



House of Assembly
Nova Scotia

DEBATES AND PROCEEDINGS

Speaker: Honourable Charlie Parker

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Second Session

THURSDAY, DECEMBER 9, 2010

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House of Assembly
Nova Scotia

HALIFAX, THURSDAY, DECEMBER 9, 2010

Sixty-first General Assembly

Second Session

12:00 NOON

SPEAKER

Hon. Charlie Parker

DEPUTY SPEAKERS

Mr. Gordon Gosse, Mr. Leo Glavine, Mr. Alfie MacLeod

MR. SPEAKER: Order, please. We'll get today's proceedings underway and welcome everybody here for a Thursday.

Before we begin the daily routine, I want to introduce a special guest in the Speaker's Gallery, former MLA and a former Speaker from the Province of New Brunswick. I'd ask you to give a warm welcome to Eugene McGinley. (Applause) It's always great to have former MLAs here with us in the House, from either Nova Scotia or from other provinces, so it's good to have Mr. McGinley with us here this morning.

We'll begin the daily routine.

PRESENTING AND READING PETITIONS

MR. SPEAKER: The honourable member for Victoria-The Lakes.

MR. KEITH BAIN: Mr. Speaker, I beg leave to present a petition on behalf of the residents using the Middle River West Road, the operative clause being:

“We, the undersigned, are concerned citizens who urge the Department of Transportation and Infrastructure Renewal to make the repaving of Middle River West Road a priority.”

The petition contains the signatures of 265 individuals, and I have affixed my signature as well.

MR. SPEAKER: The petition is tabled.

The honourable member for Cole Harbour-Eastern Passage.

MS. BECKY KENT: Mr. Speaker, I beg leave to table a petition on behalf of the residents of Eastern Passage. The operative clause is:

“Eastern Passage is the largest community in Nova Scotia without a high school. We, the undersigned, support the building of a new high school in Eastern Passage, and feel that it should be a priority for both the Halifax Regional School Board and the Government of Nova Scotia.”

Mr. Speaker, as required by the rules, I have affixed my signature.

MR. SPEAKER: The petition is tabled.

The honourable member for Cape Breton West.

MR. ALFIE MACLEOD: Mr. Speaker, I beg leave to table a petition, with the operative clause being:

“NOW is the time to save lives and prevent severe disability. NOW is the time to allow the disabled to choose a form of health care that is available to everyone else in Canada except for people who have MS. It is not the time to say that rules are rules, that rules cannot be broken, or that there is not enough money in the budget! Many Nova Scotians have received treatment in different countries, and have come back with amazing results such as reduced fatigue, ability to walk, use of hands, improved balance, and over all [sic] improved quality of life. You know some of them and have helped many of them through your generosity! There are still many more who want this treatment but are unable to make the long trip or do not have the funds.”

There are 740 names on this petition, Mr. Speaker, and I have attached mine, and this goes along with the 10,000-plus that have already been tabled in this House.

MR. SPEAKER: The petition is tabled.

PRESENTING REPORTS OF COMMITTEES

TABLING REPORTS, REGULATIONS AND OTHER PAPERS

MR. SPEAKER: The honourable Deputy Premier.

HON. FRANK CORBETT: Mr. Speaker, I'd like to table *Moving Toward Equity, Employment Equity and Diversity in the Nova Scotia Public Service, 2009-2010*.

MR. SPEAKER: The document is tabled.

The honourable Minister of Finance.

HON. GRAHAM STEELE: Mr. Speaker, I'd like to table a document entitled *Capital Plan 2011-2012*.

MR. SPEAKER: The document is tabled.

STATEMENTS BY MINISTERS

MR. SPEAKER: The honourable Minister of Finance.

[12:15 p.m.]

HON. GRAHAM STEELE: Mr. Speaker, for the first time ever, the Government of Nova Scotia is tabling a capital plan in advance of the Spring budget. We are doing so for two important reasons. The first is to be more open and accountable about the operations of government. In this session alone, we have introduced a new Auditor General Act, a new Conflict of Interest Act, a new Public Sector Compensation Disclosure Act, a new Public Interest Disclosure of Wrongdoing Act, and amendments to the Lobbyists' Registration Act.

The tabling of a capital plan fits with this theme. It also fits very closely with the recent tabling of a five-year road plan. We believe that it is necessary and important for there to be more information available to the public about capital projects. More information leads to better debate and more accountability, and that can only make us sharper in our approach to capital investments.

The second reason for tabling a capital plan in advance of a budget is to improve planning, both inside government and in the private sector that may bid on these projects. It was sometimes problematic and always inefficient for uncertainty about the government's capital intentions to extend to budget time and into the start of the building season, which is short enough as it is.

I would note that last year when we asked Deloitte to undertake a review of the province's finances, we asked them to advise us of the pros and cons of improving the capital budget process. To summarize, Mr. Speaker, they concluded that a December capital plan would "... provide increased transparency, encourage greater focus on capital decision making, and ... it would allow for earlier tender planning and preparation."

So with that, I turn now to the capital budget itself. The capital budget for 2011-12 is estimated at \$560 million. This follows two record years for capital spending: \$796 million in 2009-10 and \$711 million in 2010-11. As everyone will be aware, these levels of capital spending were the result of federal-provincial stimulus spending designed to counter a deep economic recession. With the winding down of stimulus spending, we can expect the capital budget to return gradually to more normal levels.

In 2011-12 highway capital is expected to be \$265 million. Buildings, including schools, \$149.5 million; information technology projects, \$35.3 million; vehicles and equipment, \$15.9 million; and capital grants, \$94.3 million. I want to emphasize that these figures are not absolutely fixed for two reasons.

First, no definite figure can be given until the 2011-12 budget is approved by this House. It is this House that has the last word on public spending and, of course, we respect and honour that tradition. Secondly, there always has to be some flexibility to take account of unexpected and significant capital issues that arise after the release of the plan and throughout the next year. The recent weather events in Meat Cove and Yarmouth County are good examples of why we need to be open to change as events unfold. But with those two important caveats, this figure does represent the government's capital intentions for the next fiscal year. The capital budget presented to the House in the Spring will be \$560 million or something very close to it, and the list of projects will be the list presented to the House today or something very close to it.

This capital plan embodies this government's priorities for the province: living within our means, better health care for families, and creating good jobs and growing the economy. With that, Mr. Speaker, I'm pleased and proud to introduce Nova Scotia's first Fall capital plan. (Applause)

MR. SPEAKER: The honourable member for Kings West.

MR. LEO GLAVINE: This was one of the recommendations from the Deloitte Financial Review Phase 2. There are currently two provinces with separate capital budgets, New Brunswick and Prince Edward Island. P.E.I. has prepared and tabled a five-year capital budget, authorized by the Legislature in the Appropriation Act, Capital Expenditure 2009. New Brunswick has specific legislation requiring the preparation and submission of capital budgets, Fiscal Responsibility and Balanced Budget Act, which requires a capital budget to be presented by December 31st of each year. Prior to this, there was no single public listing of all government capital projects, both planned and underway.

This is a good first step. What is supplied is a list of projects. What this plan lacks are the details. There are no cost breakdowns for each individual project, there are no timelines associated with each individual project. It isn't even clear if a project is necessarily new or if it is an in-progress project. Today, people who work in industry will have a little more of a heads-up on what government plans to do but they won't get any details on tendering information or construction information. Today, Nova Scotians will have a better idea of activity which may or may not be going on in their communities, but apart from that, they won't have much more by way of detail about these projects.

We are pleased to see some flexibility is built in, in case unexpected issues arise throughout the year, the minister has referenced Yarmouth and Meat Cove as two that are with us currently. This particular plan is in its infancy and we are wondering if there will be future plans with more detail. This particular plan is a single year. We would be pleased to see a multi-year plan. If a more detailed plan is developed in the future, will we see time set aside in the Legislature specifically designed to debate the merits of these projects, something along the lines of the debate on the estimates? A capital plan can be tabled whether the House is in session or not. Without requiring a legislative session, timing becomes important. Will there be a requirement for a full capital plan to be tabled by a certain date to ensure that debate in the Legislature can take place? These are a few of the questions that remain but we do commend government for this first capital plan, this first effort. Thank you, Mr. Speaker.

MR. SPEAKER: The honourable member for Inverness.

MR. ALLAN MACMASTER: Mr. Speaker, this plan is about government planning ahead to have tenders approved in advance of the construction season so Nova Scotians can have their roads paved, their hospital renovations constructed and other infrastructure built each year without delay. I think this is a good idea.

I would caution this government and ask them not to take for granted the role of this Legislature to approve the capital budget each Spring. We have seen this most recently with Bill No. 100 where government has decided to post for a position for a proposed Labour-Management Review Board before the Legislature has approved the passing of that legislation. Bill No. 100 has not even been approved by the members of this House who represent all Nova Scotians, yet government is setting the terms of this new position, has gone out to fill the job, while at the same time we have a private sector, non-unionized group of employers who employ seven of every 10 Nova Scotians, whose concerns about the legislation do not seem to matter. If it did, government would not be going out to hire someone to do the job before this Legislature has agreed to what that person is supposed to do in the job.

This highlights three things: respect for Nova Scotians to participate in democracy; respect for this institution - this House of Assembly - where each of us has a duty to represent the people who have placed their faith in us; and respect for those employed in non-unionized workplaces where decisions will be made about their workplaces without their input.

I believe in the value of majority governments. They allow governments to be decisive, to show leadership and to get things done, but with this comes responsibility - responsibility to respect other opinions and to be open to the ideas of others. Without this respect, we have very limited democracy. So may these remarks be a friendly reminder to this government that we come to this Chamber to share our views, because democracy should happen here, in this Chamber, where all Nova Scotians are represented and not just inside perhaps a Cabinet Room or an office that is not in this Chamber, otherwise, we risk treating this Legislature as a mere rubber stamp when it can be about so much more.

Mr. Speaker, today I have learned a lesson and, if I am ever fortunate enough to sit on that side of the House, I will remember to keep an open mind so that decisions I bring to this Chamber are not final decisions but decisions open to the input of other members of this House because, by working together, the winners are Nova Scotians and I believe that is what they want us to be doing here anyway.

Today we see value in what the government is doing. We have a shorter construction season than other jurisdictions that have warmer climates, and having a capital plan in place well before that season begins means that contractors will have more time to prepare to do the work and more time to spread out the work because they will be ready to go on the first day of the season. This may attract more bidders for each contract and may save our province money, and any time we can optimize the resources of our province for Nova Scotians, that is a good thing.

Mr. Speaker, when I think about capital planning I think about roads. I want to thank a minister of this government for his openness, and I believe that minister is a good example to all of us - I am speaking about the Minister of Transportation and Infrastructure Renewal and he should know that the people of Inverness appreciate the door of his office being open to help address their needs.

With that, Mr. Speaker, I will conclude my remarks. Thank you.

GOVERNMENT NOTICES OF MOTION

MR. SPEAKER: The honourable Minister of Education.

RESOLUTION NO. 2933

HON. MARILYN MORE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Nova Scotia students continue to perform above the international average in reading, mathematics, and science, according to the 2009 Programme for International Student Assessment, released on December 7th; and

Whereas our students are again demonstrating that they are among the best in the world, faring well against many of their counterparts in the United States, the U.K., and much of Europe; and

Whereas Nova Scotia's best showing in the assessment was in reading, placing 13th in the world;

Therefore be it resolved that the members of this House congratulate Nova Scotia's students, teachers, and school boards for their excellent work and results in the 2009 Programme for International Student Assessment.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable Minister of Health.

RESOLUTION NO. 2934

HON. MAUREEN MACDONALD: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Dr. Izzeldin Abuelaish is an author, a Nobel Prize nominee, a doctor, and a survivor of tremendous tragedy; and

Whereas Dr. Abuelaish, a former resident of Gaza, bore witness to the Israeli-Palestinian conflict first-hand, and suffered the devastating loss of his three daughters and niece in 2009; and

Whereas Dr. Abuelaish, now a professor at the Dalai Lama School of Public Health at the University of Toronto, firmly believes that medicine transcends political and cultural borders and focuses on the human need to end disease and suffering;

Therefore be it resolved that all members of this House commend Dr. Izzeldin Abuelaish for his dedication to the medical profession and his ongoing commitment to end conflict and promote peace.

Mr. Speaker, I request waiver of notice and passage without debate.

[12:30 p.m.]

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable Minister of Tourism, Culture and Heritage.

RESOLUTION NO. 2935

HON. PERCY PARIS: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Windhorse Farm owned by the Dresher family has been recognized by the Tourism Industry Association of Nova Scotia with a Crystal Tourism Award of Excellence; and

Whereas Windhorse Farm was presented with the Parks Canada Sustainable Tourism Award for reflecting the three pillars of sustainable tourism: economic viability, environmental sustainability, and cultural appropriateness; and

Whereas Windhorse Farm should be commended for its commitment to excellence, encouraging an appreciation and respect for our natural culture and aesthetic heritage, and fostering greater public awareness of the economic, social, cultural, and environmental significance of tourism;

Therefore be it resolved that all members of this House congratulate Windhorse Farm and its owners, the Dresher family, for the TIANS award and wish them continued success in the future.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

INTRODUCTION OF BILLS

Bill No. 131 - Entitled an Act to Establish a Code of Ethics for Members of the House of Assembly. (Hon. Stephen McNeil)

MR. SPEAKER: Ordered that this bill be read a second time on a future day.

NOTICES OF MOTION

MR. SPEAKER: The honourable Leader of the Official Opposition.

RESOLUTION NO. 2936

HON. STEPHEN MCNEIL: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Joe Tidd was recognized as a builder at the first Bridgetown and Area Sports Hall of Fame induction on November 20, 2010; and

Whereas Mr. Tidd for over 40 years has ensured that the ice at the Bridgetown Curling Club and the greens at the Bridgetown Lawn Bowling Club were always in the best of shape for its members and visiting teams; and

Whereas it is through the hard work and dedication of volunteers such as Mr. Tidd that Bridgetown has such a proud heritage in recreation;

Therefore be it resolved that the members of this House of Assembly congratulate Joe Tidd on his well-deserved induction to the Bridgetown and Area Sports Hall of Fame, and wish him continued health and happiness into the future.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable Leader of the Progressive Conservative Party.

RESOLUTION NO. 2937

HON. JAMIE BAILLIE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Trevor Gabriel of Springhill worked hard leading up to the Absolute Fighting Canada's fifth amateur mixed martial arts card; and

Whereas Gabriel survived three intense rounds and won by unanimous decision of the judges; and

Whereas Trevor Gabriel trained in the sport in his hometown of Springhill, giving him what he felt was an advantage that secured him his first amateur win in that sport;

Therefore be it resolved that all members of this House congratulate Trevor Gabriel on his victory in the absolute fighting ring and wish him much success in his future endeavours.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Cape Breton South.

RESOLUTION NO. 2938

HON. MANNING MACDONALD: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the key to a competitive economy starts with ensuring our future workforce is well educated; and

Whereas cutting 22 per cent from P to 12 education budgets does nothing to foster a culture which values knowledge and learning; and

Whereas in 2001 the Leader of the NDP, and now Premier, stated: "The province appears to be more interested in formulas and balanced budgets than delivering quality education.";

Therefore be it resolved that in light of drastic education cuts, which may result in school closures, massive staff layoffs and cuts to programs, the Premier explain to the constituents of Cape Breton Nova why he now believes that quality education should be sacrificed for balanced budgets.

MR. SPEAKER: The notice is tabled.

The honourable member for Cape Breton West.

RESOLUTION NO. 2939

MR. ALFIE MACLEOD: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Jerry Giorno Memorial Cup Race is always a popular event at Ski Ben Eoin; and

Whereas the Ben Eoin Ski Team, with their head coach Roger Hardy, is part of Alpine Ski Nova Scotia; and

Whereas 14-year-old Malcolm Jonah of Albert Bridge and 17-year-old Josh MacDonald of Big Pond were key participants in the 2010 Giorno Memorial Cup Race;

Therefore be it resolved that all members of this House of Assembly applaud the Ben Eoin Ski Team, the participants in the annual Jerry Giorno Memorial Cup Race, and all skiers who are tabulating points in the annual Nova Scotia alpine skiing series.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable Leader of the Official Opposition.

RESOLUTION NO. 2940

HON. STEPHEN MCNEIL: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Howie Jackson was recognized for his remarkable athletic achievements at the first Bridgetown and Area Sports Hall of Fame induction on November 20, 2010; and

Whereas Mr. Jackson was an outstanding natural athlete in all of his endeavours, however, he was a master of the long and triple jump, setting records in 1964 in both events that remain today, 64 years later, unchallenged; and

Whereas for over 50 years sports have been an important part of Howie Jackson's life, with involvement not only as an athlete but as a coach and an official;

Therefore be it resolved that the members of the House of Assembly congratulate Howie Jackson on his well-deserved induction into the Bridgetown and Area Sports Wall of Fame.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Argyle.

RESOLUTION NO. 2941

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas anniversaries are an occasion for family and friends to celebrate the life of two individuals united as one; and

Whereas it has been said that a marriage anniversary is the celebration of love, trust, partnership, tolerance and tenacity, but the order varies in any given year; and

Whereas on November 13, 2010, a very special occasion took place when Gustave and Marie Surette celebrated their 60th Wedding Anniversary;

Therefore be it resolved that all members of this House of Assembly join me in congratulating Gustave and Marie on this remarkable milestone in their life together and wish them many more happy years.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Halifax Clayton Park.

RESOLUTION NO. 2942

MS. DIANA WHALEN: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Charles Dickens' *A Christmas Carol* is a holiday classic that challenges us to help the less fortunate and keep the spirit of Christmas year-round; and

Whereas a dramatic reading of the holiday classic was held at the Bella Rose Theatre with actors in Victorian costume, musical interludes and American sign language for the deaf; and

Whereas Wanda Lee Burrill Kowalczyck, a member fo the Bella Rose Theatre Board, organized the performance in support of fine arts in the community;

Therefore be it resolved that the members of the House of Assembly congratulate Wanda Lee Burrill Kowalczyck and the many volunteer actors, musicians and others who made the performance so very magical.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Colchester North.

RESOLUTION NO. 2943

HON. KAREN CASEY: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Nova Scotia's civil servants are committed to working to provide the best quality of service to families, to businesses, and to communities across the province; and

Whereas each year the Nova Scotia Public Service Commission says thank you to the long-serving members through the Long Service Award Program; and

Whereas Howard Matthew Frame of Colchester North was recognized for his 30 years of service with the Department of Natural Resources;

Therefore be it resolved that all members of the House of Assembly congratulate Howard Matthew Frame for his service to the Government of Nova Scotia over the last three decades.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Kings West.

RESOLUTION NO. 2944

MR. LEO GLAVINE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Nova Scotia Health Research Foundation celebrated its 10th Anniversary by honouring the next generation of health researchers when they awarded 10 \$10,000 scholarships to Grade 12 students across the province this past June; and

Whereas the Decade Award is the only scholarship program in Canada, which enable young Nova Scotians the opportunity to better understand the positive impacts of health research to our province; and

Whereas Kenneth Wheadon of Horton High School in Wolfville was a winner for his essay entitled *Depression*;

Therefore be it resolved that members of the House of Assembly congratulate Kenneth Wheaton on his receipt of the Decade Award and wish him all the best in his future endeavours.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Cape Breton North.

RESOLUTION NO. 2945

HON. CECIL CLARKE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on November 8th, Cape Breton University, in partnership with Sydney Academy and the Cape Breton Victoria Regional School Board, launched the Viola Desmond Chair in Social Justice, awarded to a faculty member who will pursue initiatives and raise awareness; and

Whereas Graham Reynolds is the first holder of the Viola Desmond Chair in Social Justice; and

Whereas Viola Desmond's sister, Wanda Robson, was in attendance and told the new Chair, "You got a lot of work to do and a long way to go to end racism but we are headed in the right direction";

Therefore be it resolved that all members of this House of Assembly join me in congratulating Graham Reynolds as the first Chair of Social Justice and wish him success as he works to engage the community to further social justice issues such as the one fought by Viola Desmond and thank Wanda Robson for her outstanding work, advocacy and education initiatives.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Preston.

RESOLUTION NO. 2946

HON. KEITH COLWELL: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Simmons Paving Company recently received the 2010 Hector Jacques Award of Business Excellence from the Black Business Initiative; and

Whereas Simmons Paving is located in North Preston and has been operating since 1975; and

Whereas Simmons Paving has been providing exceptional paving services and customer service for the past 35 years;

Therefore be it resolved that the members of this House congratulate Simmons Paving on the receipt of this outstanding award and wish them well on their 35th Anniversary and in their future business endeavours.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Victoria-The Lakes.

RESOLUTION NO. 2947

MR. KEITH BAIN: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Baddeck Volunteer Fire Department Ladies Auxiliary recently held its annual Christmas in November fundraiser at the Baddeck Community Fire Hall; and

Whereas it has been 40 years of dances, bake sales, fundraisers and more for this dedicated group of ladies, including Marie Hanam who has been a member since the beginning; and

Whereas President Judy Gale said,“ It feels great to give back to the community . . . and all these ladies amaze me everyday with their generosity and devotion for this great cause”;

Therefore be it resolved that all members of this House congratulate and thank Marie Hanam for her 40 years of service and recognize the tremendous work that is being done by all members of the Baddeck Fire Department Ladies Auxiliary.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Dartmouth East.

RESOLUTION NO. 2948

MR. ANDREW YOUNGER: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas 23-year-old Michael Beeler of Dartmouth oversees Students for International Development, a non-profit organization at the University of Toronto; and

Whereas Michael and his team were recently awarded a \$4,500 grant from the Clinton Global Initiative University to support greenhouses established in rural Kenya, the harvest of which will pay for communal medical supplies at a local pharmacy and breakfast programs at two local schools; and

Whereas the project will encourage villagers to cultivate their agriculture and marketing skills and is expected to raise \$5,000 annually and pay for approximately 12,000 malaria tablets;

Therefore be it resolved that members of the House of Assembly congratulate Michael and his peers for their outstanding achievement and recognize Michael's inspiring dedication and sense of responsibility to the global community.

Mr. Speaker, I request waiver of notice and passage without debate.

[12:45 p.m.]

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Hants West.

RESOLUTION NO. 2949

MR. CHUCK PORTER: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas, originally dubbed "snurfing" (combined snow and surfing), snowboarding has become a very popular and competitive sport around the globe; and

Whereas Jeremy Page from Falmouth, Hants County, was chosen to represent Canada as part of the National Team at the World Junior Snowboard Championships held this summer from August 20th to August 31st in Cardrona, New Zealand; and

Whereas Jeremy took part in the Halfpipe Qualification Heat and the Men's Halfpipe Final, as well as the Men's Snowboard Slopestyle Qualification;

Therefore be it resolved that all members of this House of Assembly congratulate Jeremy on his commitment and determination and wish him great success in all his future competitions.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Digby-Annapolis.

RESOLUTION NO. 2950

MR. HAROLD THERIAULT: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the key to a competitive economy starts with ensuring our future workforce is well educated; and

Whereas cutting 22 per cent from the P to 12 education budget does nothing to foster a culture which values knowledge and learning; and

Whereas in 2001 the Leader of the NDP, now Premier, stated: The province appears to be more interested in formulas and balanced budgets than delivering quality education;

Therefore be it resolved that in light of the drastic education cuts which may result in school closures, massive staff layoffs, and cuts to programs, the Premier explain to the constituents of Queens why he now believes that quality education should be sacrificed for balanced budgets.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable Leader of the Progressive Conservative Party.

RESOLUTION NO. 2951

HON. JAMIE BAILLIE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Bernard “Bernie” Smith is a British immigrant to Canada who served the City of Halifax for 23 years as the very able city treasurer; and

Whereas for almost seven years Mr. Smith has been the manager of the Spring Garden Area Business Association, a position in which he has become known for working 12-hour days and for transforming Spring Garden Road into an attractive shopping area capable of competing with all the other shopping areas in the world; and

Whereas friends, supporters, and colleagues will gather this evening to celebrate Mr. Smith’s well-deserved retirement;

Therefore be it resolved that members of this House congratulate Bernie Smith on his retirement and thank him for his dedication to Halifax and to our province.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Yarmouth.

RESOLUTION NO. 2952

MR. ZACH CHURCHILL: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on July 16, 2010, Yarmouth County residents Darren King, a volunteer firefighter, and Scott Hurlburt were driving home to Yarmouth from Clare when they noticed two police cruisers driving to Mavillette Beach and followed them to see if they could be of assistance; and

Whereas upon their arrival at the beach, Darren King and Scott Hurlburt discovered four people who were in danger of drowning and swam into the ocean amidst an extremely strong undertow in order to help those whose lives were in jeopardy; and

Whereas their timely efforts were key in saving the lives of those individuals, leading the Red Cross to present them with a commendation for being willing and able to offer crucial assistance;

Therefore be it resolved that the members of the House of Assembly recognize Darren King and Scott Hurlburt for their bravery, selflessness, compassion, and inspirational act of heroism.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Hants West.

RESOLUTION NO. 2953

MR. CHUCK PORTER: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Lorraine Phillips of Windsor was recently honoured for a quarter-century of exemplary work with the Department of Natural Resources in an administrative capacity; and

Whereas the Nova Scotia Public Service Commission is committed to making a difference in the lives of Nova Scotians; and

Whereas Nova Scotia's civil servants contribute to the prosperity of our province;

Therefore be it resolved that all members of this House of Assembly applaud the dynamic work of Lorraine Phillips over the past 25 years with the Department of Natural Resources and commend her for a job well done.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Glace Bay.

RESOLUTION NO. 2954

MR. GEOFF MACLELLAN: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Glace Bay Universal Negro Improvement Association Museum has been successful in promoting the heritage of African Nova Scotians and recognizes the role African Nova Scotians have played in the growth and development of Glace Bay; and

Whereas the historic Glace Bay UNIA Hall, which was once visited by the legendary Marcus Garvey, was completely renovated in 2006 with the help of government partners and, of course, community members; and

Whereas the UNIA board members hosted an extremely successful Marcus Garvey Day celebration in August of this year and opened the UNIA Community Spirit Garden to serve as a spiritual gathering place for the residents of Glace Bay;

Therefore be it resolved that the members of this House of Assembly join me in congratulating Theresa Brewster, the UNIA board members, and all community-minded residents who continue to build on the strengths of the UNIA Hall in Glace Bay and we look forward to their continued success in the Bay.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Argyle.

RESOLUTION NO. 2955

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the birth of a child is a momentous event and marks the beginning of a very satisfying journey down a long road where the rewards far outnumber the challenges; and

Whereas author Eda J. Le Shan said, "A new baby is like the beginning of all things - Wonder, Hope and a dream of possibilities."; and

Whereas on August 20, 2010 a very special occasion took place when Ellie and Jason Kitchen welcomed their son into the world;

Therefore be it resolved that all members of this House of Assembly join me in congratulating Ellie and Jason on this momentous event in their lives and in wishing them many more happy years as parents.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Clare.

RESOLUTION NO. 2956

HON. WAYNE GAUDET: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas many local volunteer firefighters provide a vital and outstanding service throughout rural Nova Scotia; and

Whereas Brian Comeau has been recognized for his dedication and service beyond the call of duty in helping preserve the security of our community; and

Whereas Brian Comeau was recognized on November 27, 2010 by the Little Brook Volunteer Fire Department for his 15 years of dedicated service;

Therefore be it resolved that members of this House of Assembly congratulate firefighter Brian Comeau for receiving his Fire Service Long Service Award for his 15 years of service to his community.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Colchester North.

RESOLUTION NO. 2957

HON. KAREN CASEY: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Nova Scotia's civil servants are committed to working to provide the best quality of service to families, to businesses and to communities across the province; and

Whereas each year the Nova Scotia Public Service Commission says thank you to the long-serving members through the Long Service Award Program; and

Whereas Laurie Maxwell-Cochrane from Valley, Colchester North was recognized for his 30 years of service with the Department of Agriculture;

Therefore be it resolved that all members of this House of Assembly congratulate Laurie Maxwell-Cochrane for his service to the Government of Nova Scotia for the past three decades.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Halifax Clayton Park.

RESOLUTION NO. 2958

MS. DIANA WHALEN: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas 40 junior high schools participated in the recent Capital Region Soccer Championship 2010-11; and

Whereas Fairview Junior High School distinguished itself by earning both the boys and girls division championship titles this year; and

Whereas it is a very rare achievement to have one school place first in both the boys and girls divisions in the same year;

Therefore be it resolved that the members of this House congratulate the players and coaches of both the girls and boys Fairview Junior High School soccer teams on their championship wins and wish them great success in the future.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Victoria-The Lakes.

RESOLUTION NO. 2959

MR. KEITH BAIN: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas in results recently released by the Nova Scotia Community Museum Assistance Program, the North Highlands Community Museum in Cape North, Victoria County, scored the highest grade in the 2010 evaluations of Nova Scotia community museums; and

Whereas 21 community museums across Nova Scotia were evaluated this year, with scores ranging from 41.1 per cent to 89.5 per cent with a mean value of 68.4, and with North Highlands Museum receiving the 89.5 per cent score; and

Whereas a team consisting of Deidre Fraser, Darcy Kimmit, and Rebecca Daisley inspected over 1,000 artifacts in the museum's collection in preparation for the evaluation;

Therefore be it resolved that all members of this House congratulate the board, its employees, and volunteers on scoring so well on this evaluation and on being a leader within this province, and wish them every success in the future.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Kings West.

RESOLUTION NO. 2960

MR. LEO GLAVINE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on December 1, 2010, the Consumers' Choice Awards were presented at the World Trade and Convention Centre in Halifax; and

Whereas the Consumers' Choice Awards are determined by an independent research firm for Consumers' Choice Institute (Canada) by surveying consumers and are unique to North America because it is the consumer who determines the winners, not a panel of judges; and

Whereas the winners of the Consumers' Choice Award can be extremely proud of their accomplishments as the award is considered to be a seal of excellence throughout industry;

Therefore be it resolved that members of this House of Assembly congratulate Always & Forever for receiving the 2010 Consumers' Choice Award for the category of Formal Wear Retailer and wish them continued success in all future endeavours.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Cape Breton North.

RESOLUTION NO. 2961

HON. CECIL CLARKE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas this past summer, the Sydney Mines Ramblers went undefeated to capture the provincial Mosquito "A" baseball title in Enfield; and

Whereas Sydney Mines defeated Woodlawn 13-0 in the championship game, demonstrating their outstanding skill and ability; and

Whereas coaches Charlie Coleman, Archie Nicholson, and Pete Brewer and their 12 players, Evan Hiscock, Brody Dawson, Patrick Norman, Owen Higgins, Garrett Nicholson, Adam Coleman, Eldon Snow, Dylan Pimentel, Evan LeBlanc, Trent Reardon, Ian McNeil, Andrew Brewer, and Christopher Doyle brought the provincial title home to Cape Breton;

Therefore be it resolved that all members of this House of Assembly join me in congratulating the Sydney Mines Ramblers and their coaches for a very successful year and wish them all the best on the field next year.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Dartmouth East.

RESOLUTION NO. 2962

MR. ANDREW YOUNGER: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the key to a competitive economy starts with ensuring our workforce is well educated; and

Whereas cutting 22 per cent from P to 12 education budgets does nothing to foster a culture which values knowledge and learning; and

Whereas in 2001 the Leader of the NDP, now Premier, stated: the province appears to be more interested in formulas and balanced budgets than delivering quality education;

Therefore be it resolved that in light of drastic education cuts which may result in school closures, massive staff layoffs, and cuts to programs, the Premier explain to the constituents of Cole Harbour-Eastern Passage why he now believes that quality education should be sacrificed for balanced budgets.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

[1:00 p.m.]

The notice is tabled.

The honourable member for Preston.

RESOLUTION NO. 2963

HON. KEITH COLWELL: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Dolly Williams received one of two 2010 YMCA Peace Medallions for her dedication to peace and exceptional leadership in her community; and

Whereas Dolly has worked and volunteered with many women's organizations, including groups of women and girls who have become victims of violence, and workshops and seminars for young women to help them build their self-esteem; and

Whereas Dolly is also a member of the Southeastern Dartmouth Community Health Board, the Congress of Black Women of Canada as the Nova Scotia representative, the vice-president of the National Anti-Racism Council of Canada and a member of Lions International, which is one of the largest international service organizations;

Therefore be it resolved that members of this House congratulate Dolly Williams on receiving this prestigious award and working tirelessly for the benefit of all women and her dedication to the betterment of those less fortunate, regardless of age, colour, creed or religion.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Digby-Annapolis.

RESOLUTION NO. 2964

MR. HAROLD THERIAULT: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Nova Scotia Power's Digby Neck wind farm began powering homes and businesses recently with 10 of the 20 turbines generating electricity and is expected to be fully operational by the end of this month; and

Whereas the wind farm will have a total capacity of 30 megawatts, producing enough electricity to power approximately 10,000 homes; and

Whereas the project has the potential to reduce greenhouse gas emissions in Nova Scotia by more than 60,000 tons annually and stabilize power rates;

Therefore be it resolved that the members of this House congratulate Nova Scotia Power on the start-up of this new wind farm and explain to the people of Digby why their power rate is increasing because of higher fuel costs.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Inverness.

RESOLUTION NO. 2965

MR. ALLAN MACMASTER: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas L'Arche Cape Breton seeks to live simply, in solidarity with those with disabilities and with unemployed and marginalized people everywhere; and

Whereas one of the greatest honours a business can receive in the Maritimes is the Better Business Bureau's Ethics Awards; and

Whereas on November 24th, L'Arche Cape Breton won a Better Business Bureau Ethics Award in the non-profit category;

Therefore be it resolved that all members of this House of Assembly recognize and congratulate L'Arche Cape Breton on this impressive award and thank them for all the fine work they do.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Clare.

RESOLUTION NO. 2966

HON. WAYNE GAUDET: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on December 1, 2010, the Consumers' Choice Awards were presented at the World Trade and Convention Centre in Halifax; and

Whereas the Consumers' Choice Awards are determined by an independent research firm for Consumers' Choice Institute (Canada) by surveying consumers and are unique to North America because it is the consumer who determines the winners, not a panel of judges; and

Whereas the winners of the Consumers' Choice Award can be extremely proud of their accomplishments as the award is considered to be a seal of excellence throughout industry;

Therefore be it resolved that members of this House of Assembly congratulate Adams Photography Inc., for receiving the 2010 Consumers' Choice Award for the category of Photographers and wish them continued success in all future endeavours.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Yarmouth.

RESOLUTION NO. 2967

MR. ZACH CHURCHILL: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Parents' Place, a Yarmouth Family Resource Centre, a non-profit charitable organization run by a volunteer board of representatives, interested individuals and centre participants, has been assisting families in Yarmouth County since 1993; and

Whereas the mission of Parents' Place is to strengthen and empower families in a nurturing environment by promoting their physical, mental and spiritual well-being without discrimination; and

Whereas one of the many vital programs Parents' Place offers, a program that is especially important during this time of year, the Christmas Adopt-a-Family Program, in which families are anonymously matched with sponsors and are able to receive gifts, food and more with local businesses, families and charitable organizations contributing to make this program a success;

Therefore be it resolved that the members of the House of Assembly recognize Parents' Place for the immense support and many opportunities they provide for countless families in Yarmouth County.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Dartmouth East.

RESOLUTION NO. 2968

MR. ANDREW YOUNGER: Mr. Speaker, on behalf of the member for Bedford-Birch Cove, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on October 1, 2010 Jennifer Grantham, from Timberlea, began a 10-day trek to Mount Everest's base camp with the Arthritis Society's Joints in Motion fundraising campaign; and

Whereas Jennifer has been volunteering and fundraising for the Arthritis Society for the last few years, raising money and promoting the organization to friends and family; and

Whereas in honour of her mother-in-law, Elaine Grantham, Jennifer has previously completed the Peru trek to Machu Picchu;

Therefore be it resolved that the members of the House of Assembly congratulate Jennifer Grantham for completing the physically demanding trek to Mount Everest's Base Camp, acknowledge the significant contribution she has made by raising over \$15,000 for the Arthritis Society and wish her continued success in all her future endeavours;

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Glace Bay.

RESOLUTION NO. 2969

MR. GEOFF MACLELLAN: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on December 1, 2010 the Consumers' Choice Awards were presented at the World Trade and Convention Centre in Halifax; and

Whereas the Consumers' Choice Awards are determined by an independent research firm for Consumers' Choice Institute of Canada by surveying consumers and are unique to North America because it is the consumer who determines the winners, not a panel of judges; and

Whereas the winners of the Consumers' Choice Award can be extremely proud of their accomplishments as the award is considered to be the seal of excellence throughout industry;

Therefore be it resolved that the members of this House of Assembly congratulate MBW Courier for receiving the 2010 Consumers' Choice Award for the category of Courier Services Local and wish them continued success in all their future endeavours.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable member for Yarmouth.

RESOLUTION NO. 2970

MR. ZACH CHURCHILL: Mr. Speaker, on behalf of the member for Bedford-Birch Cove, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the key to a competitive economy starts with ensuring our future workforce is well-educated; and

Whereas cutting 22 per cent from P to 12 education budgets does nothing to foster a culture which values knowledge and learning; and

Whereas in 2001 the leader of the NDP and now Premier stated, the province appears to be more interested in formulas and balanced budgets than delivering quality education;

Therefore be it resolved that in light of the drastic education cuts, which may result in school closures, massive staff lay-offs and cuts to programs, the Premier explain to the constituents of Hammonds Plains-Upper Sackville why he now believes that quality education should be sacrificed for balanced budgets.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Kings West.

RESOLUTION NO. 2971

MR. LEO GLAVINE: Mr. Speaker, on behalf of the member for Richmond, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on December 1, 2010 the Consumers' Choice Awards were presented at the World Trade and Convention Centre in Halifax; and

Whereas the Consumers' Choice Awards are determined by an independent research firm for Consumers' Choice Institute (Canada) by surveying consumers and are unique to North America because it is the consumer who determines the winners, not a panel of judges; and

Whereas the winners of the Consumers' Choice Awards can be extremely proud of their accomplishments as the award is considered to be a seal of excellence throughout industry;

Therefore be it resolved that members of this House of Assembly congratulate Maritime Dance Academy for receiving the 2010 Consumers' Choice Award for the category of Dance Instruction and wish them continued success in all future endeavours.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

ORDERS OF THE DAY

ORAL QUESTIONS PUT BY MEMBERS

MR. SPEAKER: Question Period will begin at 1:11 p.m. and end at 2:11 p.m.

The honourable member for Dartmouth East.

PREM. - POWER RATES: INCREASE - RESPONSE

MR. ANDREW YOUNGER: Mr. Speaker, on January 1st residential electricity customers will see their bills increase by almost 6 per cent and nearly half of that increase will be due to the NDP's new electricity tax. Large industrial customers will see their rates go up by over 7 per cent. As members of the House would know, this is the sixth increase in nine years. We know that Nova Scotia Power rates are now guaranteed to increase for at least the next two years and the government's electricity tax will also increase for at least one other year. My question to the Premier is, he has demanded that previous governments take action on increasing power rates when he was in Opposition, now that increased power rates are about to hit every electricity customer in the province yet again, what is he going to do as Premier?

HON. DARRELL DEXTER (The Premier): Mr. Speaker, of course, we didn't wait to act. In fact, we took the HST off home electricity. That was a commitment that was made by this caucus and we did that.

MR. YOUNGER: Mr. Speaker, the Premier well knows that eliminating the HST on residential bills has been long wiped out and does nothing to help industrial or commercial customers. Other provinces are taking meaningful action to help with the cost of power utilities, P.E.I. is ensuring lower interest rates, New Brunswick is taking action to at least freeze rates. The government's only action was to put Nova Scotia's health at risk by relaxing mercury regulations, a step that will have little long-term impact on rates. The economic competitiveness of Nova Scotians is being compromised and the Premier's

unwilling to act. My question is, when will the Premier take on Nova Scotia Power and ensure that every saving possible in their operations is passed on to consumers?

THE PREMIER: Mr. Speaker, in fact the changes in regulations we made means that between now and 2020 the same amount of mercury will be taken out of the environment as previously decided. And what happened is that instead of getting a double digit increase, we saw a much smaller increase. That's one thing we did.

The other thing that I'm not sure of - if this is what the member opposite is suggesting, perhaps he could tell the House whether or not he's suggesting that the government should subsidize the electricity rates.

MR. YOUNGER: Mr. Speaker, the Premier has no problem telling the school boards to find the money in administration so maybe he could at least say that to Nova Scotia Power. (Applause) But, no surprise he's silent.

The government has failed to act on introducing competition to the electrical market place for renewable energy producers. That step would mean better financing, better rates for customers and more renewable energy in this province, faster. It's a step even the Department of Energy has previously recommended and it's a step already permitted in New Brunswick. My question is, will the Premier finally take real action and move affordable, renewable energy forward in this province and allow renewable electricity producers to sell directly to customers?

THE PREMIER: Mr. Speaker, again, we didn't wait on these issues. In fact, we set out a renewable electricity plan, which has been widely praised by the renewable advocates. On top of that, we concluded an arrangement with the Province of Newfoundland and Labrador through the work of Emera and Nalcor Energy in order to be able to ensure this province has access to good renewable electricity supply. I would remind everyone that it was the Official Opposition, it was the Liberal Party, that voted with the Progressive Conservatives to put the 8 per cent HST back on home electricity - and then voted against the budget that took it off.

[1:15 p.m.]

MR. SPEAKER: The honourable Leader of the Progressive Conservative Party.

PREM.: ECONOMY (N.S.) - PLANS

HON. JAMIE BAILLIE: Mr. Speaker, my question is to the Premier. The Premier and his government seem willing to put our fragile economy at risk with their extreme union agenda. Now we find that they are not satisfied with just that, they want to further undermine the economy by proposing crippling cuts to our education system. So far the government has

shown no willingness to bend on its labour plan, Mr. Speaker. We all hope that they'll put an end to this crazy planning exercise that will gut our education system.

So my question to the Premier is, why are you so willing to kick the legs out from under our economy, but so determined to protect your special interests?

THE PREMIER: Well, it's hard to know where to start with that. Of course there wasn't a word of it that reflects what this government is about - this is about building a strong economy. We're working hard every day with our partners to build things like venture capital funds to attract new business into the province, and on top of that, Mr. Speaker, we have put in place the jobsHere plan that focuses on learning, focuses on innovation, and focuses on competitiveness. We have a plan - they never did.

MR. BAILLIE: Mr. Speaker, I'm glad the Premier made reference to his economic development plan, because I find it very interesting that the proposed cuts to our education system, totalling \$196 million, are eerily the same as the \$200 million he plans to spend on the economic development plan that he talked about. The irony is overwhelming, since education is the best investment we can make in our children and our future economic prosperity.

So my question to the Premier is this, why pay for yet more economic development programs and agencies and funds on the backs of Nova Scotia students?

THE PREMIER: Well, Mr. Speaker, as the Leader of the Progressive Conservative Party knows, we have been clear with our institutions, particularly with the Community College, that we very much support the undertakings they are making to improve the skills of Nova Scotians so that they can participate in our economy; in fact we have committed to, and delivered on, 250 additional Nova Scotia Community College seats.

MR. BAILLIE: Mr. Speaker, the Premier is responsible for the stewardship of our economy, and he is failing in that responsibility with his pro-union agenda, and he is failing in that responsibility by planning to gut our education system. The fact of the matter is that over the last five years test scores in this province, because of investments in education, have been going up - a great sign of future success for our economy.

So my final question to the Premier is this, why put all that at risk - whose interests are you really protecting?

THE PREMIER: Mr. Speaker, I've told all of our partners and all of our sectors, whether it is the municipalities, the universities, the schools, the hospitals, that it is incumbent on the government to be able to get the expenditures of the province under control so that the revenues match what it is that we are spending. If we don't do that, then it won't be the people sitting in this Chamber who are going to have to worry about it, it is going to

be the future citizens of our province, our children, who are going to have to pay for that - and we are not going to allow that to happen.

MR. SPEAKER: The honourable Leader of the Official Opposition.

EDUC. - RURAL SCHOOLS: PREM. - RETAIN

HON. STEPHEN MCNEIL: On March 23, 2006, the member for Cole Harbour said, in response to 11 Nova Scotia schools being under review, that schools are more than just educational facilities, they are the heart of rural communities, and, Mr. Speaker, the Premier also said schools act as meeting places, recreation facilities, and they are important tools to communities to attract and retain young families. My question to the Premier is, will the Premier commit to keeping rural schools open since he thinks they're so important?

THE PREMIER: Mr. Speaker, of course, these are decisions that are made through the school boards but I want to be perfectly clear that we support rural schools. We think they are important to the fabric of rural communities. We understand how important they are and that's why in south Queens they are seeing an investment for a new junior high school in Liverpool. That's why I was at the West Highlands Elementary School, in Amherst, to announce the investment in that school. Of course, we think the schools are important.

MR. MCNEIL: Mr. Speaker, on March 26, 2006, the member for Cole Harbour said, "We have a school system that is the most underfunded in the country." He went on to say, "At some point in time I think the government just has to recognize that moving funding for schools up to the national average and providing the children of the families of this province with the proper resources is what has to happen."

Mr. Speaker, the NDP said it, but they think they don't have to live up to it. My question to the Premier is, how can the Premier in all good conscience cut public education even further?

THE PREMIER: Well, Mr. Speaker, I've said it before and I'll say it again, that funding for public school education over the last 10 years increased by 40 per cent. At the same time, the demand shrank by anywhere between 15 per cent and 20 per cent. We have seen in the order of 30,000 students leave the system. We understand that these don't correlate directly into instant savings but they do bear on the overall cost of the system. We've asked the school boards, we've asked the administrators to look at how they can go about helping us achieve a system which is sustainable over the long term, one that is able to live within a financial envelope, which won't drive the province further into debt.

MR. MCNEIL: Mr. Speaker, the Premier keeps talking about the declining enrollment and an increase in funding. What he is missing in this equation is how the dynamic of the classrooms has changed, not only in the last 10 years, but over the last 20 years. Teachers are being asked to do more with less. The Premier keeps saying that his

government is asking school boards to take a leadership role in addressing the serious financial situation of this province. My question for the Premier is, what we want the Premier to acknowledge is that he is really saying the government is telling school boards to take the blow for the cuts that he and his government are unwilling to shoulder.

THE PREMIER: Well, Mr. Speaker, over the past number of years, in fact, all of the measures that you could look at with respect to student/teacher ratio, numbers of additional staff, all of those have been better than they have for many, many years. So I'm not sure why it is that the member thinks that this is not the case, but clearly he's mistaken. What we have said is that we want to partner with and allow the leadership of those boards to help us ensure that we have a sustainable system.

I would point out that he keeps using the 22 per cent, Mr. Speaker, as if it were 22 per cent from the current budget, and he knows that that's not the case, that this is cost associated with the increases, that if left unaffected, would have gone into the system. So the 22 per cent is not about this budget, it is about anticipated budgets in the future.

MR. SPEAKER: The honourable member for Bedford-Birch Cove.

PREM. - EDUC.: MATH./LITERACY SKILLS - REDUCTION

MS. KELLY REGAN: Mr. Speaker, school boards are facing a 22 per cent cut and earlier this week we learned that Nova Scotian students trail students in other provinces when it comes to literacy and mathematics. The results of the program for international student assessment also show that female students in Nova Scotia are scoring lower than their male counterparts in mathematics and this is only going to get worse with a 22 per cent cut. So my question is, is the Premier prepared to accept even lower math and literacy results that will result from his 22 per cent cut?

THE PREMIER: Mr. Speaker, I have to say I'm astounded that the member has such a low opinion of math teachers in our province.

MS. REGAN: Mr. Speaker, it appears the Premier could use a math mentor right now because he just doesn't seem to understand that his proposed 22 per cent cuts will amount to more than just trimming board administration costs. This cut means an end to programs designed to help students most at risk and an end to programs designed to help students excel and it will destroy the entire public education system for every student in between. Why is the Premier making future generations pay for his land-buys and backroom deals?

THE PREMIER: Mr. Speaker, it couldn't be further from the truth. In fact, we are very concerned that the young people in this province not have to shoulder throughout their lives, throughout their working lives, an increasing level of debt in this province. The reality is that we have a commitment to provide both a good quality education system and to bring this province back to balance.

MS. REGAN: Mr. Speaker, nobody said that they had to go back to balance on the backs of those students and that is his choice. The Nova Scotia School Boards Association has said that Nova Scotia will have the worst public education system in the country if the NDP follows through with this 22 per cent cut. My question to the Premier is, how can we expect Nova Scotia to succeed in the 21st Century if we cut education?

THE PREMIER: Mr. Speaker, as I've said before, I expect that the boards will deliver a good quality service, a good quality education for the young people of this province, that is their responsibility. I heard the member say that we didn't have to get back to balance so I'd like her to, perhaps, if she could explain how big a deficit for how long?

MR. SPEAKER: The honourable member for Colchester North.

PREM.: EDUC. GRADUATES - JOB PROSPECTS

HON. KAREN CASEY: Mr. Speaker, my question through you is to the Premier. Each year our universities graduate 600 students who have completed a degree program in Education. These young men and women have spent a minimum of six years of study to achieve their goal, that is to be a teacher. They have hopes and dreams of pursuing a career in education and most of them want to achieve that goal here in Nova Scotia, but now their hopes and dreams have been shattered by the thought of a funding cut to education of 22 per cent over three years. That will take away job opportunities in this province for many years to come and these young adults will have to go elsewhere because they cannot wait. My question to the Premier is this, what message do you have for those young people - the best and the brightest in this province - about your decision to remove any hope of them getting a job here in Nova Scotia?

THE PREMIER: Mr. Speaker, the reality is - I don't think the member would have missed this - we have an aging demographic, in fact, we have many people who are now coming out of the Public Service, who are coming out of the teaching profession and over the next 10 years, that is going to be (Interruptions)

MR. SPEAKER: Order, please. The honourable Premier has the floor.

THE PREMIER: We have a lot of people who are coming out of the system already and that will give rise to many job opportunities for the young people who are graduating with Education degrees.

[1:30 p.m.]

MS. CASEY: Well, Mr. Speaker, I'm not impressed with the comment. I would expect you to rule on that but you didn't. Young professionals are the strength of communities across this province. They become the leaders in the local organizations, they become the coaches in minor hockey, they become the volunteers in charity and fundraising

events, and they contribute to the economy of this province through purchasing homes and vehicles, buying local, and paying taxes.

My question to the Premier is, for a government that wants to stimulate the economy and grow jobs, what part of this picture do you not get?

THE PREMIER: Mr. Speaker, the number of teachers who are in the system reflect the demand for those teachers in the public school system. As I said, we have an aging demographic. The reality is that many people are now moving through that, there are retirements in the system. As they go out of the system, of course new teachers will be hired to fill those positions.

MS. CASEY: Mr. Speaker, an economic plan is supposed to stimulate the economy by attracting people and businesses to our province. One of the biggest challenges in Nova Scotia is, as has been stated, an aging and declining population. When we need to welcome young people to our province, youth and talent into the public service, so that this economic plan would translate into jobs, our young educators are being forced to go down the road.

My question to the Premier is, when these new graduates are forced to leave Nova Scotia, what consultation has he had or has his minister had with members of the Canadian Federation of Students or the Alliance of Nova Scotia Student Associations? What conversation has he had with them about what impact this will have on their hopes and dreams?

THE PREMIER: Mr. Speaker, I never pass up the opportunity to discuss the opportunities and challenges for young people. I think it's important not only that we are able to keep our own young people here - the fact of the matter is that we have a great resource here in the many universities we have. I believe we should be doing everything we can to also attract those students to stay in this province.

The way that will be done, of course, is by ensuring that we have a good education program, which we already do, but also by ensuring that we have a strong economy, which is what the jobsHere plan is all about.

MR. SPEAKER: The honourable member for Cape Breton South.

EDUC. - HOLY ANGELS HS: DECISION -MIN. CONFIRM

HON. MANNING MACDONALD: Mr. Speaker, my question today is to the Minister of Education. Those concerned about the future of Holy Angels High School, and there are many, are still left with more questions than answers regarding the future of this all-girls institution of excellence in learning. This school should remain as it is, where it is. That is what Holy Angels supporters want. My question to the minister is, can the minister

inform this House and all those concerned if any decisions have been made regarding the future of Holy Angels?

HON. MARILYN MORE: Mr. Speaker, I certainly appreciate the interest of the honourable member and many people who have an affiliation with Holy Angels school and other residents of the Sydney area who are interested in this issue. As I have repeated many times in this Chamber, the committee made up of senior officials from the department and the school board is meeting on a regular basis to do the research and analysis so that they can present a report with options to the Cape Breton-Victoria Regional School Board by the end of December, early January. No decisions will be made until that information is available. Thank you.

MR. MANNING MACDONALD: I guess there are still no answers from the minister. Maybe we might get some answers once this House rises, whenever that is, before Christmas or after Christmas.

Mr. Speaker, the Premier has stated in this House that his NDP Government will not purchase Holy Angels from the Sisters of the Congregation of Notre Dame, yet the minister has stated many times that all options are on the table. Will the Minister of Education advise this House and all those concerned whether the NDP Government is recommending that a private individual or a company buy Holy Angels and rent it to the school board?

MS. MORE: Mr. Speaker, for other reasons, I've been somewhat distracted by other business in this Chamber. I have not been briefed on the ongoing work of the committee. I am not aware of what the honourable member is suggesting. As I said, I have trust in the officials working on this committee that they will do due diligence and look at all options available and present that information to the school board in due time. Thank you.

MR. MANNING MACDONALD: Mr. Speaker, if the minister is too busy to deal with important issues like Holy Angels maybe somebody else should be in that portfolio dealing with it, I mean, the minister stands in her place here and states that she doesn't know what's going on because she's too busy. This is a very important issue in the education system of my community and the community of Cape Breton and indeed for all people who are interested in the future of Holy Angels High. The minister can stand here and say that because of events here she's too busy to deal with it?

Mr. Speaker, my final supplementary, the Premier has taken his stand and it does not include buying Holy Angels. The Minister of Education has not taken any position except to continue to procrastinate on the important matter of the future of Holy Angels. My question to the minister is, will you guarantee that Holy Angels will remain as an all-girls high school as it is, where it is, regardless of who owns the building thereby keeping this tradition of excellence since 1885, well into the future? Do the right thing, Madam Minister.

MS. MORE: Mr. Speaker, this is a decision of the Cape Breton-Victoria Regional School Board. I'm in no position to make a commitment on their behalf. I can ensure that the process being used is one that will ensure that those members of the Cape Breton-Victoria Regional School Board have all the information they need to make a good decision. Thank you.

MR. SPEAKER: The honourable member for Inverness.

PSC - JOB SECURITY: NEGOTIATIONS - DETAILS

MR. ALLAN MACMASTER: Mr. Speaker, my question is to the Minister of the Public Service Commission. Is it true you have extended 100 per cent job security in recent labour negotiations?

HON. FRANK CORBETT: Mr. Speaker, no.

MR. MACMASTER: Mr. Speaker, it's interesting to hear that because the word on the street is not so. I've noticed a very quiet labour organization since this government has come to power. We cannot blame people for wanting job security but this province has finite resources and every decision we make has an impact somewhere else in government. We see it in education.

My question is to the Premier, the priority for this government is to put labour first. The great expenditure in government is salaries. This government has chosen to lock that cost in no matter how the needs of Nova Scotians may change. How are we going to balance a budget when you have given away, when you don't have control of a major lever of expenditure control?

THE PREMIER: Mr. Speaker, first, it's simply not the case. Just to have a look at the history of the two immediate governments - our government and the immediate past government - they went through an exercise where they negotiated 2.9 per cent wage increases. We realized that was not sustainable. What you've seen so far is 1 per cent increases so that we could adequately manage something as important as our Public Service.

MR. MACMASTER: Mr. Speaker, if we want a strong and prosperous economy, we can't have everybody working for government. In this province, one in four works for government, but it takes about two out of the other three who don't to pay for the one who does. This results in the need for high taxes and an economy that has limited potential to grow no matter what government is in power. My question is to the Premier (Interruption) Well, that's a good question, because we have a government that goes to the school boards to find savings when they've already determined 82 per cent of the costs for school boards. This is not about teachers in the classroom, this is about what's happening inside government.

Now, asking departments for savings usually results in less cash for programs but no change in FTEs. To balance the budget, why not ask departments to reduce the number of FTEs to make a permanent contribution to the cost controls of our government?

THE PREMIER: Mr. Speaker, I'm flabbergasted, because apparently the member completely missed this. We have already said that we're going to (Interruptions)

MR. SPEAKER: Order, please. The honourable Premier has the floor.

THE PREMIER: Mr. Speaker, maybe the member missed it, but throughout the last budget debate we talked about the necessity to be able to reduce the number of FTEs and to ensure that we gained the 10 per cent reduction across the public service through attrition so that people would not be displaced, lose their jobs. I think this signals the profound difference between people on this side of the House and people on that side of the House. We didn't go out and just blindly dictate cuts across departments whether they made sense or not. We said we want to ensure that we reach through the departments for an adequate service and at the same time take costs out of the system.

MR. SPEAKER: The honourable member for Halifax Clayton Park.

HEALTH - HYDE REPT.: RECOMMENDATION - MIN. ACCEPTANCE

MS. DIANA WHALEN: Mr. Speaker, my question today is for the Minister of Health. Yesterday the Hyde report was released with 80 recommendations in total from Judge Anne Derrick. The very first recommendation was a call for a mental health strategy. In fact, the first nine recommendations relate to mental health and the need for Health and Justice to collaborate to improve the way we treat those who are suffering from mental illness. My question for the minister is, are you intending to accept the recommendations of the Hyde report that relate to health and will you be creating a position of Director of Mental Health Strategy in government?

HON. MAUREEN MACDONALD: Mr. Speaker, first of all, I think all members of this House acknowledge that what happened was a tragic incident, and we express our profound regret and sympathy to Mr. Hyde's family. If anything can come from this tragic incident, it should be lessons that we can learn that will ensure that some other individual who has schizophrenia or any other mental health disorder will not face the kinds of situations that happened with Mr. Hyde.

Having said that, work in the Department of Health is well underway to develop Nova Scotia's first Mental Health Strategy. That Mental Health Strategy will be completed sometime in 2011.

MS. WHALEN: Mr. Speaker, I think the minister would agree with me that this is a really urgent matter in the Province of Nova Scotia. It's something that has been needed for a long time and the Hyde report has taken three years to come to us here in the House. His very unfortunate death occurred three years ago and we have lessons learned that we need to get into place quicker. The section in the report that dealt with what's been done to date was pretty short, and there are 80 recommendations about where we need to go. My question to the minister is, in light of this report, will you speed up the work of the Mental Health Strategy release?

MS. MAUREEN MACDONALD: Mr. Speaker, when the Hyde report was released yesterday, I spoke to the head of the branch of Mental Health Services inside the department. I asked her to take the recommendations that we've received in the Fatalities Report and organize them into a grid so that we can start looking at a time frame under which we can move forward with implementation of the recommendations. We first need to do an assessment of the recommendations to determine what recommendations are already underway and what are the timelines for those. I can assure the honourable member and other members of this House we take the recommendations of the Hyde report very seriously and they will be given high priority within the Department of Health.

[1:45 p.m.]

MS. WHALEN: Mr. Speaker, it's important to note that just recently, in fact this week, the Fraser Institute released their report on wait times. I think that when they have measured it, it's important for us to know that we are the absolute worst jurisdiction in the country when it comes to wait times for psychiatric care. In fact, we take 21.5 weeks, over five months, that's three weeks longer than the next worst jurisdiction which was Saskatchewan, in order to have access to psychiatric treatment. I think that that again signals the alarm that this is something that has to be acted on very quickly.

I would like to know if the minister, having read that report, could give the House some idea about where the access to psychiatric treatment will fit in the rollout of recommendations from the strategy?

MS. MAUREEN MACDONALD: Mr. Speaker, I'm not sure that I understand that final question but let me say that wait times are too long for psychiatric care and they certainly will formulate a piece of the mental health strategy when it's completed.

MR. SPEAKER: The honourable member for Victoria-The Lakes.

BLUENOSE II: REFIT - MIN. INVOLVEMENT

MR. KEITH BAIN: Mr. Speaker, my question through you is to the Premier. The image of the iconic Bluenose II sailing charted and uncharted waters around the world is

something Nova Scotians are proud of. Yet we learned yesterday that the hull of the Bluenose II has found its way to an industrial wood chipper. The Minister of Tourism, Culture and Heritage stated in The ChronicleHerald yesterday, ““One of the things I do wish is that maybe I could have played more of a role as we mapped out the retrofit’, he said. ‘You know what? Hindsight is 20/20.’”

Hindsight is 20/20, Mr. Speaker, that’s what someone says when they know they messed up. Projects such as the Bluenose II need every bit of ministerial attention and for Nova Scotians to hear the minister disregard her because he didn’t have the time to play more of a role in his department is appalling. My question to the Premier is, will you explain to Nova Scotians why this minister sat by and did nothing while their beloved ambassador found its way to the wood chipper?

THE PREMIER: Well, Mr. Speaker, it was this minister and this government that ensured that this icon of this province is being restored - that was this government.

MR. BAIN: Mr. Speaker, my question this time is through you to the Minister of Tourism, Culture and Heritage. The same ChronicleHerald article states, ““Authenticated pieces of oak hull plank removed from the iconic schooner during its 1995 refit are still for sale at the Bluenose II Company Store in Lunenburg for \$3.50 each.”

Mr. Speaker, it wouldn’t surprise me to hear the minister say during this question that he has learned that parts of the Bluenose will actually be sold for souvenirs. So my question to the minister is, will any part of the Bluenose II be sold at the Bluenose II company store in Lunenburg and, if so, why did you seem so confused yesterday when you mused about having a piece for your mantel?

HON. PERCY PARIS: Mr. Speaker, first of all, the only one confused here is the member asking the questions. Now, I have got to say this about the Bluenose restoration and I will say that the workers there are very diligent on the work they do. First of all, there are parts of the Bluenose II, parts of the hull that are considered as waste material. Under the rules of environmental regulations that construction waste has to be destroyed. There are also parts of the Bluenose II that are being reused. There are some parts of the Bluenose II that are being set aside and will be used in the future - they are going to be set aside as spare parts (Interruptions)

MR. SPEAKER: Order. Order, please. The honourable Minister of Tourism, Culture and Heritage has the floor.

MR. PARIS: Thank you, Mr. Speaker. Certainly this side of the House recognizes the importance, and that the Bluenose II is an icon not only for Nova Scotia, but for all of Canada. We are restoring this vessel in a very diligent way.

MR. BAIN: Indeed, that was quite the answer. Mr. Speaker, again, through you to the Minister of Tourism, Culture and Heritage, this minister is once again out of the loop when it comes to running his department. His poor cousin is screaming, his jet-set ways are turning heads, and now we hear that he wants a piece of the Bluenose II for his mantle.

Mr. Speaker, as the wood chipper chips away, chucking chips into the bay, my final question is, when will the minister pay attention to the way, he runs the department, every day?

MR. PARIS: Mr. Speaker, my father once told me, son, there's no such thing as a bad question - obviously my father never ever heard that member's question.

Mr. Speaker, I can stand here in my place and say with confidence that I have the utmost confidence in the individuals, in those workers working to restore the Bluenose II to a vessel that we can be proud of.

MR. SPEAKER: The honourable member for Richmond.

PREM. - FOI OFFICE: STAFFING REQUEST - REFUSAL

HON. MICHEL SAMSON: Mr. Speaker, more than 30 years ago Nova Scotia became the first province to introduce freedom of information legislation but, thanks to the New Democratic Party however, we can no longer claim to be at the forefront of transparency.

Mr. Speaker, we have learned that the NDP refused our province's Freedom of Information and Protection of Privacy officer's request for an additional staff member so that her office could start to bring the volume of work they encounter under control.

My question to the Minister of Justice is, why did your government refuse this request so that the Freedom of Information Office could be able to better address the concerns of Nova Scotians?

HON. ROSS LANDRY: Mr. Speaker, I thank the member for that question. There are a number of jobs that they have recommended that we put within the government. At the time we want to be looking at making sure we're managing resources to the best possibility. As stated at the time we made the change on allowing access to that information at the lower rates, from \$25 to \$5, that we would monitor the situation - we will continue to monitor the situation and the workload that is there and make an evaluation when appropriate.

MR. SAMSON: Mr. Speaker, in 2009-10 the Office of Freedom of Information closed 120 complaints through informal channels - this process took, on average, a year for each to complete; the office also closed an additional 13 formal complaints, and these files took an average of 18 months to complete. These long wait times can be directly attributed

to the fact that in the last three years the Freedom of Information and Protection of Privacy Office has seen budget cuts, and now the NDP has refused their request for an additional officer.

So my question is, what is the minister's plan to reduce wait times for people who have complaints to the Freedom of Information and Protection of Privacy Office?

MR. LANDRY: Thank you very much for that question. On that issue I will consult with the director of that department and determine what plan should be best put in place to meet the needs and the concerns that they put forward, and I look forward to discussing those issues with her.

MR. SAMSON: Mr. Speaker, if the minister actually read the paper, he would know that it is Dulcie McCallum, the Freedom of Information and Protection of Privacy review officer who lamented the fact that she has repeatedly asked for more resources, in fact, for an additional staff member and yet, this minister and this government refused. There's no need for him to make the phone call, simply read the newspaper article and you will know exactly what the request is. This is but one more example of what the NDP was in Opposition and what they are now that they're in government.

The Minister of Finance, while in Opposition, was the patron saint of government openness and was continually pushing for better resources for the freedom of information process. Now that we have one of the most under-resourced programs in the country, the minister tells us that he is going to continue to monitor the situation. My final question to the minister is, when will you show leadership and put the additional resources so that Nova Scotians can have quick access to the Freedom of Information and Protection of Privacy system in our province?

MR. LANDRY: Mr. Speaker, I'm very glad to have that question. The difference between this government and our Opposition is that we have given out more information through our systems overall than any other government in the past. There's better access and we're disclosing more information, at no additional cost, so we have managed ourselves in a much better manner.

MR. SPEAKER: The honourable member for Digby-Annapolis.

TIR - DIGBY-ANNAPOLIS RDs.: ALDERS - REMOVE

MR. HAROLD THERIAULT: Mr. Speaker, safety on our roads and highways is important to Nova Scotians and it should also be important to this government. Countless times I have asked countless ministers in this House to remove the high volume of alders along the roads of Digby-Annapolis. My question to the Minister of Transportation and Infrastructure Renewal is, when will you take this matter seriously and remove the alders

from the highways in Digby-Annapolis and stop this traffic hazard and stop the calls coming to my office?

HON. WILLIAM ESTABROOKS: Thank you to the member opposite, I wish some of those calls wouldn't come to my office in Timberlea-Prospect also. I'm aware of the fact and I thank the member for the question. We are also aware of the important part of the budgetary decisions that are going to be ahead, that we continue to have as much RIM money. I know members of this House are aware of how important that is when it comes to maintaining local roads, particularly at crossroads where we come to dangerous intersections. I want the member opposite and the other members of this House to know that this is an ongoing concern. It's a concern that I'm fully appreciative of and when the RIM money decisions are made, alder bush cutting will be considered, I assure you.

MR. THERIAULT: Mr. Speaker, Highway No. 217 in particular is inundated with alders and has become a serious risk to drivers and pedestrians. I have letters here that I will table from the Municipality of Digby, the Village of Tiverton, the Freeport Community Development Association, the Brier Island Chamber of Commerce, the Village of Freeport, the Village of Westport, the Freeport Fire Chief, all pleading with the Department of Transportation and Infrastructure Renewal to cut the alders in this area. My question to the minister is, will you at least see to it that the alders causing serious traffic threats are cut on Highway No. 217 and many other roads in Digby County?

MR. ESTABROOKS: Thank you to the member opposite for the question. I know that all members, of course, as we move around our constituencies, and mine included, have those sorts of dangerous areas. I will ask the Clerk to ensure that when that material is tabled that I will receive a personal copy of it, and as I do each Wednesday when I sit down with senior staff when it comes to issues of this nature, this following Wednesday I'll bring it to their attention at that time. I do thank you for your thoroughness, that's how to do your job.

MR. THERIAULT: Mr. Speaker, in a letter dated November 12, 2010 the Warden of the Municipality of Digby confirmed that the Director for the Department of Transportation and Infrastructure Renewal confirmed that plans were in place to continue the manual cutting of alders on Highway No. 217, including the islands and other areas. My final question for the minister is, are you aware of these plans and will you table them for the Legislature to see?

MR. ESTABROOKS: Mr. Speaker, thank you to the member opposite for the question. I am not aware of the specifics, but I will check with the staff. If there are such plans, you will have one as soon as I can possibly get it to you, with one tabled here in the House.

[2:00 p.m.]

MR. SPEAKER: The honourable member for Hants West.

PREM.: POWER BILLS - HST REMOVAL

MR. CHUCK PORTER: Mr. Speaker, my question through you is to the Premier. You were adamant that the 8 per cent HST be removed from Nova Scotia Power bills, saying it was important for Nova Scotia consumers. Your government did this in a roundabout way because shortly after removing the 8 per cent, you slapped them with a 2.14 per cent energy efficiency charge. This, of course, was followed by an additional 3.58 per cent increase in yesterday's announcement by the URB. This will mean a total increase of 5.66 per cent. My question to the Premier is, back in 2007, for example, when the power rate was increased 4.7 per cent, you were sitting in the Opposition benches hollering, "Heat or eat." I'll table that. What are you saying to Nova Scotia families today?

THE PREMIER: Mr. Speaker, I say that no government that I have had the opportunity to observe while I've been in this House - and now it's been all three Parties. We are the government that has spent the most time and attention to electricity and energy-efficiency matters. We are the government that has completed the Renewable Electricity Plan. We are the government that signed the Lower Churchill Falls deal. We are the government that is promoting renewables in many forms, including tidal and wind. It is this government that is trying to ensure stable energy costs for this province.

MR. PORTER: Mr. Speaker, is the Premier able to table any copies in this House of Assembly today showing where his government opposed the rate hikes before the URB? I'm fully cognizant that this government moved back the time frame on greenhouse gas emissions, but will he table any correspondence directed to the URB objecting to this latest round of electricity bill increases? Or did he back off, considering the president and CEO of Nova Scotia Power did endorse the NDP campaign platform in 2009?

THE PREMIER: Mr. Speaker, as usual, none of that is either relevant or true. The reality is it was the government that member was a part of which increased home electricity by 8 per cent by putting the HST on. It was this government that took it off.

MR. PORTER: Mr. Speaker, the truth is and the reality is that this government is standing by while Nova Scotia Power puts the proverbial wood to Nova Scotians. Commercial businesses across Nova Scotia are facing a 6.2 per cent increase in their power rates in January. What do I tell successful businesses like Nu-Air Ventilation or Avon Valley Greenhouses in Falmouth, that the NDP wants you to be more energy efficient, and in the process they're going to raise your electricity rates by 6.2 per cent?

THE PREMIER: Mr. Speaker, I realize that's a confusing question, but the reality is that energy efficiency is a very important part of any business plan. The best way to save money on energy is to reduce the amount that you use. I'm not sure why the member would be opposed to that.

MR. SPEAKER: The honourable member for Dartmouth East.

HEALTH: CONTINUING CARE STRATEGY - ACQUIRED BRAIN INJURY

MR. ANDREW YOUNGER: Mr. Speaker, over nine months ago I asked the Minister of Health about delays in the continuing care strategy related to people living with acquired brain injury. The minister is aware and she confirmed at the time that her department could see monthly costs for some patients dropped from \$15,000 to \$1,000 a month with the community care model suggested in that strategy. I hope the Premier won't say that we don't suggest cost savings, because there's one we suggested nine months ago. That's a reduction in cost for more appropriate care.

It's over nine months later, so would the minister please tell the House when individuals with acquired brain injury can expect fully-integrated supports as promised in the continuing care strategy?

HON. MAUREEN MACDONALD: Mr. Speaker, the question of providing health care services and rehabilitation services to people with acquired brain injury is a very important one. We've had many individuals in the circumstances where they're required placements. My department continues to work with families with respect to placements. We have some excellent facilities in the province, such as Peter's Place on the South Shore, where people have been placed, as well as a small options setting in Dartmouth. We will continue to work with the acquired brain injury community, the Brain Injury Association of Nova Scotia, the physicians at the rehab and others, to provide the best health care services we can.

MR. YOUNGER: Mr. Speaker, at the time some members will remember that I introduced members of the House to Chris Rafuse of Rannoch House. On April 8th the minister committed to personally meet with Ms. Rafuse after the House session, and I'll table the Hansard transcript that shows that. I then wrote to the minister on April 14th to remind her of her commitment.

On May 5th the minister wrote back, indicating: I would be pleased to meet you when my schedule permits, once the House has risen. It has been over nine months and the minister has yet to meet with Ms. Rafuse, as she promised. Ms. Rafuse has had visits from provincial staff, who she has called, and those staff have said yes, the minister will meet with you, as she promised nine months ago, but it has been over nine months.

Mr. Speaker, when does the minister plan to personally meet with Chris Rafuse of Rannock House, as she promised over nine months ago?

MS. MAUREEN MACDONALD: Mr. Speaker, it continues to be my intention to meet with these folks, when my schedule permits. Thank you.

MR. YOUNGER: Mr. Speaker, I'm not sure when the schedule is going to permit. It's been over nine months. It was the previous House session when she stood here and said we are in budget estimates, she couldn't do it then. I understood that and I think Ms. Rafuse did but the expectation was that it would come shortly after that session.

It has been over nine months. There's a freeze on licences for the type of supports for acquired brain injury. The government is spending \$14,000 a month more than it needs to for these patients and the Premier wants to save money. It's ridiculous.

Mr. Speaker, it's not acceptable that Nova Scotians should still be waiting for supports for people living with acquired injury, supports that were promised for 2009, the minister admitted were behind schedule. At the time she said, ". . . we need to develop a strategy, and a strategy would very much look at rehabilitation services and housing in the community, and that is yet to come." The minister said nine months ago that it was important, she said she would meet with Ms. Rafuse nine months ago.

Mr. Speaker, while we're still waiting, will the minister give a firm date when she will announce her strategy to address the needs of people living with acquired brain injury?

MS. MAUREEN MACDONALD: Mr. Speaker, we will continue to do the important work that is necessary to provide services to people with acquired brain injury. We do have a variety of services now and those services are of a very high quality. They are also of significant cost and as we look at what the needs are in this community, we will look at ways to add in additional services.

With respect to meeting this particular group, I continue to be committed to have a meeting but my schedule has not permitted that that occur. That's why I ensured that people from my staff met with this particular group and in fact, went over a proposal that they had submitted, to attempt to explain to them why that proposal was significantly too rich for the blood of the department at this time, a proposal where the per diem was much higher than any of the other per diems that we see in our system.

MR. SPEAKER: The honourable member for Argyle.

TIR: INDIAN SLUICE BRIDGE - REPLACEMENT

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, I get a lot of suggestions about what questions I should ask here today so I think it's good. I want to talk about the

bridge. Many times in this House I've stood and spoken about a bridge that's very important for the constituents and the people in Argyle. This is not a little bridge; this is the Indian Sluice Bridge, which is 100-plus years old and connects Surettes Island and Morris Island to the mainland. As I said, it's over 100 years old - I think we're now at year 102 - and the community has been asking many times when we could expect a replacement to that bridge.

Now, Mr. Speaker, I know that the last few days there have been engineers combing one end of that bridge to the other, so I'm just wondering where that project is.

MR. ESTABROOKS: I want the member to know that in the department we don't refer to it as the Indian Sluice Bridge or the Surettes Island Bridge, we refer to it as "the bridge." And that bridge just isn't on the radar screen in my office, it is also on the wall above . . .

MR. SPEAKER: Order. Order, please. The time for Oral Question Period has expired.

MS. KELLY REGAN: Mr. Speaker, I rise on a point of order. During Question Period, the Premier claimed that I said that we didn't have to get back to balance. In fact, I quite clearly said we didn't have to do that on the backs of students, so I would like to give the Premier a chance to withdraw his misleading remarks. (Interruptions)

MR. SPEAKER: It's not a point of order. I think it is a difference of opinion between two members, but it's not a point of order.

The honourable member for Bedford-Birch Cove.

MS. KELLY REGAN: Mr. Speaker, it quite clearly is not. We will go and check Hansard, today. We know exactly what he said; he misled the House with what he said. (Interruptions)

MR. SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, I move that you do now leave the Chair and the House resolve itself into a Committee of the Whole House on Bills.

MR. SPEAKER: Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

[2:12 p.m. The House resolved itself into a CWH on Bills with Deputy Speaker Mr. Gordon Gosse in the Chair.]

[4:15 p.m. CWH on Bills rose and the House reconvened. Mr. Speaker, Hon. Charlie Parker resumed the Chair.]

MR. SPEAKER: The Chairman of the Committee of the Whole House on Bills reports:

THE CLERK: That the committee has met and considered the following bills:

Bill No. 102 - Tanning Beds Act

Bill No. 103 - Motor Vehicle Act

Bill No. 108 - Nova Scotia Museum Act

Bill No. 109 - Weed Control Act

Bill No. 110 - Animal Protection Act

Bill No. 111 - Motor Vehicle Act

Bill No. 112 - Halifax Regional Municipality Charter

Bill No. 113 - Clothesline Act

Bill No. 114 - Anti-idling Act

Bill No. 115 - Public Sector Compensation Disclosure Act

Bill No. 120 - Condominium Act

and the chairman has been instructed to recommend these bills to the favourable consideration of the House, each without amendment.

Further, Mr. Speaker, that the committee has met and considered the following bills:

Bill No. 89 - Personal Health Information Act

Bill No. 99 - Conflict of Interest Act

Bill No. 106 - Handicapped Persons's Education Act

Bill No. 118 - Public Interest Disclosure of Wrongdoing Act

and the chairman has been instructed to recommend these bills to the favourable consideration of the House, with certain amendments.

MR. SPEAKER: Ordered that these bills be read for a third time on a future day.

GOVERNMENT BUSINESS

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call the order of business, Public Bills for Second Reading.

PUBLIC BILLS FOR SECOND READING

MR. SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 121.

Bill No. 121 - Human Organ and Tissue Donation Act.

MR. SPEAKER: The honourable Minister of Health.

HON. MAUREEN MACDONALD: Mr. Speaker, I'm very pleased to stand today and move second reading of Bill No. 121, Human Organ and Tissue Donation Act. Today in Nova Scotia, there are 141 patients waiting for an organ transplant. Every day they wait, hoping for the good news that a donor has been found, which can be an emotionally and physically difficult time, as time goes on. When the organ and tissue donation decision of a person who has died is honoured, lives change.

Last year Nova Scotia had 15 organ donors and 95 tissue donors. We know these numbers could be higher. More needs to be done to ensure that people consider the gift of life and to ensure that once that decision is made, it is acted upon when they die. This new legislation will help ensure more Nova Scotians who want to be organ and tissue donors will have their wishes honoured, and those waiting for life-saving and life-enhancing donations will get them sooner.

This bill replaces the existing Human Tissues Gift Act. It modernizes the existing Act and it allows for changes that will ensure that the wishes of those who want to donate organs and tissues are considered. It will help close the gap, where this doesn't happen currently, by using a required referral process. This process will require that the potential organ and tissue donors are referred to the province's Critical Care Organ Donation Program and the Regional Tissue Bank, based at the QEII Health Sciences Centre. The staff at the Tissue Bank and Organ Donation Program will determine whether the person may be a medically suitable donor. If so, the team will then discuss organ and tissue donation with the family or

decision-maker to ensure that their loved one's wishes are acted upon. This change means that people who aren't suitable donors won't needlessly be approached while ensuring that those who are suitable donors will be considered.

This approach is already being used in Cape Breton and has resulted in significant increases in referrals and actual donors. The modernization of the Act also includes the addition of common-law partners to the list of eligible substitute decision-makers, which ensures the rights of patients in making these types of decisions. We know that 55 per cent of Nova Scotians have given prior consent to be donors, but our medical chart audits show that referral is often not made to the organ and tissue donation programs at the time of death and that many more could have been referred for tissue donation last year.

We know we can do better to respect people's wishes and help those Nova Scotians who are waiting on a transplant list. As a province, we are working with Canadian Blood Services and other provinces to improve organ and tissue donation across the country. The recent Living Donor Paired Exchange program is an excellent example. Of the 141 Nova Scotians waiting for an organ transplant, 121 of those persons are waiting for a kidney. Through this bill, government will require an annual report from the CEO of each district health authority and from the Chief Medical Examiner on the number of people who may be medically suitable donors but not referred to the tissue bank and organ donation program. This information will help identify barriers to improving organ and tissue donation and help the 141 Nova Scotians on the waiting list.

We consulted Nova Scotians and those individuals and organizations directly impacted by this new bill in the Spring. The input received through the consultations helped to form this legislation. When we announced our consultation, many Nova Scotians were surprised to learn that although you indicate you are a donor on your health card, you may not have your wishes honoured.

Changes to this bill mean that a donor's act of generosity will now be clearly considered as legally binding in Nova Scotia. During consultations we also heard that people were unclear why there was a waiting list for organ donation if more than half of Nova Scotians said they were donors.

Although we have some of the highest rates in the country of people willing to donate - more than half of us - only about 1 per cent to 3 per cent of us are actually able to donate organs, based on the criteria and end-of-life circumstances required to be an organ donor. This is consistent right across the country and I want to ensure that Nova Scotians understand why this happens.

Most often, organ donors are those who have died from a major head injury or stroke. Advancements in injury prevention, like seatbelt and helmet laws, are reducing the number of tragic deaths that occur. That's a good thing. But, it also reduces the number of eligible

donors. That's why it's so important for people who are able to donate to consider it as an option because most of us never know how we are going to die.

After this legislation was introduced, I had a number of e-mails. One of the e-mails I had was from a woman, a mother, who had lost her son in an accident. He had discussed with her his wishes to be an organ donor in the eventuality that anything like that ever occurred. She told me in this e-mail that she had fulfilled her son's wishes, and I have to say it's one of the most moving e-mails I've ever received in my time in this Legislature. So I want to encourage all members of this House, if you haven't already done so, please consider signing your health card to become an organ donor. I ask for your support on this very important bill.

MR. SPEAKER: The honourable member for Halifax Clayton Park.

MS. DIANA WHALEN: Mr. Speaker, I'm certainly very pleased to be able to speak today on Bill No. 121, which is the Human Organ and Tissue Donation Act. The minister has made the point quite clearly that Nova Scotians have been very generous in signing their donor cards. In fact, we have the province with the highest participation rate in the country, with 55 per cent of Nova Scotians signing those cards and indicating their willingness to be an organ and tissue donor at the time of their death.

There seems, though, to be a big disconnect when it comes to what's happening at the hospital level or at the time of their death in terms of actually making good on their wishes, following through on their wish to help others at that time. We know there are so many different types of transplants that can take place, so many different ways that you can benefit another person's life after you're gone - by helping with restoring eyesight, you know, certainly providing different organs that can ensure people continue to live who would otherwise not - liver transplants, lung transplants, kidney transplants, and so on.

We've certainly had a lot of discussion here at the Legislature over the years about Nova Scotians waiting in Ontario for lung transplants, which is where they're done, and going up there and, of course, having the cost, which is a tremendous burden, but needing to essentially be there right at the doorstep of the hospital if an organ becomes available. So many people's lives are hanging by a thread waiting for those organs or tissues to be available.

What we can do as citizens is sign our donor cards, talk to our family and our friends and raise the issue so that more people will think of it. Sometimes people just don't want to look at that, or they've overlooked it for some reason, and just a small discussion can make all the difference. I know at the press conference that was held to introduce this, there was a mother who spoke about her son dying in a traffic accident and it was very sad. She certainly did say as well, similar to the e-mail that the minister spoke about, just how much it meant to their family to be able to follow through on their son's wishes. Although he was a very young man, he had still spoken to his parents about his wish to help others. I thought

it certainly came through loudly that that mother understood, and luckily they'd had the discussion. There was no question at the time of the tragedy that they knew what they wanted to do and what their son wanted to do. So I think it's really important that we do tell those in our family, the decision-makers who would be there, so that we know that this is a way we can all help others in a time of tragedy and loss.

Certainly then this bill, Bill No. 121, takes us to the point where there's going to be some more protocols around helping people have those wishes met. What's really shocking and surprising is that at the end of the day last year there were only 15 organ transplants and only 95 tissue donors out of all of the people who passed away last year - again, in the context that 55 per cent of us have indicated a willingness to be donors, in fact, a wish to be a donor. So somewhere along the line we seem to be missing the boat in terms of ensuring that those wishes are met.

I do see in going over the bill and having attended the briefing on the bill that the intent here is to have the hospital staff follow a protocol which will ensure two things. One, that more people are approached, that we don't have people who would be good donor candidates, who would be able to help others, and because of some miscommunication, or perhaps the medical personnel not taking the initiative at the moment, that opportunity is lost and people's lives that could have been helped are not helped.

[4:30 p.m.]

So with this protocol, one of the things was what the minister referred to was the annual report that she would like to see, or she's now going to require, through the passage of this bill, from every DHA and from the medical examiner, actually saying, in opportunities that were missed - why? You have to report back; there's an accountability mechanism in this bill that would say, you've got to come back and explain to the minister why the opportunity was missed, what were the extenuating circumstances. I think knowing that this is one of the requirements coming through with Bill No. 121, hospitals will respond and the people who are front-line medical personnel will now know their responsibility more clearly and understand what needs to be done.

I thought it was interesting to note, as well, that before families are approached, there will be an assessment about whether an individual is a candidate. I'm not sure why the number of - I think we call them - eligible donors is so low. If 55 per cent of us would like to be donors, and only 1 to 3 per cent actually meet the criteria when the time comes, that seems to be tremendously low. I realize it has to be somebody whose diseases wouldn't affect their other organs, who are within a certain age restriction, but even at that, it seems terribly low, 1 to 3 per cent who are actually considered eligible under the criteria that we follow. If that is the case, we cannot allow any of the potential donors to be overlooked because it really means the number of potential donors is very low and the number of people waiting, as we heard, right today, is 141 Nova Scotians waiting on lists for what could be life-saving organ transplants.

It's very important that we all, as I say, do whatever we can. I think there is a fair amount of hope that this bill will help to strengthen the situation and actually result in more transplants taking place. Even when the minister talked about Cape Breton already putting this protocol into place, the numbers are still pretty much single digit. It's very low numbers that we're getting back in terms of the number of transplants that are taking place there. I am still left to wonder why, and I'm sure that's why, during the consultation, so many people expressed disbelief, that is a very small number of people who are being helped as a result of more than half of us being willing to help.

Right now there are 4,000 Canadians waiting for organ transplants and often, as you know, if there is a candidate - and they have to be matched, of course, in so many ways - organs are taken and moved around the country, even, to help in other provinces. It might be that there is no match in Nova Scotia but there's a match in a neighbouring province, or in Ontario, or there are only one or two centres where those transplants are taking place and that's where the organs would be made available. It's important that we even think about the province in its role nationally, that there are 4,000 Canadians waiting for life-saving organ transplants. Last year, only 1,803 transplants were performed across the entire country, so we have a tremendous need.

Last year 195 Canadians lost their lives while they were waiting on those wait lists. Whatever we can do here in Nova Scotia is important and I think the bill is going to take us forward, at least one step forward, and that's a positive thing. I hope that it will have an effect of more people talking to their families and I hope that as individuals we also take that message to our constituents and perhaps write about it or draw attention to it so that more people will become donors and indicate their willingness to be donors. I think that's something that all of us can do in our positions as legislators, having been made aware of it here.

Again, this is something that I think creates some greater hope for Nova Scotians, for those who are waiting for transplants. We've heard that in a time of loss, the actual donation of tissue and organs can be a great comfort to the families that are affected because they know that something good has come from a tragic situation. So it actually has a benefit on both sides, which we do think is good.

We know that the Legacy of Life stakeholders had discussed legislation during their education sessions and the minister had consulted with them and with others in coming forward with this. I would be interested to know the actual feedback from the consultations. It was a question that went through my mind when we were hearing about the bill coming forward.

I would like to know if there was any discussion about going any further than we've gone with this or in any way being more proactive in terms of where we might take this legislation at some point in time. Clearly, that disconnect is so great between those whose

lives are sometimes hanging by a thread and the people who could be able to be donors who perhaps hadn't been asked or hadn't indicated because they had never thought of it.

I don't know if there are other, more proactive methods in other places, but I wondered what the people who were consulted had said whether this takes it as far as they wanted to go or whether there was an indication that there could be more they would like to see done or they would like the government to consider. Just different measures that might ensure that the 1 per cent to 3 per cent who are actually meeting the criteria and could be donors are actually going to be able to benefit those who need those organs and tissues so much.

I think many of us know people who may have been helped over the years with those kinds of donations. It makes a tremendous difference. I've known people who have had the cornea transplants and it has restored eyesight, which is a tremendous thing in itself. I know of a young person who had a liver transplant in Ontario as well, where they do children. It's really so precarious about whether or not an organ will become available that it's almost by the grace of God that you ever get one.

We need more families to be aware of this and more people to be approached to think about it. I hope the government will be encouraging more social media or more outreach to make sure that people do think of that. I think although Nova Scotia's in a good position at 55 per cent of people having identified their wishes to be a donor, we could even do better. We really could, and I think most people who are asked would think about it or give it more thought than they have to date.

Right now the Act that we have in place at this point in time is over 20 years old, so there was no question that this Act needed to be updated. I think it is a very good time for us to do so. I certainly support any measure that will provide greater help and more intervention and essentially saving lives of Nova Scotians. With that, I am happy to support this bill as it goes forward to the Committee on Law Amendments.

MR. SPEAKER: Before we proceed, the subject for this evening's late debate was submitted by the honourable member for Dartmouth East.

Therefore be it resolved that the House of Assembly acknowledge that the NDP Government has allowed Nova Scotia Power to increase rates on the backs of consumers, created a less competitive business environment as a result, and coupled with their electricity tax which will continue to increase in coming years, have made life less affordable for Nova Scotians.

This will be debated at 6:00 p.m.

The honourable member for Argyle.

HON. CHRISTOPHER d'ENTREMONT: Mr. Speaker, I'm just going to spend a few moments, maybe a couple of stories when it comes to organ donation in this province. This is a good bill going forward, one that needed to be updated, needed more clarity around organ donation in Nova Scotia. I think many people become organ donors, even to the point that even though on your health cards and licences, that people would sign up as being organ donors, it seems far too many of those wishes were overturned by family members in a grieving process.

I have two basic experiences when it comes to organ donation in this province. As I said, it's something that doesn't happen enough in Nova Scotia - things that should be happening more. Not only does it require an Act in this House of Assembly, but it should also come with a true marketing plan. It's an awareness issue, of making people understand the gift of life that is given by the donation of tissue, organs, or such.

The two examples that I will use are two personal experiences with this system. One has to do with our previous chief of staff, Bob Manuel. I think many of you know Bob from his time as chief of staff over at the PC caucus office. Well, I think it was nine years ago, or eight years ago, Bob, when he was the manager of the HRSDC office, or HRDC at that time, in Yarmouth, became gravely ill. One day he was talking about his first experience, where he was walking from the post office - for those of you who know where the post office is in Yarmouth, sort of centre of town there, and he walked over to I believe it was the L.G. Trask Building, which is just over by town hall. He found even though he was a larger individual, I think we'll call him, he found that walk really took a lot out of him. He was a lot more tired, winded, not feeling well after that walk of probably five or six blocks - and it is not very difficult, it is all on flat land.

Being concerned about being probably not a super-healthy individual, he went to his doctor and, of course, went through a battery of tests at the time. Bob found, after many tests, that he had a virus and that virus had wreaked havoc on his heart muscle. I forget what the amount of damage was that had happened to his heart, but he became a candidate for a transplanted heart.

Now my wife, at the time was working for HRDC so she was a co-worker of Bob's and seemed to be well aware of the things that were going on throughout his wait. Mr. Speaker, I remember coming to visit Bob who had moved closer to the city - of course his family was in Tantallon, where he grew up. He came and spent time with his father, with his brother and sister. I remember coming to visit Bob and noticing the deterioration in Bob, how he was really starting to suffer and really starting to lose more of that heart muscle.

Well, thankfully for Bob, after waiting - and I forget the amount of time; I apologize for not knowing how long he waited, but I know it was sort of in that year range, if not a little more than the year range - Bob was the recipient of a new heart. I think many of you might remember, there was a full write-up in The ChronicleHerald at the time - they followed Bob through his process, through receiving the new heart, the new life that he was

able to experience, of course, with his son and his grandchildren. The best thing that I can remember in that picture in The ChronicleHerald was the picture of him, and his wife Karen, just before he was going into surgery. There was sort of that look between them and a final kiss - even now, talking about it and thinking about that picture, it gives me goosebumps.

Well, you know, and already eight years later, Bob is still a force to be reckoned with, one who put up with the trials and tribulations of working in a caucus office, that I know many of the honourable members here would understand of being a chief of staff and one who definitely survived an ordeal.

Now don't forget, we're never out of the woods when it comes to that. Of course Bob still takes a lot of anti-rejection drugs, many drugs in order to keep him well. The best that I can do in this milieu, in this House of Assembly, is convey the gratitude that we all have for the work that he did for our Party and I know that he has done for the Province of Nova Scotia. So with that, it is thank you, Bob.

[4:45 p.m.]

The second example that I can convey is with my father-in-law. My father-in-law passed away, I think going on six years, almost seven now. He had a heart attack and passed away one evening at home. He had signed his organ donation card and was able to donate eye tissue, the corneas, and they went to somebody who did require that. And then there is the ceremony that is held every year for families of people who have donated tissue or donated what have you in their lives. I know my mother-in-law and my brother-in-law did participate in all that and got to see first-hand the good that comes with organ donation.

Mr. Speaker, I can say this is again a very good bill, one that I think will continue to move the issue of organ donation further in our culture. Again, it's one that we should all do regardless of what we think, or what kind of shape our bodies are in. I know many people say, well, I'm not going to give anything, there's really nothing good to give. Well, if I look at my father-in-law who was able to give his corneas, people are able to see because he did sign that paper.

Mr. Speaker, I can say that I hope that everyone in this House has taken the opportunity to sign a piece of paper, a will, whatever you can, and make it known to your loved ones that this is your intention to donate an organ or tissue so that someone else can have the opportunity to either continue to live or truly make their lives better. So I know our caucus supports this bill in its path through this House of Assembly.

MR. SPEAKER: The honourable member for Bedford-Birch Cove.

MS. KELLY REGAN: Mr. Speaker, I'm pleased to rise today to speak on the Human Organ and Tissue Donation Bill. Our critic has ably dealt with a number of the more technical issues around this. I just wanted to speak about what the issue of organ donation

has meant to my family. About a decade ago I got a call from my mother back in Ontario and she indicated to me that my cousin's son had contracted some kind of a virus and his heart was failing. Graham was only 19 years old and he was going to have to have a heart transplant.

Now, we were just about to go away on vacation and so I was flabbergasted. Anyway, we went away and my mother kept in touch with me. We were part of the way through that vacation and, you know, we kept keeping in touch, finding out about Graham's condition, and my mother sent me a text and said you're not going to believe this, but Graham has had his transplant. He was going downhill that fast that he was I guess, moved to the top of the list and so he was able to get a heart transplant. Now, this was in Toronto and since that time Graham has gone on to study at community college, to take up a trade, and he's a happy young man with a great life in front of him. So, of course, my family is very grateful.

So earlier this year I got a call from my mother again and she said you're not going to believe this but your cousin Pam, who is Graham's mom, has to have a heart transplant and she has had heart issues for a number of years. So, in fact, she was going downhill. She now has a mechanical heart and they've had to install that. So she has joined the one in 4,000 Canadians who is waiting for a transplant. Actually we were just in the House a day or two this session when my mother sent me another text message and she said Pam is going in for the heart transplant today. So, you know, we waited with great anticipation to hear the news and unfortunately she wasn't a complete match and so she's back on that mechanical heart.

So now to see the government moving in this direction, to see the government doing anything we can do to make sure that people who want to donate will get the opportunity to donate their organs if it's an appropriate circumstance for them to donate, I'm very pleased to see. I guess I would like to say we're not advocating moving in the direction of presumed consent or anything like that as we have seen some Parties do elsewhere, but we would like to see additional programs highlighting the issue of organ donation. When I say 'we', I'm talking about me personally. I would just like to see that maybe we encourage people more to sign those cards. I think I was 16 when I got my driver's licence and I signed that card then and I believe that it's an important thing to do but clearly, not a whole lot of people agree with me when we have so few in terms of percentage. I would like to thank the government for bringing forward this bill and encourage them to take more measures that would encourage more people to sign up as donors. Thank you.

MR. SPEAKER: The honourable member for Hants West.

MR. CHUCK PORTER: Mr. Speaker, it's great to have an opportunity today to speak to this bill, which is of great importance to many people. We're hearing stories about those people that we know that have been affected or maybe are currently waiting. I know a young lady right now who is in Ontario, she's from my area, waiting for a double lung transplant and her time is running short. It's one of these things whereby people think about

it, but they don't often act. We know that we can sign the card if we want to, but it's a tough decision for people to make personally. We think, just sign it, it's that simple. Do we really know what that means? I'm not sure that we do or when we're young, perhaps like the former member who just spoke, signed that at 16. Do you really know what that means? Maybe not, but even more importantly, I've been on the other end of that when you're sitting there when somebody is nearing that time and you have to consider asking them, would you like to be a donor? Would you like to commit your organs and tissues and whatever else, it's a hard thing to do.

I think that doctors and nursing staff and health care professionals all have a very difficult time in doing it. Part of that has been because it's not something that's generally top of mind unless we've been affected by it. It's like cancer or one of those things. When you have a family member contract cancer and/or pass away because of cancer, it generally is more on your mind. We've promoted the eradication of cancer for many years, as we all know in this House, our campaigns and so on, annually and months and things like that. It's one of those things, but organ and tissue donation is not and that's what is good about this bill and the opportunity to speak to it and get it on the floor of this House.

Hopefully there are people listening and paying attention and maybe there will be talk around the dinner table tonight where families will have the opportunity to talk about it seriously and say, what do you think? Should we be doing this if we haven't already done it? What does it affect? Well, I don't know what the numbers are, I haven't taken the time to look up the stats. I'm sure the minister and the department probably know what they are annually by way of both deaths and donations and more importantly to the numbers that they help. I don't think people realize even when they sign the organ and tissue donation obligation for after life, that they realize exactly how many people you could actually help, how far your tissue goes, your eyes and every other part of you could potentially go somewhere. It's a wonderful thing and as far as I know - and nobody has told me otherwise - once that time comes, you really don't have any use for it.

In all seriousness, it is something to consider and I hope that people are considering it. I know that the minister probably sees, on a regular basis, letters from people who are awaiting donation and what can you do to help us financially? We as members probably have all seen that - can you make a contribution to send us to Ontario? We're going to be there for six months while we wait. We all know what death is like, we've experienced it in our families, I would say most of us and if not, we will experience it and certainly ourselves at some point. I hope we don't wait too long before we think about this issue and we make that decision.

It's a tough one to get around and scientifically it's a great one to make. We know with these specialties that we have today by way of technology and physicians and all that's able to be put up in front of us what it means. What a great thought it would be to know that you yourself left a heart or a lung or a kidney or maybe just tissue for someone who has been burned badly, eyes, cornea and so on and so forth to carry on to help somebody.

Again, just taking those few minutes, I would say I hope that along with this bill being passed through this House that not only tonight's discussion is had here and then forgotten about, but there's some kind of promotion. I don't know just what that is, whether it's a campaign in schools or it's a campaign on TV or whatever it is. There are a lot of things that we put money into like reports and all of these different things, but we know this is real. We know that this sort of thing actually helps people. They survive and they live on, as we've heard in this House, for many years, as we've heard in this House, and generally in good health.

So I hope we have a plan to put this forward and communicate to Nova Scotians, and whomever, in a way how important it is and, with that, I will take my seat and thank you for the opportunity. We're going to be happy to support this bill passing through.

MR. SPEAKER: The honourable member for Preston.

HON. KEITH COLWELL: Mr. Speaker, I'm going to be very brief on this bill. I think it's a very good bill and I think the government is going in the right direction with this. I just want to tell a couple of very short stories here that are very important to me and very important to the people I know.

Early in the 1990s, when I was first elected to the Nova Scotia Legislature, a very good friend of mine, Dennis Day, was diagnosed with a very serious lung problem. At that time it was very difficult to get a lung transplant and he had absolutely no hope of surviving unless he got the lung transplant. So the community came together, put together fundraisers and really came out in a grand fashion, actually, and supported what he and his family were trying to do.

Now Dennis was always a person who would help in the community and did a lot of things to help other people. We went through the process and, as part of the process, one thing that he wanted people to do - not for himself, but for other people - we had a ceremony actually on the grounds of the Legislature here at that time, encouraging people to sign up to be organ donors in this province, and actually we had a large number of people sign up at that time.

To make the story short, before he could go to Toronto - and he was scheduled to go, he had the finances in place and everything that he could do, and he wasn't a man with a lot of money, so the fundraising was very important to him - unfortunately he passed away before he managed to get the transplant, but it showed how the community could come together and do this.

I think this legislation is very, very positive and if it helps 10 people in our province over the next 10 years, it will be well worth every minute and every effort put in by the government today, and us as Opposition supporting the bill, and also for the medical professionals who are out there trying to ensure that people's lives are saved.

I'm going to tell you another brief story, too, and again it was brought to this Legislature. My son-in-law's father, who lives in Cape Breton, whom I won't name, and there are all kinds of serious problems with drugs, the drugs that go along with these transplants are very, very, very expensive. Most people have to have these drugs for the rest of their life and you're talking about several thousand dollars a year and most people don't have them covered by a drug plan, so that is a serious issue after the operation.

In this case he went to Toronto, waited there and through the huge generosity of a gentleman who owned an apartment building there, next to the hospital, he found out about his story and provided an apartment for him free of charge - someone he didn't even know. So there must have been some connection there with that individual and someone else who had a transplant.

He did wait there several months and, indeed, did get the transplant. As of today - that was a number of years ago - he is still alive; although not in the best of condition today he is still alive. He did come back and he did many things that he wished he could do before he had the lung transplant. So it does show that this does work.

One other one I have to mention, because I think it's very important, is a person I do not know. I'm an avid car fanatic and I enjoy cars. I watch the all the shows and everything - but that's as far as I go, I watch the shows - there's a very famous person, Carroll Shelby, and it was on the news the other day, well, actually not the news, on a car show, and they gave him five years to live, 30 or 35 years ago, his heart was gone. He was a very famous person in the racing field at that time and he had to quit that. He was on and he said I've had a heart transplant and three open heart surgeries and I'm 89 years old - and 30 years ago they gave me less than five years to live. Fortunately he had the resources to have these operations and go forward.

AN HON. MEMBER: That's the Shelby Mustang . . .

MR. COLWELL: That's where the Shelby Mustang comes from.

Fortunately these things are available to people, hopefully a lot of people who need them, especially young people who can utilize this and live a long life and contribute seriously to the economy of our country and to our province.

[5:00 p.m.]

I want to commend the minister for bringing this forward and, indeed, we will be supporting this bill. Hopefully some Nova Scotians will benefit from this. I can tell you in the early 1990s, when I realized my friend was in such a situation, I did sign a donor card and I think that everybody should do that. If you can save one life - if a thousand people sign and it saves one life - it's well worth it. Thank you.

MR. SPEAKER: The honourable member for Cape-Breton West.

MR. ALFIE MACLEOD: Thank you very much, Mr. Speaker. I'd like to start out by congratulating the minister on bringing forward Bill No. 121.

Just recently, within the last week, I was reading an article and it talked about a new transportation device they have for transporting hearts, so that it is not so much about location anymore. They're actually going to be able to take a heart, if somebody's a match here in Nova Scotia, and they would transport it from B.C. or other parts of the country or the continent. This is a very amazing piece of technology that has come forward, which will make transplants that much easier for people who are in dire straits. One of the problems has been, of course, that there haven't been that many organs and, when there are, it's not always close enough that the person who requires it can obtain it. So I think this type of technology - and hopefully there will be more technology along those same lines coming forward and it will make the ability for transplants to take place that much easier.

So this bill is a bill that will help a number of individuals. It could even be somebody in this House. I've heard other members of the House talk about personal experiences, and I know that I've been a long-time believer in signing a donor card for organs.

Twenty-three years ago my 17-year-old brother got off a bus and, unfortunately, walked in front of a car. He was considered to be brain-dead and he was on life support for about five days, and the family was there and the decision had to come. We knew he wasn't going to get any better, and it was not any way to allow him to go on that way. So we made a collective decision as a family that we had to remove him from life support, but along with that decision, because of his age, we were also able to talk about organ donation. As a family, we decided that that would be the type of thing he'd like.

It was a very hard time for Shirley and me because we had just had a newborn child; she was only three weeks old. He had just celebrated his birthday the day before, and there were all kinds of emotions going on, but anyway the decision was made and the donation was made. I recall coming home from Ontario after the funeral, and when I got home the first thing that was in front of me was a Ship-A-Gift from Sears that he had sent for the newborn child. It was a hard time for our family.

About six months after, we got a note in the mail, and in that note it described how 13 families had been helped by the donations from one individual. We'll never know who those 13 people were, but we do know that they ranged in age from seven years old to someone who was 62, and we know that it gave them a quality of life that maybe they had not been able to enjoy prior to that. So as bad as it was to lose a brother, when you got a letter like that and you heard how somebody else at least benefited from it and how other families were able to share their time with the people they loved, it certainly made the transition of losing someone a little easier.

So I would say that a bill like this, the opportunity for someone to donate, is something that we should all take very seriously. As members of this House, but also as parents and friends, we should encourage everyone to take an opportunity to sign that card, to do that simple little thing. You put your signature down there because you may not be able to do much for yourself, but there are a lot of other people out there that you may be able to help, and after all that's one of the reasons we're put here. With that, I'll take my seat. (Applause)

MR. SPEAKER: The honourable member for Kings West.

MR. LEO GLAVINE: Mr. Speaker, I'm pleased today to rise to say a few words. I also probably need to inform the minister and government that we're not filibustering. This is a very, very positive bill and I compliment the minister for bringing it forward - Bill No. 121, the Human Organ and Tissue Donation Act. I was very surprised at the basic statistic that we just had 15 people, at least, you know, who are organ donors and 95 tissue donations in the province. I thought that at the rate at which Nova Scotians generously signed the consent card, we would have a much higher rate at which organs were harvested and people benefited.

There's no question that over the past seven years of my time in office I've had a lot of people write, call, or e-mail, advancing and asking and advocating that I as their member bring this issue to the floor of the Legislature. I have on a few occasions entered a resolution encouraging Nova Scotians to make sure they do sign their consent card, but I would have to say that probably it's this issue of transplant, and somebody receiving the gift of life from somebody who is not going to live is a very powerful event that happens in our communities, and some, as we know, happen within their families.

A couple of incidents I know that have really made me conscious of occasionally putting a note in my newsletter encouraging constituents to look at doing this, to make sure that they have signed documentation that will allow it, and it really has made me conscious of this every year because I actually have one constituent who has received a second double-lung transplant. This particular family, not a well-to-do family, had to rely on a tremendous number of community fundraisers. He received his first double-lung transplant in Vancouver and he was in good health for two or three years. He has cystic fibrosis - I was surprised that, in fact, a cystic fibrosis person would actually receive lungs, knowing that the disease is within the body.

However, as he deteriorated from his first lung transplant, they were looking at going to Toronto for a second lung transplant. It really grabbed hold of our community, because his sister died of cystic fibrosis in Grade 11. So for this family to again garner the strength and the community support - and it was right around the same time that the lady from the riding of Richmond received some help from the province - that this family was able to stay in Toronto and their son get a second double-lung transplant and, of course, he did receive

the lungs. It was very successful. He is now doing some film and artistic design work, and again, a productive Nova Scotian.

So it's a wonderful story, but perhaps the most gripping of all was there was a gentleman in my riding whose lungs were destroyed over a long period of time as a worker in a meat processing plant where there was a slow ammonia leak, and literally his lungs were destroyed.

We, again, throughout the community and through my office, helped with a number of fundraisers and got all the assistance from community organizations that we could muster to keep him in Toronto awaiting a double-lung transplant. Actually, it was just two days before his double lung transplant that the team of doctors said we really have our fingers crossed, you probably have no more than a week to live. He weighed 75 pounds, the day he went into surgery he was at 75 pounds. I'll never forget about three months later he walked into my office and he just broke down in tears. He said, I have to visit many people to thank for the gift that I received and now to be able to once again have a hope and a dream of a length of life.

It is a wonderful gift that any of us can be a participant in if we take the time and a conscientious effort to sign our donor card. I know it's done through licensing, but I've often wondered why it wouldn't be a notation on our health card. (Interruption) Oh, it is on the health card? Okay, thank you. I wondered. I remember doing this through my licence and I wasn't aware that it now is. Thank you very much, we were wondering what the process is. Every Nova Scotian, obviously, has a health card and that's what makes perfect sense. So the minister has informed me that is the case.

But it still requires our consent. That's the big thing. Once again, I just really wanted to convey a couple of those stories.

We know that in Ontario they've opened up the debate around, in fact, an NDP Private Member's Bill around the issue of presumed consent. That's where the discussion is going. While we're not advocating that at this stage, it is something that is on the agenda in another jurisdiction.

I just wanted to say that this is a very positive piece of legislation. Also, of course, in the announcement at the bill briefing, it was recognizing common-law partners as a substitute decision-maker. I think expanding those that would be asked when doctors had determined that it was a life-ending situation that now everybody will at least be tracked to see if they have consented and also the family, partners and so on will be notified. Having expanded that part of the consent is also a good step forward.

With that, I take my place.

MR. SPEAKER: The honourable member for Inverness.

MR. ALLAN MACMASTER: Mr. Speaker, I started thinking about a friend of mine who passed away this year. Aaron Beaton of Little Judique. Aaron was only 36. We went to school together from Primary to Grade 12. I'm just going to share a few things about him that I remember. One thing that would be of interest to the members opposite, on his Facebook page he had that he was a supporter of the NDP. I don't know if Aaron would appreciate me saying this, but we've often heard the term "red Tory", I think Aaron was a blue NDP-er.

Aaron was - I think he had the best combination of brains and social skills in our class. He was successful in everything he did. He was a very kind person. I remember we had a student come to our class, and you know how it is in a small school where you have somebody new come in and maybe they become the target because they're different. But, Aaron, I remember him sticking up for her and we used to tease him about having a crush on her. That was a sign of Aaron, that would have been in Grade 4, of a young guy who was thoughtful of other people.

I referred to him as a blue Tory, because he was a businessman and he touched a lot of people. He worked for a number of businesses. One was Frito Lay down in the Valley and then he went on to work for Molsen in Newfoundland and from there he went on to own a Tim Horton's outlet. He was living down in the States and had a young family there, and sadly he had a brain aneurism and he passed away. It was a complete shock to his family. He had two young children under the age of five, and so I appreciate the privilege to remember Aaron here tonight.

[5:15 p.m.]

Aaron's family decided, when it was determined that Aaron couldn't continue living any longer without the aid of medical devices, that they would donate Aaron's organs. It was a very thoughtful thing to do. We hate to lose Aaron, but we know that he's in a good spot now and in his last act on this earth he has helped others. We thank him for that and we thank his family for that. Mr. Speaker, it has been my privilege to remember Aaron Beaton tonight, and I thank you for the opportunity.

MR. SPEAKER: If I recognize the minister it will be to close the debate.

The honourable Minister of Health.

HON. MAUREEN MACDONALD: Mr. Speaker, I really want to thank all of the members who took part in the debate on second reading on this bill. I want to say that it has really been my privilege to be able to bring this bill forward as Minister of Health, but I have my own story I'm going to share before I close off this bill.

I have a drawer in my house at home, and every now and then I look in this drawer. It's a drawer where I throw things that I intend to put in a scrapbook, but I've never gotten around to doing it. One of the things I have there is an old *Chatelaine* magazine that has an article in it written by Silver Donald Cameron. It's just a very short little article, about two pages long.

It's the story of my brother and his wife, who had a little boy who at 10 months old required a kidney transplant. They received a kidney from a family from New Brunswick who had a little 3-year-old, and that little 3-year-old's kidneys - one went to my nephew and one went to another family with a young child at the IWK. My nephew today is in his early 20s. He is our miracle kid, and I feel so strongly when I think about the gift that family in New Brunswick made to my family under the most tragic of circumstances, much like the honourable member for Cape Breton West and his family as he spoke. I relate very much to the generosity and the compassion at such a difficult time.

Families from around Nova Scotia annually - and, in fact, from the Maritimes - Transplant Nova Scotia annually does an event, and there is an evening when families who have been the benefactors of the generosity and the kindness of others - perfect strangers - get together. It really is the most uplifting evening of any events that I've ever participated in. With this bill, if we can improve the scenarios for other people, it is so extraordinarily important.

The last thing I want to say is, we're in this Chamber and sometimes it gets a little heated, and we have different perspectives on so many of the issues of the day, but it's really wonderful, I think, that we can have legislation like this and our partisan points of view disappear and our humanity rises to the surface. I am eternally grateful for the stories we've all shared here this evening. Thank you.

MR. SPEAKER: The motion is for second reading of Bill No. 121. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill be referred to the Committee on Law Amendments.

Before I go to the Deputy Government House Leader, I will recognize the honourable Minister of Agriculture on an introduction.

The honourable Minister of Agriculture.

HON. JOHN MACDONELL: Mr. Speaker, in the gallery opposite I would like members to give a welcome to my constituency assistant who has worked with me for 12 years. You may notice the halo there but anyway, I would like members to give a warm welcome to Randy Layton, please. (Applause)

MR. SPEAKER: The honourable Deputy Government House Leader.

MR. DAVID WILSON: Mr. Speaker, would you please call Bill No. 122.

Bill No. 122 - Lobbyists' Registration Act.

MR. SPEAKER: The honourable Minister of Transportation and Infrastructure Renewal.

HON. WILLIAM ESTABROOKS: Mr. Speaker, I'm going to move second reading of Bill No. 122. (Interruption) Relax, I'm not going to make a speech.

MR. SPEAKER: The motion is for second reading of Bill No. 122.

The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Mr. Speaker, I just wanted to make a few brief comments, just for some consideration as we move forward toward the Law Amendments Committee and perhaps third reading on this bill. I think we would all generally agree that tightening up and following some of the regulations that are mirrored - as I understand it, these would mirror regulations already in place federally, around lobbying and I think that makes a lot of sense.

I really just wanted to flag two issues for the government's consideration. Maybe they may feel they are adequately addressed but perhaps when the minister has time, he can certainly look at these and get back to the House. The first one is, of course, it is required that all lobbyists be registered and this bill wouldn't change that. I think we are all aware that there are activities defined in this new bill and with these new regulations that would be considered lobbying that happen regularly here, whether that's the Taste of Nova Scotia event the other day or so forth, which under this new bill would qualify as lobbying and yet many of these organizations are not currently registered as lobbyists.

I think it's not just good enough to have the bill there, if the intent is to have those kind of activities covered or - I mean, the Minister of Agriculture and I and a number of other members were at a breakfast by the Agriculture Federation. Under the bill they really should be registered as lobbyists, I would suggest, maybe under the existing Act.

I'm not trying to cast aspersions on members here or on those organizations, I think it's really an education piece, it's making those organizations aware that they would be required to do that. So I think that - before we've seen some of the problems that can arise from not appropriately following regulations - I would strongly suggest that an education piece come along with such organizations, especially the smaller non-profits that may not be aware.

The second element is there is a provision in this bill around letter-writing campaigns. I don't have the wording in front of me right now but it has something to do with, if you encourage, or your organization encourages people to write MLAs on a particular issue, that perhaps you need to register as a lobbyist. I guess I'd like some clarity around the intent of that at some point as we move through the process because I think we're all aware that something will come up, let's say a school closure.

Well, I'll give you a perfect example where the current Minister of Education, when she was in Opposition, was very involved in the Alderney School proposed closure. She, along with others, was very successful in fighting that closure but, of course, one of the things that was done and one of the things that took place by the SAC at that school and the home and school was to organize a letter-writing campaign to school board members and MLAs. I was on council at that time and even councillors were getting letters about it. So my reading of the way the Act is currently worded is that, in fact, the home and school would need to register as a lobbyist before they would be able to not be in violation of the Act but could still advocate for the writing.

So, Mr. Speaker, I really just wanted to flag those two issues for the government because I think it's important that they're aware of those two concerns that perhaps require clarity. One of them is really just a matter of education and the other one is one that I think requires clarity. I'm sure this legislation is not aimed at the small, little home and school group, or the church group or so forth, that it is really just trying to get their message out. I'm reasonably certain that isn't the intent and maybe there is the need for an amendment or some clarity around that just to make sure that we don't inadvertently have people covered by this bill that it was not intended to cover. Mr. Speaker, with that, those are the comments and hopefully as the process moves forward, we would hear back from the minister with a response to those. Thank you very much.

MR. SPEAKER: The honourable member for Cape Breton West.

MR. ALFIE MACLEOD: Mr. Speaker, really I'm not going to be up here for a long time but I did get a phone call on this particular bill from two individuals - one was a member of the CWL and the other was a member of a fire department. Both of them were concerned as to what effect this bill may have on their organizations, not just in particular their fire department or CWL but all of them.

I was hoping that during the discussions tonight that the minister can clarify just what, if any, effect that this bill may have on those and with that, Mr. Speaker, I'll take my seat.

MR. SPEAKER: The honourable member for Inverness.

MR. ALLAN MACMASTER: Mr. Speaker, one of the items that jumped out was, it was one of the main items that's proposed in the bill, is contingency fees are to be banned. I just want to say I think that is likely a good thing. If people are lobbying with the rate of pay being relevant to their success, or lack thereof, I think that that could cause some difficulties in the sense that if people are motivated by higher amounts of money, they could be more aggressive. It could also be, well, I probably better not go into that. (Interruption) Yes, but I think that's important that the bill is containing that clause and I do look forward to hearing comments from people, should people appear before the Law Amendments Committee, and with that I will take my place.

MR. SPEAKER: If I recognize the minister it will be to close the debate.

[5:30 p.m.]

The honourable Minister of Service Nova Scotia and Municipal Relations.

HON. RAMONA JENNEX: Yes, I would like to clarify a few things for the honourable members. We've added a preamble in this that explains the role of a lobbyist and it's very important for people in Nova Scotia to realize that lobbying is a normal part of democracy. The Lobbyists' Registration Act encapsulates people who are paid to do this job at 20 per cent of what their job is, is to lobby, then they do need to register.

People out in our communities lobby us all the time on many different things and so any community organization, that's their job, is to make sure that we hear their voice, so they wouldn't need to register but the public does have the right to know who is lobbying government. So, therefore, we have added a part of that, I think the word grassroots is probably what confuses people the most, but it would be an organization, it would be a lobbyist that would be using other voices to speak to government. That organization now, that lobbyist needs to register so that people know who is behind any type of lobbying campaign. So it's the paid lobbyists, just to clarify that so your fire departments, any organization that we need to hear what they have to say, that's what we're here to do. I think that clarifies maybe some of the concerns that people have, but if people have any other concerns that I can speak to, please feel free to speak with me. On that, I would like to move second reading of Bill No. 122.

MR. SPEAKER: The motion is for second reading of Bill No. 122. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill be referred to the Committee on Law Amendments.

The honourable Deputy Government House Leader.

MR. DAVID WILSON: Mr. Speaker, would you please call Bill No. 123.

Bill No. 123 - Municipal Government Act and Halifax Regional Municipality Charter.

MR. SPEAKER: The honourable Minister of Service Nova Scotia and Municipal Relations.

HON. RAMONA JENNEX: Mr. Speaker, it is my pleasure to speak to Bill No. 123, amendments to the Municipal Government Act.

These amendments will help the Cape Breton Regional Municipality to deal with a pressing problem in their community. Arson in abandoned buildings has been a growing concern in CBRM in recent years. Right now there are 700 abandoned buildings in the Cape Breton Regional Municipality. That would be 400 homes and 300 businesses. I'm sure all members of this House are aware of the impact an abandoned home or business has on a community. Untrimmed bushes, broken windows, peeling paint and garbage on the lawn quickly follow an owner's departure. Not only is that building an eyesore, but that building becomes a magnet for crime. That is what is happening in CBRM.

Between January and early November, there were 130 suspicious fires in that community. Several months ago, the Cape Breton Regional Police appointed a full-time arson investigator to help deal with this problem. They have also asked for legislative help from the province. We are very pleased to provide that.

These amendments to the Municipal Government Act will clarify that a structurally sound building can still be classified as dangerous and unsightly. They will also enhance municipal authority - municipalities will now be better able to require that owners do basic building maintenance, before a building becomes unsightly. By basic building maintenance, I mean things like repairing broken windows, trim bushes and cleaning up garbage.

CBRM wants to stop these problems before they start. Once again, CBRM has asked for these amendments. I'm pleased to support them with this legislative change. I'm also proposing that these amendments be made to the HRM Charter, simply to ensure our legislation is consistent. I hope that these amendments will help CBRM curb the arson problem they have been dealing with for so many years.

With these few words, I move this bill for second reading. Thank you.

MR. SPEAKER: The honourable member for Cape Breton South.

HON. MANNING MACDONALD: Mr. Speaker, just a couple of comments. When you have that type of statistic that we heard from the minister in the regional municipality, or any municipality, that suggests there are hundreds of buildings that are vacant, it speaks volumes about the uncertainty, perhaps, of the economy.

I know in Cape Breton Regional Municipality we have a number of problems concerning unsightly premises, concerning abandoned buildings, and yes, the arson problems that occur when you have a lot of abandoned buildings here. This bill, I think is helpful, I think it's going to have some positive impact, I guess, in enabling the municipalities to clean up or take down some of these properties.

I notice in the Cape Breton Regional Municipality, the problem seems to be getting worse, not better, with vacant buildings, with substandard buildings, with businesses that are boarded up. That's never a good sign. It's bad enough that we have an uncertain economy but at least we don't have to be looking at the results of the failed economy over the past few years by looking at these boarded up buildings.

Any legislation that would strengthen that is welcome in this House. We'll certainly be supporting this bill. Thank you.

MR. SPEAKER: The honourable member for Hants West.

MR. CHUCK PORTER: Mr. Speaker, I'm just going to take a couple of minutes on this bill. I know it's got to do with the CBRM, but I sort of favour this bill in a lot of ways.

One, it should be province-wide, every municipality - as the former speaker, the member for Cape Breton South just mentioned - this is not an issue just in the HRM or just in CBRM, this is an issue municipally across the province. I know as a former councillor, I have dealt with this issue head-on and certainly it has been an issue.

We as MLAs still seem to take those calls and people dropping in to say, what are you doing about that old building? Again, not necessarily unstructurally sound but doesn't look real good, whether it's siding coming off or windows or doors, whatever it might be. The most important one - and you mentioned it, minister - was garbage. There are an awful lot of people who tend to hoard, for whatever reason, garbage. It may not be garbage to all of us. I forget what the saying is about garbage is somebody's treasures. (Interruption) The treasure or the garbage, I don't understand any of that, it's garbage but anyway, that's just my thoughts on that.

I would like to see something by way of this province-wide to encourage all municipalities to strengthen what they're doing by way of unsightly premises. I know that they have it but it's a long drawn-out process to get something done unfortunately. Perhaps there is a way through legislation, an adjustment, an amendment, whatever that might be to encourage municipal units, to give them more leverage on how to deal with the issue because it is, indeed, an issue. With those few words, I'll thank you for the opportunity to speak.

MR. SPEAKER: The honourable member for Preston.

HON. KEITH COLWELL: Mr. Speaker, I'm going to support this bill, I think it's a good bill and I just wanted to stand up and make a few comments on it. Prior to being re-elected to the Nova Scotia Legislature, I was on Regional Council in HRM for about four years. Part of the job - or one of the jobs - I had at that time was on the Dangerous and Unsightly Premises Committee. I can remember well going to the meetings and the first meeting I went to they ordered the demolition of a house on the video that the inspector showed, it looked like a pretty good house to me. Anyway, we demolished the house and the next month they came back and showed us a picture where the only thing left was a cleared lot, the foundation was gone and everything. At the time, the family, the individual who owned the house was in support of this happening.

It concerned me greatly because this was somebody's home and they were living in it at the time, when they evicted them and ripped the building down. There was good reason for doing that and it was the right decision to make, there was no question but it did concern me a bit.

The only concern I have about the bill is that the municipalities can remove a property that's structurally sound. I understand why they're doing that, I'm not opposed to that. I would just encourage the municipalities - and I want to put it on the record - that as they do this process and go through the process, they keep families in mind. Keep families abreast of what may happen to the building if they don't, indeed, look after it and make sure it's safe and secure and looks proper, looks great.

One other thing before I sit down that I want to talk about, I remember we had an unsightly premises; everybody in a particular area in the city had beautiful manicured lawns and this one gentleman decided he was going to grow a natural lawn. Other than being cosmetically horrible, there was no issue with it. At that time, the municipality really wanted to order this gentleman to mow his lawn or put people in there to mow his lawn and make the property and adjacent properties better. At that time they didn't have the ability to do that. From reading the bill, I believe this bill will do that and I think that's going to be a very positive thing long-term. There were other properties here the municipality had to - over a very long time - try to resolve the problem with them.

I think overall this bill is an enabling legislation, will enable the municipalities to move forward and, indeed, clean up some properties and some dangerous situations that they might not have been able to do. Overall, I believe the bill is good and we'll be supporting the bill, thank you.

MR. SPEAKER: The honourable member for Halifax Clayton Park.

MS. DIANA WHALEN: Mr. Speaker, I just wanted to make a couple of comments on this bill. I certainly think it's an important thing to do. I also had the opportunity to sit on the Committee for Dangerous and Unsightly Premises and it was often a lot of disputes among neighbours and some emotional moments, really, when properties were cited.

The one thing I wanted to mention today is really a thread or an offshoot from this issue. It relates to environmental issues around some of the properties that are left derelict and vacant and are a blight in our different communities.

I have a constituent who has been very upset about a property that is in the heart of New Glasgow. Although he lives in my constituency, he owns a home and a property in New Glasgow and is very upset about it. It's an industrial or commercial property that has been left vacant for over 25 years and the building just sits. It is owned by Irving, I believe, and as the owner of that property I believe the members from Pictou might be aware of it. It's large, it's unsightly and the reason it sits is because the property has contamination in the soil and that problem needs to be rectified.

I think we need some more powers for the Department of Environment to not just maybe cite these properties but actually some enforcement powers because nothing has happened. That issue is at an impasse in that town. I think the municipal councillors have been appealed to, the Department of Environment is going to appeal and yet that property still remains there, in the middle of the town and the issue isn't resolved. It is unsightly, it relates to this issue because it is an unsightly and unpleasant property because it has not been kept up. It is like these vacant businesses that were referred to in Cape Breton where there's 300 vacant businesses and 400 homes that have been left, basically, just vacant and derelict in Cape Breton Regional Municipality. Wherever you have a significant piece of property that is left, it does devalue the properties around it. It does demoralize the people who live in the area or within sight of it or the people who work in a town where they have to consistently go by a property that is just left, essentially an orphan property.

I know in the Auditor General's Report on contaminated sites they refer to the large number of orphan properties. Often that means the owners have just abandoned them. In the case of the property I'm mentioning in New Glasgow, we do know the owners and they are a reputable business that you can identify and find. Certainly if the Department of Environment had the powers, I would think they would have done something to correct the situation. I'm not 100 per cent sure but I believe, in looking at the Act, I felt that the department does have the power to do more and could step in and help the municipality and

the individuals who again, are being subjected to that on a daily basis and those who are taking it very seriously.

[5:45 p.m.]

I would just ask today, as I am definitely supporting this bill because this bill will help municipalities take action and rectify properties that are, as I say, causing devalued properties. Just a lack of community in certain areas where you've left a large number of properties vacant and a hazard, as was mentioned around the fire hazard and hazard of vandalism.

At the same time, there is a need for the Department of Environment to work with the Department of Service Nova Scotia and Municipal Relations, I believe, on the municipal issues that come around from contaminated properties in the middle of our communities as well. With that, Mr. Speaker, I certainly am supporting the bill. I hope that both ministers have taken note of my comments. Thank you.

MR. SPEAKER: The honourable member for Glace Bay.

MR. GEOFF MACLELLAN: Mr. Speaker, just a few quick comments on this bill. The minister mentioned 700 abandoned buildings and they are abandoned but when you look at the number of total vacancies in Cape Breton and certainly in my area, it would almost double that. Because there are a lot that are actually owned, on the books, and you can get them at a tax sale for \$1,000 but they float. So someone buys them and they don't touch them. They may renovate them or they may not. They go back in the tax sale and then the cycle continues. The effect of that is that a home or a property sits vacant and continues to deteriorate. Then it becomes an increasingly big problem for the CBRM, that can't afford the demolition or it can't afford to deal with those things, so I think a provincial plan and provincial assistance certainly helps.

The other sort of part of this, when I talk about the vacancies and the abandoned homes, a lot of these homes are company houses. A company house is essentially a duplex. In a lot of the cases in Glace Bay they are 110 or 120 years old. What happens is on one side there's a family or residents who look after it, it's their family home and they look after it and it's a great home. The other side has been left vacant and empty for two years, three years, 10 years, so obviously that brings many problems with rodents, with mould, with high grass, certainly with insulation issues. So if there's a hole on the vacant side, you're essentially - that weighs in on the heating costs and the cost to heat the home. So they are significant issues and, again, the CBRM has been so strapped financially and just in terms of rules and policies to deal with these things, so I think this is a great help.

The minister also mentioned arson and that is a problem with some of these abandoned buildings, but, to me, that would be secondary to the issue. These derelict and abandoned homes and properties become drug houses, they become drug hangouts, and

when people have problems with drugs, prescription pills, the heavy drugs, all they have to do is pull plywood off a window, climb into these places, and that becomes their spot to do that. So it's a very significant issue in Cape Breton with these homes and abandoned properties becoming drug houses and I think this is a good step.

The Affordable Housing Renovation Partnership has been developed to look at some of these issues and use these facilities, fix them up and renovate them so that they're usable again. So, anyway, there are many issues with vacant and abandoned properties in the CBRM. We've got a lot of work to do. There's lots to be done for sure, but I just wanted to take these few minutes to get up to say this is certainly a good start. I'm glad the provincial government, and we are involved in this and I applaud the minister for this bill. With that, I'll take my seat.

MR. SPEAKER: If I recognize the minister it will be to close the debate.

The honourable Minister of Service Nova Scotia and Municipal Relations.

HON. RAMONA JENNEX: Mr. Speaker, I just would like to clarify with the member opposite that these amendments are a part of the Municipal Government Act which means that they are for the full province and they were encapsulated too in the Charter so that we have consistency. There was just a little bit of misunderstanding with the member directly opposite from me.

I also want just to say that the Department of Service Nova Scotia and Municipal Relations worked with the arson investigator in CBRM. We were very pleased to be able to provide this amendment which we feel is the tool that CBRM can use to help with the significant difficulties they're having with abandoned homes. So thank you very much for your comments and I take other comments made this evening under advisement too, for future legislation, but right now I would like to close debate on Bill No. 123.

MR. SPEAKER: The motion is for second reading of Bill No. 123. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill be referred to the Committee on Law Amendments.

The honourable Deputy Government House Leader.

MR. DAVID WILSON: Mr. Speaker, would you please call Bill No. 124.

Bill No. 124 - Land Surveyors Act.

MR. SPEAKER: The motion is for second reading of Bill No. 124. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill be referred to the Committee on Law Amendments.

The honourable Deputy Government House Leader.

MR. DAVID WILSON: Mr. Speaker, would you please call Bill No. 125.

Bill No. 125 - Heritage Property Act.

MR. SPEAKER: The honourable Minister of Tourism, Culture and Heritage.

HON. PERCY PARIS: Mr. Speaker, I am rising to move second reading of Bill No. 125 to amend the Heritage Property Act. I certainly will be somewhat brief this evening.

Mr. Speaker, we know that Nova Scotians, including the municipalities, property owners and developers, want the Act to change to address the current and future needs of our communities. The amendments I am proposing today are a reasonable and fair start moving in that direction. The proposed changes will protect important pieces of our past while municipalities, property owners and developers consider new uses for heritage properties. Government also plans to revise the Act's regulations to better set out its application.

We consulted with many sources of information while reviewing the Heritage Property Act. We referred to government's heritage strategy, *A Treasured Past, A Precious Future*, which recommends a review of the Act. We took into account the Kelco report, a cross-jurisdictional review published in 2008, that validates issues with the Act itself.

In late September and early October of this year, Mr. Speaker, the Department of Tourism, Culture and Heritage conducted nine stakeholder focus groups and three public meetings to gather opinions from a wide range of people. We heard from property owners, we heard from developers and we heard from municipal representatives and advisory bodies, advocacy groups, heritage organizations and members of the public, from Yarmouth to Sydney. Those who could not attend the consultations were able to submit comments online or by mail. Their message was clear: Put in place more protection for heritage properties and cultural landscapes. This is the same message that is reflected in related research and reports.

Mr. Speaker, to increase protection for heritage properties, we're proposing amendments that focus on key areas. Once a heritage property is substantially altered or demolished, the effects are irreversible. Many people agree that a one-year time period to

consider applications for substantial alteration or demolition of a municipal registered heritage property is simply too short. In some cases, the time period expires and the property is demolished, it seems without even enough time to allow for dialogue.

We are proposing that the time period for municipalities to review applications for substantial alteration or demolition be extended from one year to three years. Mr. Speaker, under the proposed amendment, municipalities, property owners and developers will be encouraged to use the extended time period for dialogue. A longer time period, coupled with mediation, will allow for all parties involved to reflect carefree on their actions and to find the best solutions for the property.

The heritage value, and I quote, heritage value of a property is not defined in the current Act. This leads to difficulty in determining which elements of a property should be preserved. In Nova Scotia, we are fortunate to have many unique heritage properties. Because a one-size-fits-all approach cannot apply to each and every one, we're proposing that the heritage value of a property be directly linked to its individual character-defining elements.

Character-defining elements are the aspects of the property that make it historically significant. They can include elements of architecture, or, an occasion, or an association with a person, or an event. Providing clarity around the definition of heritage property value means that the most important parts of the property will be protected. When the heritage value of a property is known, it reinforces the reasons to celebrate its uniqueness. Substantial alterations to a heritage property include those that affect the appearance or physical makeup of the building. The current Act does not define substantial alterations and it is not clear what parts of a property may be changed without compromising its heritage value.

Mr. Speaker, we are adding a definition of substantial alteration linked to the property's heritage value. This change will allow heritage property owners to better manage their properties. The current Act is solid on cultural landscapes and the public interiors of government-owned buildings. The amendments give these two types of heritage resources protection under the Act. By enabling their eligibility for registration, we are protecting more of Nova Scotia's heritage.

In addition to proposing amendments to the Heritage Property Act, government intends to develop regulations that establish criteria for evaluating the heritage value of a property in consideration for designation. We will also establish criteria for appointing members to the Advisory Council on Heritage Property. The Advisory Council on Heritage Property reviews applications for provincial heritage property registration, as well as applications for substantial alteration and re-registration. These changes are a step in the right direction to ensure that the Heritage Property Act is up to date and able to address Nova Scotia's unique heritage preservation needs. Of course, these amendments will respect government's commitment to living within its means.

Amending the Act and developing the regulation is part of the ongoing process of protecting heritage property in Nova Scotia. The Department of Tourism, Culture and Heritage staff will continue to evaluate the need for future changes as we go forward. I will now take my seat, Mr. Speaker, and see if there are any comments from the Opposition.

MR. SPEAKER: The honourable member for Digby-Annapolis.

MR. HAROLD THERIAULT: Mr. Speaker, I'll just say a few words. We only have a couple of minutes before interruption anyway. We're in favour of this legislation, and I won't try to repeat everything the minister has repeated, but I do want to say something. In 2008, the member for Halifax Clayton Park and myself brought these very same amendments forward to this House, so I just wanted to point that out. We're fully in favour of everything the minister is saying about it, and we thank him for that. With that, I'll take my seat. Thank you.

MR. SPEAKER: The honourable member for Truro-Bible Hill.

MS. LENORE ZANN: Mr. Speaker, I know we only have a couple of minutes here, but I'm going to just start to speak to this bill, which I very much support. I'm very happy to see it going through. I rise to speak on behalf of the vital amendments to the Heritage Property Act. I want to thank the Minister of Tourism, Culture and Heritage for moving the adoption of such amendments and for speaking so eloquently in support of this bill.

This is a subject that's very dear to my heart, as I know it is to many members on both sides of this House - the preservation of this province's built heritage. It's almost impossible to believe that under the provision of the Act as it now stands, the owner of a municipally-registered building that has been the pride of the citizens of the community in which it stands can apply to have it de-registered, and bulldoze it down a scant 12 months later.

The Town of Truro lies within the constituency that I'm proud to represent in this House. Truro boasts numerous buildings, many of them private family homes, that possess unique cultural heritage, from the architectural perspective to the historical, from the way in which they were built to the historical importance of those who previously owned them.

I will continue to use Truro as an example of the need for this government to adopt the proposed amendments to the Heritage Property Act, because Truro possesses so many buildings of cultural and architectural importance. I think that it will be very important to recognize some of these, including the John L. Doggett House, which is the farmhouse my family lives in right in the centre of town. It was built in 1839, it's a provincially-registered property, and it is a very beautiful house. I'm very proud to have been brought up in it.

MR. SPEAKER: Order. We'll come back to the honourable member in a few minutes.

[6:00 p.m.]

We've reached the moment of interruption. The adjournment motion was submitted by the honourable member for Dartmouth East:

"Therefore be it resolved the House of Assembly acknowledge that the NDP Government has allowed Nova Scotia Power to increase rates on the backs of consumers, created a less competitive business environment as a result, and coupled with their electricity tax which will continue to increase in coming years, have made life less affordable for Nova Scotians."

ADJOURNMENT

MOTION UNDER RULE 5(5)

MR. SPEAKER: The honourable member for Dartmouth East.

N.S. POWER/NDP GOV'T.: RATE INCREASES/ELECTRICITY TAX - EFFECTS

MR. ANDREW YOUNGER: Mr. Speaker, it's a pleasure to rise during tonight's late debate to discuss this issue. One only needs to look at the fact that the Nova Scotia Power rate is once again increasing for the sixth time in nine years. We now have a guarantee that it will increase in each of the next two years at least, which means it will have risen eight times in 11 years.

The current government makes much ado about two issues in particular. One, they make much ado about taking the HST off electricity - residential electricity. Let's be very clear on that - it was always a flow-through for businesses. That has no impact when we talk about competitiveness which is what this motion is largely about, the issue of competitiveness and how the power rate increase is affecting competitiveness.

Removing the HST from electricity is irrelevant to businesses, first of all because it's a flow-through, and second of all because it wasn't taken off for them anyway. They have seen the full force of those rate increases at the same time that the rates are being decreased in Prince Edward Island and frozen in New Brunswick. Moreover, just three days before the election, the Premier's chief of staff wrote a letter to the Utility and Review Board and the Premier put out a press release arguing against adding a demand-side management charge to bills. Yet in the very first session of this government, they put that tax back on.

That tax was started last January 1st. It will now double this coming January 1st, and an application has been made to almost double that again for January 1, 2012. As much as the government may wish to talk about taking the HST off electricity, by 2012 they will in fact have almost entirely wiped that out by a tax they promised not to add, yet have added.

That was not part of the HST promise. We'll remove part of the HST, but we'll actually add another tax that will add up to the same. That wasn't part of the deal. That wasn't what they promised to consumers. In fact, they promised the opposite. They promised that they would not - not - charge that tax, that they were opposed to it. Just three days before the election. Three days.

The fact of the matter is that when the Premier was in Opposition, he demanded that the government do things to reduce power rates. The second issue that the Premier has talked about - we heard him in Question Period today - was the issue of mercury regulations and how he noted that his government had made the decision to relax mercury regulations. Well, isn't it interesting that when the Premier was asked by the media at the time how much that would impact power rates, he didn't know.

The decision was made before there was any way of knowing what that impact would be. The Premier admitted that himself in the media at the time. In fact, Mr. Speaker, as you are aware, I was an intervener in the recent rate hearings, and it turned out that the impact of the reductions in mercury was very, very small. Evidence was presented before the board that showed the savings now will actually still be charged to consumers later on and be charged at a higher rate because of increasing costs to do that equipment later on. Over the long run, over a period of about 10 years, consumers will actually pay more as a result of those changes to mercury than they would have otherwise. That was in evidence supplied by a number of the interveners at the hearing. Other options for reducing the rates were presented.

Isn't it interesting that the Premier and his government, when they were in Opposition, argued that the government should act to reduce the overhead cost and so forth for Nova Scotia Power and order those to be reduced. Yet here we have over the past few days, the Premier ordering or demanding that school boards reduce their administrative costs but he has backed off the demand for Nova Scotia Power to do the same thing. How is that fair? Where is that demand? Where is that standing up for consumers?

Mr. Speaker, I think it's very important that we recognize that. We also have seen, over the past few weeks, the Premier backtrack on a number of things that were reported in the media. He had talked about renewable energy issues, such as tidal and so forth, actually reducing power rates. Well, we know that they may stabilize rates in the long run but, in fact, they will not reduce it. In fact, we now know from information supplied by Nalcor, which is, of course, a partner to this deal on the Churchill Falls deal, that the anticipated rate in 2010 dollars, for the energy that will come across, will be around 16 cents per kilowatt hour

in 2010 dollars, which is much higher than the rate that we're paying now. So let's not pretend that that is a cost-saving.

Is it a good project? Sure, it's a good project, it's a good idea, but let's not pretend that that's going to be some great savings when, in fact, the rate that is projected in 2010 dollars is 16 cents and that's from the partners of this deal when, in fact, of course we're paying much less than that now. Mr. Speaker, likewise - and it's 10 years off, anyways.

Mr. Speaker, the Department of Energy repeatedly noted that in reports, as well as consultants noted in reports, that in fact, if you really wish to use renewable energy to moderate prices and you really wish to do things, then you create competition in the marketplace only for renewable energy suppliers. By doing that and I say not only consultants but the Energy Department's own report suggested that the government do this, that they allow renewable energy producers to sell directly to consumers, which creates competition in the marketplace.

Isn't it interesting that the building our caucus office is in is powered by Bullfrog Power, but they have to buy their power from New Brunswick, because, in Nova Scotia, you're not allowed to have renewable energy suppliers sell directly to consumers, so the project investments that they have to make are in places like Prince Edward Island and New Brunswick. The Ecology Action Centre, I believe, is also powered by Bullfrog Power and has the same issue. It's a way to start changing the landscape and it's something that even Nova Scotia Power has indicated that they would not oppose.

So, Mr. Speaker, when we look at the issue of competitiveness and power rates, which is what this is about, you can't get up like the Premier did today in Question Period and talk about taking the HST off, because that wasn't done for businesses, it was done for residences, so that doesn't have anything to do with how power rates affect businesses.

The mercury issue, as I said, it was shown in the hearing that, in fact, in the long run and not that long, in the years before the Newfoundland Hydro issue comes to pass, we'll actually end up paying more as a result, than they would now. Because we know mercury is bio-accumulative in the environment, even though you are reducing mercury more later on, you will still have so much mercury built-up in the environment that unlike some other toxins, it doesn't actually dissipate and disappear. I think that's dangerous and it was a dangerous decision.

Mr. Speaker, it's all about what is affordable. It's about competitiveness and that's why the issue of affordability and business competitiveness linked together intrinsically. We need to have a business climate that invites and welcomes and makes cost competitiveness the decision to locate a business here. Unfortunately, our two neighbouring provinces and arguably our nearest competitors at this time, for those businesses, are doing things. Prince Edward Island is financing their power company's debt at a lower interest rate and that lower interest rate is passed directly to consumers. That saving, if done in Nova Scotia, would be

more than the HST increase and would apply to every single electricity customer in Nova Scotia - businesses, industrial, residential, all of them. It would have an immediate effect because it is required by law to be a pass-through cost.

Mr. Speaker, I think it's important that the government look at things that address the competitiveness issue around power rates and not just what we see in terms of taxes that get removed and then just added under another name. Thank you very much.

MR. SPEAKER: The honourable member for Hammonds Plains-Upper Sackville.

MR. MAT WHYNOTT: Mr. Speaker, it's certainly an honour to rise today before my colleagues to discuss this very important resolution that states:

"Therefore be it resolved that the House of Assembly acknowledge that the NDP Government has allowed Nova Scotia Power to increase rates on the backs of consumers and created a less competitive business environment as a result."

Mr. Speaker, no one on any side of the House wants to see power rates going up but we take exception to the information that was actually in the resolution because, quite frankly, it's wrong. We would all like to see the very opposite happening for consumers right across the province, for families that are affected by this, but at this time that's not the reality that we live in.

Mr. Speaker, we haven't seen any other government have a plan in place like this government. Our government has outlined a plan that will ensure that Nova Scotia moves forward on stable electricity rates and we saw that announcement with our Premier and the former Premier now of Newfoundland and Labrador, Danny Williams, who has signed an historic deal for Nova Scotians. Not only for the people of Nova Scotia but also for Newfoundlanders and Labradorians.

Mr. Speaker, the steps that we have taken will put this province, and it has put this province as a leader, not only in Canada but around the world, but we cannot just simply remove our reliance on fossil fuels overnight. The Opposition thinks we can but the reality is that we cannot. Until we achieve a more diversified energy supply in Nova Scotia which includes a significant transformation to renewable energy sources, we are vulnerable. We're vulnerable to market price volatility but, again, the Opposition thinks that we can do it overnight but we can't.

I want to make it clear, Mr. Speaker, that it is the Utility and Review Board, an independent body, that has decided that Nova Scotia Power is entitled to the increase in electricity costs in 2011 to partially cover its fuel costs and enhance energy efficiency initiatives. The price of fossil fuel is not under our control. The board determined that Nova Scotia Power's increase in 2007 fuel costs are legitimate. The board also determined that the

energy efficiency initiatives that Efficiency Nova Scotia is implementing is a low-cost way for Nova Scotia to meet its future electricity supply and emission reduction obligations.

As such, Mr. Speaker, the board approved a rate increase to cover those costs. This is not the government saying this, it's not the government's Utility and Review Board. Electricity rates in this province are regulated by that body. The utility outlined its case at a subsequent hearing as did the interveners in this process. We believe that the measures that have been taken in the Renewable Electricity Strategy will ensure that we have stable pricing for the future of Nova Scotia ratepayers.

Mr. Speaker, that's years to come - 35 years, 40 years - that's my children and possibly even my grandchildren who will benefit from that. (Interruptions) I'm proud to stand here on the government side taking the leadership and the vision that's needed. Those other two Parties didn't have a vision. I didn't hear them talking about a plan because they don't have one. That's the leadership that this NDP Government has taken to ensure stable pricing into the future for all Nova Scotia families.

[6:15 p.m.]

Mr. Speaker, it will also create economic growth. An example of that plan that was reached from our province and Newfoundland and Labrador, will ensure that there are thousands of jobs in Nova Scotia that are created. This deal will provide Nova Scotia with stable priced electricity over 35 years and reduce a reliance on fossil fuels, that's what Nova Scotians wanted. Nova Scotians wanted leadership and we did it. (Interruptions) They can talk all they want over there, they can do it all they want, but they don't have a plan.

I noticed that the ChronicleHerald also acknowledged today that hydro-electricity from Newfoundland may be Nova Scotia's best chance into the future, to rid ourselves of the fuel adjustment-related electricity increases. That's a positive move forward, because in the future, we probably won't see those sorts of fuel adjustment increases, because we've made the targets, they're hard targets and we are a leader in renewable energy in this country.

This is one of the reasons why our government has worked with Newfoundland and Labrador over the past year to see the project being developed. It's a testament when the now-Premier of Newfoundland said that without the leadership of this government, this deal wouldn't have happened, she said it herself and I truly believe it. That government was in power, that Party over there, the Third Party, was in power for 10 years - the most recent government was in power for 10 years - and they didn't do anything, not one thing and this government has and we will ensure that we move this province forward.

This is one of the reasons why our government has worked closely with Newfoundland and Labrador over the past year to see this project developed. I do want to take the opportunity to remind the House, that residents and families of Nova Scotia, that this

government - unlike that Party over there - actually took the HST off home electricity costs. We promised it and the commitment was kept. That is a 10 per cent decrease in the cost of electricity for Nova Scotia families. When I heard from families that I spoke to on the doorstep during the 2009 campaign, they said to me, that's a great idea, that is a Party with a vision for this province, that's putting money back into the pockets of Nova Scotia families. We made that commitment and let's be honest, the commitment was kept. (Interruptions)

The Opposition can chastise all they want. You can chastise me all you want, but you know, that the Liberal Party - I see the honourable member for Yarmouth is laughing, but this is not a laughable thing. (Interruption)

MR. SPEAKER: Order, please. The honourable member for Hammonds Plains-Upper Sackville has the floor.

MR. WHYNOTT: Consumers and businesses across Nova Scotia, people have told us clearly, that the rate increases that Nova Scotia Power was expected to recover the costs associated with meeting our mercury targets would be devastating. We couldn't in good conscience, enforce the emission targets this year, knowing that it would create a financial burden to Nova Scotians. We believe that we made the right decision. Without it, we would have seen the electricity bills go up by another 5 or 6 per cent and because of the leadership of this Premier and this government, they're not. They could have been 12 per cent, 13 per cent but they're not.

We amended the air quality regulations to give Nova Scotia more time to implement technologies that will meet mercury targets in a more affordable way and with less of an impact on electricity rates.

We can't, on this side of the House, support this resolution. We have a renewable electricity plan that will give Nova Scotian families electricity price stabilizing over the long term, as well as create jobs and prosperous economy. Those two Parties over there, they don't have a plan or a vision.

MR. SPEAKER: The honourable member for Hants West.

MR. CHUCK PORTER: Mr. Speaker, I am pleased to take part in this debate this evening. I'll tell you, I can't believe that member was able to stand on his feet and deliver that message for 10 minutes and tell a story.

I'm going to tell you about the realities of people and their power bills, Ms. Speaker. They walk into my office weekly, wondering how they're going to pay their power bill because of rates and rates. They can't afford to live now and the URB steps in and says, oh well, we're going to do this, and we're going to do that. When has Nova Scotia Power been refused? Well, let's see, they haven't been refused at all. The Premier's comments today, oh,

that's somebody else's problem. He's not going to stand up for the people in this province who get power bills. We have to deal with them as MLAs, to try to work a deal with Nova Scotia Power and help them pay their bills and so on and so forth. People have to eat. What was that comment earlier today? Heat or eat - that was from the now Premier's mouth. Heat or eat, it made a difference to him when he was on this side of the House. It doesn't mean anything to him today, Mr. Speaker, not a thing.

I'll tell you what he does care about though, Mr. Speaker, because it is cut and dried here. He cares about the following: Emera reported unaudited consolidated earnings, 2010, near \$375 million. The year before, not a bad year either, near \$340 million. Well, that's not bad. Let's go to the net, yes, that might sound a little step. Let's go to the net take-home, \$125 million, 2010, but the year's not over, that's only for three-quarters, \$125 million, taking her home, \$84 million last year. And what do they do with the profits? Let's talk about what they do with the profits for just a couple of minutes. Well, here we go, let's talk about some of the profits. It's not going back into decreasing rates in the Province of Nova Scotia and giving Nova Scotians the breaks they need, no, it is taking more money out of your pockets and nobody like the government is willing to stand up and do anything about it.

Now the URB might be arm's length from government and the now government, who stood on this side of the House and had all the ideas, has no ideas. They're talking about a plan, yet there's a plan, it's an "if" plan. It's not a done deal and it's so many years out, people's houses will be gone, their cars will be gone and whatever else. They won't be able to afford to pay nothing, because the power bills will be through the roof, Mr. Speaker.

Now let's talk about some of where this profit is going. It's not going into infrastructure. It's being transferred over, to where? That's right, Emera, the parent company. The shareholders, well I'm going to get to that in a few minutes. Too bad I've got only 10 minutes. Anyway, let's talk about some of the salaries these people take home. Let's talk about the real people in this province. Now the real people are struggling to pay the bills. Then we have the CEO of Emera, not Nova Scotia Power, Emera, \$650,000 a year. I'll bet you that he has no problem paying his power bill, he probably gets a cut on his power bill. Rob Bennett, the CEO of Nova Scotia Power. [Interruption]

MR. SPEAKER: Order, please. The honourable member for Hants West has the floor.

MR. PORTER: Thank you, Mr. Speaker. The CFO, \$320,000; W.D. O'Connor, COO of Nova Scotia Power, \$275,000. Now the people listening to this will be home scratching their heads wondering, I can't pay my power bill, I can hardly afford to eat and here it is, in the cold of winter, those with electric heat in apartments and so on and so forth, those bills aren't going to get paid. We know those people, they struggle all the way along.

Then we have the dear old shareholder. I've never seen an organization set up - I wish I was a shareholder - guaranteed investment minimum 8 per cent in the last few years, now 9 per cent. Good money, Mr. Speaker, how do we get into that deal?

I've harped on this before, in committee and in different places, about what's not being spent. I'll tell you what's not being spent, every business, profitable. We're pro-business, we want to see businesses do well in this province, nothing wrong with that, not a thing wrong with that. Nova Scotia Power says oh, we've invested in the province. Well, they've invested a mere nothing, when it comes to infrastructure in this province. They've worked a little bit on poles and a little bit on this, a little bit on that. Eighteen per cent of the costs are operational and that operational cost is salaries and infrastructure, 18 per cent. Where is the rest going? Oh, that's right, profits, profits and more profits. Unbelievable how much goes into profit and nothing - you talk about the wind blowing in this province and the power flickers, just scared to death thinking about it.

Mr. Speaker, this is supposed to be a place where we talk about the people. Now we need to start investing in our people. The government talks a good story. You know what? The Churchill deal is a good deal, I don't take that away, if that comes through. The problem is, that's an "if" and how far out is that? Well, we don't know how far out that is and if it will ever come through. Again, as the honourable member for Cape Breton West says, we're only going to get a piece of it. Well, a piece is better than none, and it could be a substantial piece, and we hope that it is. Is that going to mean, Mr. Speaker, lower tax rates for Nova Scotians? No, not likely, I don't know how we'd ever get to a lower power rate. It just doesn't make sense here. It's only been on the increase - up, up and up farther.

I'm looking for my piece of paper, I want to be accurate. The increases over the last five, six years (Interruption) wind. A lot of wind all right. I'll table this once I'm done reading. The following Nova Scotia Power rate increases over the past nine years: 2002, 3.1 per cent; 2005, 6 per cent; 2006, 8 per cent, near 9 per cent; 2007, 4 per cent; 2009, 9.4 per cent; and now 2011, already projected at 5.6 per cent. A couple of months away in January - why is it we're always picking January? The first of the year in the middle of winter when people are going to have the highest power rates, your lights are on longer, even if you don't have electric heat, your lights are on more, you're going to generate more usage of power; it's a given in the winter and we know that.

These increases, they have to stop. The government has to stand up and they have to say to the URB, okay, we've allowed this to go on long enough. The government talks about leadership, well, they have shown no leadership when it comes to the people and looking after the people on the issue of Nova Scotia Power and their increases.

I'm not opposed to any business making a profit. You have to be profitable to survive in this province, in this country and around the world. That's okay. I am against money being transferred out into parent companies and then going to shareholders. It's one thing - and it's good that shareholders are involved in the company, that's fine too. But a guaranteed

investment? Where else can you get a guaranteed investment? I don't know of any guaranteed investments. It doesn't matter where you go, they're very few, even your RRSPs and so on today, you're losing money even on your principal. In workplaces today where you take out these pension plans and everything else, principal and all goes. The market crashes, everything goes. The market crashes, doesn't matter - Nova Scotia Power is guaranteed their investment.

Who pays for that? You and me and every other Nova Scotian in this province pays, regardless of the situation or the economics, a guaranteed investment to the Nova Scotia Power Corporation and their investors. That's a sweet deal. Maybe it's time the URB took that into consideration. On a serious note, maybe it's time the government stood up and went to the URB and appealed along with people that are going to the URB and others and critics and so on that are saying, this isn't good enough. It's time for you to take and freeze your salary for a little while or reduce it when you're making \$650,000 a year. That's a bit steep.

That's okay. Those people don't have to worry about it. Those people don't know what it is to be poor, to be hungry. They have no idea what that means. They don't know what it is to be evicted from their apartment and not know where they're going next month to live. They don't know what it is to buy their kids gifts or not have gifts or Christmas dinner. But I can tell you I have those people come into my office and I know all these other members in this House have these people coming into their office, who are struggling. All kinds of them coming into their office who are struggling and wondering what they're going to do to put not only dinner on the table, but maybe a gift for one of their children or all of their children under the tree - if they have a tree.

You might think this is a bit extreme, Mr. Speaker, this is the reality in Nova Scotia. I know you know that, you represent a rural area in this province. It doesn't matter what part you come from. I'm sure you probably don't have a whole lot of constituents who are making \$650,000 a year. I lived and worked in Pictou County for awhile, I know your area quite well, Mr. Speaker. I can tell you there are not too many that earn \$650,000 a year in this province. A whole lot less than what are having trouble today with their power bills.

We have to take into consideration again the fact that power is something that costs. There's the cost to generate it, we talked about renewables and everybody knows when you talk about it and you talk about companies like Minas Basin, they know it's going to take money, the cost of electricity is not going to go down. These investments in wind farms and other types of renewables cost money to get started. Perhaps Nova Scotia Power, who is saying, you can't sell it anyway unless you sell it through us, should be making a bigger investment than the government and the taxpayer.

That's what needs to get done, some new ideas have to be put forward here to protect Nova Scotians. That is what it's about after all, I believe, is the people in this province and being able to survive. We talk about this program and that program. People need to be able to have power, they need to be able to have affordable power so they can pay their bills and

not worry about whether they're going to be in the dark and cold in December, January, February and so on.

I wish I had more time, but with that, I see my time is up and I appreciate very much the opportunity to speak to this very important resolution tonight.

MR. SPEAKER: The time for the late debate has expired.

[6:30 p.m.]

MR. SPEAKER: Thank you honourable member and thank you to all who have participated here on the late debate topic. We're now going to resume our regular business.

[PUBLIC BILLS FOR SECOND READING]

[Bill No. 125 - Heritage Property Act.] [Debate resumed.]

MR. SPEAKER: The honourable member for Truro-Bible Hill.

MS. LENORE ZANN: Mr. Speaker, again I would like to rise to speak on behalf of the vital amendments of the Heritage Property Act. I would like to continue to use the Town of Truro as an example of the need for this government to adopt the proposed amendments.

Mr. Speaker, the Town of Truro, which lies in the constituency that I am proud to represent in this House and in fact grew up in, possesses many buildings, both residential and public, of cultural and architectural importance - Queen Anne style buildings, Greek revival, Italianate, Second Empire, colonial farmhouses, and many others. The John L. Doggett House is such a farmhouse right in the centre of town. It was built in 1839, is both municipally and provincially registered, and it happens to be my parents' home, the home in which I grew up.

Mr. Speaker, many citizens have told me over the years that it's their favourite house in the town for many reasons, partly because of the fact that its first owner, John L. Doggett was the proprietor of the Doggett Inn on the Common that was later renamed The Prince of Wales Hotel following the prince's visit in 1860. Another reason is because one of its previous owners, Colonel Heard, who married into the Doggett family, was responsible for founding the Truro Legion and was its first president, having been a colonel in Kitchener's forces in the Boar War and World War I. But another reason, and especially, is because it was one of the last two colonial farmhouses remaining in this downtown community.

Now, Mr. Speaker, throughout the year it is common to see tourists from across Canada, along with international tourists, standing in front of my mother and father's house photographing it. Some even venture onto the lawns to get closer in order to photograph the details of the architecture. These tourists do likewise with the many Queen Anne buildings

along Queen Street, taking pictures of the impressive streetscape to be found along that street.

They photograph the provincially-registered First United Church on Prince Street and they certainly take home with them treasured pictures of an architectural jewel of the town, the glorious provincially-registered Normal College. This building once featured on the \$2 stamp was designed by Halifax architect Henry Bush and opened in 1878 for the training of Nova Scotia's school teachers and, in fact, there's another building built by the same architect right up here in Halifax across from the Citadel. Sadly, the building of the Normal College now stands empty, awaiting an alternate and viable use, and I have personally been involved in attempts to try to get something going in that school so that it will have a purpose in the many years to come.

Many former teachers fondly recall their education and training in that Normal College and it was previously known as the Normal School, then the Normal College, and many people went through it, including Margaret Atwood's mother, Anne Murray's mother and aunt, and other very famous people.

Mr. Speaker, tourists do not photograph the modern building in which my constituency office is located on the corner of the Montreal Bank Building. They do not photograph the two shopping malls or the motels valuable to the commercial life of the town though they may be. They do not photograph the inter-colonial railway station with its majestic clock tower or the Colchester Academy in which many older citizens attended school or the original Presbyterian St. Andrews Church on Duke Street. Or the original Bank of Nova Scotia Building on Inglis Street, or the former Emmanuel Baptist Church on Prince Street. Or even the small gem of a building, the Irving gas station on the esplanade, or the famous theatre along Inglis Place. Mainly that's because all of these buildings are no longer standing, they're all victims down through the years of the wrecker's ball.

Mr. Speaker, it's not only tourists with their tourist dollars who appreciate a community's built heritage, such buildings stir pride in the hearts of the local residents also. The citizens of Lunenburg, for example, are justly proud of the World Heritage designation granted for their unique houses which feature what is known as the Lunenburg bump along with their outstanding school on the hill. It's part of the definition of who they are.

The citizens of Maitland also voted to have their village designated as the first heritage district in the province, principally because of its grand houses with their prominent widow's peaks during the village's heyday as an important wooden shipbuilding centre, and likewise, Yarmouth has a unique heritage district. The citizens of Halifax are also proud of the many and varied historic buildings of this city, buildings such as the recently-saved and -moved Charles Morris House, once the offices of Halifax's first Surveyor General.

Many visiting world-recognized experts in the field of the economics of heritage preservation have visited our city here in Halifax, such as Donovan Rypkema and Dr. Anthony Tung, who spent two years studying 22 cities of the world. They came to Halifax and gave some speeches here recently and they were very impressed with the architecture of this province. Tung predicted that only those towns and cities that had strict regulation and legislation in place to prevent the demolition of their heritage properties will actually be attractive to cultural tourists of the future who come to see authentic architecture and not reproductions. Apparently, tourists who come to see old buildings and the old heritage of places oftentimes spend more money than other regular tourists, they say.

One example he offered was the City of Singapore, where massive high-rises replaced many of the small homes of the original settlers who had come from a variety of ethnic backgrounds, bringing with them a fascinating variety of building styles. Well, authorities there soon discovered that tourists were much more interested in the original structures that remained, so councils have now put in place very strict legislation to protect and preserve such buildings. Throughout Europe, for example, cities, towns, and villages treasure their built heritage, hundreds of years older than our North American heritage, and they have established very strictly-enforced laws to protect and preserve it.

Our present legislation allows a person to buy a municipally-registered property with the intention of eventually demolishing it, only having to wait one year before doing so. This legislation encourages the demise of our stock of built heritage and extending the time frame to three years will be an important factor in helping to prevent such abuses. Since our precious built heritage is such a valuable economic asset and it helps to define our sense of place, no provincially-registered building should be able to be de-registered at the whim of the owner as long as detailed information regarding its age, architectural features, and historical significance have been recorded. Thus, further defining the heritage value of a provincially-registered property in relation to applications to de-register such a property will now be required by conducting more extensive research.

In the past, walls of heritage properties have been demolished, leaving behind merely the facade of the building. This is not what is required to protect and preserve our built heritage. Substantial alteration means the alteration or removal of a character-defining element of the property - the existing architectural features of the period, for example, specific types of doors, windows, or trim.

Throughout the province, there are a large number of public buildings, the interiors of which contain beautifully-preserved paintings directly on walls, unique decorative mantels, fireplaces, staircases, and such built by the master craftsmen from a bygone area. Including such interiors of public buildings should be considered in an application to register a property.

Many heritage buildings also owe some of their attractiveness and their value to their location and the setting in which they're located - orchards, fields, gardens, and lawns. The Robie Street Cemetery in Truro, for example, contains graves of some of the town's earliest settlers. Some of the African Nova Scotian settlers are there - the Planters, for instance - as well. This is thus worthy of its recent municipal designation.

There are also many parks around the province that are important cultural landscapes, and the vast and beautiful Victoria Park in Truro has historic significance that includes Joseph Howe's many visits and the featuring of it in his book detailing his travels around Nova Scotia. To preserve such a cultural landscape with provincial registration as a heritage property would prevent future loss of parkland to urban development. I am very proud to support the proposed amendments to the Heritage Property Act presented to this House today. Thank you very much.

MR. SPEAKER: If I recognize the minister it will be to close the debate.

HON. PERCY PARIS: Mr. Speaker, and welcome to the Chair. I'd like to acknowledge all individuals who spoke on Bill No. 125 and thank them wholeheartedly for their comments. With that, Mr. Speaker, I'd like to close debate on Bill No. 125.

MR. SPEAKER: The motion is for second reading on Bill No. 125. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill be referred to the Committee on Law Amendments.

The honourable Deputy Government House Leader.

MR. DAVID WILSON: Mr. Speaker, would you please call Bill No. 126.

Bill No. 126 - Adult Learning Act.

MR. SPEAKER: The honourable Minister of Education.

HON. MARILYN MORE: Mr. Speaker, I am pleased to rise in the House today to move second reading of Bill No. 126, an Act Respecting the Nova Scotia School for Adult Learning and Other Designated Components of Adult Learning in Nova Scotia.

Mr. Speaker, currently, all learning systems, except adult learning, are established in legislation in Nova Scotia. This government believes it is time for adult learning legislation so we can continue to build upon the already successful adult learning programs in this province. In September of this year we released a discussion paper to get input from interested groups and all Nova Scotians to develop the proposed Adult Learning Act. We

invited Nova Scotians to submit their thoughts and comments, and also held meetings with our adult learning partners across the province. We appreciate the time Nova Scotians took to respond to our discussion paper and this input was invaluable in helping us develop this legislation.

The Nova Scotia Adult Learning Act will reinforce lifelong learning as a part of our culture in Nova Scotia, and will help prepare Nova Scotians not just today, but for tomorrow's workplaces, and also will help them to be more engaged in their communities and with their families. Thank you.

MR. SPEAKER: The motion is for second reading of Bill No. 126. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill be referred to the Committee on Law Amendments.

The honourable Deputy Government House Leader.

MR. DAVID WILSON: Mr. Speaker, would you please call Bill No. 127.

Bill No. 127 - Occupational Health and Safety Act.

MR. SPEAKER: The honourable Minister of Labour and Workforce Development.

HON. MARILYN MORE: Mr. Speaker, I rise in the House today to move second reading of Bill No. 127, which would amend the Occupational Health and Safety Act. It is no exaggeration to say that this Act touches the lives of every Nova Scotian. It speaks to the heart of something that affects all of us, that you and your loved ones all have the right to come home safe from work, each and every day.

[6:45 p.m.]

To that end these amendments are important as they update references, reflect current practices, and streamline processes. Specifically, these amendments update the legislation by correcting outdated references, clarifying definitions, repealing outdated proclamations and clarifying the enforcement powers of inspectors appointed under the Act, permitting documents to be submitted electronically, updating processes, including regulation-making authority for training health and safety representatives, and permitting the minister to delegate designation of an appeal panel from an established pool of panel members. In addition, these amendments will enhance privacy protections for individuals in situations where other employees are allowed to observe safety monitoring.

These amendments were developed in consultation with legal staff, department staff and reviewed with other key stakeholders such as the Occupational Health and Safety Advisory Council. Indeed, we will continue to work with all our partners to ensure that Nova Scotians have the safest workplaces possible and that they make it home safe at the end of the day. Thank you, Mr. Speaker.

MR. SPEAKER: The motion is for second reading of Bill No. 127. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill be referred to the Committee on Law Amendments.

The honourable Deputy Government House Leader.

MR. DAVID WILSON: Mr. Speaker, would you please call Bill No. 128.

Bill No. 128 - Trade Union Act.

MR. SPEAKER: The honourable Minister of Labour and Workforce Development.

HON. MARILYN MORE: Mr. Speaker, I rise in the House today to move second reading of Bill No. 128, an Act to Amend Chapter 475 of the Revised Statutes 1989, the Trade Union Act Respecting Powers and Duties of Arbitrators or Arbitration Boards.

These amendments to the Trade Union Act will simplify the legislation and consolidate the powers of grievance arbitrators into one section of the Act. It is our hope that an increased understanding of the legislation will help parties move towards resolving their issues more quickly. We will continue to update and review our legislation to ensure that it reflects the current practices. Thank you, Mr. Speaker.

MR. SPEAKER: The motion is for second reading of Bill No. 128. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill be referred to the Committee on Law Amendments.

The honourable Government House Leader.

HON FRANK CORBETT: Mr. Speaker, would you please call Bill No. 88.

Bill No. 88 - Summary Proceedings Act.

MR. SPEAKER: The motion is for second reading of Bill No. 88. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill be referred to the Committee on Law Amendments.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, I'm asking for consent of the House for third reading on the bills that we have brought in from Committee of the Whole House on Bills today.

MR. SPEAKER: Is it agreed?

It is agreed.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call the order of business, Public Bills For Third Reading.

PUBLIC BILLS FOR THIRD READING

MR. SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 89.

Bill No. 89 - Personal Health Information Act.

MR. SPEAKER: The honourable member for Halifax Clayton Park.

MS. DIANA WHALEN: Mr. Speaker, I'm glad that I happen to be staying at the House tonight since we have gone to third reading on Bill No. 89, which is the Personal Health Information Act.

The points that I wanted to raise, in particular on this Act, relate to the amendments that I had made this afternoon and I just wanted to make sure that, for the record, that we understood what they were for and why they were before us. In fact, those amendments were the amendments that were suggested after we received a submission from a professor at the University of Kings College, a journalist professor, who asked us to consider and asked the

House, in fact, in a five-page letter, to please consider the access to information that the media requires in order to do their work.

I know the minister had looked at this issue as well and certainly had discussed it with her staff, so I realize that it was an informed decision, in terms of voting against those amendments today and that is important that people have time to consider amendments when they come forward. Those amendments had taken out the areas relating to the Freedom of Information Act, which the professor felt were actually contradictory, that they would in some way diminish our Freedom of Information Act. In fact, by including all health information in this Act, in the Personal Health Information Act, it actually took, as his letter said, a huge body of information out of the information you could ask for, under freedom of information.

I want to be clear, it isn't information that we're talking about that is personal, that you could say was Diana Whalen's health record, but it would be information that others might use for research or in a body of information, that might be all the people that had a particular - maybe everybody who had H1N1, how many were there, where were they and that sort of thing. It is possible to say that maybe somebody could deduce that I was one of those people who had a particular affliction or whatever it was they were looking at.

The media feel very strongly, and I have to agree, that they can't be threatened with fines for simply asking for information. That's the way the Act is written now, that there is an implied section there - it's not in front of me right now, Mr. Speaker, but it might be nearby. In the Act, there is a section that implies that if you even ask for information, you are breaking the law. It certainly would be against the law if you were given that information, if somebody incorrectly gave it, but to even ask would be considered a breach of the law and therefore, a \$10,000 fine or a jail term could result.

I think it's important that we look at that kind of concern, that researchers, media and others might want to know about trends in health care, about negative impacts, maybe it's about errors in the medical system. They need to get some general information on adverse effects and on outcomes. The way the bill is written, the media feel they cannot even ask for some of that information because there is that implied section that says, if you could even impute who it was that was affected, then therefore, you are breaking the law.

I think it's very important, again, that we look at who suggested that. The professor who brought it to our attention is Fred Valance Jones and he has written textbooks that are used across the country in the teaching of journalism and has very high credentials in that area and had taken the time to go through in great detail, to see what areas he felt were going to impede the work of journalists, frankly, in our province.

I wanted to find out - I understood that our bill, this Personal Health Information Act, largely mirrored the Ontario Act. I don't believe this is an issue in Ontario, so I think these clauses must be different than what was in the Ontario Act. We felt that by making the

amendments that I propose today, we could take out the portions that are controversial, follow what Mr. Valance Jones has suggested, which would really just be an assurance to the media and to the journalistic community that we'll respect their right to seek information to hold the government and in fact institutions accountable.

All of us in the House know how important the media is in terms of being one of the pillars of democracy in the sense that we all have a balance and if we didn't - you know, we all need to do our job well. Opposition needs to do their job, so does government, and the media needs to be there to also hold us accountable and to do the investigative reporting that is so important, that sometimes brings issues to our attention that we would otherwise have been completely unaware of, or government might be unaware of.

So it's very important that they not have their hands tied and I don't think I need to remind the members of this House that Joseph Howe was the original defender of freedom of speech for journalists, freedom of the press. He defended that right right here in the Legislature in a six-hour trial for treason, right next door in our Legislative Library, and his portrait hangs right there on the government side of the House. I think that that is a very important connection that we have and journalists across the country recognize what he did. Often Nova Scotians may not know exactly who he is but I'm telling you people who work in journalism certainly do. They have the highest regard for him and I believe that we should be looking at any Acts that we have before the House that might possibly step on the rights of journalists to do their work and to do it well.

I mean we really do need to encourage an active journalistic media that will seek out stories and do that kind of digging and that's not going to happen if they're in jeopardy of a \$10,000 fine whenever they ask for information from a health institute or a hospital, or place that provides care. As we know, this bill covers not just our hospitals but it covers all of dentists offices and other health practitioners, doctors practices as well, anybody who's holding medical information on an individual.

I think we all very much support the move that's within this bill to bring us to a point where personal information is protected but the one amendment, in particular, that I had proposed was to have Section 3 be just ended with the fact that we wouldn't release personal health information and to take out the part that talks about that might possibly be identifying information. So that part we felt could come out completely because that's where you get into the ambiguity, the area that could in fact intimidate media not to ask the questions that are needed to be asked. I felt that that was very important.

The thing with this bill is you can always come back and amend it again. So if you take it out now, try to work with the concerns that have been raised by the journalists and by the professors and see whether or not there is a way around this that could be brought in later, that was really my intent, was to try to take it out for now and let's resolve it so that the wording is not going to, and frankly I think a strong word but to say intimidate, I think

it would intimidate the media and stop them from doing investigative reporting which is very important to us.

So that was the purpose of the amendment today. There were four clauses I wanted to have changed. I understand they've been defeated by the government and supported by the Opposition but, you know, I felt it was important we look at that and now that we're here at third reading and it has already gone through the Law Amendments Committee, I should make the point that the submission we received from Fred Valance Jones arrived after the Law Amendments Committee process was finished for this bill and that is because, as is often the case, it's hard for people to know what bills are traveling through the Legislature and he said, unfortunately, he missed the opportunity to come in person but he did write a very complete report on what he felt was wrong with it and made suggested amendments as well that the Law Amendment Committee or now the Legislature could consider.

At the same time, during the Law Amendments Committee process I had the chance to sit in with some of the presenters there. I think it's important to note that on the issue of information being made available, just name and address being made available to our hospital foundations and our health foundations, like the QE II Foundation, the IWK, the Cobequid Health Foundation, Dartmouth Hospital Foundation and every other little hospital and community across the province, they have asked very loud and clear to please have that access to information, name and address only, no personal health information would be included, and also that they would have a protocol for contacting anybody who had been a patient within the health system.

[7:00 p.m.]

That protocol would mean nobody would be contacted within a number of months, so that there would be time for people to recover and be well again. Nobody would be contacted who had either a bad prognosis or had had a bad experience or had lost a loved one. There would be many, many checkpoints put in there to make sure you would only be contacting people who are in the right position to be spoken to.

We would be very sensitive to people who would have other issues or had had any bad experience in the hospital or might be sensitive about being contacted. People could opt out, if they chose right off the bat, that they did not ever want to hear from their foundation.

The reason I'm raising it again, is that the foundations spoke at the Committee on Law Amendments but at the same time so did our Freedom of Information officer. I may not be using exactly her right term, I think it's commissioner perhaps, but she spoke as well to the House and it was interesting because she didn't take a side, one way or the other, which is appropriate, but what she did say was she had contacted her counterpart in Ontario and there has never been a complaint to the Freedom of Information officer in Ontario that related to any information that was given to the foundations. That is a common practice in

Ontario, that's allowed by their legislation. It was one of the aspects of the Ontario Act that we didn't choose to follow.

I think it is important for all members to know there were no complaints registered. I think that was a telling comment from our own officer, sort of indicating that we needn't worry. As I said, she didn't take a position but I think she was telling us it won't be controversial, it hasn't been a problem in Ontario.

With that, Mr. Speaker, I'm not going to belabour those points. I think they've been made. I know the minister has been aware of both of them. I would be happy to hear from other members of the House. Thank you.

MR. SPEAKER: The honourable member for Argyle.

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, of course, as we get to third reading, it's our last real opportunity to make comments on a bill that's been seen before this House, before it moves on for Royal Assent and becomes the law in this province.

Very much the same kind of comments that the member for Halifax Clayton Park just made. The two issues that are still outstanding and I'm hoping maybe the minister will stand and comment to these issues for a few moments before we send it on to final assent.

The issue of the foundations was a very well-founded one. I know they had a relatively good lobby effort to try to find a way in which to be able to access, at the very least, the names and addresses of people who have visited the hospital. And, to be cognizant in a way, that they would be filtered so that there would be no medical information seen and it would be done after a certain wait period.

What happens now, of course, their concern is that there can be situations where someone who has had a negative access to a hospital system would receive one of the mail outs that would be received by one of the foundations - whether it be the IWK, CDHA, the Yarmouth hospital, the foundation, what have you. Right now there's no screening that happens and most Nova Scotians would probably surmise, because the foundation shares an office within that hospital, that they already received some of this information.

I think the bill, in its current form, is a very good bill, one that will protect privacy of patients and allow for the kind of things that we do need to do, especially when it comes to an electronic record. But I think we maybe missed an opportunity there, I'm not sure, but I think time will tell.

I think it was a \$40 million amount of money that's left on the table, by not allowing the foundations to have this, but I think the foundations will persevere, they'll find ways in order to raise money. If I may comment quickly on that is that we do ask 25 per cent on any build project, purchase of equipment by those foundations and maybe it's time to maybe

look at that contribution level. They are getting more and more expensive to buy equipment or to build hospitals and the 25 per cent is out of reach for many of the foundations in our smaller communities.

I'll leave it there and maybe the minister can comment on that. The issue of the media or the journalists being able to access information, the member for Halifax Clayton Park was quite correct but let us run a situation to understand the problem that this really creates. There's a highway accident, for example, EHS comes in, picks up the person who is injured, that person is brought into the hospital. Of course everybody knows about it because they drove by, they saw the accident and it becomes a news story, whether it be here in the metro area or whether it be down in Yarmouth. People tend to be accident watchers, I guess is what you would say, and they want to know what the outcome of that story might be, so the journalist or the media individual will make a number of phone calls.

I remember when I was part of the media, there were two phone calls I would make when something like that happened. I'd call the RCMP office and I'd call the hospital, there were two places I would call. Now, because of the way some of these things are worded and what has been presented to us by Professor Valance Jones, is the issue that it will now make it illegal for that journalist to call the hospital because if they ask the question, they're in contravention of the Act. Even worse, that should - the person who answers the phone - respond in a way providing that information, they are in contravention of the Act and therefore subject to a possible fine, so it's illegal to ask the information.

Maybe there needs to be clarification of how journalists might be able to ascertain some very basic information. I mean, if they do know the name of the person already, are they okay, what kind of situation are they in, these are some very basic questions that we hear everyday on our news. The member for Halifax Clayton Park was also correct in saying we really don't want to impede their very important part of today's government, of today's way of life so maybe just ask a question, maybe a clarification, maybe the doctor has it wrong but I think with the learned information that he has here, the amount of work that went into his proposal - unfortunately it was too late for Law Amendments - I'm hoping that maybe the minister has a bit of an answer for that.

As much as I support this bill, there are a couple of little questions left hanging and I thank the minister for bringing it forward today. Thank you very much, Mr. Speaker.

MR. SPEAKER: The motion is for third reading of Bill No. 89. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill do pass. Ordered that the title be as read by the Clerk. Ordered that the bill be engrossed.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 102.

Bill No. 102 - Tanning Beds Act.

MR. SPEAKER: The honourable member for Halifax Clayton Park.

MS. DIANA WHALEN: Mr. Speaker, I think the government enjoys it when we do like the bills that are passed. We had a moment of that earlier today on the Human Organ and Tissue Donation Act. I think with the Tanning Beds Act, it's worthwhile noting that this is a positive step for the Province of Nova Scotia, it's going to protect young people. Especially, this Act will now make it impossible for young people to go to tanning beds here in our province and the age that was chosen was under the age of 19, which pretty much keeps our high school students in that category. I think that was a very deliberate attempt by the government not to choose 18 as the age which would be allowed, which has been used in some jurisdictions and the reason being that it is something that is highly publicized and advertised to young people, especially around prom and special events times.

We know the damage is clear. I think what we really need to do is just acknowledge that the government has listened to Doctors Nova Scotia, has looked at the World Health Organization, which clearly said that the tanning beds and the UV rays that are there are carcinogenic and I think that's pretty clear. We've had a letter as well just today from the CEO of the Cancer Society, again supporting this bill and urging members of the Legislature to do so. I think we should acknowledge their hard work as well in bringing the issue forward and urging government to do this and we become the first province with a stand-alone bill that relates to restrictions on the use of tanning beds. New Brunswick did have it in another health promotion bill, but I think it is important, it was something I was watching and hoping to see some action on. I had not yet brought in a Private Members' Bill, but was looking at it and I was pleased when we actually were given a briefing on this bill to see that the government was moving on it. So, thank you, Mr. Speaker.

MR. SPEAKER: The honourable member for Argyle.

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, I will spend a couple of moments on this one as well. I know the member for Cape Breton West did speak for a few moments during Committee of the Whole House on Bills about it.

This is an bill that I do support, one that we have to admit that there are still too many opportunities for individuals to make wrong choices and expose themselves to a carcinogenic situation, whether that be smoking, whether that be laying in tanning bed. The information that is provided to us by the Canadian Cancer Society and by other health experts, it is that this is not a safe past time, I guess is what you would say.

I did listen quite attentively to the presentations that we did receive during the Law Amendments Committee. It really brought to question again the lack of true dialogue with these business owners during the time. The problem that we had was - and this is what we heard and I think maybe we could consider this at another time and I'll ask the minister this question at some other date - is there times when doctors ask their patients to go and get tanning done because they need the rays, it's a very relaxing past time - past time is the wrong word. I have never done it, so I would not know, I go outside and get the rays that way. If I remember to put on my SPF 45, I'll remember to put my SPF 45 on.

Mr. Speaker there are situations apparently, from the presentations that we received, that doctors send people out. People with psoriasis, people with acute acne and in some cases these are kids at the age of 14, 15, 16. They are saying that they would never do that except for when they were brought in with a parent.

The other point that they brought home to us, that I question - and I don't really know what the answer is and again, we're in third reading right now, so it ultimately will be passing and engrossing this bill in a short period of time, the issue of a parental sign-off or waiver, but what are the other options? If you're not able to go to a tanning bed you basically have two other options, well three options really: buy your own tanning bed and are not followed by anybody else; go and sit outside when it's nice and sunny outside and burn yourself to a crisp if that's what happens to you - I said three, but I'm only counting two again - or some health clubs have these coin-operated tanning beds, so you're not being watched by a tanning professional that has had training, who knows your skin type to say you should only be in the tanning bed for six minutes. What you do is you go in and you're in there for a half hour and you're wondering why you're burnt and you're experiencing problems with your skin.

With that, of course, we support the bill. It does raise a couple of questions maybe for future consideration, but I am very happy that our caucus has been supporting this bill on the way through. Thank you.

MR. SPEAKER: The honourable member for Halifax Citadel-Sable Island.

MR. LEONARD PREYRA: Mr. Speaker, it's a pleasure to rise and speak in support of this bill on third reading. The Minister of Health should be commended for bringing this bill forward, it's a welcome bill, it's timely, it's an important bill and it sets the standard for other jurisdictions.

As we know, there are a lot of people dying of cancer, more than every before. Nova Scotia has the highest rate of skin cancer than anywhere in the world. What this bill does is bring into practice, it responds to the burden of scientific evidence that we have on the connection that we have between UVB and cancer. It is consistent with our harm reduction strategy, just as we have with alcohol and tobacco.

[7:15 p.m.]

Mr. Speaker, people do have the right to engage in some kinds of harmful activities but the public and the taxpayer shouldn't bear the obligation for paying for those high-risk strategies. This bill is also consistent with our health protection and promotion objectives, that we do want to produce healthy children because they make for healthy adults. We want to encourage healthy habits to reduce long-term chronic disease and the bill is consistent with living within our means. We want to reduce our long-term costs.

Mr. Speaker, I also want to use this occasion to thank the many people in my constituency who really went out of their way to draw attention to the challenge posed by tanning beds. Dr. Robert Strang, the Nova Scotia Chief Medical Officer, Cancer Care Nova Scotia, Peter Green, the Chair of Sun Safe Nova Scotia and Jane Brooks of Doctors Nova Scotia, among others. I do want to thank the Minister of Health for bringing this bill forward. We think it is really important and we're delighted that she has set the standard for the rest of the country. Thank you.

MR. SPEAKER: The motion is for third reading of Bill No. 102. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill do pass. Ordered that the title be as read by the Clerk. Ordered that the bill be engrossed.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 103.

Bill No. 103 - Motor Vehicle Act.

Bill No. 106 - Handicapped Persons' Education Act.

Bill No. 108 - Nova Scotia Museum Act.

Bill No. 109 - Weed Control Act.

Bill No. 110 - Animal Protection Act.

Bill No. 111 - Motor Vehicle Act.

Bill No. 112 - Halifax Regional Municipality Charter.

Bill No. 113 - Clothesline Act.**Bill No. 114 - Anti-idling Act.****Bill No. 115 - Public Sector Compensation Disclosure Act.****Bill No. 118 - Public Interest Disclosure of Wrongdoing Act.**

MR. SPEAKER: Ordered that these bills do pass. Ordered that the titles be as read by the Clerk. Ordered that the bills be engrossed.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 120.

Bill No. 120 - Condominium Act.

MR. SPEAKER: The honourable member for Halifax Clayton Park.

MS. DIANA WHALEN: Mr. Speaker, we certainly would be speaking on this on second reading - we did not get up and speak on the Condominium Act, and I was certainly waiting for an opportunity at third reading. So we could not let that pass today.

There is nothing objectionable in this bill as it's written. It really is just correcting some of the legislation that went through last year. But what's really important to note, and I wanted to get up today - and I know the minister is certainly paying attention - there are some huge problems with condominiums, certainly in metro, and I'm sure in other parts of the province.

I have, over the years, heard from others in my riding who had bought condominiums in Liverpool - one person who had bought one along the river. Tremendous problems in the closing of those condominiums, in the formation, the time it takes. In the case of the Liverpool one, it was the time that it takes after people have already put their money down and bought it for it to be reverted to an actual condominium corporation.

In the interim, after you've already paid \$200,000 or \$300,000, you're charged rent of \$1,500 and \$1,600 every month. That's a travesty and that shouldn't be allowed to happen. There should be something in place that says it's no more than a token amount for some of the common space. You should not be paying rent for your building. I understand they need money similar to their condominium fees to pay for the common areas, the parking, security, or yard work, but it's ridiculous to charge people rent when they have already put down their money and purchased a big unit. That period of time can be dragged out to up to a year and I think the rules around that are causing some real problems to people and that's one of the things that has not been addressed up to this point.

I've had the opportunity at a couple of meetings with the Condominium Owners Association of Nova Scotia. They very deliberately chose their name - it's CONS - and when they formed that organization they were feeling completely hoodwinked, let down by the government, felt that there was no consumer protection at all provided for the situation that they found themselves in.

Our province has been a little bit late to the notion of condominium ownership. The first condominium in Nova Scotia was registered in 1978 and it's a group of townhouses in Clayton Park. For the first many years, we only had a few condominiums registered. It has only been the last, really, less than 10 years that we've begun to see a large number getting registered every year. It's becoming a more popular form of ownership, and quite frankly, it reflects our aging population and people wanting the comfort and the security that goes along with having a condominium. It allows you to leave and know that a lot of the work is going to be done. There's more help for older people, perhaps, or people who are retired and want to travel.

It has become a much more popular form of ownership and we haven't kept pace in terms of the rules that we have here in our province. I mentioned the rule about having to pay rent, which is certainly a harm to people financially, but what about the harm that has happened to people who have bought buildings that are really poorly built? I want to say that it's shoddy workmanship, and that's definitely been the case in some instances. The buildings were put up too quickly. They haven't been properly inspected by the city. Nobody - none of the people or the organizations and institutions that you would expect to protect you - has been there to protect you.

We found that the Atlantic Home Warranty has been useless in terms of helping people. It only covered the first year and it didn't cover major structural things that went wrong in these buildings. So the warranty system has failed people, the municipal inspections of buildings has failed people.

What we found was that the municipalities, in fact, having spoken as well at some of these meetings to the people who do the inspections, they said that their role is to be a plan checker. They look in their office, roll out the plans for a building, and check off whether it has the right exits and the right width of hallways and whether or not it has ventilation systems. They go through the whole checklist of what our building code requires, but nobody was going to the site to actually see what was being built. That has, again and again, proven to be a complete failure on the part of government in general - municipal and provincial government - because what was built was improperly built and there have been leaks and huge expenses in terms of fixing some of these buildings.

There is one in the Bedford area that the bill was over \$1 million in order to fix some of the deficiencies in that building. It was past the warranty period, so the builder had long gone. A lot of the buildings were being built by numbered companies, although they're companies you might know. They created a numbered company to build that particular

condo and when the building is complete and a year has passed, they can collapse the company so there is no company that you can go back to legally and get any redress for the problems that you encountered.

[7:30 p.m.]

As I say, there was the \$1 million-plus deficiencies that were found in the one building, and the member for Bedford-Birch Cove in her area but there have been many buildings that have been leaking. I first became directly aware of this in 2006, during the election, when I was knocking on doors in some of those condominiums and during a rainstorm was shown the water that was coming in and where the buckets were. These are condominium units that are \$250,000 and more. You can imagine how let down people feel and just abandoned by the provincial government, in terms of consumer protection.

I know that the government has been well-informed of this. The minister at the time was Minister Muir, I believe. He did meet with some of these disgruntled owners when they formed the organization CONS to raise the issues to bring them to the attention of the Minister of Service Nova Scotia and Municipal Relations.

I know there has been a working group and there have been a lot of recommendations but we haven't seen it here, where the rubber hits the road. We haven't seen legislation changing yet, just little things, small things. One thing was that the deposits you make when you're buying a condo must be held in trust and then you wouldn't run the risk of losing that money if the organization that was building it went bankrupt. That's a good thing but nobody in Nova Scotia had lost their deposits, that had never happened.

We were anticipating a problem in doing that and that's not a bad thing but those weren't the problems that the people directly had to pay for all of these deficiencies, for the shoddy workmanship that they encountered, for lack of protection from the warranty program and the inspectors not finding these deficiencies in advance. None of those things had been addressed yet. Tonight, as we're passing Bill No. 120, I have no doubt it will pass because this one genuinely is a housekeeping item.

I mentioned the other day that housekeeping is usually just a little correction. That's what this one is and we can genuinely call it that. Nothing controversial here in Bill No. 120. We want to make sure that the last bill we pass is right. What's really important is that we're here in the Legislature representing condominiums now, people who have bought condominiums in every corner of the province, because they are appearing in small towns, in resort areas and cottage areas. We all need to be aware that there has to be better protection for that whole myriad of issues. I've hit the big ones, there are other issues as well around governance and so on, a few of which have been touched, but we need to make sure that we have really strong rules to protect people.

Before I take my seat, Mr. Speaker, I'd like to say that there are many very good builders in the province and I know there have been some very good projects. It is important to note that not all of them have been bad but we need to make sure that every single building that is put up is built to a proper standard. The deficiencies seem to be in large, multi-unit buildings. What I was told was that the technology and the construction, I guess techniques have changed a lot and we didn't have as much experience with that in our building community as we might have and some mistakes were made.

I do think it's important to note that there are many good builders and I know some new ones have opened recently that I've heard no complaints about. I know that many of the ones that were identified as having some major problems, the owners of those buildings, who have a great deal invested in them, they've put all of their home equity into that condominium building. They stood to be greatly harmed financially if the building is allowed to get a bad reputation or go to rack and ruin. Those owners have had to step up, in some cases with extra charges on them of \$30,000 a unit, on top of the costs they had already spent to buy. That's because they needed to pool that extra money to make the repairs that were needed.

One building in my area I know had to have a whole wall rebricked. As we know, it costs a lot of money per brick to have it redone. The building was only a few years old but the mortar had not been done at the right season or in the right weather and therefore it had not set properly. Here were the owners beyond the time when there was a warranty, that they could go back- or any protection, to go back to the original builder. They had to replace that entire face of the building. Very expensive changes that people had to go through.

Mr. Speaker, my call tonight is that the government please go back to the staff who are working on this and let's have some really big, substantive changes coming that are going to address these problems, on the next condominium bill that we see coming through. Thank you very much.

MR. SPEAKER: The honourable member for Argyle.

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, I just want to make an introduction. If you want to look to the west gallery, we have a visitor tonight, a previous MLA - the previous MLA for Halifax Clayton Park, Mary Ann McGrath. Mary Ann, glad to see you. Rise and receive the warm welcome of the House. (Applause)

MR. SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, if I can get the attention of the Opposition Parties? We have a Private Member's Bill.

MR. SPEAKER: Order, please.

MR. CORBETT: I'm sorry, I'm ahead of myself.

MR. SPEAKER: No, I'm ahead of myself.

The honourable member for Bedford-Birch Cove.

MS. KELLY REGAN: Mr. Speaker, I did want to take this opportunity to speak about the Condominium Act. This is in fact a housekeeping bill, and that is fine, but there are still outstanding issues around condominium construction and some real problems with that. I have to say (Interruptions) I can't hear myself think.

We have had some real problems around condominium construction in this province. Certainly during the last election, the member for Halifax Clayton Park got me together with CONS - which, as she has identified, is Condominium Owners of Nova Scotia - and we went through some of those problems. For people who have bought condominiums in this province, to spend \$300,000 and in some cases \$400,000, and then turn around and discover they are going to be hit with a whopping repair bill because, in essence, government has failed them because there was not adequate inspection of their unit when it was being built, is in my view not fair.

A number of improvements have been made to the legislation surrounding condominiums since problems first came to light, but I do feel that there is one area we really haven't hit upon, and that is that the people who paid good money had to turn around and, because the home warranty had expired, and because - as the member for Halifax Clayton Park identified - the company had in fact been collapsed because the proper amount of time had passed, they have no redress. So there are people who have paid an awful lot of money for a condominium that they thought they would live in for quite a long time without ever having to make repairs and, in fact, they turn around and got whacked with a massive repair bill.

In some cases, as the previous speaker has identified, they have put down all this money and then when they went to move in, well, it wasn't ready yet, or it wasn't registered as a condominium because they had not met the minimum amount of sales. So they end up having to turn around, to add insult to injury, they sometimes can't move in right away, but when they do move in, they have to actually pay rent. So there are still some problems around the Condominium Act and I do feel that it is incumbent upon us - it's part of our job to be good stewards, good governors, and to leave this area untouched is a problem, in my view.

I remember watching a program about builders in Britain and they had actually - this was around home warranties, but they would say, you know, it has to have a certain kind of insulation in the roof and the ceiling. So the inspectors would go in and if they saw a bale of that insulation sitting there, they would say, yes, it's in, because it's actually in the area.

It hadn't been installed. So there were all kinds of problems resulting because inspections were not properly carried out.

So I think that we really need to move on this for the protection of people who buy condominiums. Typically people who buy condominiums are retired or heading in that direction, and they should not have to spend the golden years of their lives worried about money because we failed to do our jobs. I would like to note, as the previous speaker has, that there are good builders in this province, and there are good developers in this province. We had some problems, it is by no means endemic to all builders, these problems, but I do think that sort of like the SALT II Treaty - "Trust, but verify" is always a good motto.

With that, I will take my seat.

MR. SPEAKER: The motion is for third reading of Bill No. 120. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill do pass. Ordered that the title be as read by the Clerk. Ordered that the bill be engrossed.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, I move that you do now leave the Chair and the House resolve itself into a Committee of the Whole House on Bills.

MR. SPEAKER: Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

[7:41 p.m. The House resolved itself into a CWH on Bills with Deputy Speaker Mr. Alfie MacLeod in the Chair.]

[7:44 p.m. CWH on Bills rose and the House reconvened with Deputy Speaker Mr. Leo Glavine in the Chair.]

MR. SPEAKER: The Chairman of the Committee of the Whole House on Bills reports:

[7:45 p.m.]

THE CLERK: That the committee has met and considered the following bill:

Bill No. 91 - Royal Nova Scotia Yacht Squadron Amalgamation Act.

and the chairman has been instructed to recommend this bill to the favourable consideration of the House, without amendment.

MR. SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call the order of business, Private Members' Public Bills for Third Reading.

PRIVATE MEMBERS' PUBLIC BILLS FOR THIRD READING

MR. SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 91.

Bill No. 91 - Royal Nova Scotia Yacht Squadron Amalgamation Act.

MR. SPEAKER: The motion is for third reading of Bill No. 91. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Ordered that this bill do pass. Ordered that the title be as read by the Clerk. Ordered that the bill be engrossed.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, that concludes the government's business for today. I move that the House do now rise to meet tomorrow at the hours of 9:00 a.m. to 9:00 p.m. Some of the work we'll be doing is Public Bills for Third Reading, which is Bill No. 99, and Committee of the Whole House on Bills: Bill No. 63, the Legal Profession Act; Bill No. 100, the Labour Board Act; Bill No. 105, the Education Act; and Bill No. 119, the Residential Tenancies Act.

Mr. Speaker, I move that the House do now rise to meet tomorrow at the hours of 9:00 a.m. to 9:00 p.m.

MR. SPEAKER: The motion is to adjourn.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The House will now rise to meet again tomorrow at the hours of 9:00 a.m. to 9:00 p.m.

[The House rose at 7:47 p.m.]

NOTICES OF MOTION UNDER RULE 32(3)**RESOLUTION NO. 2972**

By: Ms. Vicki Conrad (Queens)

I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Literacy Nova Scotia, LNS, has been supporting the literacy community in Nova Scotia by working to ensure that every Nova Scotian has equal access to quality literacy education; and

Whereas Wilma Huphman, a student at the Queens Learning Network, was the recent recipient of a \$500 bursary presented at the Literacy Nova Scotia annual general meeting; and

Whereas Wilma's enjoyment of learning and helping others spills over as she tutors classmates when they require help and hopes to steer future students in the right direction;

Therefore be it resolved that the House of Assembly recognize and congratulate Wilma Huphman, a student at the Queens Learning Network, on having received a \$500 bursary presented by Literacy Nova Scotia.

RESOLUTION NO. 2973

By: Ms. Vicki Conrad (Queens)

I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Harrison Lewis Centre in Sandy Bay Landings, Queens County, held the Homestead Arts Week in August; and

Whereas traditional skills for country living offered at the centre during the week focused on hand mowing, canning, baking, log furniture and blacksmithing; and

Whereas grounded in respect for the environment and natural history, the centre provides opportunities to learn about skills that are increasingly relevant today;

Therefore be it resolved that the House of Assembly recognize the Harrison Lewis Centre and the opportunities they provide to learn traditional skills for country living.

RESOLUTION NO. 2974

By: Ms. Vicki Conrad (Queens)

I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas one of the most significant changes to Bowater Mersey in Brooklyn, Queens County, came 75 years ago with the formation of Local 141 under the Pulp, Sulphate and Papermill Workers Union; and

Whereas the union has gone through many changes since that initial formation and in the process one of the changes was to create an employee-run health and disability program; and

Whereas in the 1990s Local 141 merged with other organizations to become the Communications, Energy and Paperworkers, CEP, Union of Canada;

Therefore be it resolved that the House of Assembly recognize and congratulate Bowater Mersey Local 141 of the Communications, Energy and Paperworkers, CEP, Union of Canada on celebrating their 75th Anniversary.

RESOLUTION NO. 2975

By: Ms. Vicki Conrad (Queens)

I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas our volunteer fire departments are the backbone of our rural communities; and

Whereas Mill Village, Queens County, holds their annual Village Fest to fundraise for important pieces of fire equipment; and

Whereas the Village Fest, in August of this year, raised funds to go toward the purchase of a new fire truck with a community supper, live music, a beer tent and a casino night;

Therefore be it resolved that the House of Assembly recognize the volunteers in the community of Mill Village, Queens County, for all their efforts to hold a very successful Village Fest in support of the fire department.

RESOLUTION NO. 2976

By: Ms. Vicki Conrad (Queens)

I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Titan Challenge is an online business simulation where high school students manage their own company, control company variables and capital investments; and

Whereas Liverpool Regional High School students, Lucas Davis, Lauren Ellens, Jane Gillis, Ally Wilson, Sonia Smith and Thomas Raddall ended up in the top four teams in Nova Scotia; and

Whereas the students will now compete at the Titan International Challenge, online, in the new year, for a shot at a New York competition;

Therefore be it resolved that the House of Assembly recognize and congratulate Lucas Davis, Lauren Ellens, Jane Gillis, Ally Wilson, Sonia Smith and Thomas Raddall, of Liverpool Regional High School, on their top four finish in the Titan Challenge.