



House of Assembly  
Nova Scotia

## DEBATES AND PROCEEDINGS

Speaker: Honourable Gordon Gosse

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Third Session

MONDAY, APRIL 18, 2011

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House of Assembly  
*Nova Scotia*

**HALIFAX, MONDAY, APRIL 18, 2011**

**Sixty-first General Assembly**

**Third Session**

**4:00 P.M.**

**SPEAKER**

**Hon. Gordon Gosse**

**DEPUTY SPEAKERS**

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

MR. SPEAKER: Order, please. Before we start the daily routine, I would like to make a Speaker's Ruling on the subject of supplementary questions in Question Period.

**SPEAKER'S RULING: Subject of supplementary questions in Question Period (Pt. of order by Hon. F. Corbett [Hansard p. 670, 04/13/11])**

On Wednesday, April 13<sup>th</sup>, the honourable Government House Leader rose on a point of order with respect to the second supplementary question that had been posed by the member for Richmond to the Minister of Justice in Question Period that day.

The first question and the first supplementary question both had been with respect to increased user fees for the services delivered by the Department of Justice. The second supplementary was whether there was double-bunking going on in the upper level of the Burnside correctional facility. The honourable Government House Leader said that his understanding was that supplementary questions should be on the same subject as the original question.

While it was acceptable to pose supplementary questions to different ministers, those questions had to flow from the same subject matter as the original question. The position was disputed by the member and his caucus' House Leader.

I indicated at the time that I have always felt that the supplementary questions generally flow from the first question but I thought there might have been some switching of topics in the past. I took the matter under advisement so that I could do some research and carry out this task. Luckily, we didn't have to go very far back through a Speaker's Ruling to find an answer as the very point was subject of a detailed ruling by my predecessor in this Chair only 18 months ago on October 15, 2009. In that ruling the Speaker reviewed previous Speaker's Rulings going back through the 1990s to the 1970s. I have copies available of that ruling if members wish to review it.

In a 2009 ruling, the Speaker quoted from an earlier ruling by then Speaker Fogerty on December 3, 1997:

"I will permit a certain amount of preamble and set-up to the first original question. All honourable members know the two supplementary questions should follow and remain on the subject that was presented in the initial question. The two supplementaries should follow from that original question. The subjects were changed here in midstream a moment ago and I will not permit it indefinitely. I want a question and the supplementaries on that same topic."

The Speaker then referred to the text of Marleau and Montpetit, Pages 430 and 431, before affirming that, in this House, the guiding principle is that a supplementary question is meant to flow from the initial question and be based upon the information given to the House in the response by the minister to the initial question.

I know that there may have been occasions in the past on which there was some switching of topics that may not have been noticed by the Chair and which were not objected to by other members at the time. But the rulings by Speakers here are consistent that the practice in this House is that a supplementary question is meant to flow from the initial question, or be based upon the information given to the House in the response of the minister to the original question. Thank you. (Applause)

### **PRESENTING AND READING PETITIONS**

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

MR. MAT WHYNOTT: Mr. Speaker, with your indulgence, may I make an introduction, please?

MR. SPEAKER: Most certainly.

MR. WHYNOTT: Mr. Speaker, in the east gallery I have a constituent of mine by the name of Christina Parker. She has been here many times before and I would like to introduce her to the House, please. (Applause)

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

The honourable member for Hammonds Plains-Upper Sackville.

MR. MAT WHYNOTT: Mr. Speaker, I beg leave to table a petition with the operative clause reading:

“We, the undersigned, request that an amendment be made pursuant to the PRUDENT DRIVING AND SPEED RESTRICTIONS section of the Motor Vehicle Act of Nova Scotia to include Children's Daycare Centres within subsection 103(1) of the Motor Vehicle Act of Nova Scotia . . .”

Mr. Speaker, I have affixed my signature with these several names.

MR. SPEAKER: The petition is tabled.

The honourable member for Guysborough-Sheet Harbour.

MR. JIM BOUDREAU: Mr. Speaker, I beg leave to table the petition on behalf of the residents who live on Highway No. 224, between Sheet Harbour and Upper Musquodoboit. The operative clause deals with having the last 11 kilometres paved in this stretch of road. This stretch of highway is used extensively and this petition deals with the individuals who have to travel there. We also have a First Nation group there as well.

The road itself is in terrible condition and these individuals would like to see this road paved as soon as possible. The petition itself has 435 names and I've affixed my name to the petition as well. Thank you.

MR. SPEAKER: The petition is tabled.

**PRESENTING REPORTS OF COMMITTEES  
TABLING REPORTS, REGULATIONS AND OTHER PAPERS**

**STATEMENTS BY MINISTERS**

**GOVERNMENT NOTICES OF MOTION**

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

**RESOLUTION NO. 546**

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

Whereas all Canadians were saddened to hear of the passing of Allan Blakeney on April 16, 2011, a former resident of Bridgewater, Nova Scotia, who graduated from Dalhousie Law School and who was a Rhodes Scholar at Oxford University in Great Britain; and

Whereas Mr. Blakeney became a senior civil servant in Saskatchewan before entering politics in 1960, where he became a minister in the Governments of Tommy Douglas and Woodrow S. Lloyd, and where he served as the Minister of Health, playing a crucial role in the introduction of Medicare; and

Whereas Allan Blakeney became the Premier of Saskatchewan from 1971 to 1982, serving with distinction in that role;

Therefore be it resolved that all members of this House acknowledge the great contribution made by Allan Blakeney to the Province of Saskatchewan and, in a broader context, to the nation of Canada.

Mr. Speaker, I request waiver of notice and passage without debate, and I ask for a moment's silence, sir, if I may.

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.

[A moment of silence was observed.]



The honourable Minister of Economic and Rural Development and Tourism.

**RESOLUTION NO. 547**

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

Whereas the Yarmouth Junior A Mariners, in partnership with the Town of Yarmouth, the Municipality of Yarmouth, the Municipality of Argyle, the Yarmouth Minor Hockey Association, the Maritime Hockey League, Hockey Nova Scotia, with the support of Events Nova Scotia, has submitted a bid to host the 2011 and/or 2012 World Junior A Hockey Challenge; and

Whereas the World Junior A Hockey Challenge is a seven-day event that brings teams, their fans, their families, media and the best young hockey players from Russia, Sweden, United States, Switzerland, and Canada to the community of Yarmouth; and

Whereas this event previously held in Penticton, British Columbia generated \$2.3 million in economic impact and the tournament has a history of featuring players who have gone on to play in the National Hockey League;

Therefore be it resolved that all members of this House of Assembly congratulate Yarmouth on taking the initiative to build on its reputation as an outstanding host of major events, and assure the people of Yarmouth that the province is ready to support them in helping to make the World Junior A Hockey Challenge an experience of a lifetime, not just for the athletes but also for the businesses, sport and cultural communities in Yarmouth and surrounding areas.

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.

HON. MAUREEN MACDONALD: Mr. Speaker, before I read my resolution, I hope you'll indulge me and members of the House by thanking you for lighting the House of Assembly this week in recognition of Organ and Tissue Donation Awareness Week. This Legislature will be lit in green, as will many Legislatures across the country, so thank you for that, Mr. Speaker. (Applause)

MR. SPEAKER: The honourable Minister of Health and Wellness.

### **RESOLUTION NO. 548**

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

Whereas more than 120 Nova Scotians are waiting for an organ transplant that will save their lives, and a single donor can provide life-saving organs to as many as eight people and life-enhancing tissue to as many as 40 people; and

Whereas more than 500,000 Nova Scotians are now registered organ and tissue donors; and

Whereas during the week of April 17<sup>th</sup> to April 24<sup>th</sup> a number of events are being held, like the Organ and Tissue Donation Awareness Hockey Game that took place yesterday to promote awareness around organ and tissue donation;

Therefore be it resolved that all members of the House of Assembly recognize April 17<sup>th</sup> to April 24<sup>th</sup> as Donor Awareness Week in Nova Scotia, and congratulate the committed professionals in our province who work tirelessly in the field of organ and tissue donation.

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 Economic and Rural Development and Tourism.

### **RESOLUTION NO. 549**

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

Whereas the Lunenburg Board of Trade has named Guenther and Susan Reibling of Stellar Investments the 2010 Business of the Year; and

Whereas the Reiblings have worked hard and diligently to expand their property and culinary businesses; and

Whereas Stellar Investments is a family-owned company, exemplifying the success of small businesses across the province;

Therefore be it resolved that all members of the House of Assembly congratulate Guenther and Susan Reibling on this great honour and wish them the best of success in all of their future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Agriculture.

### **RESOLUTION NO. 550**

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

Whereas Canadians are celebrating the week of April 17<sup>th</sup> to April 23<sup>rd</sup> as National Soil Conservation Week, which is an opportunity to dialogue on soil and the importance of managing this resource on-farm; and

Whereas the organizers of this initiative, the Soil Conservation Council of Canada, is the face and voice of soil conservation and operates through its members to ensure soil degradation problems are addressed and ultimately solved; and

Whereas soil management and conservation are essential elements of sound environmental management on farms, and every Canadian should be concerned with soil conservation as soil provides the basis for agricultural production, a source of ecosystem biodiversity, carbon sequestration, and a natural filter for water;

Therefore be it resolved that members of this House of Assembly recognize April 17<sup>th</sup> to April 24<sup>th</sup> as National Soil Conservation Week and salute the exemplary work being done by the Soil Conservation Council of Canada and its provincial partners.

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 Communities, Culture and Heritage.

### **RESOLUTION NO. 551**

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

Whereas for five years Nova Scotia public libraries, the RCMP, municipal police and public schools have partnered with Adopt-a-Library Program to hold WOW! Reading Challenge; and

Whereas hosted by the Pictou-Antigonish Regional Library, the challenge is for elementary and junior high students to out-read their competition from November to April; and

Whereas this year 11,811 students participated, reading a total of more than one million books;

Therefore be it resolved that all members of this House join me in congratulating the organizers and partners of WOW! Reading Challenge for an innovative way to encourage our youth to read, and also applaud the students for taking up the challenge and expanding their minds and imaginations by reading.

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. 29 - Entitled an Act to Amend Chapter 380 of the Revised Statutes of 1989. The Public Utilities Act. (Mr. Andrew Younger)**

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

#### **NOTICES OF MOTION**

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

#### **RESOLUTION NO. 552**

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

Whereas during the 2009 election campaign, the then NDP Leader and now Premier indicated he would honour all previous commitments made by the former government; and

Whereas on March 22, 2011, the Minister of Service Nova Scotia and Municipal Relations informed municipalities that he is tearing up the agreement on mandatory payments on province-wide services; and

Whereas last Thursday during Question Period, the Minister of Service Nova Scotia and Municipal Relations admitted that despite the NDP Government not honouring their side of the agreement, they expect municipalities to foot the bill for the municipal Auditor General and the Property Valuation Services Corporation;

Therefore be it resolved that the honourable member for Guysborough-Sheet Harbour admit that his actions will lead to increased property taxes and apologize to municipalities and the people of Nova Scotia for yet another broken NDP promise.

MR. SPEAKER: The notice is tabled.

The honourable Leader of the Progressive Conservative Party.

### **RESOLUTION NO. 553**

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

Whereas Robert Kelly, a respected businessperson and native of Halifax, was recently recognized for more than 30 years of experience in North America's financial sector by being inducted into the Nova Scotia Business Hall of Fame; and

Whereas since 2007, Mr. Kelly has led a financial institution with more than \$256 billion in assets, a market capitalization of \$37.5 billion and more than 49,000 employees; and

Whereas the Nova Scotia Business Hall of Fame was established in 1993 by Junior Achievement Nova Scotia to recognize the achievements of local business leaders and to inspire young people to pursue careers in business;

Therefore be it resolved that all members of this House of Assembly congratulate Robert Kelly for being inducted into the Nova Scotia Business Hall of Fame and wish him continued success in his future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Transportation and Infrastructure Renewal.

#### **RESOLUTION NO. 554**

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

Whereas Sir John A. Macdonald High School has a proud tradition of commitment to the sport of hockey; and

Whereas for the first time in the 44-year history of Sir John A., the school's boys hockey team, the Flames, reached the championship game in the Division 1 Provincial Finals; and

Whereas Sir John A.'s Flames, under the direction of head coach Ian Haverstock, captured the silver medal after losing in overtime to Dr. J.H. Gillis High School of Antigonish;

Therefore be it resolved that the Nova Scotia Legislature congratulate head coach Ian Haverstock, assistant coaches, volunteers, and especially the players of this year's Sir John A. Macdonald High School hockey Flames on their great season, with best wishes, on and off the ice, in their future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Halifax Clayton Park.

#### **RESOLUTION NO. 555**

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

Whereas April 17<sup>th</sup> to 24<sup>th</sup> is National Organ and Tissue Donation Awareness Week;  
and

Whereas donor awareness week is a time to increase awareness among Nova Scotians of the importance of registering to be an organ and tissue donor; and

Whereas more than 120 Nova Scotians are currently waiting for an opportunity to enjoy a second chance to live a full life;

Therefore be it resolved that all members of this House of Assembly acknowledge April 17<sup>th</sup> to 24<sup>th</sup> as National Organ and Tissue Donation Week, and extend our best wishes to the staff of Legacy of Life and district health authority partners as they plan activities to encourage Nova Scotians to give the gift of life.

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. 556**

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

Whereas many Nova Scotians have opened their hearts and their wallets to help the people of Japan recover from the earthquake and tsunami; and

Whereas nine-year-old Morgan MacPhail, a Grade 4 student at Sydney River Elementary School, is carrying on an old Cape Breton tradition of raising money for good causes; and

Whereas Morgan, the daughter of Dale and Kevin MacPhail, raised \$359.55 through a recyclable bottle drive, which she donated to a Red Cross Disaster Relief Fund for the stricken nation of Japan;

Therefore be it resolved that all members of this House of Assembly congratulate Morgan on her commitment and compassion, and wish her well in her future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Community Services.

**RESOLUTION NO. 557**

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

Whereas Mr. Robin Bond of East Chester has been named Special Olympics Nova Scotia Male Coach of the Year; and

Whereas Robin has spent several years and countless hours on the ice at the Chester Curling Club with his team as they prepared for the Nova Scotia Special Olympics Winter Games which were held in New Glasgow; and

Whereas Mr. Bond does this for the sheer enjoyment of the game and considers the team to be part of one big happy family;

Therefore be it resolved that the members of this House of Assembly congratulate Robin Bond on being named Male Coach of the Year for Special Olympics, and thank him for his dedication to the team, the sport, and 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 Inverness.

### **RESOLUTION NO. 558**

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

Whereas L'Arche Cape Breton has opened a new library in Iron Mines, in honour of former L'Arche assistant Jeremy Harris; and

Whereas Jeremy's family and others made donations in his memory when he left this world in 2005; and

Whereas the library offers a comfortable place, overlooking the Bras d'Or Lakes, for our L'Arche community;

Therefore be it resolved that all members of this House of Assembly remember Jeremy for being an intellectual who loved to learn and read books with the friends he loved at L'Arche.

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 Education.

### **RESOLUTION NO. 559**

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

Whereas on April 1, 2011, Acadia University hosted the annual Fred G. Kelly Athletic Awards; and

Whereas Emma Duinker of Cambridge, Kings County, was awarded the Jean Marsh Female Athlete of the Year award and was women's basketball top rebounder and Most Valuable Player; and

Whereas Emma Duinker was the only athlete in the conference to finish in the top 12 in every statistical category, including three-point shooting and rebounding and was named to the first all-conference team;

Therefore be it resolved that that this House of Assembly congratulate Emma Duinker on her athletic achievements and wish her every success in her athletic and educational pursuits.

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. 560**

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

Whereas NewPace Technology Development was named one of the best new businesses of 2011 by the Halifax Chamber of Commerce at the Halifax Business Awards; and

Whereas NewPace, founded in Bedford in 2009, is a company which provides telephone-related software products and Internet applications to a world-wide customer base; and

Whereas NewPace President and CEO Brent Newsome credits much of the company's success to its ability to balance development with top quality customer service;

Therefore be it resolved that the members of this House of Assembly congratulate NewPace on its recent recognition and support this firm's entrepreneurial spirit as it continues to establish itself in the world market.

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. 561**

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

Whereas since Cape Bretoners have always had an extraordinary creative flair and entrepreneurial spirit, it is not surprising that a well-known production company called Theatre on the Hill continues to nurture local youth and adults by engaging them in the art of theatre performance; and

Whereas one young lady, Kathryn Bridgeland, has entertained guests and developed her interest in performing arts by participating in Theatre on the Hill productions; and

Whereas in January 2011, Kathryn was awarded the first Theatre on the Hill Triple Sensation Bursary to assist her as she furthers her education in technical studies at Dalhousie University;

Therefore be it resolved that that all members of this House of Assembly applaud Kathryn on her award and commend Theatre on the Hill Performing Arts Association for their encouragement and contribution to their 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 Queens.

#### **RESOLUTION NO. 562**

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

Whereas seniors are being reached where they live and they are being supported in activities that encourage positive aging and continued community involvement; and

Whereas the Age-Friendly Communities Program, meant to help improve physical and social environments that allow people to fully participate in their communities and remain in them, received funding from the Department of Seniors; and

Whereas Queens Manor in Liverpool, Queens County, received \$8,193 and will be used to fund a Tai Chi program to promote wellness for both residents and the community;

Therefore be it resolved that the Nova Scotia House of Assembly recognize and congratulate Queens Manor of Liverpool, Queens County, on having received funding from the Department of Seniors Age-Friendly Communities Program and thank them for promoting wellness for both residents and the community in Queens.

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. 563**

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

Whereas Gerald Bates of Onslow in Colchester North was the grand prize winner of an all-expense paid trip to Pittsburgh in the Dempster 1-on-1 with Sidney Crosby hockey promotion; and

Whereas the trip included airfare, accommodations for six people, Gerald taking his wife, his son, his brother and two friends; and

Whereas the highlight of the trip was watching the hockey game of the Pittsburgh Penguins versus the Minnesota Wilds from a private box with an hour-long visit with Sidney Crosby himself;

Therefore be it resolved all members of the House of Assembly congratulate Gerald Bates for being chosen from 330,000 other entries as the lucky winner of a trip of a lifetime.

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. 564**

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

Whereas for more than three decades, the Forum for Young Canadians has provided youth aged 15 to 19 with first-hand access to the minds, the procedures and the energy of Parliament Hill; and

Whereas Danica Forgeron, daughter of Joe and Sabrina Forgeron, of Mira, Cape Breton was selected to attend the Forum for Young Canadians in Ottawa March 27-April 1, 2011; and

Whereas young people who attend the Forum for Young Canadians become better informed, more involved citizens, which in turn serves the public good across Canada;

Therefore be it resolved that all members of this House of Assembly congratulate Danica on being selected to attend the Forum for Young Canadians and wish her every success in her future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Hammonds Plains-Upper Sackville.

**RESOLUTION NO. 565**

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

Whereas Nathan Murtha and Douglas Sheppard, Grade 12 students at Millwood High School in Lower Sackville, were among more than 100 students in Grade 7 to Grade 12 who entered science projects at the Halifax Sci-Tech Expo held earlier this month; and

Whereas their science projects were evaluated and judged in a fair and equitable way; and

Whereas they were chosen as two of the six students from HRM to attend the Canada-Wide Science Fair in Toronto, May 14-21, 2011;

Therefore be it resolved that the members of the House of Assembly congratulate Nathan Murtha and Douglas Sheppard of Lower Sackville on being chosen to participate in the Canada-Wide Science Fair to be held in Toronto, May 14-21, 2011 and wish them every success in their competition and future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Yarmouth.



**RESOLUTION NO. 566**

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

Whereas the 12<sup>th</sup> Annual Grade 5 Science Film Competition, the province-wide contest which allows all Grade 5 classes to participate in a project-based learning initiative, held its film screening and awards on March 31<sup>st</sup>; and

Whereas Arcadia Consolidated School's Grade 5 team consisting of Michanda Romard, Ciara Jeffery-Bent, Jalisa Fells, and Wyatt Gates, under the direction of teacher Jim Rideout, submitted a film for this competition; and

Whereas Arcadia Consolidated School's Grade 5 team won the province-wide competition making their fellow classmates, teachers and community members proud;

Therefore be it resolved that the members of this House of Assembly congratulate Michanda Romard, Ciara Jeffery-Bent, Jalisa Fells, and Wyatt Gates, as well as their teacher Jim Rideout, on this impressive accomplishment and wish them every success in their promising futures.

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. 567**

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

Whereas John and Ted Van Zutphen came off the train at Mabou to make their new home in Canada as little boys in the 1940s and became pillars of leadership for their community; and

Whereas J & T Van Zutphen Brothers Construction has employed many Nova Scotians, taking risks to grow their business, giving people opportunities at home for employment; and

Whereas the Van Zutphens have contributed greatly to the social benefit of their community with many charitable organizations having grasped the helping hand of the Van Zutphens;

Therefore be it resolved that all members of this House of Assembly acknowledge the Zutphen Group of Companies for being awarded the 2010 Nova Scotia Family Enterprise of the Year by the Canadian Association of Family Enterprise.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Digby-Annapolis.

### **RESOLUTION NO. 568**

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

Whereas Roberta Potter, a resident of Tideview Terrace, decided to help those in need by donating two handmade quilts to the Bundles of Joy project; and

Whereas the Bundles of Joy project involves sending essential baby needs to those less fortunate in Venezuela; and

Whereas Roberta's donation will help ensure new moms will be able to bring their babies home from the hospital;

Therefore be it resolved that this House of Assembly recognize the grateful act of kindness by Roberta Potter.

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. 569**

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 North Sydney Rotary Club led by President, Dr. Tanya Hardy, has adopted a new theme of renewal within the club and community; and

Whereas the North Sydney Rotary Club has recently donated over \$40,000 to local and international programs including \$5,000 to the Paediatrics Department at the Cape Breton Regional Hospital thereby meeting the club's commitment to local families who have children with special needs; and

Whereas the club also supports numerous organizations including the Northside pool, local skateboarding rink, Community Cares Youth Outreach project and a multi-Rotary project to buy 900 pocket dictionaries for the Grade 3 students of the Cape Breton-Victoria Regional School Board to name a few;

Therefore be it resolved that all members of this House of Assembly recognize the outstanding service that the North Sydney Rotary Club offers to the local community and thank them for their commitment to public service.

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. 570**

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

Whereas Pete's Frootique of Bedford and Halifax has demonstrated best practices regarding the employment and independence of persons with disabilities; and

Whereas Pete's has received the prestigious Lieutenant Governor's Persons with Disabilities Employer Partnership Award; and

Whereas Pete's received the award for Overall Outstanding Achievement, as well as the regional award for Halifax area;

Therefore be it resolved that the members of this Assembly congratulate Pete's Frootique and owner, Pete Luckett, for their determination to create a workplace inclusive of persons with disabilities, thereby recognizing the contribution of such employees.

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. 571**

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

Whereas Ed MacDonald and his wife Lana, because of his enthusiasm for auto recycling, gave up their government jobs in 1988 to purchase Maritime Auto Salvage in Colchester North; and

Whereas Ed's enthusiasm and hard work have resulted in the growth of his business so that 18 people are now employed; and

Whereas Ed is a director on the Board of Auto Recyclers of Canada, of which he was a founding member and chairman, a past president of the Automotive Recyclers Association of Atlantic Canada and is involved with the Automotive Recyclers Association;

Therefore be it resolved that all members of the House of Assembly thank Ed for his continuing efforts to promote recycling in the automotive industry and congratulate him on being featured on this year's cover of the national magazine, Canadian Auto Recyclers.

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. 572**

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

Whereas during the 2009 election campaign, then NDP Leader and now Premier indicated he would honour all previous commitments made by the former government; and

Whereas on March 22, 2011 the Minister of Service Nova Scotia and Municipal Relations informed municipalities that he is tearing up the agreement on mandatory payments on province-wide services; and

Whereas last Thursday during Question Period the Minister of Service Nova Scotia and Municipal Relations admitted that despite the NDP Government not honouring their side of the agreement, they expect municipalities to foot the bill for the municipal Auditor General and the Property Valuation Services Corporation;

Therefore be it resolved that the honourable member for Queens admit that her actions will lead to increased property taxes and apologize to municipalities and the people of Nova Scotia for yet another broken NDP promise.

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.

### **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, I move that you do now leave the Chair and the House resolve itself into a Committee of the Whole House on Supply unto Her Majesty.

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

MS. DIANA WHALEN: Mr. Speaker, I appreciate the opportunity to say a few words as we prepare to go back into the estimates and talk further on the budget of Nova Scotia, the subject that I am going to speak about today as well as talking a little bit about my riding of Clayton Park.

I'll begin with the municipal issue of funding to municipalities. I know there's a fair amount of confusion around that, at least so says the Finance Minister. The Minister of Finance says there's confusion, I've heard some of his attempts to really refute what the municipalities are telling us. A few years ago, the municipalities commissioned a report that was called *Fair and Equitable Funding* and it reviewed, in great length, and I must say in a lot of detail and also a lot of complexity, the kind of downloading that they felt was going on and had historically gone on between the provincial services and the municipal property taxes.

For all of the municipalities of Nova Scotia there were costs and had been costs passed on to the municipalities that are strictly provincial services. Here we're talking about services like corrections services, running the jails, housing, for some of the subsidized housing that we provide in every municipality and education fees as well. The education fees were the most serious and largest of all.

The municipalities had studied this and said this was severely hampering their ability to increase the services that they offer their own municipalities.

MR. SPEAKER: Order, please. There seems to be a lot of chatter in the Chamber this evening.

MS. WHALEN: Thank you, it is important to be able to be heard. Again, because of that report that came out, they had actually lobbied and taken that report which was about 100 pages long - at the time I was our Critic for Municipal Affairs and as the members know, I'm a former municipal councillor from HRM, representing the Clayton Park-Rockingham-Princess Lodge area and many other people in the House were also municipal councillors in another life. Although, a few are not, that are speaking to me right now. I think it's a tremendous experience to be a municipal councillor because it gives you an appreciation and a perspective on your area and your neighbourhood that is quite different than the one you get as a member of the Legislature.

There is a lot of difference in the kinds of phone calls we get and the issues that we deal with. The municipalities have a big responsibility to keep up the infrastructure of, in my case, of Halifax, but in every case whether it's a town or a village or a rural area, they have municipal facilities and property that they need to maintain - roads, bridges within the municipality, they have properties like playgrounds and sport fields and recreational facilities and they need a lot of funds in order to keep up the basic infrastructure of the city.

In so doing, when they examined the taxes that they were collecting, they recognized that a large share of it was being collected on behalf of the province and being directed to provincial needs and provincial responsibilities. Again, as I said, corrections, housing, education, just to name the big three. So they commissioned the report, came back to all three Parties and presented their findings and asked all three Parties, and I believe it was even going into an election time around 2006, where did we stand on this. Would there be an agreement to at least phase in a change or begin to look at taking some of that burden off the municipalities. What the municipalities wanted to do was, if they were collecting tax, to be able to use that money for their needs and their priorities. To say to the province, look, you have your own method of getting funds, either from fees - as we know about raising fees - and getting more income from taxes, provincial, personal tax, HST, motive fuel taxes.

So there are more means for the province to collect money than there are for municipalities because by law, they are very limited to the kind of extra fees that they can put on and their property taxes are already high. I can say that without a doubt, looking at the property taxes we pay in HRM and comparing them across the country, I believe they are high. I don't believe HRM has the capacity to add to that in any significant way, yet our costs have gone up significantly.

Again, although it has been eight years since I sat on HRM council, I know that even then they were feeling the cost of increased costs for oil, for concrete and paving had gone up significantly. Road-building and fixing up our streets and roads had become a huge cost. This is actually rising a lot faster than the cost of living because the last eight years or so, probably the last 10 years, have seen a significantly low cost of living increase.

This year, with our capped assessments, we're looking at about a 2.5 per cent increase, which was capped at the cost of living. So we can see we've been in a time of low inflation but the kind of costs that the cities track, and that the municipalities need to track, have gone up faster than that basket of services and items that are tracked for the cost of living.

It has been a time of great expenses and the municipalities are really feeling under the gun and they feel so under the gun, Mr. Speaker, that on Friday 40-some municipalities were represented here - I think it was 42 out of 55 municipalities were here in metro and marched down the hill from City Hall, in unison. Whether they were rural towns and villages or the cities and regional municipalities, they stood together because all of them feel that a wrong has been done here.

The wrong is that the agreement that was struck and signed in November 2007 by the previous government was overturned in this current budget and the mechanism to do that is the Financial Measures (2011) Act, which was presented here just the other day by the



Finance Minister. It has the legal wording to allow the government to backtrack on an agreement.

I think one of the most important things that all members of the House should be aware of, and I know we are definitely aware of it here in Opposition, is that when the NDP campaigned in 2009 they said that they would honour all existing commitments. We've talked about that here, we've talked about where the jails were going to be built and communities that expected a jail and didn't get it and so on. This was a commitment, another commitment that the municipalities weren't worried about because they believed the government would honour all previous commitments made by the former government. That was the promise and it was made by the current Premier when he was running for office in the last election.

People are very disheartened, certainly all of the municipal councillors, wardens, citizens, taxpayers, property owners are all very disheartened. Everybody who owns property is going to feel it and they ought to feel it and they will because the municipalities are now having to backtrack on an agreement that they felt they were going to have less taxes that they would have to collect on behalf of the provincial government. That is now changed.

I don't know how we can split hairs. There are members here in the House today, Mr. Speaker, who are obviously taking umbrage with what I'm saying and I don't know how we can split hairs over a commitment that said we will honour all previous commitments made by the former government.

Now there is an MOU in place and the MOU was signed in 2007, signed by the previous government which was going to, over time, take away some of that burden from the municipalities and have the province take over responsibility for provincial services. I know it was \$100 million over time, that we were looking at when the whole thing had played out, that that was the agreement set and a number of years were set to get to that target. This has now been stopped in its tracks with the Finance Minister saying that we'll go back there if and when we get a balanced budget. I guess it's okay to remember that last year was balanced, in fact last year was a surplus, but we're not going to that, we're still saying if and when we get to a balanced budget. This can be one of many things that goes back on the order paper, something to look at. They'll sit down again and then have another negotiation with the municipalities.

I think the municipalities are absolutely right to feel that they have been misled, that they have been hoodwinked and that all of a sudden the rules are changed. They, of course, have made plans based more than six months out, they are making plans for next year, they've been put on notice now that they have to change that five-year budgeting that they've done, or their five-year plan on how they can approach new projects and big projects.

Although the money is yet to be spent and the government can say they gave a year's notification, which was the required notification under that agreement, it doesn't take away from the fact that this completely changes the five-year forecast for municipalities. We would say that any municipality doing their job properly is looking beyond the next six months they're going to be looking long term. I mean, how else would we have ever have gotten a new Canada Games Centre in Clayton Park, which is serving many, many residents of - well, beyond Halifax and HRM really. It's got at least 100,000 people in a 10-minute radius by the city's own figures, and a 20-minute radius is 200,000 Nova Scotians who can get to the wonderful new centre, use the facilities and hopefully become members.

To do that, the province put in money but the municipality put in over \$16 million. I know from being both a councillor and the MLA for that area, we've had to fight hard to get the municipality to be able to see that it was so important for both our provincial aims and municipal aims. We're so delighted that was able to take place and the building is open, but the only way that happens is for municipalities to feel that they can trust the ground beneath their feet and that they know where they stand and they can make plans for the future.

Whenever we go back on existing agreements, and really do an about-face, we are creating instability in the municipalities and that's exactly what we've done. They came down here en masse to meet members of the Legislature, to sit in the gallery, and to express their real concern and anger. Frankly, their anger is about having all of their hard work for the last five years overturned, because they worked on the report for the fair and equitable funding years ago. They paid a consultant, took that report which was very exhaustive and detailed and presented to all three caucuses and, lo and behold, all three political Parties really did support it. The existing Party at the time, the Progressive Conservatives, began that process to take back some of the provincial burden off of municipalities.

Now we have not only done that, but as of today we've heard it - and on Friday we heard quite a few resolutions from the Liberals in which we have actually pointed out, as well, that there is also the problem that municipalities will now have to shoulder the additional costs of a municipal Auditor General, which is a significant cost at HRM. It's in their HRM charter and a bill here at the Legislature that they must have an auditor. That creates better accountability and better (Interruptions)

It's in HRM's charter. Well, they have an auditor and I think we all want to see them have the best financial control, controlling spending and controlling any misuse of funds, and there is no better way than an auditor. Let's remember that HRM's budget is probably approaching \$1 billion right now. It was half a billion when I was there eight years ago and that isn't including their capital budget. So when you add in the capital budget as well, I'm sure we're getting very close to a \$1 billion budget.

They need that kind of scrutiny but they have to absorb that cost and they also have to absorb the Property Valuation Services Corporation which was formerly over 100 employees that rested in . . .

AN HON. MEMBER: That was part of the MOU.

MS. WHALEN: No, it wasn't part of the MOU, but it was a downloading of provincial services onto the municipalities. I sat on council when that was happening and the municipalities raised Cain about that, because it was a \$14 million cost to HRM. Again they made the rounds to all three Parties to express their displeasure about having to absorb that cost, because traditionally it has always been the provincial government, through Service Nova Scotia and Municipal Relations, that managed Property Valuation Services. When it was set off as a Crown Corporation, it meant they set up a new board, put municipal councillors on that board, and downloaded the entire cost of operating Property Valuation Services to the municipalities.

You can see that there is a lot of information that we need to be following closely and supporting our municipalities as this kind of about-face continues. Thank you, Mr. Speaker.

MR. SPEAKER: The motion is carried.

We will now take a short recess and let the minister set up with her staff and get ready for the Committee of the Whole House on Supply.

[4:54 p.m. The House recessed.]

[5:02 p.m. The House resolved itself into a CWH on Supply with Deputy Speaker Mr. Alfie MacLeod in the Chair.]

[9:18 p.m. CWH on Supply rose and the House reconvened with Mr. Speaker, Hon. Gordon Gosse in the Chair.]

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

THE CLERK: That the committee has met, has made progress and begs leave to sit again.

MR. SPEAKER: Is it agreed?

It is agreed.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call the order of business, Public Bills for 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 member for Dartmouth East.

MR. ANDREW YOUNGER: Thank you, Mr. Speaker. The honourable member for Bedford-Birch Cove asked me to speak on her behalf this evening to this. (Interruption) Fine, I'll speak on my own behalf.

MR. SPEAKER: Order, please. You can speak on your own behalf.

The honourable member for Dartmouth East.

MR. YOUNGER: Thank you, Mr. Speaker. I think the Government House Leader is playing a bit with semantics there, but nonetheless, the Official Opposition had raised some concerns about this bill the other day. Our critic had expressed some concern about some of the wording in this and while I know that both our critic and the caucus are prepared to allow this to move ahead to the Law Amendments Committee, we still have a couple of concerns that have come back to us after a review of the bill and we hope the minister will be able to answer those questions, as the process moves forward.

They're not enough to necessarily hold it up at this time. However, specifically, there still remains some concern around the specific intent and what will happen around the removal of the word "arbitral" and those changes, because there are now a couple of legal interpretations of the impact that that could have, so, specifically in terms of what that effect has had in some cases in the U.S., where the same thing was done, and actually did have some impact.

So, obviously at this point, we're prepared to see this go through to the next phase, but it is our hope that the government will be able to provide some more clarity around the specific intent of that, because it does appear at this point to have some potentially broader impacts than what has been outlined thus far. Thank you very much.

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

MR. KEITH BAIN: Mr. Speaker, I'm pleased to stand in my place this evening to speak to the Justice Administration Administration Amendment (2011) Bill.

Mr. Speaker, this bill has minor changes to six pieces of legislation and removes three Acts from the books and removes the words "arbitral" and "arbitrable". The three Acts being removed haven't been used since the 1800s and are no longer used in the practice of law. The words "arbitral" and "arbitrable" will be removed from the other three Acts with regard to the terms of employment that are in line with the changes made last Fall through the Labour Board Act.

Mr. Speaker, in these cases arbitration is already required so having the word in the bill is redundant. So it does simplify many things and we will be waiting for it to go further on, but as a word of caution, the last time the NDP claimed a bill was housekeeping, they drastically altered the way business between government and the private sector is conducted. We'll be keeping our eyes open to ensure they aren't trying to sneak sweeping changes into the law under the guise of removing outdated legislation. So with that, I'll take my seat.

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

The honourable Minister of Justice.

HON. ROSS LANDRY: Mr. Speaker, I thank my colleagues for their comments, and I move second reading.

MR. SPEAKER: The motion is for second reading of Bill No. 7. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

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

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 15.

**Bill No. 15 – Electricity Act.**

MR. SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Mr. Speaker, I appreciate the opportunity to speak to this bill. It's interesting because, obviously, we support the target of moving to 40 per cent, which was the advertised intent of this bill but the bill doesn't actually do that, which certainly makes us wonder why that's not included. At the Law Amendments Committee, we certainly will be presenting amendments and I'm hoping to get those amendments back from Legislative Counsel in time to actually provide a copy in advance to the minister for his review.

In the press release around this bill, the minister talks, they trumpeted the fact - in fact, the title, and I'm happy to table this after I comment on it here, says, "Province to make 40 per cent renewable target law." Well, in fact, this bill doesn't do that and doesn't even mention the 40 per cent renewable target. In the press release, it goes on to say the amendment will allow regulations to be developed to make the goal of 40 per cent renewable electricity a firm legal deadline. The bill doesn't actually do that either. That is already the power of Cabinet, and is actually within the bill that we all unanimously approved in the last session of the House.

To that end, one has to wonder where this bill actually goes. When we take a look at the bill, what this bill does is essentially makes a couple of changes around the use of the word, energy, but says in subsection 2, allows the regulations on renewable electricity to include the word hydroelectricity.

We have no problem with that, all Parties here have supported the Muskrat Falls project and Churchill Falls. However, if you go through those regulations, they actually already allow the minister to include that. This appears on the surface to be a bill for the sake of introducing a bill when everything that's trying to be accomplished by this bill, the government was already given the power to do in their Electricity Act amendments in the last session, which does raise the question as to why this becomes necessary.

We have no problem, as the Official Opposition, in supporting adding the word "hydroelectricity", produced in or outside the province, to the bill. We have no issue with the 40 per cent target being made law, however, the government has the power to do that now. In fact, there's a section in the regulations that allows any energy that the minister deems to be renewable to be considered as renewable under the targets as it is now, and the bill already allows renewable energy targets of any number to be set.

I think it would be a much stronger bill, significantly stronger, in fact, if the government would take the next step and actually entrench that 40 per cent number in this bill so it cannot be overridden by a future government without the consent of the House. I think that's significant and something which we should all be aspiring to move towards. I hope the minister will be open to those kinds of amendments later on.

As well, since the minister has deemed it necessary to specifically include hydroelectricity even though it appears to already be permitted at the minister's direction in the law, since we're opening the Act and the list of potential renewable sources, we know that solar is already on that list and it's my hope the minister will also allow geothermal to be added to that list. It has obviously no negative impact and we'll be presenting amendments that will allow that. It is my hope to get those amendments back from Legislative Counsel in time to allow the minister to review them in advance so that he can discuss them with staff. I think that's only fair that he has that opportunity and will certainly be doing that.

I think that the 40 per cent goal of renewable energy is certainly laudable but let's not forget in all this that our goal needs to be around the 2015 number because we know that 2015 is considered to be the year in which most governments, international agencies and corporations tend to agree that we need to level off greenhouse gases if we're to prevent certain potential catastrophic changes, which could be irreversible.

We should be trying to move this as quickly as possible. We know there's a 25 per cent commitment to 2015; that in fact may not be enough to achieve those greenhouse gas savings unless we're able to do something in other industries as well.

I would note that it's disappointing that while the Department of Energy is having the laudable goal of increasing renewable energy to 40 per cent, the Department of Energy reduced the mercury restrictions on electrical generation in Nova Scotia at the same time, which is obviously a very disappointing move. As much as the government would like to talk about the fact that they're the only province with hard caps, which is a good thing, they're also the only province to abandon the mercury limits that were set for this year.

As much as they would like to talk about the fact that they have higher limits in the future, those higher limits were actually already agreed to by all provinces and those are not new limits. And, we know mercury is a bioaccumulative substance, so reducing them in the future actually doesn't save you in a backwards direction like emission reduction does.

Mr. Speaker, at the end of the day, I would wrap up by hoping that the minister will consider the amendments we'll bring forward to actually do what his press release says. At the moment, the proposed legislation doesn't actually do what the press release says it does. Thank you very much, Mr. Speaker.

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

MR. ALFIE MACLEOD: Mr. Speaker, it's hard to argue against the goals of this bill, primarily that 40 per cent of our energy in Nova Scotia will come from renewable resources and sources by 2020, nine years from now. This certainly is a laudable goal and the key point to achieving this goal, of course, is the development of the Lower Churchill Falls. Our Leader and the Premier have been in the forefront in supporting the Lower

Churchill project and I applaud both of them for that. We are also proud that Prime Minister Harper has stated clearly his government will find a way to make the Lower Churchill project and the jobs that go with it a reality.

We are also pleased that the national Leader of the New Democratic Party, Mr. Layton, offered his strong support. Now we haven't seen the same productive attitude from Mr. Ignatieff. (Interruptions) He seems to be a very traditional Liberal. His view is dictated by wherever he happens to be on that given day. With the Lower Churchill, with the Fundy Tidal Power, with the many wind projects that could come forward, with geothermal, we will be in a good position to have clean power for this province, so we will support Bill No. 15.

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

The honourable Minister of Energy.

HON. CHARLIE PARKER: Mr. Speaker, I want to thank the honourable members for Dartmouth East and Cape Breton West for their input and their thoughts on this particular bill. We'll be taking their wisdom into account as we move forward on this particular bill. At this point, I would like to close debate here on second reading of Bill No. 15, the Clean Energy Act and certainly look forward to seeing it move forward to the Law Amendments Committee stage.

MR. SPEAKER: The motion is for second reading of Bill No. 15. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

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

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 19.

**Bill No. 19 - Nova Scotia Business Incorporated Act.**

MR. SPEAKER: The honourable Minister of Economic and Rural Development and Tourism.

HON. PERCY PARIS: Mr. Speaker, although I didn't hear all of the speakers the other night on Bill No. 19, I did hear some of them. I'd like to thank all members of the



House who participated. As such, I'd like to close debate on second reading with respect to Bill No. 19.

MR. SPEAKER: The motion is for second reading of Bill No. 19. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

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

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 17.

**Bill No. 17 - Fair Drug Pricing Act.**

MR. SPEAKER: The honourable Minister of Health and Wellness.

HON. MAUREEN MACDONALD: Mr. Speaker, it gives me great pleasure to stand today and move second reading of Bill No. 17, the Fair Drug Pricing Act.

It's very important to Nova Scotians that they are able to get their prescription drugs at a price they can afford. As a government, we know how important Pharmacare is to many Nova Scotians; it provides critical help with the cost of prescription drugs to more than 220,000 Nova Scotians including 100,000 seniors in the province, we want to make sure that these programs stay in place.

Nova Scotians pay some of the highest prices for generic drugs in Canada and, in fact, in the world right now. Government is also seeing rapid growth in what it is spending on prescription drugs through the Pharmacare Programs. In fact, spending has almost doubled in the past eight years alone. Mr. Speaker, this must change and the Fair Drug Pricing Act will help us do that.

Our government is committed to making life better for families in all regions of the province. As part of this commitment we are working hard to get the fair drug prices Nova Scotians deserve and ensure the Pharmacare Programs remain sustainable by slowing the rapid growth of government spending on drugs through the Pharmacare Program.

To ensure our approach is fair and balanced we consulted with pharmacists, owners of community pharmacies, doctors, seniors, drug manufacturers and others, in the Fall. We wanted to get their input on how best to do this in a way that is fair to all and I thank all who participated for their expertise and their input.

Mr. Speaker, the Fair Drug Pricing Bill is the next step in the journey to get fair drug pricing for Nova Scotians and a legislative necessity. This bill gives government the authority to regulate the price of prescription drugs for our public drug plans. It also creates a new stand-alone Act to oversee the Pharmacare Programs which accounted for \$300 million in spending last year. Parts of the current Health Services and Insurance Act that relate to Pharmacare will be moved to this proposed new Act. The new Act will provide a strong statutory framework for the Pharmacare Programs.

Legislating the authority to regulate drug prices is consistent with what other provinces are doing. Alberta, Ontario and Quebec are all using legislative means to get better prices for generic drugs but, Mr. Speaker, we have developed a made-in-Nova Scotia solution. I'm happy to inform seniors the new Act will not change Seniors' Pharmacare, Family Pharmacare or other Pharmacare Programs. Nor will it change the eligibility criteria, premiums, deductibles or maximum co-payment amounts this year. Premiums and maximum co-payments are not increasing this year because of the work we have done to date in slowing the growth of spending on Pharmacare as well as the plan we announced on Monday to get better drug prices.

Mr. Speaker, our plan will lead to better drug prices for Nova Scotians and a better deal for taxpayers. We developed the plan based on what we heard during consultations as well as our own research on what will work best here. It is fair and balanced and will also help make sure that Nova Scotians are able to get the services they count on from pharmacies in their communities. As part of our plan we plan to set a cap on the price of most generic drugs covered through Pharmacare based on the price of the equivalent brand name drugs. The cap will be phased in over a year to give pharmacies time to adjust. On July 1<sup>st</sup> a cap of 45 per cent will be put in place; on January 1, 2012, the cap will move to 40 per cent; and finally, on July 1, 2012, the cap will go to 35 per cent.

Since last Fall I've heard from seniors who are pleased that government has already brought down the price of a commonly prescribed medication for high cholesterol, the generic version of Lipitor - through this effort we have been able to save \$6 million over what we spent last year, and this has resulted in savings for Nova Scotians who need this drug, and lower drug costs from their government. We listened to what we heard from pharmacy owners and pharmacies during consultations.

We will not require pharmacies and drug manufacturers to report rebates or limit the amount of these rebates as part of the plan. While not in our plan right now, we will be able to use these measures, if appropriate, in the future. We also have no immediate plans to tender for specific drugs; however, the plan will allow government to use these measures in the future in situations where it makes sense to do so. The regulations of the new Fair Drug

Pricing Act will be finalized in June and go into effect on July 1<sup>st</sup>. We shared the draft pricing regulations with those in attendance at Monday's bill briefing.

Mr. Speaker, our goal with this plan is to get the fair drug prices Nova Scotians deserve, make sure Pharmacare remains sustainable, and ensure that Nova Scotians are able to get services from pharmacies in their communities. As a result of this plan, Nova Scotians covered by Pharmacare will soon pay lower prices for most generic drugs at the pharmacy counter. Better drug prices are only one part of the solution for containing the growth of drug costs - we also need to make sure Nova Scotians have access to drugs that make a difference to their health, and that they are prescribed safely and appropriately.

On Monday I also announced the creation of the Drug Management Policy Unit, meeting another one of our commitments. The Drug Management Policy Unit will look at improving the health of Nova Scotians through better use of drugs and effectively managing drug costs. The unit will help improve health outcomes by working with those who prescribe drugs to encourage and support optimal prescribing practices, which includes: the prescribing of effective, affordable medications; the safe, appropriate use of prescription drugs; and by looking at international best practices for prescribing medications.

Mr. Speaker, at the same time we are working with pharmacists to more fully use their skills and training in delivering health care to Nova Scotians. We have a working group in place, with representatives from both the Pharmacy Association of Nova Scotia and the Department of Health and Welfare, to look at the role pharmacists will play, including compensation for additional services.

We've also recently started negotiating a new tariff agreement with the Pharmacy Association of Nova Scotia. This agreement covers the amount paid to pharmacies by government for drugs dispensed to Nova Scotians covered by Pharmacare.

I welcome second reading of this bill, the Fair Drug Pricing Act, and I encourage all Parties to support this legislation. Mr. Speaker, it gives me great pleasure to stand today and move second reading of Bill No. 17, the Fair Drug Pricing Act.

Thank you, Mr. Speaker, and with that I would move adjournment of the debate.

MR. SPEAKER: The motion is to adjourn the debate. 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: Mr. Speaker, that concludes the government's business for the day. I move that the House do now rise to meet again tomorrow between the hours of 12:00 noon and 8:00 p.m. The order of business after the daily routine and Question Period is Committee of the Whole House on Supply, and if time permits we will pick up again with Bill Nos. 17, 21, 23, 25 and 27. I move that the House do now rise.

MR. SPEAKER: The motion is to adjourn.

Is it agreed?

It is agreed.

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

The motion is carried.

The House will now rise to sit between the hours of 12:00 noon and 8:00 p.m. tomorrow.

[The House rose at 9:46 p.m.]