

## **LAW AMENDMENTS COMMITTEE**

**Red Room, Province House**

**Monday, November 30, 2015**

**1:00 p.m.**

### **Bill #134 - Liquor Control Act (amended)**

1:00 p.m.

1. Nichole McKim, Employee Relations Officer  
Ian Johnson, Servicing Coordinator/Policy Analyst  
*NSGEU*

### **Bill #133 - Motor Vehicle Act (amended)**

1:00 p.m.

1. Ben Wedge, Chair  
*Halifax Cycling Coalition*

### **Bill #136 - Motor Vehicle Act (amended)**

1:00 p.m.

1. Ben Wedge, Chair  
*Halifax Cycling Coalition*

### **Bill #118 - Heritage Property Act (amended)**

2:00 p.m.

1. Phil Pacey
2. Karen Brown, Senior Solicitor  
*Halifax Regional Municipality*
3. Elizabeth Pacey
4. Waye Mason  
Councillor, District 7  
*Halifax South Downtown*
5. Alan Parish

**Bill #134 - Liquor Control Act (amended)** continued

- 3:00 p.m.
1. Shirley Burdock  
*Injury Free Nova Scotia*
  2. Todd Leader  
*Psychologist, Saint Mary's University*

**Bill #133 - Motor Vehicle Act (amended)** continued

- 3:00 p.m.
1. Norm Collins

**Bill #131 - Maintenance and Custody Act (amended)**

- 3:00 p.m.
1. Rollie Thompson, Q.C.

**Bill #136 - Motor Vehicle Act (amended)** continued

- 4:00 p.m.
1. Max Rastelli
  2. Barry Barnet  
Executive Director,  
*All Terrain Vehicle Association of Nova Scotia*

**Bill #112 - Children and Family Services Act (amended)**

*deferred from previous meeting*

**Bill #127 - Labour Standards Code (amended)**

*deferred from previous meeting*

**Bill #128 - Labour Standards Code (amended)**

*no representation*

**Bill #129 - Securities Act (amended)**

*no representation*

**Bill #130 - Community of Sackville Landfill Compensation Act (amended)**

*no representation*

**Bill #135 - Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation  
(Nova Scotia) Act (amended) and Offshore Licensing Policy Act (repealed)**

*no representation*



**Notes for a Submission**

**By**

**Joan Jessome**

**President**

**Nova Scotia Government and General Employees Union**

**To the**

**Law Amendments Committee**

**On**

**Bill 134 -**

**Liquor Control Act (amended)**

**November 30, 2015**

## Introduction

Thank you, Madam Chairperson and members of the Committee for this opportunity to speak to you about Bill 134 – *Liquor Control Act (amended)*. Our President Joan Jessome is unable to be here today. We are here speak on her behalf about this Bill. I am Nicole McKim and I work as an Employee Relations Officer with the Union for which part of my responsibility is to assist our members who work in liquor stores, the warehouse, and the head office of the Nova Scotia Liquor Corporation. I also worked as a liquor store clerk for ten years prior to my coming to work with NSGEU. With me is Ian Johnson, who is a Servicing Coordinator and Policy Analyst with the Union.

The Nova Scotia Government and General Employees Union (NSGEU) is the largest union in the province representing approximately 31,000 workers across the public sector in the provincial government, corrections, health care, public schools, community colleges, universities, municipalities, and community organizations. Of particular interest for this Bill is that we are privileged to represent approximately 1200 employees of the Nova Scotia Liquor Corporation in the liquor stores, the warehouse, the head office, as well as the managers and assistant managers of the stores.

In general, I want to clearly indicate that we are strongly opposed to this Bill in its present form.

There seem to be two main aspects to Bill 134:

- Changing or opening up where sales of alcoholic products can take place
- Allowing these changes to be decided by regulation without having to bring forward legislative initiatives and face the scrutiny of open public debate and accountability.

We are very concerned about any piece of legislation that gives new broad regulatory powers to the Cabinet, but especially so, when these new powers

would apply to the sale of alcoholic products. We understand all the current buzzwords about cutting red tape, modernizing legislation, and creating regulatory excellence. But we do not agree that government should get out of the way of business, or abdicate its principal responsibility of serving the public interest and helping to improve the lives of all Nova Scotians, not just the business community. Government does not exist solely to advance the interests of business. We not believe that business alone drives our economy forward. All citizens, communities and sectors can help make a difference including the public sector and public sector employees.

The consequences of increased access to alcoholic products are well known. There are significant health, legal, social, and yes, even economic costs to allowing increased access without adequate controls and protections. This Bill may only specifically apply to the Nova Scotia liquor manufacturing industry, but it is quite clear that the intent of the government is to move much further beyond that one set of changes, supposedly to help make businesses more competitive. It could well mean sales of wine and beer in corner stores, and still more agency stores, as well as allowing alcoholic products to be sold by hotels and by restaurants away from their premises, opening up some private liquor stores, and ultimately, privatizing or contracting out parts or all of the NSLC.

One of important strengths of the current NSLC structure and operations is a significant commitment to social responsibility, especially by our members who work in the 103 stores across the province. They are highly trained to ensure the responsible use of alcoholic products. You cannot assume that allowing more outlets to sell alcoholic products will have little impact on public safety or on the costs to individuals, families and their communities. The Minister talked in Second Reading about balancing public access and public safety, but there is little in this Bill or in the comments of the Minister to show how that balance will be achieved.

We are also very concerned about how this Bill will allow future changes to the sale of liquor products to be decided behind closed doors by the Cabinet when they should be decided openly and broadly through extensive public debate and discussion. Bill 134 is yet another attack by this government against the democratic rights of Nova Scotians, in addition to its unceasing attacks on collective bargaining rights and on the right of workers to organize and to choose their own union. There will be even less openness or accountability if this Bill is passed in its present form.

The Minister said the government has been consulting extensively with Nova Scotia liquor manufacturers about the changes reflected in this Bill. But he or they did not consult at all with us who are involved extensively in this industry. We only heard about this Bill in the media a few days ago. Nor did we see any effort to reach out to municipalities, health organizations, community groups, or Nova Scotians as a whole. A much more extensive consultation process must be undertaken.

Bill 134 is also represents a major reversal of a written commitment of the then Liberal Opposition. During the 2013 election, then Opposition Leader Stephen McNeil committed: "A Liberal government will not privatize or sell off the NSLC, nor will we change the manner in which alcohol is regulated in Nova Scotia". This Bill will drastically change the way alcohol is regulated as well as how such decisions are being made. In our view, this change by the government is completely unacceptable.

For all these reasons, the NSGEU believes that Bill 134 should be set aside until all Nova Scotians are fully and extensively consulted on the types of changes being contemplated by this Bill. We also believe there should be a health and public safety impact assessment of what the types of changes which the government is considering. will mean for individuals, families and communities. The Bill should not go forward in its present form.

We thank the Committee for this opportunity to speak with you, and we welcome any questions and comments.





Nova Scotia Legislature  
Law Amendments Committee  
c/o Legislative Counsel Office

November 30, 2015

**Re: Bill 134 – Amendments to the Liquor Control Act**

To Whom it May Concern:

I am writing to you on behalf of the Craft Brewers Association of Nova Scotia. CBANS represents craft breweries in every region of the Province, including seventeen microbreweries and seven brewpubs from Sydney to Yarmouth. More than half of our members are located in rural communities, and our members employ more than 300 hundred hard working Nova Scotians. Our industry has more than doubled in size since 2011 and we now retail more than \$16 million dollars of locally made craft beer annually in Nova Scotia. Our members have won national and international awards for our products and export sales are growing every year, establishing our industry's products as world class and Nova Scotia as a destination for craft beer lovers across North America and the world.

I would like to take this opportunity to express our support for Bill 134 amending the Liquor Control Act, and for all recent efforts of the government to reduce red tape and modernize legislation to benefit Nova Scotia beverage alcohol manufacturers. We welcome the progress this Bill represents and the potential for changes to the Liquor Licensing Regulations for manufacturers that will enable our industry to continue to grow and become more efficient and competitive. We have been in consultation with Service Nova Scotia about the proposed changes since early summer and look forward to further discussions with government. Our industry is making a significant contribution to the Nova Scotia economy and we need the support of government to ensure we remain competitive with other jurisdictions. Modernizing outdated regulations and eliminating unnecessary barriers is a key part of this process.

Thank you for the opportunity to provide input on this process, and we look forward to working with the government further on implementation of these changes in the coming months. If you require any additional information from us please don't hesitate to contact me.

Yours Sincerely,

Emily Tipton  
Founding Partner, Boxing Rock Brewing Company (Shelburne, NS)  
President, Craft Brewers Association of Nova Scotia

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**From:** Donna Sparkes <dsparkes@devoniancoast.ca>  
**Sent:** Friday, November 27, 2015 4:34 PM  
**To:** Office of the Legislative Counsel  
**Cc:** Price Hudson, Jennifer L; terry.farrell@live.com; Carl Sparkes  
**Subject:** Support for the ammendments proposed to the Liquor Control act

To whom it may concern:

My husband and I are the owners of Jost Vineyards and have been living with a serious operational hurdle as it relates to two separate liquor licenses covering both our retail shop and the food service area which are on opposite ends of the same large room. An imaginary line exists between where one license begins and the other ends. The line is actually in the middle of our tasting bar! These ludicrous regulations and restrictions to our business need to change as they are costly and are hindering our growth.

The proposed changes to the act would positively impact Jost in a number of ways. One of the more costly problems these archaic restrictions create is the duplication required to staff two distinct areas. During our busy season we need to have 50% more staff on the floor to perform the same functions on two sides of the same space. We have one circular bar; tasting on one side and by the glass on the other. It could be a smooth transition for our staff if they could serve our customers on either side of the bar.

Explaining to our on premise customers that they cannot take the wine by the glass over to one side of the bar to shop the retail space or have a tasting on the side where they are sitting becomes very difficult and has caused more than a few annoyed guests. It is hard to justify this rule, as it doesn't make sense.

During busy times someone has to constantly monitor customers, telling them to move to one side of the bar or the other with their wine by the glass or tasting glass.

This imaginary line down the middle of our winery brought on by the existing regulations is hard to explain, to control, to monitor and to staff. We have over 40,000 visitors a year, you can imagine how confusing it is, especially when we're trying to explain this policy to someone from Germany, China or the USA. It is the single largest issue that our guests complain about. Some even get angry as they think it is our own ridiculous policy.

We are very proud of the changes here at Jost Winery and are excited about our hiking/biking trails, new restaurant and other destination related investments. Bringing more visitors to the North Shore is one of our main goals, but we want people to come back and make their visit as smooth as possible. Not having to tell them to move 2 feet to enjoy their glass of wine.

Hopefully, this Act can be changed to accommodate Nova Scotia's emerging wine region. We believe it is growing into a significant tourist attraction and NS wineries are stepping up the game. Now we all need the regulations to move forward in support of our industry so we can be the best we can be.

Thank you

Donna Sparkes  
Co-owner

Devonian Coast Wineries Ltd.

[REDACTED]  
St. Margarets Bay  
Nova Scotia  
[REDACTED]

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**From:** Stewart Creaser <stewart@avondalewine.ca>  
**Sent:** Friday, November 27, 2015 9:28 PM  
**To:** Office of the Legislative Counsel  
**Cc:** Price Hudson, Jennifer L  
**Subject:** Liquor Control Act proposed changes

I am in favour of the proposed changes to allow a winery to serve tasting samples, sell bottles of wine and serve wine by the glass in a common retail area of a winery. We do not see this change as one that should make any noticeable change in our current sales volume. It will however allow for a much more simplified and less confusing environment for our customers and staff. We will save on both staffing costs and on wine wastage if it is no longer a requirement to serve from to adjacent (either side of an imaginary line) but separately licensed areas, each of which must be staffed and have wine open to serve.

We receive many negative comments from customers both locally and from other countries that they cannot understand why the liquor regulations in Nova Scotia are so antiquated and contrary to common sense business practice.

Thank You

Stewart Creaser  
*Avondale Sky Winery*  
80 Avondale Cross Road  
RR2 Newport, N.S.  
B0N 2A0  
Phone - 902-253-2047  
Cell - 902-497-5954  
Fax - 902-253-2057  
stewart@avondalewine.ca

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**From:** Kim Hatcher <kim@luckyvineyards.com>  
**Sent:** Saturday, November 28, 2015 12:04 PM  
**To:** Office of the Legislative Counsel  
**Subject:** Licencing feedback

To whom it may concern,

As the employee responsible for licencing and permits for Lockett Vineyards, I can say without a doubt, that the recent openness and desire to reevaluate licencing requirements has been met with a great deal of support.

The idea of a licence being inclusive to an entire premises not only makes logical sense, it also takes the burden off vineyards to maintain separate staffing for areas within the same building.

While I do not think anyone would deny the benefit of clear and concise regulation to maintain the integrity and safety of our industry, there is no clear benefit to the "invisible line" between permitted and licenced areas. This line does not offer patrons additional safeties or ensure that licenced establishments are offering their products in a responsible manner. One governing body with a clear set of standards and regulations would provide our fiscally necessary tourist sector with an improved and substantially less convoluted experience while allowing staff to enforce and abide by a clear set of parameters that are inclusive to the manufacturing, sale and sampling of their products from start to finish. Any amendments that encourage and support manufacturers while maintaining and enforcing safety standards set by Alcohol and Gaming would certainly be a benefit to our industry and to tourism, which in turn, is a huge benefit to the province of Nova Scotia as a whole.

Thank you for your time and considerations,

Sincerely,

Kim Hatcher



**KIM HATCHER**  
**VINEYARD OFFICE MANAGER**

902.542.2600 OFFICE ...  
KIM@LUCKETTVINEYARDS.COM ...  
LUCKETTVINEYARDS.COM

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**From:** Kevin Murphy <kmurphy@mhgpei.com>  
**Sent:** Sunday, November 29, 2015 1:18 PM  
**To:** Office of the Legislative Counsel  
**Cc:** Price Hudson, Jennifer L  
**Subject:** Proposed Legislative Amendments

To whom it may concern:

I want to express my support for Bill 134 presently being debated and proposed in the legislature. I am presently the owner of The Gahan Brewery and Restaurant on the Halifax Waterfront as well as the owner of Rogues Roost Brewery and Restaurant until we closed it in September of 2015. We also operate Prince Edward Island Brewing Company in Charlottetown and export product for retail distribution through the NSLC. As a producer of beer in Nova Scotia we are very much in favour of modernizing regulations that govern this industry in order to provide the producers an environment that is progressive and competitive to other jurisdictions. I do support the proposed changes to the Liquor Control Act as proposed in Bill 134.

I realize BILL 134 does not change any regulations but rather gives the regulatory body the power to do so if and when they see fit. As you are aware the Nova Scotia Craft Brewers Association have been working very close with these regulatory bodies to make changes that will enable craft breweries to operate in a more efficient and competitive way in Nova Scotia compared to other jurisdictions.

The craft beer industry has been exploding over the past number of years and there is great opportunity for Atlantic Canada to capitalize on this growth. There has been many changes to other jurisdictions to react to this growth in the craft beer industry and it only makes sense that Nova Scotia with its 23 craft breweries makes the necessary changes to capitalize on the growth of this industry .

Kevin Murphy  
Owner  
The Gahan Brewery and Restaurant  
Halifax  
Nova Scotia

**LAW AMENDMENTS COMMITTEE**

**Red Room, Province House**

**Wednesday, December 2, 2015**

**9:30 a.m.**

**Bill #112 - Children and Family Services Act (amended)**

*deferred from previous meeting*

**Bill #118 - Heritage Property Act (amended)**

*deferred from previous meeting*

**Bill #131 - Maintenance and Custody Act (amended)**

*deferred from previous meeting*

**Bill #133 - Motor Vehicle Act (amended)**

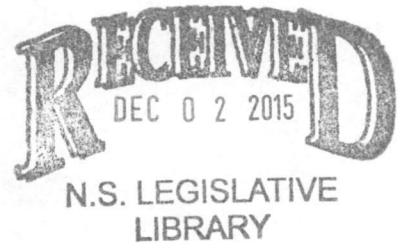
*deferred from previous meeting*

**Bill #134 - Liquor Control Act (amended)**

*deferred from previous meeting*

**Bill #136 - Motor Vehicle Act (amended)**

*deferred from previous meeting*



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**From:** Bruce Ewert <bruce@lacadievineyards.ca>  
**Sent:** Tuesday, December 01, 2015 2:48 PM  
**To:** Office of the Legislative Counsel  
**Cc:** Price Hudson, Jennifer L; White, Jeremy  
**Subject:** Liquor Control Act - Bill 134 - Our support

Re: Bill 134 Allowing a Liquor Licensed Area in our Wineshop/Tasting Room

L'Acadie Vineyards supports this amendment of the Liquor Control Act. We are a small winery and creating and managing a separate area from our wineshop/tasting room to conduct by-the-glass sales is difficult and expensive. It has prevented us having this revenue source. With this amendment we will be able to offer our customers an opportunity to experience our wines in a relaxed setting and this will result in increased sales.

Sincerely,  
Bruce Ewert and Pauline Scott  
Owners, L'Acadie Vineyards  
Gaspereau, NS  
902-██████████

CARRIED

**Bill #134  
Liquor Control Act (amended)**

**CHANGES RECOMMENDED TO THE LAW AMENDMENTS COMMITTEE  
BY THE MINISTER OF SERVICE NOVA SCOTIA**

**Clause 3, proposed clause 50(ca) - delete and substitute the following:**

(ca) authorizing, in respect of a licence or class of licences, the sale of liquor, or any particular quantity or kind of liquor, for consumption away from the premises where the liquor is sold if the holder of the licence also holds a permit to manufacture that liquor;

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