Commission in 1992, this is what you said. There has been a growing awareness of human rights that people have rights, especially in employment, and so you just don't remove people today as perhaps was the case in the past. You said that in 1992 under oath at a Human Rights Commission, Mr. Premier. You said you try to claim you're taking the high road but you knew in 1992 that the *Human Rights Act* was changed and that political discrimination was out of the play now. Why did you still continue to practise it when you got elected?

**Speaker:** The hon. Premier.

**Premier Binns:** Well, Mr. Speaker, I think it's clear that when I had the opportunity to make some changes to the system once we became the government, we did change the legislation. We brought in recall legislation. We classified public servants. You know, I don't have all that information in front of me. A lot of times the Opposition reads information which is only half there and they leave an impression about a person's position. This happened yesterday. The Leader of the Opposition was asking me about my position on Sunday shopping and he left most of my

position out from a quote with CBC radio on January 16<sup>th</sup> of 2002. And for the record, let me tell you what I said and this is a quote from the newspaper at that time. What I stated was, and I quote: We are prepared to hear what the business community has to say. I know the chamber members are surveying their members. We're hearing from the tourist operators in the province and municipalities considering this and, you know, it might be advisable to make some changes but we want to hear what people have to say before moving on that. And the reality is that I suggested that I was open to change at that time yet the hon. Leader of the Opposition tried to leave a much different impression the other day, tell half the story, not allow the full story to come out in context.

**Speaker:** Final question, he hon. Member from Charlottetown-Kings Square.

**Mr. R. Brown:** Thank you very much, Mr. Speaker.

The Premier likes to leave varying impressions but we proved today that the facts that are bringing back to this House are incorrect. Maybe you should send some of your people that work in your office on to other jobs, maybe ACOA or some place like that.

### TRAWLING OF OCEAN FLOOR

My question is for the minister of fisheries. Yesterday was World Fishery Day. One of the things that are being debated in the United Nations right now is the banning of trawling the ocean floors. What is your government's position on that resolution?

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**Speaker:** The hon. Minister of Agriculture, Fisheries and Aquaculture.

**Mr. Bagnall:** Yes, that's a really good question and it's a debate that's going on at the present time. We're actually supportive of the Minister Hearn in his stand on that issue because it's a bigger issue than just dealing with scallops or dragging here but it's dealing with the shrimp industry and it's a major issue. And the stand that Minister Hearn is taking on that is the proper stand.

**Speaker:** End of Question Period.