



House of Assembly  
Nova Scotia

## DEBATES AND PROCEEDINGS

**Speaker: Honourable Gordon Gosse**

Published by Order of the Legislature by Hansard Reporting Services and printed by the Queen's Printer.

Available on INTERNET at <http://nslegislature.ca/index.php/proceedings/hansard/>

### Third Session

**THURSDAY., APRIL 7, 2011**

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House of Assembly  
*Nova Scotia*

**HALIFAX, THURSDAY, APRIL 7, 2011**

**Sixty-first General Assembly**

**Third Session**

**2:00 P.M.**

**SPEAKER**

Hon. Gordon Gosse

**DEPUTY SPEAKERS**

Ms. Becky Kent, Mr. Leo Glavine, Mr. Alfie MacLeod

MR. SPEAKER: Order, please. Before we begin the daily routine today, I would like to recognize the honourable member for Colchester North on an introduction.

The honourable member for Colchester North.

HON. KAREN CASEY: Thank you, Mr. Speaker, and I appreciate the opportunity to make an introduction. In the gallery opposite we have some guests, and some of you would have seen and heard those guests down in the foyer. We have the Cyber team from the Truro Police Service in the gallery with us and I would like to make some introductions, if I could: Constable Todd Taylor; Constable John Keddy; Producer-Coordinator Barry Mingo; and, of course, Cyber himself. I would like to welcome them to the House.

I would like to thank all members here who took advantage of the opportunity to learn about the program. It is targeted for students in elementary, Primary to Grade 6, and we had adults on the edge of their seats. Thank you very much for joining us, thank you for coming to the House. (Applause)

MR. SPEAKER: The honourable member for Lunenburg West on an introduction.

MR. GARY RAMEY: Thank you very much, Mr. Speaker. I call the attention of the House to the east gallery where we have a number of special guests today. I would like to introduce them and have them stand, perhaps, as I introduce them and then we'll welcome them in the traditional way: Ms. Dharini Upadhyaya, co-CEO of Furtado music school in India; Ms. Mary Stouffert, teacher of post-graduate studies at the University of Toronto, Ryerson, and expert in early childhood music education; Ms. Karen Quinton, instructor of piano pedagogy at the Royal Conservatory of Music; Mr. Ryan Lewis, a music instructor; Ms. Amanda Soares, music instructor; and Mr. Jim Mullen, president and CEO of Aventis Incorporated, a long-time friend of mine and constituent of mine from Bridgewater.

I might say that Aventis and Furtado are doing business together in India and Canada. We're very pleased to have you there and we wish you much success in your negotiations and I would like the House to welcome them in the traditional way. (Applause)

MR. SPEAKER: We welcome all our guests to the gallery and hope you enjoy today's proceedings.

The topic for the late debate was chosen earlier and reads:

Therefore be it resolved that all members of the Legislature urge the NDP Government to stop downloading their financial hardships to the backs of hard-working Nova Scotians and admit that the broken MOU is just another hidden NDP tax.

It was submitted by the member for Inverness.

We will begin the daily routine.

#### **PRESENTING AND READING PETITIONS**

#### **PRESENTING REPORTS OF COMMITTEES**

#### **TABLING REPORTS, REGULATIONS AND OTHER PAPERS**

MR. SPEAKER: The honourable Minister of Justice.



HON. ROSS LANDRY: Mr. Speaker, in my capacity as Attorney General and pursuant to Section 51 of the Judicature Act, I hereby beg leave to table the revisions of the Civil Procedure Rules that were made in accordance with the Judicature Act by the Judge of the Supreme Court of Nova Scotia on February 25, 2011.

MR. SPEAKER: The report is tabled.

### **STATEMENTS BY MINISTERS**

### **GOVERNMENT NOTICES OF MOTION**

MR. SPEAKER: The honourable Minister of Justice.

### **RESOLUTION NO. 221**

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

Whereas we now have an increased awareness about the serious issue of cyber-bullying and the need to educate our children about Internet safety; and

Whereas the Truro Police Service Cyber Safety Rules Program which has received the support of the Department of Justice's One Time Crime Prevention Grant Program has been leading the way in this regard to great benefit to the children and parents of Truro-Bible Hill; and

Whereas the Bridgewater Police Service has also adopted the Cyber Safety Rules Program under the guidance of Constable John Keddy, Constable Todd Taylor, cyber team coordinator Barry Mingo, and technical producer Dave Buchanan, once again with the support of the Department of Justice's One Time Crime Prevention Grant Program which is also a great benefit to the children and parents of that region;

Therefore be it resolved that the Nova Scotia Legislature congratulate the Truro Police Service, Constable John Keddy, Constable Todd Taylor, cyber team coordinator Barry Mingo, and technical producer David Buchanan for their efforts in establishing the Cyber Safety Rules Program and thank them for this commitment to educating youth and their parents on pertinent issues surrounding cyber-bullying.

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 and Wellness.

### **RESOLUTION NO. 222**

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

Whereas South Shore Health, South West Health and Annapolis Valley Health are dedicated to promoting population health and changing the way we think about health; and

Whereas they have developed a powerful video called *Redefine. Rebuild. Reconnect: Changing Our Picture of Health* which tells real stories about local citizens and health care workers; and

Whereas this video has been adapted for use by several universities across Canada;

Therefore be it resolved that the members of this House congratulate the South Shore Health, South West Health and Annapolis Valley Health for their outstanding efforts to shine a light on our need to change the picture of our health.

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

MR. SPEAKER: 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 African Nova Scotia Affairs.

**RESOLUTION NO. 223**

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

Whereas seven African-Nova Scotian filmmakers worked together to produce a screening called *The Emerging Lens: Celebrating the African Nova Scotian Experience* on April 2<sup>nd</sup> at the Black Cultural Centre in Dartmouth; and

Whereas these filmmakers - Tara Taylor Cain, Shelly Fashan, Tara Reddick, Ann Verrall, Wanda Taylor, Reed “IzReal” Jones and Sobaz Benjamin - engaged community members of all ages in the process of telling their stories; and

Whereas their thought-provoking films explore subjects such as youth learning from their elders, the connections between African Nova Scotian and Mi’kmaq communities, racial profiling and the challenges African Nova Scotians face in the music industry;

Therefore be it resolved that all members of this House join me to congratulate the filmmakers of *The Emerging Lens* for their fine work and encourage them to continue documenting these important stories in our communities.

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 Service Nova Scotia and Municipal Relations.

**RESOLUTION NO. 224**

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

Whereas the Atlantic Mayors Congress passed a motion this week heartily endorsing a Lower Churchill hydroelectric project agreed and announced by Nalcor, Newfoundland and Labrador, Emera and Nova Scotia in November 2010; and

Whereas the Atlantic Mayors Congress recognizes that the project will not only generate clean, reliable energy but will also generate thousands of jobs and a renewed spirit of regional co-operation; and

Whereas the Atlantic Mayors Congress recognizes the significant benefits of this project to communities throughout our region;

Therefore be it resolved that all members of this Legislature congratulate the Atlantic mayors for their support of the Lower Churchill hydro project and their recognition of the importance of this project to the people of Atlantic Canada.

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. 12 - Entitled an Act to Amend Chapter 217 of the Revised Statutes of 1989. The Income Tax Act, to Provide a Food Bank Donation Tax Credit for Farmers. (Mr. Leo Glavine)**

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

The honourable Minister of Health and Wellness.

HON. MAUREEN MACDONALD: Mr. Speaker, I'd like to draw the attention of members of the House to the east gallery where we are joined by the Registrar of the College of Pharmacists, Susan Wedlake. As well, we have senior staff from the department, Dennis Holland and Dawn Frail, who have worked very hard on this piece of legislation that we are about to introduce. I would ask members to give them a warm welcome. (Applause)

**Bill No. 13 - Entitled an Act Respecting the Profession of Pharmacy. (Hon. Maureen MacDonald)**

**Bill No. 14 - Entitled an Act to Amend Chapter 6 of the Revised Statutes of 1989. The Agriculture and Marketing Act. (Mr. Leo Glavine)**

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

**NOTICES OF MOTION**

MR. SPEAKER: The honourable member for Colchester North.

**RESOLUTION NO. 225**

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

Whereas members of the Truro Police Force work closely with schools and students; and

Whereas the growing concerns with Internet access and Internet bullying were recognized by members of the force in their ongoing community work; and

Whereas together Constable Taylor, Constable Keddy and Coordinator Barry Mingo have developed a very successful and dynamic education awareness presentation which has been seen by over 9,000 students in schools across this province;

Therefore be it resolved that all members of this House join me in thanking the Truro Police Service for their work and ask all members to work with them to ensure that students in all of our schools in all of the province have the opportunity to learn from this powerful presentation.

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. 226**

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

Whereas last month the Minister of Service Nova Scotia and Municipal Relations announced that he was breaking the memorandum of understanding the Union of Nova Scotia Municipalities signed with this government in 2007; and

Whereas in a press release the minister said he was taking this action because the province is facing tough challenges but he also said, “We are not going to download our problem to municipalities”; and

Whereas many municipal leaders believe it is unfair that residents have to pay the price for the province’s downloading of costs;

Therefore be it resolved that all members of this House urge the NDP Government to stop downloading their financial hardships to the backs of hardworking Nova Scotians and admit that they broke the MOU and that it is just another form of hidden NDP tax.

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

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

I hear several Noes.

The notice is tabled.

The honourable Minister of Justice.

**RESOLUTION NO. 227**

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

Whereas settled in 1784 by Scottish explorers, located 159 kilometres north of Halifax, with a population of 9,500 people, situated on the beautiful banks of the East River, is the celebrated Town of New Glasgow; and

Whereas New Glasgow has served as a manufacturing and port community, thrived as a shipbuilding centre and continues to flourish as an important economic centre on the North Shore; and

Whereas for the past 200 years, New Glasgow's people have created an historic legacy of excellence in business, all levels of government, sports and athletics, music and arts, entrepreneurship, human rights and education;

Therefore be it resolved that that the House of Assembly recognize and celebrate the Town of New Glasgow, its significant history and its noteworthy people.

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.

The motion is carried.

The honourable Leader of the Official Opposition.

#### **RESOLUTION NO. 228**

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

Whereas Geoff and Jennifer Bishop of Round Hill, Annapolis County have been named Atlantic Canada's Outstanding Young Farmers for 2011; and

Whereas it has been through the Bishops' demonstration of excellence in their agricultural profession and through their promotion of the agricultural industry through 4-H and agricultural awareness that has earned this couple this award; and

Whereas Geoff and Jennifer, along with their four children - Luke, Emma, Matthew and Ryan - operate their dairy business with a clear focus on goals and innovation, routinely employing new technology to make their business more efficient and sustainable, and the couple also manages to find time to stay actively involved in their community;

Therefore be it resolved that members of the House of Assembly join me in congratulating Geoff and Jennifer Bishop, and wish them continued success at the national Outstanding Young Farmers event in Brandon, Manitoba in November.

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. 229**

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

Whereas since 2005, the Canspell National Spelling Bee has encouraged spelling and language development through healthy competition; and

Whereas Colton McCarthy, a Grade 4 student at Three Mile Plains School, was named as one of 47 finalists from across the province in The ChronicleHerald Regional Spelling Bee; and

Whereas the Canspell National Spelling Bee program is designed to engage students from Grades 4 to 8 by celebrating excellence in academic achievement and encouraging positive study habits;

Therefore be it resolved that all members of this House of Assembly congratulate Colton on his phenomenal spelling skills and wish him continued success with 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 Minister of Community Services.

HON. DENISE PETERSON-RAFUSE: Mr. Speaker, may I have permission to do an introduction, please?

MR. SPEAKER: Most certainly.

MS. PETERSON-RAFUSE: Thank you. I would like to take this opportunity to introduce a very special lady from the Chester area, and her name is Lorraine Burch. Lorraine, if you could stand for a moment, please.

Lorraine and her family have done and given so much to the communities in Chester, Chester Basin - the whole Municipality of Chester. They had to deal with the recent death of their special little girl, Madison, who passed away about a month ago from leukemia. I would like to take this opportunity to welcome Lorraine, express my deepest sympathy, and ask if I may read a special resolution. (Applause)

MR. SPEAKER: The honourable Minister of Community Services.

#### **RESOLUTION NO. 230**

HON. DENISE PETERSON-RAFUSE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Madison Burch, daughter of Jessica Burch, was born on March 12, 2007, and in 2009 was diagnosed with acute myeloid leukemia and passed away on February 11, 2011; and

Whereas this Fall, Madi was a recipient of the Children's Wish Foundation and was able to meet Tinker Bell and many other Disney characters; and

Whereas "In her much-too-short life Madi redefined the meaning of courage, taught us the power of spirit, determination and joy; inspired doctors and scientists to solve cancer's mystery, and left everyone with wonderful life long smiles and memories" - an excerpt which came from her memorial service;

Therefore be it resolved that this House of Assembly extend deepest sympathy to Madi's mom, Jessica Burch, her grandmother, Lorraine Burch, and the entire Burch family, and may we never forget Madi and the countless other children who are afflicted with this dreadful disease. God bless you.

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. (Applause)

The honourable member for Halifax Clayton Park

### **RESOLUTION NO. 231**

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

Whereas today, April 7<sup>th</sup>, is World Health Day, marking the founding of the World Health Organization; and

Whereas each year the World Health Organization selects a key health issue and encourages individuals to become more informed on this issue for good health and well-being; and

Whereas World Health Day 2011 will focus on a call for action to halt the spread of antimicrobial resistance, more commonly known as drug resistance;

Therefore be it resolved that members of the Legislature recognize April 7<sup>th</sup> as World Health Day and acknowledge the importance of highlighting this issue as human contraction of superbugs can cause death, spread rapidly to others, and impose huge costs to individuals and society.

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 West.

**RESOLUTION NO. 232**

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 Manitoba NDP Government is tired of waiting for a broad coordinated Canadian research effort to begin on liberation therapy for multiple sclerosis, so it announced \$5 million to fund clinical trials; and

Whereas Manitoba is working collaboratively with Saskatchewan to avoid duplication of research into the liberation therapy and it hopes other provinces will join; and

Whereas there is a high prevalence of multiple sclerosis on Nova Scotians and, like Manitoba, it should be recognized as a high health priority;

Therefore be it resolved that all members of this House of Assembly urge this NDP Government to follow the lead of their NDP cousins in Manitoba and immediately commit to funding for the Liberation therapy trials for MS.

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 Minister of Education.

**RESOLUTION NO. 233**

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

Whereas the Women of Wolfville theatre group started in 2001 and celebrated their 10<sup>th</sup> Anniversary in February 2011; and

Whereas the group has joined together through stage productions to promote awareness of such issues as violence against women, the war in Iraq, relationships between mothers and their children, body image, women in history, and hope; and

Whereas proceeds from all WOW shows have supported over 30 charities throughout the years, helping local women and children, as well as those in other parts of the world such as Argentina, Kenya, Malawi, Liberia and Uganda, raising \$120,000 and counting since 2001;

Therefore be it resolved that this House of Assembly congratulate the Women of Wolfville (WOW) for bringing together the community through grassroots entertainment at a professional level and highlighting important societal issues.

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. 234**

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

Whereas Hillsdale House Inn in Annapolis Royal has been honoured once again with the prestigious 2011 Travelers' Choice Award, placing the inn amongst the top 10 bed and breakfasts/inns in Canada; and

Whereas travellers have been enjoying the beautiful property, which features a vast collection of antiques, a covered veranda, and beautiful gardens on a spacious lot since the carriage trade came into being in 1859; and

Whereas travellers who have enjoyed the hospitality of Paul and Val Stackhouse have acknowledged the efforts of the innkeepers and their staff in the best way possible by telling others how much they enjoyed their stay on the Internet-based Web site TripAdvisor;

Therefore be it resolved that members of the House of Assembly join me in congratulating Val and Paul Stackhouse on winning this prestigious award for the second year in a row, and I would encourage members to plan to spend some time at Hillsdale House Inn in the historic town of Annapolis Royal.

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. 235**

HON. CHRISTOPHER D'ENTREMONT: M. le Président, à une date ultérieure, je demanderai l'adoption de la résolution suivante:

Attendu que l'Ordre de Pléiade est une distinction accordée par l'Assemblée parlementaire de la Francophonie qui vise à reconnaître des personnes qui se sont distinguées en servant les idéaux de la francophonie; et

Attendu que Lors d'une cérémonie qui a eu lieu le mercredi 23 mars, 2011, Hayden Landry de Hubbard's Point, N.-É. à été parmi les dix Néo-Écossais qui ont été reconnus pour leurs contributions à la communauté acadienne et francophone de la province;

Attendu que Hayden Landry, un enseignant à la retraite, a consacré sa vie entière à une carrière dans l'éducation, la promotion et la préservation de la langue et la culture acadienne au long de sa communauté;

Par conséquent, qu'il résolu que tous les membres de cette Assemblé se joignent à mois pour féliciter Hayden Landry en recevant le grade de Chevalier, de remercier, lui et tous les destinataires de cet honneur.

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

Whereas the Ordre de la Pléiade is an international honour bestowed by The Parliamentary Association of the Francophonie to recognize individuals who have distinguished themselves in serving the ideals of the Francophonie; and

Whereas on March 23, 2011, Hayden Landry from Hubbard's Point, Nova Scotia was among 10 Nova Scotians who were recognized for their contributions to the Acadian and francophone communities across the province; and

Whereas Hayden Landry, a retired teacher, has devoted many years to promoting and preserving the Acadian language and culture throughout his community;

Therefore be it resolved that all members of this House of Assembly join me in congratulating Hayden Landry on receiving the degree of Chevalier from The Parliamentary Association of the Francophonie, and thank him and all the recipients on this honour.

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. 236**

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

Whereas Jim Duguid and the Holy Trinity Church in Middleton, Nova Scotia hosted an event on Friday, April 2, 2011 to commemorate the unveiling of a monument honouring wartime members of 429 Squadron; and

Whereas in remembrance of the valiant young men who were killed in action during the Second World War flying large aircraft on night missions and Mark Smith, a World War II veteran, initiated the idea, did the research and oversaw the construction for this memorial; and

Whereas these teams of airmen worked closely together in order to execute dangerous missions and became an extended family, including numerous members of 429 Squadron who did not return home;

Therefore be it resolved that both Mark Smith and Jim Duguid and the congregation of the Holy Trinity Church in Middleton, Nova Scotia be congratulated by the members of this House and join me in applauding their efforts in dedicating this monument in memory of the 300 comrades of Squadron 429 who made the ultimate sacrifice.

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. 237**

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 residents of the Town of Sydney Mines and surrounding area were saddened with the passing of long-time fire chief and tireless community volunteer John J. Nugent on February 11, 2011; and

Whereas Chief Nugent followed in his father's footsteps and began a long and distinguished career as a member of the Sydney Mines Volunteer Fire Department by working his way through the ranks to eventually become fire chief, a position he held for 31 years until the time of his passing; and

Whereas John was a humble man with a very kind heart, and on March 21, 1986 was awarded the Star of Courage from the Governor General of Canada for his bravery in saving a 10-year-old boy from drowning on an ice-covered pond;

Therefore be it resolved that all Members of the Legislative Assembly express their deepest sympathy and condolences to the Nugent family on the passing of this exceptional and caring individual.

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 Natural Resources.

#### **RESOLUTION NO. 238**

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

Whereas Devon Bate of Durham, Pictou County, a Grade 12 student at Northumberland Regional High School in Alma, has been nominated by his community for a Nova Scotia Volunteer Youth Award; and

Whereas Mr. Bate has been an active volunteer not only as a student but also in his community and has even started his own fundraising business called Sweat for Others and has organized many events whose proceeds were donated to charity; and

Whereas Mr. Bate also founded the Pictou County Youth Council, an organization that focuses on environmental awareness and cleanup, as well as awareness campaigns to encourage young people to get involved in their community;

Therefore be it resolved that all members of the Nova Scotia Legislative Assembly congratulate and thank Devon Bate for his success and commitment as youth volunteer and leader in the community, and wish him success in his current and future projects.

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. 239**

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

Whereas Cycle Canada established the Canadian Kilometre Achievement Program in 1975 to inspire Canadian cyclists to achieve individual cycling goals and promote healthy lifestyles; and

Whereas CKAP rewards its Tour du Canada members for achieving significant goals in distance with various awards and distinctions; and

Whereas Bob White, a cycling enthusiast from Dartmouth, has been recognized for the second consecutive year for his extensive participation in cycling across provinces other than our own, as the winner of the 8<sup>th</sup> annual Tour du Canada Award;

Therefore be it resolved that all members of the House of Assembly join me in congratulating Bob on this significant achievement, and thank him for his continued support and promotion of cycling in Nova Scotia and Canada.

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. 240**

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

Whereas Jean Marie Deveaux of Port Hawkesbury will be the first woman to become president of the Nova Scotia/ Nunavut Command; and

Whereas Jean Marie began her Port Hawkesbury Legion membership as a bar chairman, advancing to secretary, and then to president of the branch; and

Whereas Jean Marie's desire to work in this field grew out of her listening to stories of veterans as a young girl;

Therefore be it resolved that all members of this House of Assembly recognize Jean Marie Deveaux for making history as the first female president of Nova Scotia/ Nunavut Command, and wish her continued success.

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 Pictou East.

**RESOLUTION NO. 241**

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

Whereas the presbytery of Pictou sponsored a March 2011 workshop in Thorburn, Pictou County, on poverty reduction, which garnered significant community support on this issue of social justice; and

Whereas the Presbyterian churches of Pictou County are showing a passionate interest in making contributions toward poverty reduction; and

Whereas the Presbyterian Church in Canada recognizes that this outreach and appeal must cross the barriers of denominational and faith traditions in order to show unity of purpose;

Therefore be it resolved that the Nova Scotia Legislative Assembly congratulate the presbytery of Pictou for its commitment toward poverty reduction locally and the Presbyterian Church in Canada for this most welcome national strategy.

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 Bedford-Birch Cove.

#### **RESOLUTION NO. 242**

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

Whereas Bob Short has served on the board of the Brookside Cemetery Corporation for many years, including serving several terms as its president and treasurer; and

Whereas Bob has also served as a board member of the Fort Sackville Foundation for 15 years, as well as serving Bedford Baptist Church for many years - in fact he has served as a Sunday School superintendent for 12 years, on the board of deacons, the board of trustees, the finance investment committee, the Christian education committee, the PA committee, the constitutional review task force, and building committees in 1964, 1980 and 2002; and

Whereas Bob has also been heavily involved in the political process, serving as a Bedford town councillor for eight years, on the Bedford Service Commission, the Bedford school board and the Bedford Board of Trade, and he is currently a director of the Bedford-Birch Cove Progressive Conservative Association;

Therefore be it resolved that the members of this House of Assembly congratulate Bob Short on receiving the Bedford Volunteer of the Year Award for his exemplary efforts and wish him well 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 Leader of the Progressive Conservative Party.

### **RESOLUTION NO. 243**

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

Whereas after two years of crying poor and digging deeper into the pockets of Nova Scotians through higher taxes and increased fees, the NDP Government announced a surprise surplus of \$447 million - earned on the backs of hard-working Nova Scotians; and

Whereas this week's Throne Speech included more than a dozen strategies on all manner of subjects but did not include a tax relief strategy; and

Whereas the Premier boasts about collecting more personal, corporate and retail sales taxes even though all these items are bad news for Nova Scotians who are working harder and taking home less, thanks to his policies;

Therefore be it resolved that all members of this House urge the NDP to stop boasting about their unexpected surplus, admit it came on the backs of hard-working Nova Scotians, and get on with the real job of providing meaningful tax relief.

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 Cole Harbour-Eastern Passage.

**RESOLUTION NO. 244**

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

Whereas the Lower Churchill hydroelectricity agreement signed between Nova Scotia and Newfoundland and Labrador, and Nalcor Energy and Emera will transform the economic landscape of Atlantic Canada by creating thousands of jobs and providing stable and reliable hydro power; and

Whereas the Quebec Government is actively lobbying against the economic interests of Nova Scotia and Atlantic Canada and the Quebec Legislature unanimously adopted a resolution on April 6<sup>th</sup> objecting to any federal support for this nation-building project; and

Whereas our Premier has always taken the view that major initiatives like the Lower Churchill that benefit one region of the country only strengthens our Confederation;

Therefore be it resolved that this House of Assembly register its profound disappointment in the Province of Quebec's efforts to derail national support for this important nation-building project and encourage all federal Party Leaders to reaffirm their commitment for federal support of the project through a loan guarantee.

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. 245**

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

Whereas Dress for Success Halifax has assisted more than 900 women in making a tailored transition into the workforce since 2001; and

Whereas this organization is dedicated to the empowerment of women not only through providing appropriate interview attire but also through providing interview and training support and mentoring; and

Whereas Dress for Success will be holding its annual tea party on Sunday, April 10<sup>th</sup>, to fundraise for this important cause;

Therefore be it resolved that all members of this House recognize the important work of this organization in supporting women as they seek to enter the workforce and to promote its efforts throughout HRM.

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. 246**

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

Whereas the Newcombe dairy farm is located in Port Williams, Nova Scotia, and will be one of the 14 Nova Scotia dairy operations visited by Canadian Holstein Convention attendees this Spring when the convention begins in Halifax and concludes with more tours in Newfoundland and Labrador; and

Whereas the Newcombe dairy farm, known as Cornwallis Holsteins, is owned by brothers Brian and Craig Newcombe and has been featured on Farmer's Dairy cartons in the past; and

Whereas Cornwallis Holsteins is a 90-cow operation producing on average 10,926 kilograms of milk annually;

Therefore be it resolved that all members of this House of Assembly applaud Brian and Craig Newcombe for their innovative farm operations and wish them continued success with their dairy farm operation.

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 Lunenburg.

#### **RESOLUTION NO. 247**

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

Whereas experiential tourism involves having visitors learn something by taking part in activities during travel; and

Whereas the Bluenose Coast, the area stretching from Peggy's Cove to Queens County, along the province's South Shore, is promoting experiential tourism through a series of workshops for tourist operators; and

Whereas Trudi Curley, director of Bluenose Coast, is working in conjunction with the Nova Scotia Department of Tourism to promote activities that allow our visitors to experience more of what is beautiful about our area;

Therefore be it resolved that this House of Assembly recognize the importance of experiential tourism in bringing repeat visitors to Nova Scotia.

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 Richmond.

#### **RESOLUTION NO. 248**

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

Whereas the 37<sup>th</sup> Provincial Volunteer Award ceremony and luncheon was held at the Westin Nova Scotian Hotel on April 4, 2011, recognizing volunteers from municipalities throughout the province; and

Whereas Gerry Fougere from River Bourgeois was selected as the Volunteer of the Year for the Municipality of Richmond for his work on the board of directors of the Strait-Richmond Palliative Care Society; and

Whereas Gerry was also recognized for his volunteer work with St. John the Baptist Church, the Daisy Day fundraising campaign and the Richmond Villa Nursing Home Meals on Wheels program;

Therefore be it resolved that the members of the House of Assembly congratulate Gerry Fougere for being selected as the Richmond County volunteer of the year and thank him for his many years of volunteer 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 Cape Breton West.

### **RESOLUTION NO. 249**

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

Whereas Ken Boutilier of Port Morien is the co-owner of Long Beach Boat Builders Limited; and

Whereas Long Beach Boat Builders Limited specializes in building custom boats and emphasizes the importance of making a quality product; and

Whereas Long Beach Boat Builders Limited has earned a positive reputation, based on quality workmanship;

Therefore be it resolved that all members of this House of Assembly congratulate Ken Boutilier and Long Beach Boat Builders Limited for continuing the proud Nova Scotia tradition of building some of the finest boats in the world and offer our best wishes for continued success.

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. 250**

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

Whereas for many years Arnold “Sonny” Crosby has been an outstanding supporter and volunteer for the Liberal Party; and

Whereas Mr. Crosby has also shown great support of the local Yarmouth memorial clubs and for local veterans; and

Whereas Mr. Crosby has great patriotism and love for his country;

Therefore be it resolved that members of this House of Assembly recognize Arnold “Sonny” Crosby for his many years of dedication and commitment to the Liberal Party, the veterans in his community and his country.

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.

The motion is carried.

The honourable member for Argyle.

**RESOLUTION NO. 251**

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 Nova Scotia’s Reading Recovery program has produced great results for many Grade 1 students and experts like Dr. Suzanne Ziegler, of the Canadian Education Association, does not believe small group instruction is as effective; and

Whereas despite the positive results seen in Nova Scotia and the advice of education experts, the Minister of Education has moved ahead with her elimination of the Nova Scotia’s Reading Recovery program for students in Grade 1; and

Whereas the NDP Government has promised to replace Reading Recovery with a small group instruction program but provided no concrete details about what the program is going to be;

Therefore be it resolved that all members of this House of Assembly immediately re-examine this \$7 million cut to Nova Scotia's Reading Recovery program, as a result of Monday's surprising \$447 million surplus.

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

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

It is agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Glace Bay.

#### **RESOLUTION NO. 252**

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 sports community will see one of our legends formally honoured, as Mr. Fred Courtney will be inducted in the player category of the Cape Breton Sports Hall of Fame in May 2011; and

Whereas Fred was a skilled athlete and natural leader both on the baseball field as a member of the Number 11 Junior Antonians and the Glace Bay Senior Miners, and on the ice as a team captain of the famous 1956 Cinderella Miners Maritime Junior Hockey Championship team, the year in which he also won the league scoring race; and

Whereas in addition to being a tremendous athlete, Fred Courtney continues to be a community-driven volunteer, serves as sergeant major with the Glace Bay Salvation Army and is simply a gentleman;

Therefore be it resolved that the members of the House of Assembly join me in congratulating Fred and his wife Jean on their remarkable accomplishments, and we look forward to the induction ceremony on May 28<sup>th</sup>.

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. 253**

**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 previous Progressive Conservative Government recognized the potential shortage of volunteer firefighters in rural Nova Scotia in the future and worked with the Nova Scotia Fire Marshal's Office and the Chief Fire Officers Association of Nova Scotia to examine ways of keeping volunteer firefighters involved in their communities; and

Whereas Prime Minister Harper announced Tuesday that he would establish a Volunteer Firefighters Tax Credit of \$3,000 per year for volunteer firefighters who perform at least 200 hours of service annually; and

Whereas the present NDP administration has not learned to appreciate the valuable services of the Nova Scotia's volunteer firefighters, because one of the first things they did when they came to office was cut the Emergency Services Provider Fund - \$8 million annually to \$500,000 - an invaluable program to volunteer firefighters;

Therefore be it resolved that all members of this House of Assembly encourage the present NDP Government to understand the meaning of rural volunteer firefighters and put a plan into action before it is too late to save their services.

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 Digby-Annapolis.

**RESOLUTION NO. 254**

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

Whereas Sarah Robichaud of Weymouth was selected for Team Nova Scotia's female hockey team at the 2011 Canada Winter Games; and

Whereas Sarah's love of hockey helped her achieve her dream of playing at the Canada Winter Games; and

Whereas Sarah's positive attitude and passion for hockey will motivate future young players to work at achieving their own goals;

Therefore be it resolved that members of this House of Assembly congratulate Sarah Robichaud on achieving her goal of playing at the Canada Winter Games, and wish her the best of luck 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 Richmond.

**RESOLUTION NO. 255**

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

Whereas Michael Touesnard, business owner of OK Tire in St. Peters, Richmond County, participated in the Targeted Subsidy Wage Program through East Novability Society for Persons with Disabilities; and

Whereas the participation from OK Tire and the Targeted Subsidy Wage Program allowed a local resident a chance to work and assume full-time employment with Okay Tire after the 12-week program was complete; and

Whereas Lieutenant Governor Mayann Francis presented Michael Touesnard of OK Tire with the 2010 Persons with Disabilities Employer Partnership Award in Halifax on December 2, 2010;

Therefore be it resolved that members of the House of Assembly join me in congratulating Michael Touesnard, owner of OK Tire for receiving the 2010 Persons with Disabilities Employer Partnership Award, and commend him for his support of East Novability Society for Persons with Disabilities.

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. 256**

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

Whereas Joanne Alex, from the We'kokma'q Mi'kmaq school in Whycocomagh, has been honoured through Canada's Outstanding Principals Program for 2011; and

Whereas the award is presented to principals who have made a measurable difference in the lives of their students and their local communities; and

Whereas Joanne will also receive an Honorary Aboriginal Award for her exceptional leadership in an on-reserve school;

Therefore be it resolved that all members of this House of Assembly recognize the achievements of Principal Joanne Alex and congratulate her on her commitment and dedication to the education of our youth.

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. 257**

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

Whereas Maclean's magazine included the Premier in an April 7<sup>th</sup> article on politicians who don't keep campaign promises; and

Whereas the article says: "The current premier of Nova Scotia, New Democrat Darrell Dexter, came to power promising he would neither raise taxes, nor cut spending, nor run a deficit. He proceeded to do all three."; and

Whereas Maclean's further laments that, "A culture of lying has overtaken our politics . . .";

Therefore be it resolved that members of this House of Assembly congratulate the Premier on being recognized for this effort by Maclean's.

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 Bedford-Birch Cove.

### **RESOLUTION NO. 258**

MS. KELLY REGAN: I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Carmen Lee is an exemplary volunteer with the 1<sup>st</sup> Bedford Scouts group - over the past 6 years, she has been a Patrol Leader, Secretary, Event Coordinator, and Scouter-in-Training; and

Whereas Carmen has modelled leadership, safety and volunteerism for the other scouts she helps lead, teaching them canoeing, safety, first aid, and organization techniques; and

Whereas this Grade 11 student at Charles P. Allen High School has also volunteered at Bedford South School, helping to teach reading and math to Grade 4 students there, and at Bedford Public Library, where she has helped run a poster project for youth;

Therefore be it resolved that the members of the House of Assembly congratulate Carmen Lee on receiving the Bedford Youth Volunteer of the Year Award for her exemplary efforts, and wish her well in what will no doubt be a bright future.

Mr. Speaker, I ask for a 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. 259**

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

Whereas Yarmouth resident Jean Doucette started the Yarmouth subchapter of the Children's Wish Foundation 20 years ago and has been its coordinator ever since; and



Whereas under Ms. Doucette's dedication and direction, the Yarmouth subchapter has held its annual Children's Wish Foundation Walk for Wishes for 19 years, an event which raises \$15,000 to 18,000 per year; and

Whereas for the last two years, Ms. Doucette has been the organizer for Wishnik, a one day summer event when every Wish Child from Nova Scotia with their families spend a fun-filled complimentary day at Upper Clements Park;

Therefore be it resolved that the members of this House of Assembly recognize Jean Doucette for her 20 years of tireless commitment to the Children's Wish Foundation for her love and dedication to the Wish Children, and for making life more meaningful and happier for many young people over the course of that time.

Mr. Speaker, I ask for 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. 260**

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

Whereas Rob Buckland-Nicks is the owner of Flight of Fancy in Bear River; and

Whereas Flight of Fancy has earned the Atlantic Canada Craft Award for Excellence as Outstanding Retailer; and

Whereas the Bear River businessman was nominated by the executor director of the Nova Scotia Designer Crafts Council;

Therefore be it resolved that this House of Assembly recognize Rob Buckland-Nicks on his crafting achievements and future success.

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 Community Services on an introduction.

HON. DENISE PETERSON-RAFUSE: Mr. Speaker, I wish to take this opportunity to introduce a gentleman in the east gallery and if I can ask Kendall Worth to stand up, please. Kendall and I have become friends since I've been given the honour to be the Minister of Community Services. Kendall works very diligently on the issues of poverty and persons with disabilities and also he is a great salesperson as he sells the Street Feat issues and I would encourage everyone to buy those to help out Kendall and his organization. Thank you, Kendall. (Applause)

MR. SPEAKER: We welcome all visitors to the gallery and we hope you enjoy today's proceedings.

HON. FRANK CORBETT: On a point of order, Mr. Speaker, I would ask you, if you can find it, to review the resolution put forward by the member for Dartmouth East because I believe some of the language used in that was unparliamentary.

MR. SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Mr. Speaker, I would encourage you to review it because it's not unparliamentary. It's a quote from a magazine article - and not language - that I provided to the House, which under Beauchesne's rules of order is allowed.

MR. SPEAKER: I'll take that under advisement, I'll make my decision, and I'll report back to the House at the earliest date. Thank you.

## **ORDERS OF THE DAY**

### **ORAL QUESTIONS PUT BY MEMBERS**

MR. SPEAKER: It is now 3:07 p.m. and Question Period will end at 4:07 p.m.

The honourable Leader of the Official Opposition.

**FIN.: BRACKET CREEP - COMMITMENT**

HON. STEPHEN MCNEIL: Mr. Speaker, Nova Scotians are paying 2 per cent more on the HST. They are paying more on 1,400 user fees across this province. The Premier and the government have downloaded \$50 million to municipalities which will end up on the tax roll of every Nova Scotian when it comes to their property tax. So my question to the Premier is, considering the fact that at every turn Nova Scotians are sending more money to your government, why did you back away from the commitment to scrap bracket creep?

THE PREMIER: Mr. Speaker, everything in the preamble, of course, is not true, as usual, and we didn't make any commitment with respect to bracket creep. What we did do is we ensured that hard-working Nova Scotians got a tax break on their income tax by increasing the personal exemption.

MR. MCNEIL: Mr. Speaker, I can't believe we just heard the Premier stand up to deny that he increased the HST by 2 per cent, that he increased 1,400 user fees across the province. (Interruption) Those are your actions, that's what you did. The preamble was accurate.

Mr. Speaker, an average Nova Scotian with an income of \$40,000 will be paying an additional \$600 under this government because of the very simple reason they did not keep their commitment to end bracket creep. So my question to the Premier is, will the Premier admit that Nova Scotians will be paying more tax because of his government's inaction?

THE PREMIER: In fact, Mr. Speaker, what he has just said is completely inaccurate, like most of the other things he says. If you have the same income this year that you had last year, you will pay less tax.

MR. MCNEIL: Mr. Speaker, a Nova Scotian who earns \$40,000 will be paying an additional \$600 because of bracket creep. The fact that they've increased the basic personal exemption by \$250, which we agree with, that leaves a \$350 bill that that taxpayer owes to the Province of Nova Scotia. So my question to the Premier is, can the Premier tell this House why he continues to deny the fact that his government has increased the taxes of every Nova Scotian?

THE PREMIER: Mr. Speaker, I suggest that the Leader of the Official Opposition get some better research because what he's saying is just inaccurate. If you have the same salary this year that you had last year, you will be better off because of the increase in the personal exemption.

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

**PREM.: MOUs - ATTITUDE**

HON. JAMIE BAILLIE: Mr. Speaker, my question is to the Premier. In Question Period yesterday, one of

the Premier's ministers, the Minister of Service Nova Scotia and Municipal Relations in discussing signed agreements between the Government of Nova Scotia and other entities, said that "The province signed an MOU, not an IOU." I have Hansard here to that effect but I'm sure it's not necessary because I suspect, I know, the members on the government side liked the quote and probably remember it and don't need me to verify it.

Having said that, to us that displays a very cavalier attitude on the part of the government toward signed agreements that it enters into with other levels of government and, indeed, companies and countries around the world. The Premier himself signs MOUs on behalf of the Government of Nova Scotia and has in recent times signed MOUs with places like Vietnam, Halifax Regional Municipality, Daewoo, the Government of Canada, and his Atlantic Canada peers. I do . . .

MR. SPEAKER: Question.

MR. BAILLIE: . . . have copies of all those here and I'm happy to table them.

MR. SPEAKER: Question, please.

MR. BAILLIE: Mr. Speaker, my question to the Premier is, does the Premier share his minister's cavalier attitude toward signed agreements by the Province of Nova Scotia and, if so, what does that say to those countries and provinces about the word of his government?

THE PREMIER: Mr. Speaker, I did hear what the minister had to say. I think he was responding because of the insistence of members opposite to understand what actually happens with the MOU. In fact, the MOU specifically provides for the action that was taken by the minister in exactly the form in which he took the action. It does not download a single, solitary penny into any municipality. It simply confirms the arrangement that was made.

MR. BAILLIE: Mr. Speaker, that is simply not correct. The result of the minister's actions are that municipalities are going to be facing much higher costs in future years, starting next year, than they pay today for those services.

Secondly, although an MOU like any agreement has an out clause, it is disrespectful of your counterparty to drag them in on an hour's notice and tell them that you're breaking the agreement. That is the action of this minister and this government. That is why people are so upset. My first supplementary is, which I will actually direct to the minister so he can speak for himself, he has signed other (Interruption) Well, they can

choose who they want to answer. I'd be more than happy to have the Premier answer for the minister, as he does so often anyway.

MR. SPEAKER: Question, please.

MR. BAILLIE: My question is, there are other MOUs with municipal governments that this government has signed - one on senior-friendly communities, another on climate change - so my question to whoever wishes to answer it on that side of the House is, once burned, twice shy, what other municipal MOUs are you planning to break?

THE PREMIER: Mr. Speaker, first of all, almost everything that member said is incorrect as well. In fact, not giving them an hour's notice with respect to the MOU, what the minister actually did was give them one year's notice of the change that was going to take place with respect to further uploading of municipal costs in the province. We simply said to the municipalities that we are no longer in a position to take more of your cost base. We're not asking you to take anything from the province but we can't take any more of your cost base. That's a perfectly understandable thing. It is what is provided for in the memorandum. The minister is actually living up to the terms of the memorandum as we would expect our partners to do in their memorandums of understanding, as we do.

MR. BAILLIE: Mr. Speaker, I'm sure that our municipal units will be interested to know that their Premier believes that social housing, education, corrections are actually municipal costs and properly funded out of property taxes. That is something they will be very interested to know because it flies in the face of hundreds of years of practice by this province, indeed, by all provinces in Canada. My final question to the Premier is, which agreements can municipalities now rely on that are signed by his government and which ones can they not?

THE PREMIER: Mr. Speaker, they can rely on the memorandum, just as they do, and they can because the minister demonstrated his exact adherence to the memorandum that was signed.

I would also point out to the member opposite, he was in the Premier's Office for many years and in all those years, in every case, exactly the same group of services were offered and paid for by the municipalities.

MR. SPEAKER: The honourable member for Kings West.

#### **FIN. - FEES: INPUTS - TABLE**

MR. LEO GLAVINE: Mr. Speaker, my question is for the Minister of Finance. The minister has a habit of contradicting himself. On Tuesday he tried to rationalize one of his

many tax hikes, but simply got himself confused. From one side of his mouth he said the cost of government is going up, but in the very next breath, out of the other side of his mouth, he said “. . . the previous government left a considerable mess behind it. This is a measure that was necessary in order to clean up the finances of the province.”

Fees are designed to be cost-recovered, however, the minister seems to think they are a source of revenue - yet another tax hike from the “Nickel and Dime Party”. My question to the minister is, will the minister table today in this House the exact cost of all inputs which go into delivering these fees and by how much they increased?

HON. GRAHAM STEELE: Mr. Speaker, the same question the member asked yesterday, and he’s going to get the same answer. All required notices have been filed, the user fee report is available on the Department of Finance Web site. When government services are being delivered, we have to be realistic about the fact that we need to raise the revenue to pay for them, and it comes from either the people who are using the service or from the general tax base.

If the Liberal Party is opposed to user fees, I understand that, but then they at least have to stand up and admit that they would put it on the general tax base instead.

MR. GLAVINE: Mr. Speaker, the Minister of Finance either doesn’t understand this basic question, or is he hiding from the people of Nova Scotia? The fee for environmental assessment went up by \$310.39. The hike of over \$300 happened late on a Friday afternoon when One Government Place thought no one was looking - the hike of \$300 happened outside the Legislature and with no debate.

Mr. Speaker, that’s an extra \$300 that no one over on the other side of the House can explain. My question for the Minister of Environment is, what is the exact cost of an environmental assessment - will the minister detail every cost that went up to deliver one, and will he table his evidence in the House today?

HON. STERLING BELLIVEAU: Mr. Speaker, I’d like to defer this question to the Minister of Finance.

MR. STEELE: Mr. Speaker, every notice required to be filed has been filed; every report that is required to be posted has been posted.

Now it may be the position of the Liberal Party that all of these costs should be borne by the general tax base. Our view, Mr. Speaker, is that in the long run it is more fair that it be borne by the people who are actually using the service.

MR. GLAVINE: Well, Mr. Speaker, Nova Scotians do know the difference between a tax and a fee for service. The issue couldn’t be more clear to Nova Scotians, yet again the Nickel and Dime Party is taking away more of their hard-earned cash. The Minister of Finance has been blaming the previous government for his own failures as a

minister, and Nova Scotians are tired of the excuses from the Nickel and Dime Party. They are tired of the complaining from the Finance Minister, and they are tired of the Premier's endless tax hikes. The Premier has hiked the HST; he has ensured that property taxes across the province go up; he has taken \$600 out of the pockets of each working Nova Scotian; and he is making it more expensive to access government.

Mr. Speaker, an environmental assessment report today costs \$300 more than it did only two weeks ago. My question to the Minister of Environment is, will the minister tell Nova Scotians how a report is \$300 more expensive to produce today than it was two weeks ago, and will he be able to table whatever evidence he might have, in the House today? I'll pass along a table, a sample, of some of the fee increases.

MR. BELLIVEAU: Mr. Speaker, again I want to defer this question, but first I'd just like to point out to the members opposite - history has shown that they have talked about the environment, this particular government is taking action. We're going to have one of the cleanest and greenest environments in Nova Scotia.

HON. GRAHAM STEELE: Mr. Speaker (Interruptions)

MR. SPEAKER: Okay, fine. He deferred it to him when he first said it, but he made a comment after. (Interruptions) Order, please.

On a new question, the honourable member for Kings West.

#### **PSC: COMPENSATION PACKAGES - AMOUNTS**

MR. LEO GLAVINE: Mr. Speaker, my question is for the Minister of the Public Service Commission. The NDP Government has said that the government will not settle wage negotiations for anything more than 1 per cent increases, yet about half of the agreements signed by public workers have resulted in wage increases of more than 1 per cent. My question to the minister is, will the minister explain why he has been misleading Nova Scotians into thinking that all public sector workers are only getting 1 per cent increases to their compensation packages?

HON. FRANK CORBETT: Mr. Speaker, unlike that group, the Official Opposition, when they were in power and didn't want to negotiate with anybody and chased nurses out of this province, we sit down and collectively bargain with our workers and we are settling for ones. He can interpret it - or that government, excuse me - can interpret it, that Opposition Party can interpret it any way they want, but as usual they're wrong, wrong, wrong.

MR. GLAVINE: Mr. Speaker, compensation is much more than simple wage increases. In fact, it is often the other settlements and contracts which increase the costs of compensation workers. For example, the president of the Nova Scotia Government and General Employees Union has been claiming a victory with the Civil Service Master Agreement. Although they have agreed to a wage increase of 1 per cent, their compensation package has become more lucrative. If an employee finds that their position has been cut by this government, that employee is guaranteed a position elsewhere in government at no less than 90 per cent of their former salary. Even if this person was making \$90,000 and is placed in a position better suited to someone at \$45,000, they will still collect \$72,000. My question for the Minister of the Public Service Commission is, how is guaranteeing employment at 90 per cent salary any sort of fiscal restraint measure?

MR. CORBETT: Mr. Speaker, that question is so wrong in so many places I don't know where to begin. When we are doing collective bargaining there are issues at the table around job security and so on, which apparently eludes this group because the Opposition do not want to negotiate with anybody, they want to dictate. Well, this government negotiates; they dictate. Nova Scotians are better off with us negotiating than them dictating.

MR. GLAVINE: Mr. Speaker, this NDP Government likes to say one thing while they are doing another. While they talk about holding wages to 1 per cent, they are loading up the perks through the back door. Increasing employer contribution to benefits, guaranteeing jobs at 90 per cent of former salaries, increases in vacation pay, reclassifications and retroactive increases mean that government is simply not doing what they would like to say they are. All of these things mean increases in compensation, increases for taxpayers, no wonder the NDP have been hiking taxes at an alarming rate. My question to the Minister of the Public Service Commission is, what are the true costs of these increases to overall compensation packages and not just wages, and will you table this information in the House?

MR. CORBETT: Quite simply put, Mr. Speaker, 1 per cent.

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

### **TIR: GOVERNMENT PAVING - DETAILS**

HON. JAMIE BAILLIE: Mr. Speaker, my question is for the Minister of Transportation and Infrastructure Renewal. The Nova Scotia road paving industry contains 30 private contractors, 150 companies in total, 7,500 employees across our province. By any measure it is a very competitive industry, but that is apparently not good enough for this government or for this minister who insists on going ahead, despite that amount of private activity, with government paving. In only one other province in Canada is this the case and that is the Province of Manitoba, so my question to the minister is, does the minister really believe that Nova Scotia operators are not up to the job or are only private companies in NDP-held provinces at risk?



HON. WILLIAM ESTABROOKS: Mr. Speaker, I thank the member opposite for that question, because it does give me the opportunity to review the situation, although it's been played out in the media many times.

When you look at a competitive bid, you look across this province and tender after tender is called - in some situations one bid is received and, in others, two are received. Is that competition? That is not competition. If the member across the aisle would like to go through this very closely, I can point out to them that in certain areas of this province there is no doubt in the mind of this Minister of Transportation and Infrastructure Renewal that Nova Scotians were not well served by the so-called competitive bids.

I also want to point out there is lots of work, there are lots of tenders called, there will be lots of work for road builders. It's important for members in this House to understand if we want to get the best bang for our buck, for every cent that we save when it comes to a tender that has not been properly bid on with competition, those dollars will be turned around, because paying less means we'll be paving more. (Applause)

MR. BAILLIE: Mr. Speaker, I want to thank the minister for the answer. I should point out to the minister that his department's own presentation, their own business case on this issue shows that only in 5 per cent of tenders did they receive only one bid. That is the size of the problem that they are trying to solve; that is the fact they are relying on to take over government paving.

So my supplementary question is, if the minister truly believes that this is such a good idea, then why as a minister of a government that is so proud to boast of their good accomplishments, whatever they may be, did they sneak this one in like they've done other labour law changes . . .

MR. SPEAKER: Question.

MR. BAILLIE: . . . like Bill No. 100, and leave it to industry and others to find out only on the tendering Web site what their plan really was - why hide it if it was such a good idea?

MR. ESTABROOKS: Mr. Speaker, I would usually, as I traditionally do, thank the member for the question, but the tone is completely unacceptable. I, as a minister, have had a very good working relationship with the Road Builders Association - the executive director of the Road Builders Association, in fact, is a constituent of mine. We have met with the executive on numerous occasions, and I have spoken to the Road Builders Association at their AGM on many occasions. We made it very clear to the road builders that we were not pleased with the lack of competition in certain parts of this province. I've heard from members on that side of the House who brought to my attention that when these

changes are made they would like to have the opportunity to make sure they are going to see more asphalt work done in their constituency.

I've heard from independent road builders, truckers who call me and say you're doing the right thing, this government is going to treat this fairly. I must point out to the member opposite, whether it's the Road Builders Association, the Truckers Association - you just watch us, we're going to make sure that we get as much paving, as much asphalt as possible all across this province, not just in the ridings of the sort where in the past it was the government side that took the dollars. Everyone over there who has met with me, I want them to know they will be treated fairly - they will receive the appropriate treatment because we'll have more dollars, and those dollars will come because we have a more competitive tendering process. (Applause)

MR. BAILLIE: Mr. Speaker, the minister has provided the answer to the problem. A more competitive tendering process - that is what we all want, not government paving, but a more competitive tendering process. If the problem was in tendering, why don't we just improve the tendering? That is the point that our critic and that we have been making all along - everyone on this side of the House has been making that point all along.

My question to the minister is, given that every other province in Canada, except for the two that have NDP Governments, has gotten out of the paving business - only two held by NDP are in the paving business - are all those other provinces wrong or does he have a problem with the private industry here in Nova Scotia?

MR. ESTABROOKS: Mr. Speaker, I thank the member for that question this time. I mean it seriously, because I want you to know that when we look at comparisons across this country, whether it's in New Brunswick- across the border- when we look at how some of the work is being done there, let's make this very clear. I have no problem with the Road Builders Association, there will be lots of work during this paving season in this province Mr. Speaker. Everyone will be busy, in fact we've heard from particular companies that are saying the tenders are out so early, we have so much work that we don't really know if we can keep up with it.

However, I've heard many times there is lots of competition. Well if there was lots of competition how come in these payments that we saw, there was a lack of real fair competitive bidding? I want you to know the word is out, that in Nova Scotia we are going to do it fairly and we're not going to gouge Nova Scotians.

MR. SPEAKER: The honourable member for Dartmouth East.

### **TIR: GOVERNMENT PAVING - DECISION**

MR. ANDREW YOUNGER: Thank you Mr. Speaker. My question is also for the Minister of Transportation and Infrastructure Renewal, and let me start by saying that I didn't realize that the Leader of the Third Party knew less about paving than the Minister of

Transportation and Infrastructure Renewal. Of course New Brunswick, which is a Progressive Conservative Government, also has government paving. Nonetheless Mr. Speaker, in November - so he didn't even get that one right. (Interruptions)

MR. SPEAKER: Order, order please. The honourable member for Dartmouth East has the floor.

MR. YOUNGER: Thank you Mr. Speaker. The NDP government announced its much anticipated five year road plan back in the fall and of course we congratulated you on that, that's fine, we did. But Mr. Speaker, the minister left out one tiny little detail and that was that they were getting into the paving and chip sealing business; one tiny little detail. Government must have known at the time that that plan included reaching into the pockets of all these businesses of Nova Scotia in November, Mr. Speaker, because they announced it early in the new year.

So Mr. Speaker my question for the minister, why did he not inform Nova Scotians and industry members who are here to support your five year plan, of your secret plan to grow government and get into the private paving business.

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

HON. WILLIAM ESTABROOKS: Thank you Mr. Speaker and I thank the member for the question. In fact he makes a very good point and I thank him for his research. At least that part of the question is correct. The members opposite should be aware that you're talking about the chip seal process.

You know, we are not doing this in secret. I've never had a secret meeting with any union representative on this issue, come in and look at my day planner and you'll realize that this was a process that we looked at after I looked at tenders and said-what is wrong with this picture?

I sent my deputy minister and the chief engineer away last summer with the project to look very carefully as to why these tenders, in certain parts of the province, are just not fair. Whether it's the number of bids or, whether the fact is why do some of these tenders cost so much?

We reviewed that process that information was brought to me, as a cabinet minister I dutifully took it to the Treasury Board, we made sure that we followed proper process. We wanted to make sure we were in no rush, that we were going to look at the issues and that we were going to make the correct decision.

It was my cabinet colleagues, and this caucus, who agreed that this was something that should be done for Nova Scotians. There was no secrecy, there was no hidden policy here, it's just good common sense.

MR. YOUNGER: Thank you. Well Mr. Speaker let's talk about the minister's reasons. We were told by the NDP that paving in New Brunswick is less expensive than it is here, Mr. Speaker and I'll table a document that says that. But we now know from the ministers' staff and industry that the specs are lower than they have in Nova Scotia, and I will table that. Here you go, thank you.

Mr. Speaker, we were told by the NDP that they would do it cheaper but now they admit and their government admits that they can't do it cheaper than industry and I will table the government's own power point presentation on that. It is also been pointed out in admitting that paving prices were higher due to infrastructure spending. Spending which the Premier had admitted yesterday, has contributed to increased expenditures and I'll table that.

MR. SPEAKER: Question.

MR. YOUNGER: Mr. Speaker, if getting into the paving business was such a good economic decision, why did the minister feel that it was okay to mislead Nova Scotian's about the government and not give the complete truth about why it was more expensive? (Interruptions)

MR. SPEAKER: Order, please. The word "misleading" in that context is unparliamentary.

MR. YOUNGER: I think if you checked with the Clerk, Mr. Speaker . . .

MR. SPEAKER: No. (Interruptions) Hold on a second now. Just hang on a second here and I'm going to read it to you. Let's see, well, in the interest of time, I'll add it on at the end, sir. Thank you.

Beauchesne rules that the accusation of deliberate or wilful misleading, states apparent misleading, is unparliamentary. So I would ask the honourable member to retract that.

MR. YOUNGER: I'll withdraw that word then. (Applause) Why did the minister feel it was okay to give incomplete information to Nova Scotians about his rationale for why it's more expensive to pave in Nova Scotia and not give the complete story?

MR. ESTABROOKS: Mr. Speaker, and thank you for your wise ruling also. We come to this House, we rose as ministers with ideas that we believe will make life better for Nova Scotians. I can tell the member opposite whether that inappropriate terminology was

used before or whether secrecy is involved is not the way that this particular minister does business.

I have confidence in the people I work with in the Department of Transportation and Infrastructure Renewal. Those professional engineers that I have the pleasure of working with reviewed this situation. They looked at the dollars. They made the comparisons to other provinces. They gave me the advice. I took that advice to my colleagues based upon their advice and the decision that I recommended, we are going to have a better paving process this season and I will assure you the reason why those bids are coming in in a more competitive fashion is because those private operators want to get their share of the work but they also want to make sure that Nova Scotians look at that business and say they are treating Nova Scotians fairly. There are people across this province who want pavement, they want asphalt, and we are going to deliver that promise.

MR. YOUNGER: Well, Mr. Speaker, we're not debating the advice that the minister may or may not have received from his staff, we're debating the rationale that he put forward to the public and there appears to be one other issue that was left out of the discussion when he gave the rationale.

The minister suggested that they would create jobs on local paving crews. However, we've now been told by department officials that the crews associated with and hired by the mobile plants will also be mobile and that is to say they won't be hired in the areas where government plans to chip seal and pave but they will travel the province on the taxpayers' dime. The more paving and chip sealing, the more travel costs, according to his own department staff.

So, Mr. Speaker, will the minister please advise this House why Nova Scotians were not told they will be on the hook for travel and accommodation costs associated with having a mobile crew for a mobile asphalt plan?

MR. ESTABROOKS: Mr. Speaker, I thank the member opposite for the question. You know there are two seasons in this province. There's winter and then there's the paving season. To quote, or misquote in a way, the ex-Alaskan governor, I'm not going to say drill, baby, drill - I'm going to say pave, baby, pave. (Applause)

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

### **CCH: MY-PLAY SYSTEM - INFORMATION**

MR. KEITH BAIN: Mr. Speaker, because of the tremendous job he did yesterday, my question through you is going to be again to the Minister of Communities, Culture and Heritage. During the release of this government's short-on-details Gaming Strategy, the

Minister of Communities, Culture and Heritage admitted he intended to spend up to \$25 million over five years to implement the My-Play system on VLTs. The minister said repeatedly that he was willing to gamble these millions based on promising initial research into the system even though his own strategy states the overall impact of My-Play is not known.

So, Mr. Speaker, my question through you to the minister is, at a time when government should be striving to get the biggest bang for the taxpayer's dollar and after hearing the Minister of Transportation and Infrastructure Renewal talking about getting the best bang for the buck, why is this minister so willing to roll the dice on a system that may not be effective?

HON. DAVID WILSON: Mr. Speaker, I thank the member opposite for his question because it gives me the opportunity to inform the members of the Opposition about some positive initiatives in the Gaming Strategy that we just released. The My-Play system is a world-first responsible gaming tool, developed by a Nova Scotia company, but most importantly, a Cape Breton company. This strategy will introduce a My-Play system to be enrolled fully by April 2012 and that will give some time for the retailers, for the players, to understand the system. I think this initiative will have a very positive affect for those individuals who take up gaming here in Nova Scotia.

MR. BAIN: Mr. Speaker, I'll table a letter to the editor that was published in this morning's The ChronicleHerald. Terry Fulmer writes- any rationale for spending \$4 million per year on the implementation of a compulsory plastic card system is totally destroyed by laundering it down with a 2-card system with an optional "Player Lite" card tied to no personal data. MyPlay could have provided accurate and useful data on plays and revenues.

My question through you to the minister is, we know that 2005's *A Better Balance: Nova Scotia's First Gaming Strategy* resulted in less gambling because gaming revenues went down by 22 per cent after its release. My question is, what goal in terms of decreased gaming revenues has the minister set for this vague new strategy?

MR. WILSON: Mr. Speaker, the most important goal when we released this strategy and when we were looking at it was the health and well-being of Nova Scotians. I believe this strategy, after wide consultation, takes into account the concerns and issues that stakeholders, individuals and groups in Nova Scotia, who took time to take part in the consultation. I believe that the strategy will address their issues. This is a measured and balanced approach to gaming in Nova Scotia and I believe supporting a Nova Scotia, Cape Breton company is a very positive thing.

MR. BAIN: Mr. Speaker, when the minister released his flimsy Gaming Strategy, Nova Scotians saw that once again this government's priority is not providing better service for Nova Scotians. In the strategy, the minister chose to fold the arm's-length Nova Scotia Gaming Corporation into the Department of Communities, Culture and Heritage.

The minister said, streamlining the conduct and management process of government was one of the strategy's greatest strengths. My question to the minister is, if it is one of the strategy's greatest strengths, can he explain how shuffling the deck is going to benefit problem gamblers and why is he focusing on the inner workings of government, rather than focusing on helping problem gamblers?

MR. WILSON: Mr. Speaker, governance around gaming in Nova Scotia was just one aspect of the Gaming Strategy that we looked at and that's why we address the governance of gaming here in Nova Scotia. At the time when the Nova Scotia Gaming Corporation was created, we agreed - I agreed and the government agreed - that was necessary, but we no longer feel that we need a Crown Corporation to oversee the gaming initiatives here in Nova Scotia. That's why we're going to create and transition into a division of gaming within my department. I think it's a positive move and I think it's the right move.

MR. SPEAKER: The honourable member for Dartmouth East.

#### **PREM.: GOV'T PAVING BUS. - REASONS**

MR. ANDREW YOUNGER: Mr. Speaker, my question is for the Premier. As we've learned recently after 20 years, the Province of Nova Scotia is getting back into the paving business. This despite the fact that the departmental staff - and I believe, if I'm not mistaken, even the minister have agreed that, yes, the industry could do it cheaper; there have been some problems with tenders but they could.

We now know that with the reduction in tender opportunities that will occur for private companies, there will be fewer jobs in the private paving industry, increases in bid prices for tendered work because the economic efficiencies will be lost. Would the Premier please tell me why his government thinks having the government get into a new business is a good idea when even his own staff admit it will probably be more expensive than what the private sector could do it for?

THE PREMIER: Mr. Speaker, that's not true; none of it is true. In fact, exactly the opposite is true. (Interruptions) The reality is that we will be able to get more bang for the paving buck, it means that the same amount of money will be available for paving but we will get more kilometres of paving and chip sealing out of it, which is better for the people of Nova Scotia.

MR. YOUNGER: Mr. Speaker, I recommend that the Premier have the same briefing from department staff that our caucus had, where it was confirmed that they said yes, the industry could do it cheaper. And the issue was the Premier's answer might

actually mean something if the government had met with industry and told them the government would get into the paving business if prices did not come down.

Municipalities in Nova Scotia had the same problem a couple of years ago, met with the paving companies to address the issue and prices did come down. Departmental staff admit government did not even have this conversation with industry.

Mr. Speaker, will the Premier please tell us why his government has disrespected the hard-working Nova Scotians in the paving industry and did not discuss their concerns with them before reaching this decision?

THE PREMIER: Mr. Speaker, we very much respect our partners in the paving industry; in fact, they will bid for countless millions of dollars in paving this year.

The simple fact of the matter is that because of the initiative taken by the Minister of Transportation and Infrastructure Renewal the people of Nova Scotia will see more kilometres of paving, with the same amount of money. We will pay less; we will pave more.

MR. YOUNGER: Well, Mr. Speaker, the Premier didn't answer the question. He chose not to consult the industry in advance, but he had no problem consulting with the highway workers - and I'll table this document - so it just seems that consultation only goes to one side of that issue.

Mr. Speaker, the Premier is asking us to trust him that this will cost less, yet the department says it will not be reviewing this for five years, long after the NDP are out of government and they won't have to take responsibility for the mess they leave.

Mr. Speaker, the Premier is asking us to trust him, just like he asked us to trust him on a budget that had a two-thirds of a billion dollar mistake. That's a hard sell. The NDP planned it as a gamble, so much so that maybe it should have been included in the gambling strategy a couple of weeks ago.

Mr. Speaker, my question is, given that the information coming from him, from his ministers, from his department staff and from industry, all seems to be in conflict and changing all the time, will the Premier agree to put this plan on hold and have an independent value audit done before proceeding?

THE PREMIER: Well, Mr. Speaker, the reality is that this is a well-thought-out program. It's going to result in a great benefit for the people of Nova Scotia; it's going to mean that for the same amount of money they are going to get more paving. When the Minister of Transportation and Infrastructure Renewal gets the opportunity to review this in five years, I'm sure he'll be able to deliver the information to the member opposite, if he can find him.

MR. SPEAKER: The honourable member for Argyle.



**ERD & TOURISM: YARMOUTH FERRY LOSS - IMPACT**

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, my question through you is to the Minister of Economic and Rural Development and Tourism. This government's decision to stop funding the Yarmouth ferry has had a devastating effect on not only Yarmouth, but on the entire southwestern region, yet this government has yet to admit its decision has played a fundamental role in loss of jobs and business. In fact, the Premier, himself, said to the media outside this House that the cause of the economic difficulty in Yarmouth is not the loss of the ferry; the ferry had very little impact, in fact, in that end of the province.

My question through you, Mr. Speaker, to the minister is, does the minister stand behind the Premier's claim that the loss of the Yarmouth ferry had very little impact on southwestern Nova Scotia?

HON. PERCY PARIS: Mr. Speaker, what I do stand behind is that the tourists visiting Nova Scotia, coming from the U.S., using the ferry, had decreased by 71 per cent. What I do stand behind is that between 2006 to 2009, the Government of Nova Scotia spent over \$21 million on the Yarmouth ferry. What I do stand behind is that there wasn't a solid business case for continuation of the subsidy that this government was providing to The Cat ferry.

MR. D'ENTREMONT: Mr. Speaker, the Yarmouth County Protestant Ministerial recently raised their concerns with the Premier about the economic and socio-economic consequences of the loss of the Yarmouth ferry. In that letter to the Premier - which I will table, I have it right here - they say that "As the pastors representing these communities, we are often the first point of contact for people needing assistance as the direct result of the decision that was made." The letter also states that even the Department of Community Services is referring people to go to the church for help. My question to the Minister of Rural and Economic Development and Tourism is, how does the minister explain the increased demand for assistance with food, home heat, rent, and medications as described by the local clergy since the loss of the Yarmouth ferry?

MR. PARIS: Mr. Speaker, without a doubt, things have been somewhat, I would say, maybe soft in Yarmouth. Through the jobsHere initiative our goal is to grow the economy and create good, solid jobs in every region of the province. We've made some huge investments in southwestern Nova Scotia.

During the late debate last night I mentioned the \$400,000 in the Explore our Shores campaign, and I mentioned the \$150,000 that the Premier acknowledged and invested in celebrating Yarmouth's 250<sup>th</sup> Anniversary. We are making an honest effort, as

we are in every region of the province, to grow the economy and create good, solid jobs for all Nova Scotians.

MR. D'ENTREMONT: Mr. Speaker, outside this House the Premier says the loss of the ferry has very little impact on Yarmouth, yet local pastors are writing to his office to tell him first-hand that increased demand to provide basic needs such as food has been placed upon them since the loss of the ferry. Can I stop for a second while he answers that, really? Thank you.

Mr. Speaker, my question through you to the Minister of Rural and Economic Development and Tourism is, who has it right - the Premier who claims the loss of the ferry had very little impact, or the local pastors who are feeding the families of Yarmouth?

MR. PARIS: Mr. Speaker, this government has it right. What we are concentrating on is positives. What we would like is for all members of the House to work with us as we implement jobsHere, create a better economy and more jobs for Nova Scotians here in the province. This is basically about a business case. There was a lack of a solid business case for The Cat ferry, and that was reaffirmed - I happened to read yesterday and today, the Nova Scotia Business Journal which reaffirmed our belief that there was no business case for The Cat ferry and it just didn't make business sense.

MR. SPEAKER: The honourable member for Preston.

### **SNSMR - MUN. DOWNLOADING**

HON. KEITH COLWELL: Mr. Speaker, my question is for the Minister of Service Nova Scotia and Municipal Relations. Nova Scotia cannot afford this NDP Government. Like the rest of Cabinet, this minister takes the easy way out. His decision to break the MOU with municipalities will cost property tax owners \$3.2 million in Cape Breton Regional Municipality alone. My question is, when did the minister decide that tax increases, layoffs and cuts were a good thing?

HON. JOHN MACDONELL: Mr. Speaker, the member opposite, being a former municipal councillor should have some idea of the relationship between the province and the municipalities. I would think that if he read the MOU that he would recognize there was a clause that the previous administration had put in that clause "based on appropriations". The actions of this government, which give a very good timeline for municipalities to adjust to this if they need to and the municipalities are actually going to be better off with the \$3.5 million reduction in corrections costs that they would have had to bear prior to the MOU.

MR. COLWELL: Mr. Speaker, the minister knows that he is misleading Nova Scotians when he talks about his broken promise to municipalities. He keeps getting his ups and downs wrong. He is downloading on municipalities and he is forcing property

taxes up and he turns his back on the people of Nova Scotia. My question is, how can the minister say he is not increasing taxes when he is forcing municipalities into this position?

MR. MACDONELL: I have to say, Mr. Speaker, I'm starting to see a theme to the member's questions since he's been asking the same ones in three Question Periods. There is only one taxpayer, which I hope he can recognize. This government is not increasing any taxes on municipal taxpayers.

MR. COLWELL: Mr. Speaker, the MOU talks about financial hardship in the province, yet this province takes more and more money from Nova Scotians every day. They hiked HST 2 per cent, they hiked 1,400 user fees, they're taking \$600 from the hands of every working Nova Scotian - they're taxing us so much that we're able to turn a \$200 million deficit into a \$400 million surplus. My question is, after bringing in two-thirds of a billion dollars in extra money last year, how can the minister think that downloading on the backs of Nova Scotians is fair?

MR. MACDONELL: The question, Mr. Speaker, is a question of being responsible. The municipalities have been budgeting these costs over the past many years. This adjustment in the MOU will have no impact on their taxpayers.

MR. SPEAKER: The honourable member for Colchester North.

**EDUC.: READING RECOVERY PROG.  
- ELIMINATION**

HON. KAREN CASEY: Mr. Speaker, my question through you is to the Minister of Education. In the minister's response yesterday regarding the elimination of Reading Recovery, she told this House that it had been a budget item and a budget decision. The price tag on Reading Recovery at that time was \$7 million. Economists have said repeatedly that education should be the last place to cut in tough economic times. My question to the minister is, why would a Minister of Education, who I know values public education, ever have the elimination of a valuable literacy program like Reading Recovery on the table as a budget item and, more importantly, ever allow it to become a budget-cutting decision?

HON. RAMONA JENNEX: Thank you very much. This provides an opportunity to provide much more service to our students from Primary onwards and so therefore the elimination of Reading Recovery is going to be better value for our dollar because more students will be served.

MS. CASEY: Also in Question Period yesterday, in response to a question, the minister responded that she had consulted with experts regarding this decision, but she

failed to identify the experts. My question to the minister is, will the minister please identify the experts with whom she consulted and when those consultations were held?

MS. JENNEX: Mr. Speaker, I made a decision and I stand by this decision because it is good for the taxpayers of Nova Scotia and for the students as we re-balance our system, that our money that we're asking balances out with our decreasing enrolment.

MS. CASEY: Mr. Speaker, I'm a bit concerned because that's conflicting with the information she gave yesterday, her response that she consulted with experts. She's now saying that she made the decision. So I would ask for some clarification.

At the Public Accounts Committee on March 9<sup>th</sup>, the Deputy Minister of Education was reported to have said that one of the reasons for eliminating Reading Recovery was to address budget restrictions - and I will table that - with the price tag for Reading Recovery being \$7 million at the time and the replacement program being \$5 million. My question to the minister is, is the minister really telling Nova Scotia parents, teachers and struggling young readers that losing the opportunity to learn to read at an early age through a research and evidence-based program is worth \$2 million in a \$1.1 billion budget to this government?

MS. JENNEX: Mr. Speaker, this minister is saying that the children of this province will be able to get support earlier in Primary and to be carried through when they need support. We are making sure that we are meeting the needs of our children sooner. So this minister is not taking away, this minister is adding to. (Applause)

MR. SPEAKER: The honourable member for Inverness.

### **FIN.: BUDGET (2010-11) - BALANCE POTENTIAL**

MR. ALLAN MACMASTER: Mr. Speaker, a lot of Nova Scotians were left scratching their heads this week when the government posted an actual surplus for the previous fiscal year - this fiscal year just ended. Their numbers were out by about \$600 million.

Mr. Speaker, the deficit of this province, we believe, was closer to 3 per cent and to put that into context, when Dr. John Hamm was Premier of this province in 1999, the deficit formed 10 per cent of the operating budget for this province. So to put it into context, in three years that deficit was eliminated by good, prudent fiscal management. Will the minister not agree that last year's budget could have been balanced through modest fiscal restraint?

HON. GRAHAM STEELE: Mr. Speaker, let me inform the House of a few facts when we're talking about things like debt. The largest accumulation of debt in this province was during a four-year period shared between Progressive Conservatives and Liberals where the debt went up \$4 billion in four years. The largest two-year increase was

\$2.3 billion under the Progressive Conservatives and the competition came from the Liberals who had a two-year increase of another \$2 billion. But the record in Nova Scotia for the largest increase in debt in a single year - \$1.473 billion in a single year - belongs to the Progressive Conservatives.

MR. MACMASTER: Mr. Speaker, I for one am tired of the whining and complaining of this minister. (Interruptions) I will give you an example. This minister could have done something last year and actually his government had promised that they would reduce the size of the civil service by 1,000 positions. We learned from the Public Accounts Committee a couple of weeks ago that about 600 positions, people leave every year on their own accord and nobody is hurt by any loss of employment to this government.

Will the minister agree that his government, had they kept to their word, could have eliminated 250 positions, one-quarter of that goal, last year and saved the province approximately \$25 million if you look at the cost of the salary, the benefits, the technology, and the office space at \$100,000 per employee - 250 employees, that would have been a savings of \$25 million and that, curiously enough, would have probably been enough to give Nova Scotians a break on their personal income tax. So will the minister not agree that my numbers could help him, if he had a fiscal restraint bone in his body, to bring our budget closer to being balanced?

MR. STEELE: Mr. Speaker, I had a very nice family dinner in a Chinese restaurant last night in the riding of the member for Bedford-Birch Cove and I was stunned by the fortune that came out of my fortune cookie. It says, "You have balance . . ."

MR. SPEAKER: Order, please. No props in the Legislature, please. Order, please. (Interruptions) All right, you can table it, then. Thank you.

MR. STEELE: It's a document I intended to table. It says, "You have balance and foresight and you can envision the ideal direction that events should take." I asked myself, Mr. Speaker, how do they know?

Mr. Speaker, here's the reality of Nova Scotia's finances. In the last 35 years that Party over there has been entrusted with government twice and each time they have left nothing but financial wreckage behind.

MR. MACMASTER: Mr. Speaker, I think that when our Finance Minister is starting to read fortune cookies and bringing the results into the Legislature, maybe it's time for another Finance Minister.

Mr. Speaker, I do take exception to his comments. The Auditor General in this province agreed that the Progressive Conservatives brought eight balanced budgets, from

1999 right through to 2009 . They eliminated a deficit that was 10 per cent of the budget in three years and this government should do the same.

I would ask a question here, Mr. Speaker, but I believe we're running out of time.

MR. SPEAKER: Oh no, no. If you ask it right now you have time.

MR. MACMASTER: I have time. In that case, Mr. Speaker, would the minister not agree that the HST increase last year was not necessary because he ran, after all, a surplus last year?

MR. STEELE: Mr. Speaker, when that government left office they left wreckage behind and it was left for us to pick up the pieces. In consultation with the people of the province, we developed a good plan, a Back to Balance plan. We will be back to balance in 2013. We will continue to provide quality public services to the people of Nova Scotia. That is what they asked us to do and that is what we will deliver.

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

HON. MICHEL SAMSON: Mr. Speaker, on a point of order. Quite often during debate in this House, either during Question Period or elsewhere, sometimes members may get a bit excited and use language which is clearly not only unparliamentary but goes beyond the bounds of decency.

Mr. Speaker, following a question by my honourable colleague, the member for Preston, to the Minister of Service Nova Scotia and Municipal Relations, on a topic for which our caucus has heard from municipal leaders throughout the province in their anxiety regarding government's decision, the honourable Government House Leader made a commentary which was clearly heard by not only yourself I believe, Mr. Speaker, but by all members of this House, all members in the gallery.

Mr. Speaker, as I am sure you are aware, quite often Hansard will pick up the comments made by members of this House who may not actually be the member standing and speaking and I would certainly hope that those comments that were made by the Government House Leader would not show up in Hansard but, at the same time, I know that the Speaker has been called upon to rule in the past when members have made comments that were either unparliamentary or beyond the bounds of decency, even if they were not actually in their place when those comments were made.

I would ask that you look at the comments which I believe you heard very clearly, made by the Government House Leader following the question put by the honourable member for Preston, and hopefully ask that those comments be withdrawn. Certainly I've chosen not to repeat the comments, in the hope that they do not show up in Hansard, the official record of debates here in the House of Assembly.

MR. SPEAKER: I will take that under advisement and report back to the House at my earliest convenience. Now that we are on the subject of points of order, I would like to have a review on the point of order raised by the Government House Leader respecting the resolution tabled by the member for Dartmouth East. I believe the third whereas could be taken to associate the Premier with lying or having himself lied and I feel the inference is unparliamentary, so I'm going to instruct the Chief Clerk to delete the third whereas from Resolution No. 257. Thank you.

### **GOVERNMENT BUSINESS**

MR. SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call the order of business, Government Motions.

### **GOVERNMENT MOTIONS**

MR. SPEAKER: 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. 7.

### **Bill No. 7 - Justice Administration Amendment (2011) Act.**

MR. SPEAKER: The honourable Minister of Justice.

HON. ROSS LANDRY: Thank you, Mr. Speaker. The Justice Administration Amendment (2011) Act for second reading - I move that Bill No. 7, an Act Respecting the Administration of Justice be now read a second time.

I am pleased to rise in the House today to introduce the second reading of this omnibus bill that proposes an amendment or repeals several Acts. In this case, all the changes that are being proposed to the various pieces of legislation are housekeeping changes intended to clean up the legislation.

Mr. Speaker, let me take a few moments to outline the specifics of this bill. Essentially the Justice Administration Amendment 2011 Act proposes minor changes to six pieces of legislation that rest in two departments: Justice, and Labour and Advanced Education. The Acts included are the Estreats Act, the Indigent Debtors Act, Forcible Entry and Detainer Act, Civil Service Collective Bargaining Act, Corrections Act, Highway Workers Collective Bargaining Act.

Mr. Speaker, the bill proposes to repeal three Acts that are outdated, the Estreats Act, the Indigent Debtors Act and the Forcible Entry and Detainer Act. These Acts all date back to before the 1900s.

Mr. Speaker, we've consulted the Nova Scotia Barristers' Society and determined that these Acts are no longer being used in the current practice of law. In addition, all these Acts have been superseded by other pieces of legislation.

Mr. Speaker, the other changes being proposed are also straightforward. The proposal is to remove arbitral and arbitrable with regard to the terms of employment from the Civil Service Collective Bargaining Act, the Corrections Act and the Highway Workers Collective Bargaining Act. Last Fall the term arbitral list was removed from these same Statutes. In many collective bargaining agreements where the parties cannot strike or lockout, disputes that could not have been solved at the bargaining table went to arbitration. There were parameters around the conditions of employment that an arbiter could include in these settlements and these forms which used to be called the arbitral list.

Mr. Speaker, feedback from lawyers and unions indicate that the arbitral list slowed down arbitrations as there were often disputes about what topics could be arbitrated. Despite the list some disputes had to go to court to be resolved. It could be a lengthy and costly process. So reference to the arbitral list was removed in 2010, reference to the arbitral and arbitrable remained.

Mr. Speaker, the Department of Labour and Advanced Education has had feedback that lawyers and unions find this confusing. Removing the remaining reference to the words arbitral and arbitrable from these pieces of legislation will eliminate possible confusion over the jurisdictions of interest, arbitration boards to arbitrate labour relations issues. This does not change the meaning or the intent of the Acts, it cleans up the language and makes the Acts more understandable.

Mr. Speaker, in closing, I would like to once again reiterate the purpose of the Act Respecting the Administration of Justice. The changes being proposed will simplify the legislation and make the justice system more efficient by keeping legislation current and understandable in removing the legislation that's not being used. Thank you.

MR. SPEAKER: The honourable member for Richmond



HON. MICHEL SAMSON: It's a pleasure to rise and speak on Bill No. 7, the Justice Administration Amendment (2011) Act. Now, Mr. Speaker, at some point I'm going to have to question whether what I've been saying in this House for the last 13 years or so is actually being heard by the governments of the day or whether I'm repeating myself and it is falling on deaf ears. You may wonder what specific part of what I've said in the past is not being heard, the Justice Administration Act is a way that government can bring in a number of changes to different pieces of legislation, all under one Act.

In the past that has been done for relatively minor changes, changes so minor that one would argue it didn't warrant having a stand-alone Act. The last session that we were here, the new NDP Government seemed to have been listening in one sense but even went further in bringing in such things as the Clothesline Act and a few other Acts, which it was hard to argue why they should be stand-alone pieces of legislation. Not only that, I recall the Clothesline Act, while it had initially come in this House as a private member's bill, actually was introduced as a government piece of legislation, as part of their plan for Nova Scotians.

Where we run into problems with the Justice Administration Amendment (2011) Act, is when the government puts in changes to legislation which are such that Nova Scotians who could be impacted don't fully appreciate the changes being made, because the title of the Act certainly does not give any indication of the changes which are contained within. In the past, as I've mentioned, we have seen significant changes hidden in these Justice Administration Acts, not only by this government, but by the previous Progressive Conservative Government as well.

I certainly stood in my place and made those complaints against the previous Progressive Conservative Government and I recall being joined in those complaints by a former member of this Legislature, former House Leader for the NDP, Kevin Deveaux, former member for Cole Harbour-Eastern Passage, who, while Justice Critic, agreed as well that making significant changes to legislation under the Justice Administration Act is not an open and transparent way of changing the laws of Nova Scotia. Those Nova Scotians at home that could be impacted are not given full notice of the changes being made.

We've seen that in the past, as I've indicated. I've raised it in the past. Let's look at what's in front of us today. My argument has been, if they are minor changes that somehow are linked together, that's very easy for Nova Scotians to understand why the changes are being combined, then there shouldn't be an issue. When I first started looking at this bill it appeared to be a bill that was going to make some changes to the wording of collective bargaining agreements here in Nova Scotia. In that sense it seemed to be something that wasn't of great concern, or at least on the face of it, they don't appear to be changes that would have significant concerns.

But, as you keep reading through the bill, all of a sudden, without getting into the specific clauses, as I'm sure you will rule me out of order for doing so, but the other Acts which have been thrown in here – I can't think of a better way of describing it but thrown in - is repealing the Indigent Debtors Act, the Estreats Act, and the Forcible Entry and Detainer Act.

I'm very curious if there's anyone on the government side who could explain to me how these three bills have anything to do with the changes to collective bargaining agreements in the Province of Nova Scotia. I would argue that there's absolutely no correlation there at all, but they're thrown, not only at the very end of this bill, but they're mixed in, in the changes to the collective bargaining agreements.

Without wanting to be a conspiracy theorist, we can't forget what we went through with Bill No. 100, in the last session of this Legislature, where this government looked to make major changes to labour relations in this province and tried to hide it under an omnibus bill. We all know the lengthy debate which took place on that, and I believe there is still long-standing damage done to labour relations in this province and I would submit to you there has been long-standing damage done to the credibility of the New Democratic Party and the New Democratic Government, as to whether they can be trusted, when it comes to the issue of labour relations in this province.

One would think that after what we went through, where we had major corporations in this province, respected lawyers in private industry, who came in front of this government and made presentations, one would think this government would be extra-sensitive to ensure that no one is under the impression that they're trying to pull a fast one when it comes to issues of labour in this House. Yet here we have the Minister of Justice bringing in a Justice Administration Amendment Act which makes changes to the Civil Service Collective Bargaining Act, the Corrections Act, and the Highway Workers Collective Bargaining Act and at the same time repeals three pieces of legislation which the Minister of Justice tells us have not been used in 100 years. How do you draw the link between those two?

The minister would tell us that as far as Collective Bargaining Acts, he is removing the word, "arbitral". Now I'm sure most Nova Scotians are wondering what the definition of arbitral is - and I can tell you I heard the minister use the word in various pronunciations and I'm not even going to try to repeat them because using the word 'arbitral' is challenging enough to say the least. This is basically cleaning up changes to Collective Bargaining Acts as a result of Bill No. 100, which was passed before. Arbitral, my understanding is that it provides a list of some of the issues which could potentially be words of conflict. If one looks at some of the helpful information that was provided to us by the Department of Justice, it actually includes what was on the old arbitral lists that were removed in 2010, and I'll just mention a few. I know the Minister of Transportation and Infrastructure Renewal is following along, which I appreciate.

There is, for example, the issue of wages and salaries, pay procedures on promotion, demotion, reclassification, and increments, hours of work, overtime compensation, premium allowances for work performed, holidays, vacations and many others, which apparently were causing issues as regards some of the disputes which may take place between, in this case, the employer - being the government - and, I'm assuming, the Government Employees Union or whichever union is representing the civil servants, because obviously my understanding is that highway workers fall under a different bargaining unit in a different union than the rest of the civil servants here in this province.

Again, knowing what happened with Bill No. 100 and the anxiety that caused to private industry, the Canadian Federation of Independent Business, the Restaurant Association, and everyone else who was concerned that the changes being made there would somehow impact the labour relations in private industry, one would think that if government is bringing in changes to the Collective Bargaining Act, which they say are minor in nature, are merely a reflection of what was done, they'd leave it at that and that this Justice Administration Amendment Act would only deal with changes to the Civil Service Collective Bargaining Act, Corrections Act, and the Highway Workers Collective Bargaining Act. Instead, they throw in three old pieces of legislation that are being repealed, that they say are no longer in use in Nova Scotia. My question is why, why wouldn't you simply bring in another Justice Administration Act to make it clear that government isn't somehow trying to muddy the waters of what's really happening?

Because of this, I should advise at this point that I believe there will be some lengthy debate on this bill in order to allow the exact same individuals who had concerns with Bill No. 100 to carefully examine Bill No. 7 to ensure that there isn't the same level of anxiety that was in Bill No. 100 - and the government has no one to blame but themselves for this. Again, not to be a conspiracy theorist, but if you actually follow through on Bill No. 7 as it goes along, it starts off by indicating the changes to the Civil Service Collective Bargaining Act, then it goes on to changes in the Corrections Act, then in the middle of it, after that, it goes on to repeal the Estreats Act. Following that, it repeals the Forcible Entry and Detainer Act, then it goes on to changes to the Highway Workers Collective Bargaining Act, and it wraps up with changes to the Indigent Debtors Act.

Now, Mr. Speaker, if one can follow along the logic of how that flows, I would be very curious to hear that argument. Because when we looked at this we were left wondering why would you throw in three pieces of legislation which apparently, according to the minister, have not been used for 100 years - in with the same bill that you are changing the wording, the specific terms involved in a Collective Bargaining Act, which the minister has indicated has caused confusion and has caused issues. Why would you mix it in? What is the purpose?

Unfortunately it leaves us to draw the conclusion that there may be something more to this than what would appear on the surface of it. When Bill No. 100 was presented in this Legislature by the Minister of Labour, she said there was nothing there for anyone to be concerned about. There were just minor changes being made to legislation in this province. History tells us that many Nova Scotians didn't share the same opinion as the Minister of Labour. In fact, the government was forced to make changes as a result of the outcry that came not only from the members of the Official Opposition but I know, as well, the members from the Progressive Conservative caucus and from Nova Scotians in private industry, those who worked in labour law in this province who saw what was truly the intent behind the changes being brought forward by the government.

Now, Mr. Speaker, as you are well aware, this Party, which is now in government, the New Democratic Party, has a very long history of very close ties to the labour movement. We know that not so long ago, for example, the President of the Nova Scotia Federation of Labour sat at the caucus table of the NDP. Well he did, look back into history and I'll actually show you the media article where it was decided he would no longer sit at the caucus table.

The Minister of Labour and Advanced Education, I know she has only been here since 2003, but she would do best to ask some of her colleagues who were here before that date, that Rick Clarke sat at the NDP caucus table. That is a fact. Possibly the member for Halifax Chebucto, who has been here as long as I have, might want to remind the Minister of Labour and Advanced Education of that reality. But regardless, Mr. Speaker, there has always been an extremely cozy relationship between labour in this province and the NDP.

I could go through the history of political donations, which had any private enterprise given the amount of money to either our Party or to the Progressive Conservative Party that the NDP has received, it would be a scandal, it would be considered to be outrageous. Yet somehow the New Democratic Party felt it appropriate to take workers' money that they pay in union dues, to be a member of a union in a unionized workplace, and use that for political purposes. That's a decision they have made. Unfortunately our courts, while they have frowned upon it, have not banned it outright from happening. I still remember in the first year of law school that that was one of the cases we looked at was, when an individual had actually said I don't want my union dues going to support the NDP, the question was whether he could stop paying his union dues because of that fact. There is case law on that but, as I said, while the courts frowned upon it, they didn't come right out and say that it couldn't be done.

The NDP has done that pretty much since its creation here in Nova Scotia and we have seen over the years just how significant amounts of money have been spent by unionized workers here to go towards the NDP, even though many of them don't vote NDP and don't support the NDP.

I have to add, Mr. Speaker, I know in my own case, ironically in Richmond, I'm not sure why, but the NDP when they are moving around the union money has never really put

too much money into NDP candidates in Richmond. I'm not sure why that is but I know they are very strategic in which ridings they do put money in but Richmond has never been much of a beneficiary, the NDP candidates at least, of union money. One of the most offensive donations that I saw was from one of the unions that actually sent money to the candidate in Richmond County, which came from a legal defence fund. A fund that was set aside to fight for workers' rights and to fight in courts was actually used to send to a political candidate in Richmond County. For anyone to be able to stand in their place and to say that that is a legitimate use of money set aside to fight in court for the rights of unionized workers, the results speak for themselves in Richmond County, I guess, as to how well that strategy worked of putting that kind of money for an NDP candidate into an election.

Regardless of that, Mr. Speaker, I believe, and I have stood in this House and have spoken at length about that. Allow me again to point out that, for anyone in this province and private industry who may not have thought that the NDP were very cosy with the union movement and with labour in this province, they saw it in Bill No. 100. You had labour representatives saying everything is fine, don't worry, there's nothing there hidden, it's all okay. Then you had private industry coming in, respected labour lawyers coming in, and saying the exact opposite.

Lo and behold, even though the Premier told us that everybody was wrong, although if I'm not mistaken, I pretty much heard that again today in Question Period where regardless of anything he was asked, everybody was wrong. When our Leader told him, you know, you raised the HST by 2 per cent, the Premier said, no, you're wrong. I'm like, he's wrong? When I expected him at the end of the day to be truthful, Madam Speaker, is when the Speaker recognized him as being the Premier, I expected him to stand up and tell the Speaker you're wrong, I'm not really the Premier. It was becoming that much of a farce in Question Period today in the responses we had from the government.

The message is very clear to private industry that this government can't be trusted. So because of that, they're relying upon the Official Opposition, and leadership being shown by our leader on Bill No. 100 and on all other pieces of legislation to hold this government to account because this Legislature only opened last Thursday. The bill before us was only tabled on Friday morning and now it's up for debate.

I don't believe that there has actually been any media coverage of the legislation. So, unfortunately, once again, we're left with a situation where those who are involved in the labour movement, whether they be private industry, whether they be unionized workshops, whether they be those who work in the legal profession, I don't believe have been fully made aware of Bill No. 7 and its possible implications. Again, I repeat how it is that three pieces of legislation, which apparently have not been used in over 100 years,

have somehow found their way in the same bill that amends three Collective Bargaining Acts in Nova Scotia?

Mr. Speaker, one of the concerns that was raised with Bill No. 100, which actually this Bill No. 7 is actually making changes that should have happened with the passage of Bill No. 100, so I know some of the members of the NDP are wondering how is it that they tied together but, obviously, they were not listening to the Minister of Justice because he made it very clear in his remarks that this is as a result of the passage of Bill No. 100 that these changes now have to be made to these three collective bargaining acts and we're left to wonder exactly what impact will these changes have and are they changes that are being made in the best interests of Nova Scotia taxpayers because the government could possibly argue, well, this has no impact on private industry, it's only dealing with collective bargaining in the public sector.

Madam Speaker, I think it's safe to say that every Nova Scotian has an interest because at the end of the day when it comes to the government being the employer, that's every Nova Scotian being the employer. So every Nova Scotian has an interest and why they have an interest is in situations where you have the Minister of the Public Service Commission say that he has limited increases to public sector workers to 1 per cent, yet as my colleague here, the member for Kings West has pointed out today, yes, maybe the wages for some of the employees was limited to 1 per cent but in the negotiations there were changes made to vacation, long-service awards, job security, which at the end of the day all have a financial impact on the bottom line and impact the finances of Nova Scotians who are at the end of the day the employer. So that's why you have to keep looking further to see exactly what impact changes made to the Collective Bargaining Act will have.

Madam Speaker, to say that it's 1 per cent was obviously, as my colleague has pointed out, not an accurate reflection of the cost to government. On top of that, the 1 per cent, we were told, was limited to unionized employees. Now we're finding out that those who are considered managers and outside of the bargaining unit were given retroactive increases. As well, many of them, and I believe we are now finding out in Communications Nova Scotia, were reclassified.

Mr. Speaker, I guess I can say at the end of the day and as a worker, if you are offered 1 per cent increase with reclassification, it's not a bad deal. For government to stand in its place and say the impact to Nova Scotia taxpayers is 1 per cent is clearly inaccurate.

When the minister was given the opportunity today . . .

AN HON. MEMBER: The raise is 1 per cent.

MR. SAMSON: Oh, the raise is 1 per cent, okay; the raise is 1 per cent. But an extra week's vacation, guaranteed job security and job reclassification doesn't add up to 1 per cent. The Minister of Communities, et cetera - I'm not sure what the full name of his

department is, but I'm just going to call it Communities and Stuff to make it a bit easier - clearly at the end of the day when the minister was given the chance today to answer the concerns raised by the member for Kings West, he just gave a glib reply because I think he was caught. I think what my colleague was doing was exposing what the government has truly been doing.

I know we are sitting and wondering what Joan Jessome is going to say to a 1 per cent increase when they were clearly saying they were looking for 3 per cent, 4 per cent and more, yet they settled on 1 per cent, there wasn't a word said. Right away we asked ourselves, is there more to this than just a 1 per cent pay raise? I believe that Minister of Communities and Stuff has indicated yes, there was. One per cent was just the salary but there were also a number of concessions made, which will have a significant impact on Nova Scotia taxpayers at the end of the day.

Mr. Speaker, I think, with time, we will start looking at some of the initiatives that were put in there because I think it's quite interesting to see some that have been shared in the media about the type of severance that will be provided to people who work in the Province of Nova Scotia. I would never take away the hard-working civil servants in this province, but I find it interesting when we have a government that says that some of the MLA provisions are perks and are too rich, I can assure you that the severance provisions offered to members of this Legislature unfortunately pale in comparison to what is available under this government for civil servants of this province.

Mr. Speaker, I would question how many Nova Scotians would see that as being fair or would see that as being right. Those are the types of changes that this government has slowly been making while, on the face of it, trying to tell Nova Scotia taxpayers it has only been a 1 per cent increase in pay.

It is obviously costing more and as our caucus has pointed out, when one looks at the projections for the amount of civil servants who would be in this province, we have a government that has said they are going to reduce the civil service - I believe by 1,000 or 1,100 - yet when you look at the numbers and the projections in the budget that was presented, it would appear from last year to the following year, we are going to have more civil servants. The government says that's not the case, so then we question, is that just the government trying to pad their numbers so that will be money they will be able to move around at the end of the day, to once again tell Nova Scotians, lo and behold, we said there was going to be a \$300 million deficit for 2011-2012, look, we've got a surplus.

I think Nova Scotians have gotten pretty tired of that, Madam Speaker. I know that comments I have heard in my own riding have been, how do you go from an over \$200 million deficit projection a mere few weeks ago to then saying we're going to have an over \$400 million surplus? It's one thing to be wrong by \$1 million, \$2 million, \$20 million, \$50

million - it's another thing to be off by \$667 million. This government's credibility has gone out the window and Nova Scotians are saying, how can we trust them? How can we believe this government, when those kinds of games are being played, with the numbers of the province?

That's why when it comes to Bill No. 7, once upon a time, we would have said, this is just a minor housekeeping bill. But with this government now, with the actions of Bill No. 100, with their actions on the budget, we're left to wonder, is there more to this, than what appears on the face of it.

When it came to the composition of the new Labour Management Review Committee which was proposed under Bill No. 100, we raised the concerns that, while the majority of Nova Scotia workers are in a non-unionized workplace, there's absolutely no representation from the non-unionized sector on this management committee. It is broken down into five representatives from labour, five representatives from business that are unionized. Even though the vast majority of employers in this province are not unionized, they are not at the table.

When we had the Human Resources Committee, not that long ago, where these appointments came forward, we raised those issues. We raised the issue again of why wouldn't the government take the opportunity of putting a voice to those who are not in a unionized workplace. I remember the member for Halifax Chebucto told us that our concerns were unfounded, that there would be absolutely no changes to issues such as the requirements for signing up members to unionize a workplace or any other issues that may impact non-unionized employers. He gave a guarantee on behalf of the government that that would not take place.

Fortunately, that committee had Hansard and we will keep that. Although, unfortunately, if the member for Halifax Chebucto was in Cabinet, I would have much more confidence in the assurances that he gave on behalf of the government than having given them as a member of the backbench. But just the same, that's why we're left here today with wondering exactly what is it that the government really is intending to do with Bill No. 7? Why do they continue to bring in Justice Administration Acts which clearly do not flow in the changes that are being brought forward?

In one sense you're trying to amend three collective bargaining Acts and then you throw in three old pieces of legislation, in that same bill. It just doesn't add up and it leaves us with the suspicion that there is more to this and that's why we want to make sure that Nova Scotians who may be impacted by this have the opportunity to have further discussion on this.

Technically, should this bill pass today, second reading, the government could call it for the Law Amendments Committee tomorrow. They could call it for the Law Amendments Committee on Monday. It's quite possible that Nova Scotians who do have an interest in labour issues in Nova Scotia would have no idea that this is taking place.



Even if they were looking on-line to see what bills were presented or if they heard the Minister of Justice stand in his place and read out Bill No. 7, An Act Respecting the Administration of Justice, it gives absolutely no indication of the changes that are contained within.

Most of the time bills will actually have in their title, give you a sense of exactly what it is that's going to be changed in that bill. For example, when you look at a bill from my good colleague for Dartmouth East that says the Hydraulic Fracturing Act, I think that gives you a pretty good sense what that bill is all about, just from its title. One would have to conclude that may have something to do with the process of fracking here in this province.

Or, just to be fair to my colleagues in the Progressive Conservative Caucus, if one looks at the bill from the honourable Leader of the Progressive Conservative caucus called the Modernizing Government Act, one would have a sense of what that bill might entail, just from its title. But Bill No.7 is called the Justice Administration Act, so one would wonder from that, those either of a legal mind or not from the legal profession; it must be something to do with the Department of Justice.

Responsibility for the three Acts that are being amended here, have absolutely nothing to do with the Minister of Justice. He is not responsible for the Civil Service Collective Bargaining Act. The Minister of Justice is not responsible for the Corrections Act, nor is he responsible for the Highway Workers Collective Bargaining Act. Yet those are the three pieces of legislation which are being changed, where the government is removing the word "arbitral"

That is why we believe that it's important to give Nova Scotians the time to reflect on what implications this bill might have. I haven't had the opportunity - I must tell you - to closely look at the Indigent Debtors Act to see exactly what it involves. Having had a bit of a quick look at it, it doesn't appear to be situations that one would want to apply today. For example, in Clause 4 of the Indigent Debtors Act it says, "A person imprisoned upon any order for arrest writ of *capius* or execution or attachment order for non-payment of money, may present a petition praying for his discharge." I'm not quite sure when the last time someone may have made such application here in Nova Scotia under the Indigent Debtors Act. I'm sure that some legal historian could probably provide us with a better of sense of when this Act may have been used by Nova Scotians unfortunately imprisoned for non-payment of debt.

As well, when we look at this bill and the changes contained there is as well the repeal of the Forcible Entry and Detainer Act, which when one looks at it a bit more carefully tends to deal with issues of arrest and detention for someone who has wrongfully or forcibly entered into lands in case of wrongful detainer or is withholding with force after

possession demanded. It goes on to talk about such issues. Again, I would wonder when the last time that this Act may have been actually enforced here in the Province of Nova Scotia.

As well, we have the Estreats Act, which actually deals with the issue of fines and forfeited recognisance within the power of the province. Again, Madam Chairman, this would appear to be legislation, which is no longer of use here in the province but does actually remain on the books of the province. (Interruption) I do apologize, I did say Chairman. I noticed someone did last night and I said I will not make that mistake so I do apologize, Madam Speaker for that error on my part.

The question, again, is why do you repeal these three pieces of legislation? I believe the minister said they haven't been used for 100 years. Why would you mix that up with changes to collective bargaining legislation in this province after what this government went through in Bill No. 100? It just doesn't make sense because it basically invited us and invited Nova Scotians to draw the conclusion that there might be something more to this Justice Administration Bill than what has been presented to us.

There is a tremendous amount of legislation in this province that remains on our books, which is no longer in force. If I'm not mistaken - and I don't believe it has been repealed yet - there is still legislation allowing Nova Scotians and, I believe more specifically, those within the boundaries of the City of Halifax to bring their cattle to the Common, that they may freely allow their cattle to roam on the Common here in Halifax. That was legislation I remember we studied in law school of an example of legislation, which still remains in effect, but is clearly not practical in this day and age.

I'm curious as to whether the Law Reform Commission may have looked at these specific bills and indicated the government should repeal them because, as you may be aware, the Law Reform Commission has done a tremendous amount of work here in this province in reviewing existing legislation and suggesting new legislation. I certainly commend Executive Director John Briggs and all of his team for the work that they have done. Which is why in getting the reports that they provide, I don't recall seeing that these specific pieces of legislation were recommended to be repealed by the government, but the Minister of Justice may be able to provide us with more information on that.

Madam Speaker, as I said earlier, Bill No. 100 undid what had been a relatively long period of labour peace in this province where everything seemed to be working as it should within the labour movement of unionized workplaces and non-unionized workplaces, but Bill No. 100 caused concerns for all Nova Scotians, I would suggest to you, as to where the government was going and were they trying to make unilateral changes to labour relations in this province as somehow paying back a favour to the labour movement, which had been so supportive and so generous financially for this Party. That was clearly the concern that there was and I know many Nova Scotians will still be of the conclusion that the intent of Bill No. 100 was exactly that, and I would suggest to you had it not been for the work of the Official Opposition and the Progressive Conservative caucus in holding this government accountable, there would be further changes being made to

labour laws in this province in order to favour their friends in the unionized movement, but now I believe the message has clearly been sent that we will hold this government accountable.

The Minister of Labour and Advanced Education last year brought in a bill leading everyone to believe there was nothing significant in the legislation and we believed that. We believed that because second reading took place with very little debate. It was only afterwards, upon further and closer examination, that it was seen that it wasn't what the Minister of Labour and Advanced Education had presented.

So we learned our lesson, basically, is what I'm getting to - we learned our lesson. We learned our lesson that with this government, look further than what appears on the face of it to see what the true intent is. The way they presented this Justice Administration Act, I have to say, is suspicious. Putting in three old pieces of legislation in the same bill that would make changes to three significant collective bargaining Acts in this province leads one to question why that is being done.

Madam Speaker, Nova Scotia taxpayers will want to make sure that any changes made to these agreements are not only fair to the people who work for the Province of Nova Scotia but are fair to taxpayers as well. That's why when my colleague, the member for Kings West, raised questions today to the Minister Responsible for the Public Service Commission about what is the true financial impact of the agreement reached by this government and that minister with civil servants, it was clear the minister had no interest in answering the question. While he said publicly, raises were limited to 1 per cent, we now know that the true cost to Nova Scotia taxpayers is significantly more, not only today but well into the future because that's now something that has been given as part of the collective agreement and any efforts to change that in the future certainly will be met, I have no doubt, with significant resistance.

So that's why, at the end of the day, we questioned why this government is not being open and accountable with this House or with the people of Nova Scotia. When we asked the Minister of Finance to explain how an environmental permit increased by \$300 and he says it's a cost of doing the business, well, we know that just doesn't add up. So what does the Minister of Finance respond? He said, I have followed all of my obligations under the Fees Act, all notices have been given.

That's not an answer, Madam Speaker. That's not telling Nova Scotians why they're paying an extra \$300 today than they did two weeks ago. That's the type of answer I would have expected from the Progressive Conservatives when they were in government and the Minister of Finance, while sitting over here, would have been putting that same question to them. But, do you know what, even back then, to their credit, I never once heard a Progressive Conservative Minister of Finance stand in his place and say we have

followed all the obligations under the Fees Act and we have filed the necessary paperwork. I've never once heard, to their credit, a Progressive Conservative Minister of Finance give that type of an answer, because such an answer is so disrespectful to the taxpayers of Nova Scotia who legitimately have a right to know when they are going to pay for a service, are they being charged the true cost of government in delivering that service or are they paying a tax for the service they are requesting?

When the Minister of Finance questions us to say, does the Liberal Party believe that every Nova Scotian should pay for these services - not at all, but we believe that Nova Scotian's should pay the fair cost of the delivery to provide that service and when you have an increase of \$300 for an environmental permit, that is a tax. Because the Minister of Finance himself, if you follow his logic and his answers - he started off with saying, this is a reflection of the cost of delivering the service. Then he went on - I know it was stronger than him and he just couldn't help himself - he went on to say, and we need the revenue to deal with the financial mess the Tories left us in, and that's the real answer.

When you want to know why is an environmental permit today \$300 more than it was two weeks ago, it's to deal with the finances of the province, not with the cost of delivering the service. Because today, we gave the opportunity to the Minister of Environment to tell us exactly what has changed in his department in the issuance of these environments permits, today, from last week, that has caused a \$300 increase.

The Minister of Environment had the chance to answer and if I'm not mistaken he said, I'd like to give that question to the Minister of Finance. So now it's left with the Minister of Finance to explain to us, what's going on in the department of the Minister of Environment and I believe in the next weeks to come other ministers will have the opportunity as well. To either tell us, why Nova Scotians are paying more for a service from their department or they may do like the Minister of Environment and refer it over to the Minister of Finance.

What was amusing when my colleague from Kings West gave the Minister of Environment a second chance to answer what had changed in his department, he decided to tell us that the environment was going to be great, all was going to be well, clean air, clean water, pay no attention, we're going to take more money from your pocket in order to pay for such things as environmental permits.

Madam Speaker, I don't believe that's what Nova Scotians voted for, I don't believe that's what the NDP party indicated it would provide in government, when they were on this side, questioning the government of the day, on behalf of taxpayers and asking exactly what is it we're paying for and how can you justify those increases, instead, they've adopted the exact same tactic, but even worse. Rather than provide a legitimate, reasonable response, the Minister of Finance, again today, I believe its three days in a row, continues to say, I have followed my obligations under the Fees Act. Proper notice has been given, proper papers have been filed. Madam Speaker, again, truly disrespectful of Nova Scotian taxpayers, to not give them a better response than that. When at the end of the day, you

have a government that is trying to say we're giving a better deal to Nova Scotia families, when we all know there is more money that's going to be coming out of their pockets as a result of this increase in user fees.

As I said, we will have time, because if I'm not mistaken there are 1400 hundred user fees that were increased, so we have quite a few questions to ask on behalf of Nova Scotians when you have 1400 user fees. Maybe you'll even talk to the Speaker about granting us extended question periods so we can get a few more in, knowing 1400 user fees that could significantly take up quite a bit of time with this house and unfortunately we're quite limited in the amount of questions that we can ask.

This debate here on bills such as Bill No. 7, the Justice Administration Amendment (2011) Act, does give us an opportunity, on behalf of Nova Scotians, to raise some of these issues, which clearly the Minister of Finance is not interested in answering. We have the Premier now, who, any question he is given, says it's wrong. We're not quite sure what our strategy will be with the Premier next week, because, as I said, I fully expected him, when recognized by the speaker as the Honourable Premier, to say you're wrong, I'm not the Premier.

How do you deal with a situation as such, as a member of the Opposition, when you're sent here, by your constituents, to hold the government accountable and to try to ensure that the tax dollars that they are giving to the government are spent wisely and are spent prudently and are reasonable, when you have the Minister of Finance, who gives the type of answer he has given, and the Premier, who today for, I believe every single question he was given, said, it was wrong.

When the Leader of the Official Opposition said, your government raised the HST by 2 percent, he said, you're wrong. How could he be wrong? Everybody knows this government raised the HST by 2 percent, it's a fact and I challenge anyone on the government side to stand in their place and say it's not true, and the Premier said it's not true. (Interruption)

Well let's go through exactly what was said. The Leader of the Official Opposition said, you raised the HST by 2 percent, you it's a fact and I challenge anyone on the Government side to stand in their place and say it's not true.

The Premier said it's not true. Well, let's go through exactly what was said. The Leader of the Official Opposition said, you raised the HST by 2 per cent, you raised 1,400 user fees and you did not index tax brackets and they put the question. The Premier's response was, you're wrong. So which one, I would challenge any member of the government to stand in their place and tell me, which one of those three the government didn't do?

They did them all. They raised the HST, raised the 1,400 user fees and did not index tax brackets in Nova Scotia because Nova Scotians are now paying more taxes as a result. There are only three provinces in the country that do not index their tax brackets, which has been referred to as bracket creep. Now I'm sure most people sitting at home, and possibly even some sitting in this House, have no idea what bracket creep means. The numbers have been worked out by the Canadian Federation of Independent Business and by others to show that at the end of the day middle income families, because of the government's refusal to index tax brackets, will end up paying more tax. Yet, even with that reality, these are non-partisan groups not affiliated with political Parties, who I believe are very legitimate, the Premier says they're wrong because he would have us believe that by increasing the personal exemption by \$250 - because of bracket creep, you're going to pay an extra \$600 - and somehow the Premier would have us believe you are going to come out ahead.

Only NDP logic would allow you to draw that conclusion, but in all due respect to the Premier, he is the same Premier who got the budget wrong by \$667 million, so I do understand that his ability to count and his ability to do math is extremely limited because of the fact that he has yet to explain to us how he could be off by \$660 million. You can blame \$193 million on the federal government in their prior year accounting, so let's take that off, you're still off by \$400 million that the province has to somehow explain to Nova Scotians how that makes sense.

Nova Scotians are left wondering, Madam Speaker, we just finished the fiscal year, we went from a \$200 million deficit to a \$400 million surplus and then the Premier and the Minister of Finance stand up and said, but this fiscal year we will be in a deficit again. What Nova Scotian would run their personal household with that type of financial logic, of going from a significant deficit to a surplus, to turn around and say, I will now finish the next fiscal year back in a deficit?

No Nova Scotian runs their household that way so they're left to wonder why the NDP is running the province in that fashion. Madam Speaker, I am reluctant to make predictions but something tells me that when we are standing here next Spring, it will not be the \$300 million deficit that the Minister of Finance has predicted. Something tells me, at the end of the day, the Premier will stand up before the budget and somehow tell us, good times are here again, somehow we are not going to be in a deficit.

Madam Speaker, as I said before, Nova Scotians have grown tired of that. For a Party that spent so many years, its entire existence, in Opposition, preaching to the Governments of Nova Scotia how to be transparent, how to be accountable, how to be truthful and clear with Nova Scotians, only to see that now in power, all of those ideals seem to have been set aside because now the goal is not to make sure Nova Scotians get the best government, the goal is how do we get re-elected. That is now what the goal is because when a question is put to the Minister of Finance about increases in user fees and he responds by saying I have followed the obligations under the Fees Act and have filed all the

necessary information, you know that's not the NDP that used to sit in Opposition and preach to former governments.

I know the Minister of Service Nova Scotia and Municipal Relations, if he was asked that question, would not have given that type of an answer. Now let me add, we may not like the answer he would have given us but I know that he would not be able to look at himself and stand in this House and repeat that type of answer. I know he does his work because when he was asked for a definition of clear-cutting, he had that definition ready to go. Now we're not sure where he got the definition, we may not agree with the definition, but he had a definition. He didn't hide behind the Fees Act or any other Act, he did his best to actually give a definition, so I will give him credit for that.

To see how quickly the NDP Government has changed, I have to say, Madam Speaker, while for us it is not surprising, we're not of the same political affiliation or the same political beliefs, but for hard core NDP supporters, when I think of people like Silver Donald Cameron, who supported the Party through thick and thin when they had little to no membership but always supported them, I'd love to hear what his take would be on the responses that have been given by the Minister of Finance when asked about user fees. Would he say that's why I supported the NDP all of those years through thick and thin because I thought they would be great for Nova Scotia? I really wonder.

I wonder how many others of the hard core NDP supporters who have been with them from the days when they had one member, to three members and growing from there, whether they would say that's the type of answer I wanted to put the NDP in government. So that the Minister of Finance, when asked how an environmental fee went from one amount to an additional \$300, would stand in his place and say, I have filed all the papers as required under the Fees Act.

I don't think you would find too many who would stand in their place and say, that's why I supported the NDP. Those are the ideals of social justice, of fairness, of a better deal for Nova Scotia families that I was talking about when I voted for the NDP. I sent them money and I worked for them, for that type of an answer to come from the Minister of Finance.

As I indicated before, because of these types of responses, because of these types of actions, Nova Scotians and ourselves have come to the conclusion we simply can't trust this government. We need to do our duty as an Opposition to question everything they do, to look behind every bill that they present to see what is the true intent that they are trying to achieve here. Are they trying to pull a fast one? Are they trying to do another Bill No. 100?

Because of that, you are going to see lengthier debates in this Chamber. You are going to see the Opposition question everything the government does because of the actions of this government and the message they have sent to us. As I've said before, with Bill No. 100, yes, we got caught. We believed the Minister of Labour when she told us there is nothing of concern in this bill, it is merely housekeeping changes. We did.

Our Labour Critic spoke very briefly, being reasonable and trying to work in a co-operative fashion. Second reading went along very quickly, only to find out lo and behold what we were being presented with was not accurate, which left the lengthy debate which took place. The government, even though a majority, was forced to back down. I'll tell you, it wasn't easy to force them to back down. For a Party that called upon majority governments in the past to be more reasonable and to show more co-operation with the Opposition, the message from the Premier was very clear - speak all you want, I am not changing this bill. You're all wrong and I'm right.

It seems to be a message we heard again today during Question Period. Everybody's wrong but he's right. It was clear that Nova Scotians didn't believe he was right and Nova Scotians questioned what the true motives were with Bill No. 100 which led to the significant debate that took place here, the significant presentations which took place. When I hear the Minister of Justice tell us today that he did consult with the Barristers' Society regarding the Forcible Entry and Detainer Act, the Estreats Act and the Indigent Debtors Act that they agreed, these bills are no longer really useful, it's not a problem repealing them.

But who else has been consulted? For a government that's looking to do strategies on everything, who else have they spoken with? I'm unsure myself, but there might be Nova Scotians that have concerns that these bills are being repealed. It is our responsibility, I believe, as an Opposition Party during these debates, knowing that it is being recorded on Hansard, knowing it is available on Legislative TV and Nova Scotians may be watching now, to tell them exactly what is in these bills to allow them to better understand and to see if there are some specific concerns. As I said earlier, when the minister stood up and named the bill, the Justice Administration Amendment (2011) Act, it gives no indication of what changes are actually being proposed in this piece of legislation.

As you know, the Civil Service Collective Bargaining Act and the Corrections Act and the Highway Workers Collective Bargaining Act, applies to a significant number of civil servants in this province. If I'm not mistaken, the Department of Transportation and Infrastructure Renewal is the single largest department as far as employees for the Province of Nova Scotia. Any changes being made to that Act, while the government may say it doesn't apply to private industry, it doesn't apply to private employers, the question becomes, will it have any negative impact on the employer? Which in this case, is not only the Government of Nova Scotia, it's the people of Nova Scotia. We want to do everything possible to ensure that any changes being made here are in our best interest, because we have learned that this government will be very quick to dismiss our concerns by saying,



don't worry, we have limited raises for civil servants to 1 per cent, but failed to tell us what concessions were given in return and what dollar value is attached to those concessions.

Today, as I mentioned, my colleague, the member for Kings West, attempted to find out exactly, what is the financial impact to the taxpayers of Nova Scotia for the concessions that were given as a result of the most recent agreement reached with the Nova Scotia Government and General Employees Union. The Minister of the Public Service Commission refused to answer, gave a one-word answer. Obviously, it wasn't the open and transparent type of response that we were hoping that we would receive. Those are the types of responses that Nova Scotians will judge this government on, as to whether that is the type of responses they want from the Opposition, when questions are being asked about the taxpayers and the impact it will have on them, on the agreements that they have reached.

I have to say, it's a bit bizarre to hear the Minister of Service Nova Scotia and Municipal Relations and the Premier tell us that ripping up the MOU that was reached with municipal units in this province will have no financial impact on those municipal units. I believe in the days and weeks ahead that those municipalities will be coming forward to tell us exactly what the implication is going to be, because most municipal units don't simply plan year in, year out. They plan a number of years ahead and they have been planning for next year knowing they would no longer be responsible for housing or corrections. So any investments that were being planned, are either not going to take place, or, they will have to increase taxes to pay for them. That is a reality and for the government to dismiss it, I think clearly is disrespectful of municipal units but is a sign of a pattern.

With that, Madam Speaker, I think you indicated unfortunately my time has come to an end. I do appreciate the opportunity to have spoken on Bill No. 7 and do look forward to hearing other speakers and look forward to it being in the Law Amendments Committee as well.

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

HON. JAMIE BAILLIE: Madam Speaker, thank you for the opportunity to speak on this bill. It is my pleasure to speak today on Bill No. 7, entitled an Act Respecting the Administration of Justice. I would like to pick up on the theme that was introduced by the previous speaker, because, like him - and I suspect the rest of the members of his caucus - when I first saw the bill and its title, it sounded innocent enough but there's an old phrase, once bitten, twice shy. It certainly applies to this government and in this case, because although the bill looks innocent on the face of it, although it proposes innocent things like repealing 100-year-old laws and providing greater definition to the word 'arbitral' and so on, we've learned our lesson with this government.

We learned our lesson last Fall when another bill, which had an innocent sounding name, purporting to merge a variety of labour boards into one and to rename that board, purporting to create a Labour-Management Review Committee for the purpose of reviewing labour laws, sounded innocent at the time and, in fact, that bill was introduced in a very similar way. It was introduced early in the last session. It was introduced early in the last session. It was called for debate very quickly after its introduction, before anyone could really study its impact. At that time it went through second reading relatively quickly and went on to the Law Amendments Committee. It was only by the time it got to the Law Amendments Committee that an explosion occurred - an explosion of criticism, of concern, of fear from a variety of sources in business and industry. It made it important then, to be fair, for both Opposition Parties to slow down the process and dig deeper beneath the surface to uncover the hornets' nest that was in fact underneath what looked like an innocent looking bill.

So, Madam Speaker, here we are in the very next session with another innocent looking bill and it may well be an innocent bill but the government will have to forgive us for not taking their word for it a second time in a row. Because here we are again, early in the session, an innocent sounding bill introduced on the first day and called for debate as soon as possible after that. I think that as a result it's only fair that we assure ourselves that the bill is what it is.

For example, Madam Speaker, we learned from the last time that when the government says it consulted with affected parties that sometimes they've only consulted with friendly, affected parties. So it begs the question in this case, on the amendments to the Civil Service Collective Bargaining Act, on the amendments to the Corrections Act, on the amendments to the other Acts, what consultation has taken place? Our fear, obviously, is that they'll act today as they have in the past and only consult with one side of the equation, only consult with their friends in the NSGEU and other labour bodies. But I think when we're amending Acts of this magnitude, when there are this many employees involved, when there's this size of a potential effect involved, we need some assurance that lawyers who are representing employers as well as employees have weighed in on the purported innocence of these amendments, that employers, public and private, as well as their collective bargaining units, have weighed in on the purported innocence of the changes that we see before us. These are things that a responsible government would do before introducing amendments of this type.

That didn't happen last time. It fell to the Opposition to make sure that all affected voices were heard and so we intend, of course, to do our job and assure ourselves that that has been done. Previously we may well have gone to the bill briefing and heard about the consultation that had taken place and seen the stakeholders there and been satisfied that the government had done its job and was introducing fair changes.

Now we don't have that luxury any more because of what happened last Fall. After all, this is a government that created a committee to review labour laws and they called it the Labour Management Review Committee. That would imply that there were

representatives of labour and management on the committee. After all, both are in the name, but yet as we dug deeper, we found out that 70 per cent of management, 70 per cent of the employers, were left out of representation on the committee altogether. They didn't call it the labour-and-some management, the ones-we-like-committee, or all-labour-and-a-few-selected-management review committee, they called it the Labour Management Review Committee.

AN HON. MEMBER: Didn't that bill get through the House?

MR. BAILLIE: The bill finally - the government saw at least enough light in the last session to make some changes under massive protest by not only the organized business groups but hundreds of affected companies, employers, lawyers who are experts in their field and others, work that you think would have been done before the bill was introduced in the first place. Now we need to assure ourselves in this bill that that work has been properly done because, Madam Speaker, as I say, on the surface it appears innocent enough. How can you argue with providing greater clarity to the word 'arbitral' unless it means more than the bill says it means. It's a shame that in two years we have come to the point where we can no longer take the government at its word when it comes to labour laws.

Madam Speaker, Bill No. 100, which we have spoken about here today as an example, is not even the only example. The government only brings labour changes to this House when it absolutely has to. It has used its regulatory powers in Cabinet, time and time again, to make major structural changes to the labour management relationship, to the collective bargaining relationship, in this province in its short time in office.

The government has seen fit, by the power of regulation, to (Interruptions)

MADAM SPEAKER: Order, please. The honourable Leader of the Official Opposition has the floor. Sorry, that's the Progressive Conservative Party has the floor, excuse me.

MR. BAILLIE: Thank you, Madam Speaker. I know some people are extra touchy about that so I appreciate the correction.

One thing about Bill No. 68 - I'll just address this for the record so that we have facts here today - is that first of all, it was an Act of this Legislature, it wasn't done behind closed doors in Cabinet, a major difference between that time and what I'm talking about. Secondly, for the record, it was actually before I was a member of the Premier's Office staff so I thank the member for bringing it up.

Having said that, when one looks at the regulatory changes that have been made to such important, fundamental, collective bargaining principles as whether you need to pay for your union card, how a union goes about getting recognized, whether you need to actually have a certification vote or whether you can just sign up enough members on a sign-up sheet, areas of law of this province that have worked well and struck the right balance for decades that are now radically different and done behind closed doors, it's only when the government is forced by law to come to the Legislature, do they do so. Even then we see that under cover of an innocent-sounding name, some pretty radical changes can be made.

It is for those reasons that we express our concern about where we are today with this particular bill and move forward to do our work to ensure that it gets an appropriate examination by others who are experts in their field or who are affected by the bill itself. I say this because I'm amazed that the government would be opposed to allowing the bill to go through that process. After all, that is a responsible act, whether you are on the government side of the House or the Opposition side of the House, that we take our time and make sure that bills do what they say they are going to do.

There is the law of unintended consequences. I would argue that in the case of Bill No. 100 we actually have the law of intended consequences. Now we have to be fearful of both unintended and intended consequences and Bill No. 7 that we have before us today deserves that examination.

Having said that Madam Speaker, I do want to move on to the remaining sections of the bill that specifically look to repeal some very old pieces of legislation; the Estreats Act, the Forcible Entry and Detainer Act . . .

MADAM SPEAKER: Order. It's getting a little difficult to hear the member. If I could ask to just quiet things down a little bit, please. Thank you.

The honourable Leader of the Progressive Conservative Party has the floor.

MR. BAILLIE: Thank you, Madam Speaker, I appreciate your intervention. You're doing a great job at making sure that the members present are riveted to my remarks today and I appreciate that.

The government has taken some steps in this bill to eliminate some century-old pieces of legislation, century-old and unused for that amount of time. Any time we are looking to remove regulations from the books in an orderly way, I think we should be supportive of that. Having said that, why are we stopping at three? How were these three determined? Why are they in a bill that otherwise deals with collective bargaining issues? These are questions that remain unanswered. Not to be one who would be opposed to removing useless laws from the books, I will say this, why stop there? This is a government, after all, that constantly tells people that they were elected to make change. They promised real change, they're making real change, that's what they say. Of course,

pretty much every Nova Scotian is still waiting to see what that change is and it concluded that it was all talk.

Immediately upon getting into office and shedding themselves of all the promises they had made to Nova Scotians in the last election, they got very comfortable. They got very comfortable in their Cabinet seats, very comfortable in their seats on the government side of the House. So when they looked at all of the laws of Nova Scotia, this government that was elected promising change, when they looked at the Statute books in detail, when they looked at 140-some years of history since Confederation, they could only find three Acts worthy of repeal.

That is hard to believe, for the thousands of Statutes in the books of the province, that this group that promised such radical change is happy with all of them except for three. That is hard to believe. I think that's why Nova Scotians have concluded it's the same old, same old or worse. The only Acts they have a problem with are the Estreats Act from the 18<sup>th</sup> Century, the Forcible Entry and Detainer Act and the Indigent Act from the 19<sup>th</sup> Century. All the rest are fine apparently and then we add more every session.

I would call on the government to do a thorough review and bring back a true list of useless, wasted, out-of-date, unnecessary Acts and Regulations for repeal. That is something that we could be supportive of. Let us get on with the job of eliminating the red tape.

It's interesting to know that one of the things this bunch did when they got in was eliminate the Red Tape Reduction Task Force, which had been a very important part of the Treasury Board that was responsible for doing just this, to constantly, ever-vigilantly, be looking for regulation that was getting in the way of commerce or of daily life for a modern-day Nova Scotian, whether it be a person or a business. One of the responsibilities of government is to legislate, for sure, but it's an equally responsible government that looks to take Statutes off the books when they become a hindrance to daily life in Nova Scotia, that looks to take Statutes off the books when they become a hindrance to business, to commerce, to progress, to the generation of wealth, to the free exchange of ideas, to the free flow of goods and services around our province. This government after two years, claiming to be different, has identified exactly three Acts that they'd like to repeal.

Let's get on with the job of truly modernizing the province, of doing a thorough review. Let's get on with the job of really making a difference in the lives of Nova Scotians, of really getting out of the way in the conduct of commerce and the generation of real wealth. After all, they're so fond of taxation, surely they can see the benefit - even the NDP - of having more income, more business, more people to tax. Who would be happier than the NDP in that happy circumstance? If we can clear this junk legislation out of the

way for that purpose then everyone is a winner. But they found only three and they're ancient so let's get on with the job. (Interruption) I'm in favour of letting them go. I'm saying it's a baby step when we need real change. Let's get on with the job of truly making this province modern and dynamic and progressive and a great place to be. That means making sure that the way that this Legislature does its work as modern and dynamic as it can be.

So we're looking at laws from the 18<sup>th</sup> and 19<sup>th</sup> Centuries, let do more of that, but let's look at what we could do to make the Legislature part of the 21<sup>st</sup> Century. That is why I introduced the Modernizing Government Bill, which I have no intention of debating today because that wouldn't be appropriate, but I only make passing reference to it, Madam Speaker, very passing reference, because the intent would be similar - that we look to ways to make this place as modern and dynamic and progressive as it can be, so that it deals with issues that are important to Nova Scotians.

The government must feel that Nova Scotians will be delighted to know that the Indigent Debtors Act has been repealed. I went around my riding recently - it didn't come up - to be honest the Estreats Act didn't come up, and the Forcible Entry and Detainer Act didn't come up. Nova Scotians will watch what we're spending our time on here today, and in this session, and judge whether we are doing things that affect their real life.

Government introduced this bill and of course we have to react to it with the leeriness that we learned is necessary in this case, which is what we're doing, but I'm telling you that they're going to judge us on the list of bills the government has brought forward, whether they got the examination they deserved for sure, which we're determined to make sure of, but also whether they respond to the real needs of modern 21<sup>st</sup> Century businesses and families in our province.

It's highly arguable whether this bill does that. But if we could look to finding ways to make a difference in this House, to focus the House on issues that are important to Nova Scotians, to clear the government out of the way where it should be cleared out of the way, to find ways to require the Legislature to debate issues that are important to Nova Scotians, whether it's tax, the economy, health care, our schools - I could go on and on - many feel that we don't spend enough time on those things.

And you know what, Madam Speaker, I think they're right. I think they're right - we don't. I bet you there would be some who would say spend some of your time repealing bills that don't make a difference to us as well, but they'd be disappointed to hear that NDP thinks there are only three out of the thousands that are on the Statute books. That is, I think, what they're going to conclude if they pay any attention to this bill, which purports to redefine what arbitral means, and eliminate these three old Acts.

This is after all the place, Madam Speaker, that invented democracy in our part of the world - not just in Canada, but in North America. This is one of the oldest Legislatures on the continent. This is where responsible government was defined, right here in the

library all those hundreds of years ago, when the New World was looking for a new way of governing itself, when it was striving for independence, when it was striving for freedom. The very way we govern ourselves, not just in Nova Scotia but in Canada and in North America was defined right here.

Now here we are in 2011 and we have an opportunity to redefine for a more modern time what a modern Legislature is supposed to look like and is supposed to do. How we can open it up to a whole new generation of Nova Scotians; how we can invite them in; how we can give them some comfort that we're here to deal with the issues of today, the ones that matter in their lives; how we can give them some assurance that their elected government is held to account for the decisions it makes, for the actions it takes, and for the legislation it chooses to bring into the House - and use modern technology to do all of these things, whether it's Skype, or Twitter, or Facebook, or video conferencing, or video committees, or virtual meetings.

There are many, many thousands of Nova Scotians who could take a greater interest in the work of this Chamber through the use of modern technology. There are many, many thousands of Nova Scotians who would want to take an interest in what we are doing in this Chamber if they had some assurance that we were dealing with issues that were important to them.

Today we are dealing with three Acts that haven't been important to them for over 100 years. I'm not opposed to that, that's a good start, but it is a tiny baby step in what we should be doing to make life better for Nova Scotia families, for businesses, and to create real opportunity and real wealth.

Madam Speaker, with those few points, I will take my place just with this conclusion - that we have work to do to further examine the labour parts of Bill No. 7, the parts dealing with the Civil Service Collective Bargaining Act and the Corrections Act and so on. Although we're in favour of the repeals of the bills that the government is proposing, we do it only saying we wish they would find some way to identify more than these meagre three of the thousands of bills that are on the books.

Having said that, I look forward to discussing this in greater detail through the rest of this reading, today and then beyond today, as we go through an examination of what the government is proposing. Thank you very much.

MADAM SPEAKER: Thank you. The honourable member for Bedford-Birch Cove.

MS. KELLY REGAN: Thank you, Madam Speaker. I rise today to speak to an Act Respecting the Administration of Justice. This bill expands the jurisdiction of tribunals

which fall under the Civil Service Collective Bargaining Act, the Corrections Act, and the Highway Workers Act, some of the same ones we dealt with under Bill No. 100.

It accomplishes this by removing the word “arbitral,” to eliminate possible confusion over the jurisdiction of interest arbitration boards and the changes will only affect public sector employees. This bill also repeals three Acts - the Estreats Act, the Forcible Entry and Detainer Act, and the Indigent Debtors Act. Now these Acts have not been cited in 100 years or more and, quite frankly, they appear to be a cover for what is actually in this bill.

Our problem is that after our experience last Fall we are deeply suspicious of anything that comes in with a number of different parts to it. Last Fall we were told that there had been extensive consultation on Bill No. 100, and there had, but there had been extensive consultation on only one part of Bill No. 100. So there we were with a bill that referred to other bills and was requiring some research to figure out exactly what was going on with that bill, and we sent it off for some further research with a lawyer, so there we were believing the government and what we discovered was, in fact, no, there hadn't been extensive consultation on the parts of that Act that dealt with unions, and it was not just the labour boards that this bill dealt with. So we had to begin filibustering it.

I have to admit it was the first time I had ever been part of a filibuster; it was kind of exciting in that sense, but I also felt very sad because it wasn't necessary. There could have been some consultation and there wasn't around that part of it.

What we saw when we went to the Law Amendments Committee - and again that was my first time at the Law Amendments Committee, so that was a learning process - was that we had one set of lawyers saying one thing and another set of lawyers saying another thing, which probably, for the lawyers in this room, is not unusual because that's what lawyers do. It was disconcerting for me because I knew what I was being told by the lawyers that we had consulted and I knew what the business groups were telling us, that their lawyers were telling them, and it was diametrically opposed to what the labour union lawyers were saying, which was, oh, this will have no problem at all and it's not going to affect anything, it's going to be fine.

It was disconcerting for me because I thought there should be some way that we could come to an agreement. In the end, the government did make some concessions - for which we thank you and we were very pleased about - but in the end we were not happy with the bill and we had to vote against it. Now we find ourselves back here again dealing with more issues that stem from what happened last Fall.

Last Fall, we asked for a delay in the passage of that bill. We really felt that there needed to be more discussion around the issues that had been raised by the various groups. That did not happen. The government has never explained clearly to us why there was such a rush on, why we couldn't have gone back, why we couldn't have discussed this more



fully and why we couldn't have made some changes to make sure the businesses who were so deeply concerned would not have those same concerns.

But the government used its majority and rammed the bill through and here we are back again. As we said at the time, you're going to have to come back and make changes because there are issues here - and here we are today.

Our concern around this bill is that it's a Justice bill and yet it's dealing with labour issues - and I guess this is the definition of an omnibus bill. I always thought an omnibus bill would be bigger than that, but it's clear to me that there are a number of things - remember when we watched Sesame Street with our kids and one of these things is not like the other? Well, three of these things are not like the other part. You know, it's fine to get rid of bills, and I don't think we're sending people to debtors' prison or anything like that anymore - actually, I know that, but I just think that it's an odd pairing.

Of course, that sets off alarm bells for us. As the old saying goes - the Leader of the Third Party cited an old saying and I'm going to cite a different saying - "Fool me once, shame on you; fool me twice, shame on me." We're not going to be fooled again. We were . . .

AN HON. MEMBER: That was Bush. That was Bush. (Laughter)

MS. REGAN : Oh gosh. No, I think he got it wrong. Exactly.

What we do not know is, yes, we understand why the Estreats Act, the Forcible Entry and Detainer Act, and the Indigent Debtors Act need to be repealed, but what we're not clear on is why they need to make these changes now in the other Acts. We had a technical briefing on this bill and the notes for the technical briefing were twice as long as the actual bill is. But at no time has the government actually explained to us why we're doing this and what is happening to make these changes necessary and, because of what happened last Fall, we need to know that. We need to know what is going on, so that these changes need to be brought in.

In terms of arbitral, there are a lot of notes on what arbitral means and things like that, but arbitral is an adjective and it's relating to, or resulting from, the use of an arbitrator to settle a dispute. "An arbitral tribunal (or arbitration tribunal) is a panel of one or more adjudicators which is convened and sits to resolve a dispute by way of arbitration. The tribunal may consist of a sole arbitrator, or there may be two or more arbitrators, which might include either a chairman or an umpire. The parties to a dispute are usually free to agree the number and composition of the arbitral tribunal. In some legal systems, an arbitration clause which provides for two or any other even number of arbitrators is

understood to imply the appointed arbitrators will select an additional arbitrator as the chairman of the tribunal to avoid a deadlock arising.

Last Fall when we were engaged in this battle over Bill No. 100, we heard from a lot of businesses. I heard from a lot of businesses in my own riding and they were deeply concerned about what they were hearing and what they had not heard. What they had not heard was consultation from the government and what they were not hearing was anything that gave them any comfort around issues of card-check certification and issues like that. So for us, we really felt that we could not go down the road of just believing the government. We felt that we had to draw a line in the sand.

We felt we had to stand up for small businesses in particular. In the end, what we have seen - we've just had some appointments come through the Human Resources Committee for agencies, boards and commissions and what we have seen - is that there are people being appointed to this board and it's proceeding, but what we don't see on that board are any people from non-unionized workplaces.

On that board you have people who are employers in unionized workplaces and you have people who are employees in unionized workplaces but there are people who are employers or employees in non-unionized workplaces for whom the decisions of that board will have effect. So for us, we could not simply turn around and say, yes, this is fine, we'll do it, whatever you want. We felt that we had to take a stand on behalf of the small business employees and employers in this province and those concerns have not gone away. In fact, they have multiplied by some things that we have seen since then and we'll be dealing with that later during this session. I think one of the members earlier was suggesting there had been no effect from Bill No. 100 and, in fact, that member is wrong, we have seen effect from it and we will be dealing with that as time goes on but, obviously, I'm not going to outline all that right here, right now.

In terms of arbitral tribunals, I'll just talk a little bit about what they are. (Interruption) Ad hoc arbitration proceedings are those in which the arbitrators are appointed by the parties without a supervising institution, relying instead on the procedural law and courts of the place of arbitration to resolve any differences over the appointment, replacement or authority of any or all of the arbitrators. Institutional arbitration proceedings are those in which the arbitrators are appointed under the supervision of professional bodies providing arbitration services such as the New York-based American Arbitration Association, which conducts international proceedings through its Dublin-based branch, the ICDR, the LCIA in London, or the ICC in Paris.

Although these institutions and many others are headquartered in their respective cities, they're capable of supervising the appointment of arbitral tribunals in nearly any country, avoiding the need for parties to involve local courts and procedures in the event of disagreement over the appointment, replacement or authority of any or all of the arbitrators.

Under appointment it says the parties are generally free to determine their own procedure for appointing the arbitrator or arbitrators, including the procedure for the selection of an umpire or chairman. I think this is one of the things we actually objected to in what happened last Fall, that businesses could very well be affected by the decisions that were taken by this new board, and yet they would have absolutely no input into it because the government would not stop, slow down, consult some more, give businesses the reassurances that they needed to go forward, that decisions that were taken there would not affect them. They were saying that but, quite frankly, business wasn't comfortable with that because there was nothing in there to back it up. It was, they felt, empty rhetoric. For that reason, they were deeply uncomfortable with what was going on.

What you can see here is - from this definition of what an arbitrator is - ideally, you would have all parties to the arbitration actually participating in the appointment of the arbitrator. If you're outside the whole process, if you're not even included in the process, then that's not really fair. It's not really a true arbitration if it's going to affect you, yet you're not allowed to have any input into the choosing of the arbitrator. It does seem to me worth noting that there is a word that's very close to "arbitrator", which is "arbitrary", and I'm sure that the employers and the employees of non-union shops felt that they were being subjected to arbitrary measures by this legislation - rather, open shops, I guess I should say - felt that they were being subjected to arbitrary measures over which they had absolutely no control but which could fundamentally change the way they do business.

Of course, we had extensive concerns about that and we still have extensive concerns about that, for the reason that last Fall we were told one thing, that there had been extensive consultation and that business approved of what was being done but we found out, in fact, that was not the case and that business had the same concerns that we had come to upon a fair amount of research, the same concerns that we were expressing. That's why we had to do what we did then and that's why we have to do what we're doing now, which is slowing this down.

This bill was introduced, I believe, last Friday and here we are, it's Thursday and, bam, we're on second reading and then we'll go off to the Law Amendments Committee, and we really just think that even if we don't have a Senate here, we need some sober second thought on this. (Interruptions) Yes, we did get rid of the Senate here a long time ago. I mean here, the Red Chamber, right?

Anyway, we were talking about appointment of arbitrators and the parties are generally free to determine their own procedure for appointing the arbitrator or arbitrators, including the procedure for the selection of an umpire or chairman. Now, if the parties decline to specify the mode for selecting the arbitrators, then the relevant legal system will usually provide a default selection process. Characteristically, appointments will usually be made on the following basis: if the tribunal is to consist of a sole arbitrator, the parties

will jointly appoint the arbitrator not later than, for example, 28 days after the service of a request in writing by either party to do so. If the tribunal is to consist of three arbitrators, each party shall appoint one arbitrator not later than, for example, 14 days after service of a request in writing by either party to do so, and the two so appointed shall forthwith appoint a third arbitrator as the chairman of the tribunal.

Now if the tribunal is to consist of two arbitrators and an umpire, then each party shall appoint one arbitrator not later than, for example, 14 days after the service of a request in writing by either party to do so and the two so appointed may appoint an umpire at any time after they themselves are appointed and shall do so before any substantive hearing or forthwith, if they cannot agree on a matter relating to the arbitration.

Most arbitration clauses will provide a nominated person or body to select a sole arbitrator if the parties are unable to agree. For example, the president of the relevant jurisdictions' Bar association or a recognized professional arbitration organization, such as the LCIA or a relevant professional organization.

In default of such a provision, where the parties are unable to agree, an application for an appointment is usually made to the court. A well-drafted arbitration clause will also normally make provision for where a party to the dispute seeks to cause delay by refusing to make or agree to an appointment. I am sure that the businesses would have been happy to agree to have some representation on that particular board but, again, they were not allowed to, they are shut out from having some representation on there. It's not that they are delaying or anything like that, they can't even get a body on it.

Often this will allow the non-defaulting party to appoint a sole arbitrator and for the arbitration to proceed on that basis. Again, these are people who are being shut out from any such procedure.

MADAM SPEAKER: Order, please. We are now approaching the moment of interruption and so I would ask if the member would entertain a motion to adjourn debate on Bill No. 7.

MS. REGAN: I so move that the debate be adjourned.

MADAM SPEAKER: Thank you very much. The motion to adjourn has been made.

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

The motion is carried.

The honourable Government House Leader.

HON. FRANK CORBETT: Madam Speaker, that concludes the government's business for today. Tomorrow, after the daily routine, we will be going into Committee of the Whole House on Supply.

I move that the House do now rise to meet again tomorrow from 9:00 a.m. to 3:00 p.m. Thank you.

MADAM SPEAKER: The motion is that the House do now rise to meet again tomorrow from 9:00 a.m. until 3:00 p.m.

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

The motion is carried.

We have now reached the moment of interruption. I will now read the resolution as put forward by the honourable member for Inverness:

“Therefore be it resolved that all members of the Legislature urge the NDP Government to stop downloading their financial hardships to the backs of hard-working Nova Scotians and admit that the broken MOU is just another hidden NDP tax.”

## **ADJOURNMENT**

### **MOTION UNDER RULE 5(5)**

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

### **GOV'T. (N.S.) - FIN. HARDSHIPS: DOWNLOADING - CEASE**

HON. JAMIE BAILLIE: Thank you, Madam Speaker. It is my pleasure and delight to rise and speak in support of the motion today, in support of the resolution. However, I feel compelled, as I begin my remarks, to engage in a bit of fact-checking. It is becoming too often the case with this government when things are said, either in Question Period or in debate in this House, and even outside this Chamber, that leave many Nova Scotians and certainly all of us in the Opposition, shaking our heads at how it is so necessary to separate fact from fiction when it comes to this government.

For example, just today, Madam Speaker, there were any number of points made by members on the government side that clearly are crying out for a fact-check. For example, it was stated that municipalities had budgeted for these changes a long time ago, there

would be no effect on municipal budgets. I won't point out who said that but it was certainly said.

Madam Speaker, that is deserving of a fact-check because it is not factually accurate. One need only check with municipal officials in places like the Town of New Glasgow, the Town of Truro or the Halifax Regional Municipality. Or any of our municipal units that had actually done their budgeting on what should have been the safe assumption, that the MOU would be honoured to continue to its logical conclusion, and were budgeting for the coming year and for the rest of the years under the MOU for a phased reduction to zero, in covering the costs of things like corrections, education and public housing.

Now they have to go back and do those budgets over again. They have to put those costs back up to the old rate. This is actually a matter of hundreds of thousands of dollars. I can give you the specific example of the Town of New Glasgow that has done it exactly the way I have just described. I have met with them and saw it myself. It means hundreds of thousands of dollars to them. In fact, since we're on the theme of facts, over time, it will mean \$321,000 in extra costs downloaded to the Town of New Glasgow. That is just one example. That is a matter of fact.

I think it's important that we have fact-checks from time to time in this House. Where are they going to go to cover those extra costs? Well, there's only one place and that is through the property taxpayers of the Town of New Glasgow. So, they will be facing that kind of increased taxation for that reason.

It was also stated in this House that the agreement's not broken, that there is a notice period, that the government gave municipalities one year's notice. While that's true of every agreement, it doesn't mean that people, therefore, shouldn't rely on MOUs or agreements with the Government of Nova Scotia when they sign them, because they contain notice periods. No one could conduct business with anyone else if we didn't have some faith that a contract or an MOU would be seen to its end date in a logical way.

When you haul your counterparty in on the last day of the notice period, on short notice, and inform them that you're triggering notice, that you haven't worked together with them on how, if you need to make changes, or you believe you need to make changes, you can best accomplish that, if you just tell them, at the last possible moment, that you're triggering the notice period, that is not treating your counterparty with respect. That is what we are talking about on this side of the House. That is no way to honour the spirit or the letter of an important agreement like an MOU.

Thirdly, just on the theme of fact-checking, it is a matter of fact that the services under the MOU - public housing, corrections and education - are services of the provincial government. It was stated by a very senior member of the government side today that these are municipal services. That's just not right. (Interruptions) That is very senior. They don't get much more senior. But that's not right. Everyone knows that education and corrections

and public housing are provincial responsibilities. The government nearly forces a bill onto municipalities to recover a portion of the provincial cost. After all, the municipalities don't design our education policy, they don't have a say in our corrections policy. This is a cost that they get without any input into how that cost is managed.

That's a great unfairness and I think many property taxpayers in our province would say to the government, with a lot of common sense, they might say, what does our property tax have to do with public housing, corrections and education? This is why the MOU was signed in the first place. Because property taxes are meant to pay for services property owners consume, like water and like sidewalks and street clearing and their share of the cost of the town or village or municipality that they live in. That's what property taxes are for. It was not intended that property taxes cover education, corrections and public housing anymore, because it didn't make sense.

The MOU had a lot of common sense behind it in terms of who pays what. The Minister of Finance goes on and on about user pay versus general taxpayer pay. That very principle was being honoured by that MOU. As was common sense. But common sense was broken, was violated, when the minister ripped up the MOU in front of the municipalities a few weeks ago. That is what really happened here and that is why this resolution is so important today.

I am very proud that we have a critic for integrity in government. It's a shame that it's needed but Nova Scotians have told us that this is a good start and that it means a lot of things - integrity in government. This is a great example, ripping up agreements with other levels of government, this is a great example of why we need a critic for integrity in government. In fact, the critic for integrity is the one who proposed this motion, because what signal does it send to people who enter into MOUs in good faith with the Government of Nova Scotia, when they can be hauled in at any time and told that the MOU is cancelled, regardless of the notice period? What signal does that send to our municipalities who have to go back to the drawing board and redo their budgets and reset their tax rates, because they had relied on the word of this government?

That's a horrible signal, Madam Speaker, but why should we be surprised? Why are we so surprised? How many times do we have to be surprised, when the NDP say one thing and do the other? The whole election, last time is an example, of saying one thing before the election and doing the opposite after the election. The member for Dartmouth East quoted Maclean's magazine who actually made the Premier and this government their poster child, for that kind of activity. Why would we assume they would be different now that they are in government? Where they assume all these commitments and feel free to break them at will? What kind of signal does that send? How is that an act of integrity, when your very signature doesn't have integrity? That is why this resolution is so important.

Now we're going to be moving on to the effect of what has happened, the downloading of costs, because the government apparently believes that an MOU is not an IOU, it doesn't have that level of commitment, it's easier to break. Well, Madam Speaker, that's what they say on the one hand but on the other hand, when we have a federal government that has agreements with the province, like the Health Accord which runs from 2006 to 2014, they're very keen that the federal government not go back on that MOU, on that agreement. In fact, the Prime Minister of Canada, Mr. Harper, says he would never do that and he says he would never do that with any of the transfers between Ottawa and the province and they accept that.

Madam Speaker, just today, the Prime Minister is quoted as saying that when the Health Accord expires, that he would never take the federal government's deficit problem and use the expiry of that accord to download their costs onto the provinces. That's a commitment that he has made, that is a matter of integrity. I wish that our provincial government showed that same level of integrity. (Interruptions)

So in wrapping up, Madam Speaker, to me it comes down to integrity and transparency - integrity that an agreement means something and transparency that taxes are open and obvious and placed where they belong. Thank you for your time.

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

HON. JOHN MACDONELL: Madam Speaker, I'm very pleased to rise today and speak on this issue. I have to say I'll stick to script, as much as I can, in the hopes that I will get through it in time to get off the script. Anyway, our department continually reviews the programs and services we provide to ensure we successfully deliver on our responsibilities while balancing that with the need to help government live within its means.

Madam Speaker, a significant component of our department is focused on the goal to build and support strong, sustainable and healthy communities in Nova Scotia. To do this, we work in partnership with the UNSM. We need to ensure our government spending is affordable and we can provide sustainable programs and services at all levels of government. I would like to take a few moments to talk about the reasons why we're making these changes to the Municipal Funding Agreement and let's start with one fact, that there's only one taxpayer. All Nova Scotians bear the cost of municipal and provincial government services, whether it's health care or garbage collection. As minister, I'm very aware of that and that's why these changes do not take effect for another full year in 2012-13.

We do not want to download the province's problems onto municipalities and since these are services that are costs that the municipalities have been carrying for some time and we are not continuing the uploading of those costs to the province. However, starting in 2012-13, the province will no longer continue to bear additional costs for public housing



and corrections, that had begun to assume under this agreement and we need to change the agreement to make it more affordable.

As you know, the province's finances are not in the same shape that they were back in 2007 when the MOU was signed. The agreement committed the province to take over the costs of public housing and corrections from municipalities and to limit the increase in education contributions to increases in the consumer price index. Up until now, this agreement has cost the province about \$21.5 million and it could have cost over \$100 million by 2014-15. We simply cannot afford those additional costs. Municipalities need to continue to contribute to these important services, just as they have been. As I've said, we are providing 12 months notice so that the municipalities can plan.

We plan to hold the rate used to calculate municipal education contributions at the 2010-11 level and we are asking for a lower contribution to corrections than was asked for before the agreement was signed. From 2012-13 onward, municipalities will contribute \$3.5 million less, per year, toward corrections than they did before. Before the MOU, they were contributing about \$17.5 million and that went up by CPI. We're also not indexing correction contributions to CPI anymore, as we were prior to the MOU and this will mean approximately another \$400,000 benefit for municipalities every year.

As I've said, Nova Scotia is facing a different financial reality than it was in 2007 and the contribution rates set in the MOU at that time are no longer realistic. The MOU that was signed in 2007 anticipated that there may be a time when the province could no longer afford to take on these contributions. That clause reads, "The UNSM and the municipalities acknowledge that unforeseen costs or revenue losses may impair the Province's ability to achieve its commitments as expressed in this memorandum and that in any event all are subject to the appropriation of the necessary funds by the Legislature."

Now, to that point, I want to table the part of the MOU that has that clause. The reason I want to table it is because this is the sheet that actually has the two signatures of the signatories for the province and for the municipality. This was signed on November 8, 2007, signed on behalf of the Province of Nova Scotia by Jamie Muir, Minister of Service Nova Scotia and Municipal Relations, signed on behalf of the Union of Nova Scotia Municipalities by Russell Walker, President of the Union of Nova Scotia Municipalities. I've heard a lot in this debate about breaking our word, not standing up for the MOU, not having integrity and what I want to say is somebody might actually try to make the case that the members who signed the MOU didn't know that clause was there, but the clause was actually on the same page that they signed. I want to make the point that if they signed it in good faith and if their word is honourable, signing for the province, then they would expect that the government - if they could not meet the financial commitment in that - that was reason enough that the parties agreed, the province could move out of that.

What we did is we gave them a year's notice, because we knew they had their budgets completed, so we said, this is something you can plan for for next year. Now, that year's notice is in the Municipal Government Act. We could have the debate about whether or not the province actually had to give the year's notice because the MOU was based on appropriations. There is nothing in that that indicated you had to give a year's notice but we took the higher road and said they've got their budgets done, the year's notice would be a better thing to do than just walk in and say we're doing this to you. My predecessor had indicated to them months ago that there would be changes. I was only the minister for a short time.

So, Madam Speaker, I reject any supposition that this was dropped on them, you know, unprepared, broadsided, whatever, because the clause was in the agreement and they were aware of it and they were aware of the province's financial considerations because they had known what we were doing in other areas of the budget. I did make a commitment to the President of the UNSM weeks before to let him know that as much as I would try to give the year's notice I would do that, and I fulfilled that commitment.

Madam Speaker, we know the municipalities are facing challenges and that's why we felt that they should still retain some of the benefits of the MOU, so the position we left them was to have advantage from the MOUs that didn't put them back to the same place they were prior to the MOU. They're not going to achieve the same benefit they would have to the end of the MOU but they're not as badly off as they were going into the MOU, and that was something we really worked hard to try to ensure, that they still had some benefit left in that agreement.

We certainly, from the clause that was in the agreement that allowed the province to back away, we could have moved exactly right back to their condition prior to the MOU but we did not do that. We tried very hard to give them some advantage and we did that Madam Speaker.

They're worse off than they would have been at the end of the MOU but they're better off than they were at the start of the MOU, and to the point about taxing the taxpayer more, that is not the case, they might tax them more but it won't be because of the MOU, Madam Speaker.

The municipalities have been budgeting these costs, unless they wanted to budget away a windfall that they would have got, then that might be the case, but I suspect they probably wouldn't. The whole reason for the MOU was budget constraints, so they've been budgeting these costs, this will not mean any increase in taxes for taxpayers in the municipalities, Madam Speaker.

We think that considering that we all have to share a bit of the burden in bringing the province back to balance, this was very reasonable approach for the province to take with the municipalities.

I went to the Provincial Volunteer Awards the other day, a lot of mayors and wardens there. Never heard about it once, and I would think that I would be someone who would, Madam Speaker.

I thank the member opposite for bringing this resolution to the House, more than glad to debate it. Thank you very much.

MADAM SPEAKER: The honourable member for Preston.

HON. KEITH COLWELL: Thank you, Madam Speaker. It's sort of with pleasure I get up and talk about this issue but there is going to be no pleasure for the property owners in this province.

Simply put, and no other way to put it, this is a tax hike on your property taxes. You won't see it this year, you'll see it next year and you'll see it following years. The honourable minister indicated that this won't raise taxes, if it does, it's because the municipalities have decided to spend the money.

Well, in reality, if the municipality was to budget out the five years that this process would have gone though, they would have allowed that funding that they would have saved, the money they would have saved on that, in order to do other projects they'd have to do in the communities. So they are already committed probably to a lot of these projects that they cannot change now.

That means the only way to do that, because the province isn't going fund them as much as they were supposed to be funded and take these costs away, they are now probably going to have to raise taxes. Maybe they'll get real smart and put it on as an area rate and indicate a provincial tax because it didn't fall through on their MOU, maybe they'll do that.

In case the minister doesn't know, but he probably knows this anyway, from what I understand it's going to cost the Halifax Regional Municipality approximately \$10 million - this thing that's going to cost them nothing, the minister says - \$10 million. The deputy mayor of the Cape Breton Regional Municipality is already on the record, he has indicated it will cost them \$3.2 million, next year.

That's a municipality that has a great deal of financial difficulty. You add another \$3.2 million to the bills they already have to pay and they will have some very serious problems. They indicated in a press release they put out some time ago that they're either going to have to cut services, reduce employees or raise taxes, pretty simple. What does that mean? That means that the taxpayers on the receiving end of that are liable to get worse service and pay higher taxes. I really believe, as the property tax owners will believe

if this goes forward, it's an NDP way of raising taxes for the province and blaming it on the municipalities.

I'm going to keep reminding people of that as it goes forward. As we see this tax hike hit the families in the communities - and I know in the regional municipality, property tax is a very sensitive issue, especially if you live in the rural areas and you don't receive the same service you do in the core of the city, yet your taxes are very similar. You get another hike to raise that up and cost you more to have your home.

I have many seniors in my community who can't afford to pay their property taxes and a lot of homes are going up for sale because they can't pay their property taxes. So if you increase the taxes more, the number of people is going to be even more likely to lose their homes to tax sales. This is reality. This is absolute reality.

I know when I was on regional council, at that time, if I remember right, I believe it was \$60 million a year they were giving to the province for education - \$60 million a year. If that had been gone and the province accepted that cost as I understand this MOU was supposed to do over a period of time, which is a sensible way to do it, if it had been followed through on and not cancelled, then that would have saved the municipality \$60 million a year, just on one thing, never mind corrections and housing.

It's a significant cost to the municipalities. When they say there's going to be no tax increase because of this, I don't believe it. There's no way that it cannot be a tax increase, over time. It's just another broken promise by this government that's decided they're going to raise the tax another way and say we'll balance the books, we've done it, we haven't put taxes up - which they did because they put the 2 per cent on the GST, which has cost everybody a lot of money. It's going to stall our economy over time and as you see these things continue to unfold, as we move forward, we're going to see more and more problems for the municipalities and we're going to see more and more people having difficulties paying their bills and taxes.

The honourable minister indicated that there's only one taxpayer. This taxpayer is different when you go to the municipality - you're only taxing property owners, not everybody. This is really an unfair tax when you look at that, for a service that the municipality isn't even responsible for. If you continue to increase taxes in this manner, not only are your taxes going to go up, or your services drop because the municipality doesn't have this money to spend that they budgeted for because of this MOU, it means there are also going to be fewer services and in areas where they don't get the services already, the situation is going to broaden between the rural areas and the core of the city.

This is a very serious issue. If the minister isn't aware of the problem and the real issue of property taxes, especially here in HRM, the discrepancy between the rural areas and the areas that get full services on a property tax - you want to talk to somebody in a rural area. You talk to anybody who owns a piece of property and I guarantee you're going to get an earful. You are going to get an earful. It may not be too pleasant.

When you look at this whole situation, it's just another way that an agreement has been broken, an agreement that should have moved forward and indeed helped the municipalities do what they should do. When you look at HRM, HRM can probably afford the \$10 million. They have a big tax base and it is a growing economy here, and that's as long as our two per cent GST and some of the other taxes and things that the NDP have put on here doesn't stall our economy and that slowed down, too, but if you look at some of the small municipalities, what is going to happen to them? If you take \$100,000 out of their budget, it's a serious problem for them.

I've met with several of the mayors already and they're very, very concerned about anything like that. Anyone who has a water treatment plant or a sewage treatment plant, the new rules that were put in by the Department of Environment are costing the municipalities an absolute fortune. Not to say that it's not a good idea that these things are being done, because we want to make sure we look after our environment, but if they have this MOU in place, that they thought they would have some additional funding available to them which is not there any more, then it causes another problem with funding.

So as you go through the whole thing, and you look at the whole picture over a period of time, the problem is - I'm sure that the government is banking on the 12 months of notice, it was a pretty good political move in more ways than one. Number one, it looks like you really helped the municipalities by giving them 12 months to correct for this but really it's not going to correct because you are really talking way down the road when this thing would have been all finalized and these costs are taking over the province.

It also gives property tax owners time not to realize where this bill comes from, where did this bill come from? They'll forget by that time, probably, that the province unloaded the MOU and said, we're not going to do this any more and, indeed, the municipality will be just fine and by the time that the tax owners get the actual bill on their property tax and they see the property tax go up, they'll say that darn municipality is downloading on us again and here they are putting our taxes up again.

Hopefully the councillors and those councils will remind their taxpayers exactly where the tax came from and hopefully, they put it right on the tax bill. When I was in regional council, I pushed for, and did achieve, the fact that this education funding, correction services and all those things are separate items on your tax bill now, so that the municipality can say, this is what we pay for these services that we really don't have to pay for, it is already on the HRM tax bills. Hopefully, they will put an area rate or something on that really shows where this cost comes from.

It is going to be interesting to see when that all happens and people put the two and two together and say, well, really, what has happened here; it's another NDP tax download. We're not raising taxes but we're getting the municipality to do it for us. When that

happens, we really can walk away and say, the Premier can get up and say well, you know we didn't raise taxes, except for the 2 per cent GST. We'll sort of forget about that, conveniently, but we didn't raise taxes. The municipalities did, we had nothing to do with that. By breaking this MOU with the municipalities, effectively, this province is raising taxes through the property tax owners in this province - not everybody in this province, only a portion of the population is going to pay this tax, thanks to this government raising taxes in a roundabout way. Thank you.

MADAM SPEAKER: Thank you very much. I'd like to take the time to thank everyone for participating in tonight's debate. The House now stands adjourned, to meet again tomorrow at 9:00 a.m.

[The House rose at 6:28 p.m.]

**NOTICES OF MOTION UNDER RULE 32(3)****RESOLUTION NO. 261**

By: Mr. Andrew Younger (Dartmouth East)

I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Main Street and Woodlawn area of Dartmouth has been a favourite shopping destination for the residents of Dartmouth for more than 50 years; and

Whereas the Main Street Business Improvement District welcomes Jay Set, a women's fashion retail store, new to the area; and

Whereas Jay Set will celebrate its grand opening on Saturday, April 9, 2011;

Therefore be it resolved that members of the House of Assembly join me in congratulating Jay Set on its grand opening and welcome the owners and employees to the Main Street and Dartmouth area.

**RESOLUTION NO. 262**

By: Hon. Jamie Baillie (Leader of the Progressive Conservative Party)

I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on March 24<sup>th</sup>, the crew of the Aurora aircraft based at Nova Scotia's 14 Wing Greenwood took to the air to join the Canadian Forces in the UN-backed campaign to protect Libyan civilians; and

Whereas the brave Aurora aircraft crew will be away from their families and friends to conduct important and strategic missions over Libya; and

Whereas the Canadian Forces has a well-earned reputation for making a difference in difficult situations and all Nova Scotians are proud that the crew of the Aurora aircraft is once again answering the call;

Therefore be it resolved that all members of this House of Assembly salute the brave crew of 14 Wing Greenwood's Aurora aircraft and wish them a safe return to Nova Scotia.

**RESOLUTION NO. 263**

By: Mr. Leo Glavine (Kings West)

I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on November 1, 1929, the Institute of the Horse, in Great Britain, inaugurated a junior branch of their organization known as The Pony Club for the purpose of interesting young people in riding and sports; and

Whereas the Canadian Pony Club witnessed enormous growth with branches being created from the Atlantic to the Pacific and today Canada has about 150 branches and a membership of about 3,500; and

Whereas Rachel Foote, of Cambridge, has been selected as one of five riders on the Canadian Pony Club team to travel to New Zealand for the International Pacific Exchange;

Therefore be it resolved that all members of the Legislature congratulate Rachel Foote for her achievement and dedication to the Pony Club and wish her every success in New Zealand and future endeavours.