



House of Assembly
Nova Scotia

DEBATES AND PROCEEDINGS

Speaker: Honourable Gordon Gosse

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Third Session

MONDAY, NOVEMBER 14, 2011

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House of Assembly
Nova Scotia

HALIFAX, MONDAY, NOVEMBER 14, 2011

Sixty-first General Assembly

Third Session

7:00 P.M.

SPEAKER

Hon. Gordon Gosse

DEPUTY SPEAKERS

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

MR. SPEAKER: Order, please. We will begin the daily routine.

PRESENTING AND READING PETITIONS

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

MR. KEITH BAIN: Mr. Speaker, I beg leave to introduce a petition, the operative clause being:

“We the concerned citizens of Neil’s Harbour, New Haven, White Point, Smelt Brook, and South Harbour request the minister to consider our petition regarding the deplorable condition of the roads in these areas and that repairs and upgrading be carried out as soon as possible.”

The petition contains the signatures of 680 individuals and I have affixed my signature.

MR. SPEAKER: The petition is tabled.

PRESENTING REPORTS OF COMMITTEES

TABLING REPORTS, REGULATIONS AND OTHER PAPERS

MR. SPEAKER: The honourable Minister of Justice.

HON. ROSS LANDRY: Mr. Speaker, I would like to table a report tabling changes to the Civil Procedure Rules.

MR. SPEAKER: The report is tabled.

STATEMENTS BY MINISTERS

GOVERNMENT NOTICES OF MOTION

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

RESOLUTION NO. 2182

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 White Point Beach Resort, which began as a hunting and fishing lodge in 1928, has attracted individuals, families, and corporations from all parts of the world to the beauty and serenity of Nova Scotia's South Shore and their annual visits eventually woven into the fabric of their families' or their corporate histories; and

Whereas the White Point Beach Lodge was tragically destroyed by fire on Saturday, November 12th; and

Whereas the staff, management, and owners of White Point show nothing but professionalism, their usual exemplary attention to customer service ethic, and are looking forward today with optimism to rebuilding this icon in our South Shore community;

Therefore be it resolved that all members of the House of Assembly acknowledge the entrepreneurial spirit, the hard-working drive to recreate the world-renowned experience of a White Point stay, and wish the staff, management, and owners of White

Point, and all community members, the very best as they work toward a strong and positive future for their resort.

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. 2183

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

Whereas Saba Balvardi moved to Nova Scotia with her family from Iran in 2008 with a limited understanding of English; and

Whereas while attending Halifax West High School enrolled in the International Baccalaureate program; and

Whereas with the support of her teachers, family, and her own dedication to education, Saba scored a 45 out of a possible 45 on her exams - the highest mark a Nova Scotian student has received, and Saba is the only public school student to reach this impressive standard;

Therefore be it resolved that the members of the House of Assembly congratulate Saba on her accomplishment and wish her the best of luck as she is attending McGill University on a full scholarship.

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. 2184

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

Whereas for the past 40 years, since 1971, Nova Scotia has been sending a Christmas tree to Boston as a gift in appreciation for help given following the Halifax Explosion; and

Whereas Ken and Donna Spinney of Central Argyle, Yarmouth County, have agreed to provide a lovely 48-year-old white spruce for this worthwhile venture; and

Whereas several government departments, agencies, and private contractors have co-operated to prepare, harvest, and ship this year's tree which will be cut tomorrow, November 15th;

Therefore be it resolved that members of this House acknowledge the generosity of the Christmas tree donors and the efforts of those involved in a project that expresses our gratitude to our Boston neighbours.

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 Finance.

RESOLUTION NO. 2185

HON. GRAHAM STEELE: Mr. Speaker, on behalf of the honourable Minister of Health and Wellness, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas November is Diabetes Awareness Month and November 14th is World Diabetes Day; and

Whereas more than nine million Canadians live with diabetes or pre-diabetes, and here at home diabetes affects more than 75,000 adult Nova Scotians and 750 children; and

Whereas there are many organizations, such as the Canadian Diabetes Association, which are leading the fight against diabetes by helping people with diabetes live healthy lives while working to find a cure;

Therefore be it resolved that all members of this House of Assembly join me in marking Diabetes Awareness Month, show leadership by modelling healthy lifestyle practices, and support organizations like the Canadian Diabetes Association that support Nova Scotians with diabetes.

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. 2186

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

Whereas November is Addictions Awareness Month at Capital Health; and

Whereas this year's theme, Four Weeks of Awareness and Hope, will share information and resources about addiction to raise awareness of addiction throughout the district by asking all citizens to play their part in living in a healthier community; and

Whereas Four Weeks of Awareness and Hope serves as a reminder that addiction treatment is a health care service like any other and that addiction stigma must end so that all people feel safe in seeking the help they need;

Therefore be it resolved that all members of this House of Assembly join me in marking Addictions Awareness Month and show leadership by encouraging all Nova Scotians to support men and women who are living with addiction.

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. 91 - Entitled an Act to Provide for the Establishment of an Entrepreneur Stream under the Nova Scotia Nominee Program. (Ms. Diana Whalen)

Bill No. 92 - Entitled an Act Respecting the Review and Reduction of Power Rates. (Hon. Jamie Baillie)

Bill No. 93 - Entitled an Act to Amend Chapter 1 of the Acts of 1995-96. The Education Act, Respecting Teachers. (Hon. Ramona Jennex)

Bill No. 94 - Entitled an Act to Amend Chapter 194 of the Revised Statutes of 1989. The Atlantic Provinces Special Education Authority Act. (Hon. Ramona Jennex)

Bill No. 95 - Entitled an Act to Amend Chapter 1 of the Acts of 1995-96. The Education Act, Respecting School Boards. (Hon. Ramona Jennex)

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

NOTICES OF MOTION

MR. SPEAKER: The honourable member for Lunenburg West.

RESOLUTION NO. 2187

MR. GARY RAMEY: Mr. Speaker, on behalf of the honourable member for Queens, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on Saturday, November 12th, the main lodge building at White Point Beach Resort was consumed by fire; and

Whereas the dedicated management and staff continued, amid the myriad of activities related to fighting the fire, to care for and give primary attention to their valued guests, including accommodating a wedding ceremony on the beach of the resort; and

Whereas the members from volunteer fire stations all along the South Shore, including Bridgewater, Lunenburg, Mahone Bay, Shelburne, Lockeport, New Germany, Italy Cross, United Communities, Port Medway, Mill Village, Charleston, Greenfield, Oak Hill, Hemford, Sable River, Barrington and Island, Barrington Passage, Port Clyde, Port La Tour, Woods Harbour, North Queens, and Liverpool either worked directly with extreme courage and skill or were called up on standby to protect other communities whose departments had responded;

Therefore be it resolved that all members of the House of Assembly acknowledge the spirit, courage, and perseverance demonstrated by White Point Beach Resort management and staff and all hard-working firefighters on the South Shore in fighting the White Point Beach Lodge fire.

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. 2188

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

Whereas November 11, 2011, marked the first year the community of Hammonds Plains held its own ceremony to commemorate Remembrance Day; and

Whereas the ceremony was complete with Prayers of Remembrance, a lament, a bugler, laying of wreaths, and had participation from local Air Cadets, Scouts, Guides, and World War II re-enactors; and

Whereas despite driving rain, the community of Hammonds Plains came out in strong numbers to the local fire hall to commemorate our veterans, past and present, who sacrificed to protect our freedoms;

Therefore be it resolved that the members of this House of Assembly commend the ceremony organizers including Jim Miller, the group commissioner of the 1st Hammonds Plains Scouts, for their efforts in ensuring we continue to remember the significant contributions that veterans made to our society through their sacrifices.

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. 2189

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 a multifaceted campaign that featured celebrities and politicians, Nova Scotians learned that the Bay of Fundy was not successful in becoming a finalist in the New7Wonders of Nature competition; and

Whereas because of the four-year campaign, the Bay of Fundy achieved top-28 status in the competition and people around the world now know about the bay's incredible tides, diverse ecosystem, and plentiful marine life; and

Whereas the campaign was spearheaded by Terri McCulloch of the Bay of Fundy Tourism Partnership and her countless volunteers, and supported by thousands of Nova Scotians who voted for the Bay of Fundy and helped spread the word;

Therefore be it resolved that all members of this House of Assembly thank Terri McCulloch and everyone who helped to make the Bay of Fundy campaign such a success, and declare that the Bay of Fundy is a natural wonder that all Nova Scotians can be proud of.

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. 2190

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

Whereas November 13th to November 19th is National Addictions Awareness Week; and

Whereas National Addictions Awareness Week was established in 1987 to create a better understanding among Canadians and Nova Scotians alike of substance abuse; and

Whereas this week offers individuals and communities the opportunity to work together to raise awareness around the social and health challenges associated with addictions related to alcohol, drugs, prescription drugs, gambling, and tobacco;

Therefore be it resolved that all members of the Legislature acknowledge November 13th to November 19th as National Addictions Awareness Week and be ever

mindful of the need for a variety of programs and supports to deal with all types of addictions in our province.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Victoria-The Lakes.

RESOLUTION NO. 2191

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 Honourable Peter MacKay, Minister of National Defence, took part in the celebration of the 140th Anniversary of the Cape Breton Highlanders by presenting the members with their camp flag in Baddeck on October 2nd; and

Whereas the Cape Breton Highlanders have a history of strong ties with the people in Cape Breton, so it was fitting to mark this anniversary with the restored name of the Cape Breton Highlanders; and

Whereas camp flags were used to aid soldiers in finding their unit on the field of battle and the flag is now flown in Baddeck to identify the organization and the birthplace of the unit;

Therefore be it resolved that all members of this House of Assembly congratulate members and families of the Cape Breton Highlanders on their 140th Anniversary and thank them for their brave contributions to Nova Scotia and to 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 Dartmouth East.

RESOLUTION NO. 2192

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

Whereas the Dartmouth Heritage Museum began as a group of local citizens who wanted to celebrate their shared heritage; and

Whereas the Dartmouth Heritage Museum has persevered and flourished over these past years, thanks to the dedication of countless volunteers and staff; and

Whereas the museum continues to collaborate and deliver quality interpretation and educational programming to the community;

Therefore be it resolved that members of this House of Assembly join me in congratulating the Dartmouth Heritage Museum on their 50th Anniversary and recognize the efforts of all museum volunteers, past and present.

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. 2193

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

Whereas Jamie White, senior girls basketball coach at Inverness Academy High School, announced his retirement this year; and

Whereas Mr. White - a high school teacher, husband, and father of four who dedicated 15 years of service to his school, athletes, and the sport of basketball - was presented with a framed team jersey in appreciation for his work; and

Whereas Mr. White's time and dedication to extracurricular sports has earned him the respect of his students, his peers, and his community;

Therefore be it resolved that all members of this House of Assembly congratulate Jamie White on his retirement, commend him for his volunteerism, and wish him luck with all future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Colchester North.

RESOLUTION NO. 2194

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

Whereas the Heritage Fair project of 11-year-old Noah Tremblay of Bass River, Colchester North, was entitled Forgotten Heroes and dealt with animals who served and, sometimes, gave their lives for their country; and

Whereas Noah's project won the Veterans Award and the Student Award; and

Whereas Noah decided to use his project to raise money, now over \$8,000 - and may I say some of that came from the Department of Communities, Culture and Heritage, and I want to thank the minister for that - for a monument in the Veterans Memorial Park in Bass River;

Therefore be it resolved that Noah Tremblay be congratulated for the creative idea to erect this monument and for his unending work to make this become a reality.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Cape Breton North.

RESOLUTION NO. 2195

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

Whereas the Bartown Community Society produced a historical re-enactment to honour the Cape Breton Highlanders and the Royal Newfoundland Regiment, with a script written by Ken Chisholm and directed by Jonathan Collins; and

Whereas this play was called *Onward to Valour* and was presented October 22nd; and

Whereas a host of volunteers spent countless hours bringing this play to the stage to commemorate the historical achievements of the brave men and women who served in these distinguished regiments;

Therefore be it resolved that all members of this House of Assembly congratulate all those who had a hand in the production of *Onward to Valour*, and thank them for honouring local heroes.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Clare.

RESOLUTION NO. 2196

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

Whereas 2011 marks the 20th Anniversary for Jackie's Used Clothing in St. Bernard; and

Whereas throughout the years Jackie and Marilyn, along with their staff, have provided outstanding service to their customers; and

Whereas Jackie's Used Clothing has made a significant contribution to the economy of Clare;

Therefore be it resolved that all members of this House of Assembly join me in congratulating Jackie, Marilyn, and staff on their 20th Anniversary and wish them continued success in 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. 2197

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

Whereas today marks the beginning of Bullying Awareness Week, a time when children and adults all over Canada band together to educate and bring attention to an issue that affects too many Nova Scotians; and

Whereas “Stand up! Be a friend” is the theme for this year’s campaign which encourages Canadians to refrain from being bystanders to bullying; and

Whereas Bullying Awareness Week not only emphasizes the need for all Canadians to play an active role to stop bullying, but it also focuses on those who make significant contributions to the cause, and on the leadership potential of our youth;

Therefore be it resolved that all members of this House recognize that bullying is not acceptable in our society, while pledging our support to raising awareness about this issue and sincerely thanking the people in our communities who have made such contributions to the cause already.

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. 2198

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 weekend of October 28th to 30th, the 4th Annual Chicks with Sticks Female Hockey Tournament took place in Yarmouth; and

Whereas Red Cap Restaurant Female Bantam A Mariners consisting of Lindsay Minard, Arielle Doucet, Caylee d’Entremont, Shayna Heroux, Jeanelle Sibley, Angèle LeBlanc, Alyssa Sibley, Erica Gaudet, Olivia Eyre, Anique Dugas, Josanne Deveau, Morgan Theriault, Laura Legere, Melissa Atkinson, and Kirsten d’Entremont through the guidance of coach Daniel Gaudet and assistant coaches Normand Gaudet and April Bonia competed in this tournament; and

Whereas the Red Cap Restaurant female Bantam A Mariners won the gold medal during the Chicks with Sticks tournament by defeating Eastern Shore by a score of 3-2 in the championship game;

Therefore be it resolved that the members of this House of Assembly congratulate the Red Cap Restaurant female Bantam A Mariners on their gold medal performance, wish them much future success, and thank them for their contributions to sports in Yarmouth.

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. 2199

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 Cabot Trail Food Market, under the capable direction and ownership of Myles and Jacqueline Dixon, is the largest independent grocery store in the Cape North and area of Cape Breton Island; and

Whereas the Cabot Trail Food Market offers anything anyone would want if they were simply going grocery shopping or even planning for a camping trip; and

Whereas in addition to groceries and camping supplies, the Cabot Trail Food Market also offers a food takeout service, along with fresh deli meats and produce;

Therefore be it resolved that all members of this House of Assembly recognize the importance of the Cabot Trail Food Market to the Cape North and surrounding area, and wish Myles and Jacqueline Dixon continued business 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 Digby-Annapolis.

RESOLUTION NO. 2200

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

Whereas on Monday, June 20th, former Mayor of Digby Frank MacIntosh was presented with the Joe Casey Humanitarian Award; and

Whereas this award is intended for someone who, like Joe Casey, had dedicated themselves to Digby; and

Whereas Frank MacIntosh served the Town of Digby as a town cop, hospital employee, chair of Scallop Days and served on council for 20 years as Mayor of Digby;

Therefore be it resolved that all members of the House of Assembly congratulate Frank MacIntosh on these accomplishments and as the recipient of the first Joe Casey Humanitarian Award.

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. 2201

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

Whereas this year marks the 75th Anniversary of Cape Breton Highlands National Park, one of the most visited regions in Canada; and

Whereas at the recent celebration members of surrounding communities joined with staff and volunteers to celebrate this significant milestone; and

Whereas since 1936, the park has protected the majestic highlands and coastal wilderness stretching across the northern tip of Cape Breton Island;

Therefore be it resolved that all members of this House of Assembly acknowledge the efforts of field unit superintendent Chip Bird and all staff at the Cape Breton Highlands National Park for keeping this treasure in shining form.

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. 2202

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

Whereas the United Nations Declaration passed in 2006 declared today, November 14th, as World Diabetes Day; and

Whereas this date is significant as it marks the birthday of the world-renowned Canadian medical scientist and physician Sir Frederick Banting, who along with Dr. Charles Best, is credited with the discovery of insulin; and

Whereas November 14th brings together millions of people in 160 countries to raise awareness of diabetes and united organizations to reinforce the need for diabetes awareness here in Nova Scotia and throughout our country;

Therefore be it resolved that all members of the Legislature acknowledge November 14th as World Diabetes Day and extend our appreciation to organizations such as the Canadian Diabetes Association of Nova Scotia Division and the Juvenile Diabetes Research Foundation Atlantic Region for the individual and collective roles they play in raising diabetes awareness here in 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 Cape Breton North.

RESOLUTION NO. 2203

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

Whereas the North Sydney Heritage Museum has opened in the Culture and Heritage Centre on the main street in North Sydney; and

Whereas the pride and joy of the museum is a 1919 LaFrance fire truck along with a wide variety of interpretive panels and artifacts; and

Whereas the museum tells the history of the harbour, the Western Union Office, politicians, police and fire departments, families and the role played by local people in the First and Second World Wars;

Therefore be it resolved that all members of this House of Assembly congratulate all those who played a role in the creation of the new North Sydney Heritage Museum and thank them for keeping the rich history of the area alive for future generations.

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. 2204

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

Whereas Dartmouth lawyer Emma Halpern opened her home to a homeless teenager and created a student-run program to address conflict in schools, called Bringing Restorative Justice into Schools, which has reduced suspension rates by up to 82 per cent; and

Whereas out of hundreds of women across the country, Emma Halpern has been chosen as the winner in the category of Everyday Heroes in Chatelaine Magazine's Women of the Year Awards; and

Whereas this particular award, presented in partnership with Citytv, celebrates Emma Halpern's contributions to the community, the school system and teenagers struggling with conflict, and recognizes her as one of many remarkable and inspiring women making positive change at home and abroad;

Therefore be it resolved that the members of this House of Assembly applaud the accomplishments of Emma Halpern and her recognition by Chatelaine Magazine and congratulate her on her win.

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. 2205

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

Whereas on Sunday, November 6, 2011, the Maritime Egyptian Society celebrated Eid al-Adha at the St. Andrew's Community Centre in Halifax; and

Whereas this special day is a happy occasion for Muslims around the world, as it commemorates the end of the pilgrimage to Mecca in Saudi Arabia and it includes family and friends and the exchanging of greetings and gifts; and

Whereas the evening celebration was attended by many families and their guests and included traditional food, speeches and games for the children;

Therefore be it resolved that the Members of the Legislative Assembly congratulate the Maritime Egyptian Society on the occasion of Eid al-Adha and on their success in bringing their growing community together for this cultural and religious celebration.

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. 2206

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

Attendu que la médaille de la Lieutenante-gouverneure est présentée à une fille et un garçon de chaque école secondaire de la Nouvelle-Écosse qui ont fait preuve de leadership et qui ont été en service de leur école et de leur communauté; et

Attendu que la médaille de la Lieutenante-gouverneure est décernée à des élèves qui ont obtenus un rendement exceptionnel dans leurs cours; et

Attendu que Nicole Samson de l'École Beau-Port a été choisi comme récipiendaire de la médaille de la Lieutenante-gouverneure lors d'une cérémonie qui a eu lieu le 10 juin, 2011;

Par conséquent, il est résolu que les membres de la Chambre de l'assemblée félicitent Nicole Samson pour avoir reçu la médaille de la Lieutenante-gouverneure et pour avoir été un modèle positif dans son école et sa communauté.

M. le Président, je demande l'adoption de cette résolution sans préavis et sans débat.

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

Whereas the Lieutenant Governor's Medal is awarded to one boy and one girl in each Nova Scotia high school who has demonstrated qualities of leadership and service in their school and community; and

Whereas the Lieutenant Governor's Medal is awarded to students who have exceptional performance in the courses in which they are enrolled; and

Whereas Nicole Samson was chosen from École Beau-Port as the recipient of the Lieutenant Governor's Medal at a ceremony which took place on June 10, 2011;

Therefore be it resolved that the members of the House of Assembly congratulate Nicole Samson for receiving the Lieutenant Governor's Medal and commend her for being a positive role model in her school and 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 Clare.

RESOLUTION NO. 2207

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

Whereas the environment is becoming an ever more important and serious issue in our province; and

Whereas every year, RRFB Nova Scotia honours innovative organizations and individuals who have taken a leading role in reducing waste at its Mobius Environmental Awards Gala; and

Whereas this year, the RRFB recognized the work of Karen Thimot and the Clare Community Cleanup as the best community-based project;

Therefore be it resolved that all members of this House of Assembly recognize the work of Karen Thimot and the Clare Community Cleanup in reducing their waste and helping the environment, and congratulate them on their award as the best community-based project.

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. 2208

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

Whereas Harry Chase became a member of the Truro Fire Department in 1951 and rose through the ranks to become fire chief in 1967; and

Whereas Harry later became a founding member of the Onslow-Belmont Fire Brigade, served as fire chief of the Great Village and District Fire Brigade, and was a member of the Maritime Fire Chiefs; and

Whereas Harry became a member of the board of directors of the Nova Scotia Fire School and also served as an instructor, training firefighters across the province for 15 years;

Therefore be it resolved that all members of this House of Assembly express their appreciation to Harry Chase for his 55 years of dedication to the fire service of 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 Dartmouth East.

RESOLUTION NO. 2209

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

Whereas Ms. Una Louder is a champion paddler from Senobe Aquatic Club on Lake Banook; and

Whereas the 2011 Pan American games has just concluded in Guadalajara, Mexico on October 30th; and

Whereas Ms. Louder and her three teammates won a gold medal in the games in the women's kayak K4-500m;

Therefore be it resolved that all members of this House of Assembly join me in congratulating Ms. Louder and her teammates on their outstanding athletic achievement.

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. 2210

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

Whereas from October 28th to 30th, Yarmouth hosted the Chicks with Sticks Female Hockey Tournament, the province's largest female hockey tournament, and welcomed 24 female hockey teams from across Nova Scotia; and

Whereas this was the fourth annual tournament, which is organized by the Yarmouth County Minor Hockey Association, and is always an exciting and memorable weekend for the Yarmouth community; and

Whereas the Chicks with Sticks organization committee consisting of co-chairs Charlotte Minard and Paul MacDonald, Sonya Breton, Cheryl Eyre, Tish Muise, Karen LeBlanc, Monica LeBlanc, Joanne Kini, Graham Amiro, Paula Goudey, Chris Goudey, Katie Cudmore, as well as many volunteers, gave their time and energy in organizing this tournament;

Therefore be it resolved that the members of this House of Assembly congratulates the Yarmouth County Minor Hockey Association and the Chicks with Sticks organizing committee and all the teams who competed in the 4th Annual Chick with Sticks Female Hockey Tournament on a successful weekend of hockey.

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. 2211

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

Whereas the Bay of Fundy was chosen to compete as one of the “New 7 Natural Wonders” of the world and has won world attention because of this; and

Whereas from this world attention, visitors will increase immensely over the next few years so we must build the infrastructure to accommodate and grow our tourism sector of this province; and

Whereas it is another wonder why our ferry services to cross this wonder of the world are not up to capacity to help make this happen;

Therefore be it resolved that this government seize this great opportunity for this potential growth and works hard to put in place adequate ferry services to cross our wonder of the world to accommodate the millions of more people who will come to this province.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Richmond.

RESOLUTION NO. 2212

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

Attendu que la médaille de la Lieutenant-gouverneure est présentée à une fille et un garçon de chaque école secondaire de la Nouvelle-Écosse qui ont fait preuve de leadership et qui ont été en service de leur école et de leur communauté; et

Attendu que la médaille de la Lieutenant-gouverneure est décernée à des élèves qui ont obtenus un rendement exceptionnel dans leurs cours; et

Attendu que Tyson Pearce de l'École Beau-Port a été choisi comme récipiendaire de la médaille de la Lieutenant-gouverneure lors d'une cérémonie qui a eu lieu le 10 juin, 2011;

Par conséquent, il est résolu que les membres de la Chambre de l'assemblée félicitent Tyson Pearce pour avoir reçu la médaille de la Lieutenant-gouverneure et pour avoir été un modèle positif dans son école et sa communauté.

M. le Président, je demande l'adoption de cette résolution sans préavis et sans débat.

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

Whereas the Lieutenant Governor's Medal is awarded to one boy and one girl in each Nova Scotia high school who has demonstrated qualities of leadership and service in their school and community; and

Whereas the Lieutenant Governor's Medal is awarded to students who have exceptional performance in the courses in which they are enrolled; and

Whereas Tyson Pearce was chosen from École Beau-Port as the recipient of the Lieutenant Governor's Medal at a ceremony which took place on June 10, 2011;

Therefore be it resolved that the members of the House of Assembly congratulate Tyson Pearce for receiving the Lieutenant Governor's Medal and commend him for being a positive role model in his school and 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 Pictou East on an introduction.

MR. CLARRIE MACKINNON: Mr. Speaker, we have two well-known Pictou County residents in the east gallery this evening. They are Larry Maloney and Mary Lloyd. I would ask that they stand. They are both involved with the Pictou County Injured Workers. They do a lot of great work in Pictou County and beyond. I would ask that they stand and receive a very warm welcome from this House. (Applause)

MR. SPEAKER: We welcome all our visitors and guests to our gallery and hope they enjoy this evening's proceedings.

The honourable Minister of Rural and Economic Development and Tourism on an introduction.

HON. PERCY PARIS: Mr. Speaker, I, too, would like to make an introduction tonight in the House. Opposite me, in the east gallery, I'd like to recognize a long-time friend of mine, Lillian Loppie. With her is Christine Saulnier and their three children, Tehya Benjamin, Madeline Saulnier-Gallant and Gabriel Saulnier-Gallant. Would you please rise and receive a warm welcome from the House. (Applause)

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

GOVERNMENT BUSINESS

The honourable Government House Leader.

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

PUBLIC BILLS FOR SECOND READING

MR. SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 84.

Bill No. 84 - Animal Protection Act.

MR. SPEAKER: The honourable member for Kings West.

MR. LEO GLAVINE: Mr. Speaker, I guess the first thing I want to say is that, in a general sense, the Animal Protection Act has undergone an enormous change and transformation over the last few years because it was found wanting in many respects. This amendment is really continuing that process of updating, making it stronger, making it more relevant. The amendments here will make animal protection more effective by clarifying the powers and duties of inspectors in cases involving animals in the care of the province or the SPCA. When the Animal Protection Act was updated a couple of years ago, one of the main changes that took place was that farm animals would come under the jurisdiction of the Department of Agriculture, whereas pets would come under the SPCA.

As a result of that occurring, there wasn't a full transfer of how that would be administered and managed. So this is where this amendment to the Animal Protection Act picks up, because the amendments will enable the province to recover costs associated with the seizure and care of farm animals from the owner. Again, this was an area that was not covered, and the province would pick up the costs for care. It could be with the sale of an animal - all of these were incurred - that could obviously be checked by a veterinarian when there was, in fact, a failure of care by the owner. So this will now enable the province to recover some of those costs associated once the animal is seized. A similar provision currently exists for the SPCA regarding domestic animals. So, as I said, it's a matter of having this bill cover farm animals and allow the province to recoup some of the costs that they may incur.

The amendments will also shorten the time before the department can seize abandoned farm animals. We know that there are a few historic cases in the province where it took considerable time and animals continued to suffer as a result of a delay in the seizure of the animal; in other words, in having the legal authority to go onto the farm, do the duty inspection, and determine that, yes, these animals were in a state of decline, that they were suffering. So now this amendment will allow for quick access for this process to be carried out.

The province will be able to recover the cost of caring for abused farm animals that it seizes under the proposed new legislation. The changes will allow the province to sell seized animals after a 72-hour waiting period because, as we know, most farm animals - not all, but most - are being raised for the purposes of going to market. So if the animal is at the point where it can be sold - and it could be to another farmer, it could be at an auction, or it could go to a slaughterhouse, whatever the appropriate situation is - the province would keep enough cash to cover its costs and give the rest to the animal's former owner.

If the bill doesn't say that, once the animal is seized there will be no compensation going to the owner. In fact, it states very clearly that they will just recover the cost of the

process of seizure and the process of having a veterinarian's bill and care for the animal that may be required. The remainder of the monies garnered would go back to the farmer.

That's what would happen if a judicial review of the seizure found in the province's favour. One of the strengths of the Animal Protection Bill is that the farmer will have an opportunity to be able to present his case that the animal was seized without due information on why it was being seized. Perhaps there wasn't a strong enough case, if there were considerable subjective views as to why the animal needed to be taken from the farm. If the judicial review went against the province, the former owner would get all the cash or the animals, if the decision came before a sale.

There is here a balance in what can happen through this amendment where the farmer can be compensated, the province can get its fair share of the care needs of the animal. If the animal is seized by authorities without having good cause, then the farmer is going to get the full value of the animal that he has been raising for some time.

I was very surprised to find out that the statistic for 2010 was 100 investigations were actually carried out in the Province of Nova Scotia. That does come as somewhat of a surprise since I know, where I live in rural Nova Scotia, there are animals that are part of a number of farm operations. I know many farmers in the Valley that do have animals and knowing the kind of care that they received, this came as somewhat of a surprise. This was the first year the province was responsible for complaints about cruelty to farm animals but there were only four involving the seizure of animals.

While we had 100 cases that were reported, it is good to see there was good deliberation, good evidence secured around the condition of the animal and as much information about how the animal was being treated before seizure did take place. It's generally a case where pretty blatant disregard for the welfare of the animal is at stake before seizure does take place.

Now we're into the second year that the province has been enforcing the Animal Protection Act that was developed over the last number of years. The SPCA is in full support of the amendment and it's a good amendment, one that our Party will support. As you know, the protection of animals against cruelty is important to the Liberal caucus. We've had many members over the time that I've been in the House speak out about animal protection, animal welfare, whether it's farm animals or domestic pets. We have been concerned that in the past there were many cases where perhaps there was animal cruelty, people were not prosecuted, the fines were very low, and as a result we didn't see best practices always emerging here in the province. We have spoken out to ask for strengthening of both sides around animal protection at farms and in homes.

Whether it is domestic animals or livestock and farm animals, abuse is a disgrace. Whatever measures we can take to ensure this sort of behaviour does not happen should be

employed. Criminals of this offence should be punished accordingly. Really, it's an inexcusable crime.

Every now and then, unfortunately, cases become public in our province and we find out that animal cruelty has taken place. We will look forward to having other members of the House make comments on the amendment and how it can improve animal protection in this province. With that, Mr. Speaker, I take my place.

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

MR. KEITH BAIN: Mr. Speaker, it gives me great pleasure to speak briefly on the Animal Protection Bill. The bill has many good points, especially in that it enables fair and timely investigation into complaints, and it does provide for the province to recover costs when animals have been seized.

There are two items that are of concern to our caucus. The first is that after a judicial review, if it is found in favour of the province, the proceeds less the costs incurred by the province go back to the owner. I guess the concern that we have is, it should almost depend on the degree of the owner's failure of care.

Secondly, the details also state that, just because seizures have been traditionally low, if a commercial farm is seized the costs associated would be much higher. Well, Mr. Speaker, I guess depending on what the commercial operation is, many have inspectors who visit on a regular basis and some of those concerns should be recognized early by those inspectors.

Mr. Speaker, with those two points, we are willing to let this bill proceed to the Law Amendments Committee, and it will be further discussed as to concerns as time goes on. With those few words, I take my seat.

MR. SPEAKER: The motion is for second reading of Bill No. 84. 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. 85.

Bill No. 85 - Agriculture and Rural Credit Act.

MR. SPEAKER: The honourable member for Kings West.

MR. LEO GLAVINE: Mr. Speaker, the amendments on this bill are really going to make the process of dealing with the Farm Loan Board somewhat easier to navigate, and as we all know, that can indeed be very good.

I think the other part here is that it will make it faster to access farm loans, as opposed to a very long and arduous process. This will allow the Nova Scotia agriculture industry to stay competitive. If those things take place, then while this is a short bill to get up and speak about, I think the essence of the bill is very positive.

The proposed changes are to modernize operations and help farmers and businesses stay competitive. We know that during the past couple of decades agriculture in our province has gone through very challenging times. If we look at the broad strokes, we know that the number of census farms has dramatically declined in each 10-year period in which the statistics are available for. The amount of debt that is currently being carried by farmers is massive and, in fact, really curtails the work of some farmers to do some transitioning and change into sectors that are doing much better. Farm debt is a considerable problem, farm labour has been another one of the issues, and costs outstripping the return on investment by the farmer. So we have a whole number of general areas.

Farmers count upon the Farm Loan Board, again, to modernize their farms, to transition to other commodities and other sectors within the agricultural industry, sometimes to procure additional farmland. All of these are very, very important areas that the Farm Loan Board can be called upon. The amendments include updating the duties and powers of the Nova Scotia Farm Loan Board. Other administrative and structural changes to the board will make its operations more efficient. It's important to note that this Act is actually responsible for the creation of the Farm Loan Board.

One amendment provides the Farm Loan Board with the ability to make loans to pay out existing loans. This has been done by the board for years and it clarifies the debt refinancing to farmers who want to take advantage of an affordable rate allowing them to be more competitive. Again, there are times when - as we all know - farmers go through periods of very, very low price for their commodities.

We all know how the BSE crisis hit the cattle industry, and to some extent dairy was impacted as well. Farmers had to go do farm credit, to perhaps a line of credit, to keep them going during that particular time. So there's farm debt in many places, and also it can be just from the Farm Loan Board itself.

We know we've moved into a period of substantially lower interest rates, so the Farm Loan Board itself can take that significant loan and go through a refinancing and a new plan for the farmer. This is positive. With every small percentage decrease in interest and also in consolidating some of the loans that farmers have, I think it really makes the

Farm Loan Board more responsive to the needs that farmers have, so I see this as a very positive development.

Another amendment allows the board staff to sign and authorize necessary documents by proxy if the chairman or vice-chairman isn't available and this will improve operations, making them more efficient. Again, it's a small measure, but an important measure, when we have the chairman or vice-chairman, again, maybe out of the province for a week or two weeks, and so on, at a time and, again, loans get tied up. If the loan has gone through the due diligence of all of the background work and the approval process is in place, why not have it signed off and available to go to work?

Increasing the maximum number of appointed members and placing a limit on members serving consecutive terms is, again, a measure that we feel will advance the work of the Farm Loan Board. There is no question that having people come in with perhaps, again, business backgrounds, finance backgrounds, know farm conditions and what's at work on the farm, I think is an asset to the Farm Loan Board. So rather than have people there, perhaps, that may be not be as in touch and have that new view come forward - because it will state that they can't serve consecutive terms - in fact, is a good measure.

The area that we certainly will drill down on a little bit is what organizations were consulted in bringing this amendment forward and the level and kinds of discussions that went on with the Nova Scotia Federation of Agriculture. That's an area that as this bill goes forward, we will certainly be asking those questions. We support the amendments by government and are pleased to move this along to the Law Amendments Committee and with that, Mr. Speaker, I take my place.

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

MR. EDDIE ORRELL: Thank you, Mr. Speaker. It's my honour to speak to this bill this evening. We, as a PC caucus, are pleased to see that this Act will be modernized to make it easier and faster to access farm loans, to make sure that our farming industry stays competitive. One concern we do have is adjusting the size and the competition should help in improving this time. Authorizing the board to make loans and pay out third-party loans causes us some concern. We need to be cautious that the citizens of Nova Scotia wouldn't be on the hook for a bad loan that was written by a banker or a financial institution and that this process will only be used to speed up the process of the loan. If a bad loan is made by a financial institution, that institution should take some responsibility for this because if it was originally approving a loan that was bad, then it should be their responsibility, in part.

We are all for speeding up the process in order to streamline lending, and if it's to write off a loan or to approve another loan on top of that loan, then we're okay with that. If it's to speed up a loan for a time-sensitive situation, it just seems like the wording in this clause is a little vague. All in all it seems to be a good bill and it's important that support for this industry is continued and clarified, and hopefully we can clarify this above situation.

Mr. Speaker, the PC Party is in favour of this bill, as is the Federation of Agriculture, and we hope to see this bill go through to the Law Amendments Committee. With that I'll take my place.

MR. SPEAKER: The motion is for second reading of Bill No. 85. 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. 86.

Bill No. 86 - Fair Automobile Insurance (2011) Act.

MR. SPEAKER: The honourable Minister responsible for the Insurance Act.

HON. GRAHAM STEELE: Mr. Speaker, in the 2009 NDP election platform, we committed to an independent review of automobile insurance to ensure the lowest, fairest rates. On November 9th our government announced a consumer-friendly package of auto insurance improvements that fulfills that commitment. The bill that is now before us for second reading, the Fair Automobile Insurance (2011) Bill, is an important part but still only one part of that consumer-friendly package of improvements.

I move that Bill No. 86 be now read a second time.

Our objective in undertaking this review was to ensure that automobile insurance in Nova Scotia responds to the needs of today's families. It is far too long since auto insurance was last reviewed in this province. There are some elements that are 30 years or more out of date. With this package of improvements our government is bringing automobile insurance in Nova Scotia into the 21st Century.

Since becoming Minister responsible for the Insurance Act, I have stated consistently that any reform must strike the right balance between fairness, affordability and stability. Any reform that does not meet that threefold test will not be adopted.

The 2003 changes, made by the Progressive Conservatives and supported by the Liberals, failed that threefold test because fairness was sacrificed for other objectives. That is not the NDP way. We will learn from the mistakes of past governments. Our consumer-friendly package of auto insurance improvements, which includes Bill No. 86, strikes the right balance between fairness, affordability and stability.

Mr. Speaker, under Nova Scotia law every automobile used on Nova Scotia's public roadways must be insured. The Insurance Act and the regulations define mandatory benefits that must be included in all standard automobile insurance policies. Automobiles are required to have coverage for third-party liability and medical benefits for people who are injured in automobile collisions.

In the event of a collision, insurance benefits are available to help insured parties defray certain costs. Injured parties may claim compensation from the at-fault party for certain losses that occur.

Economic awards are available to provide compensation for damages such as medical costs, rehabilitation expenses, funeral expenses, death benefits, loss of income, loss of earning capacity, loss of housekeeping capacity, and past and future medical expenses.

Nova Scotia has a competitive automobile insurance system which is delivered by a large network of insurers, brokers and agents. Automobile insurance rates are regulated by the Utility and Review Board. Insurance companies must seek URB approval for insurance rates and risk classifications every two years for private passenger vehicles and every three years for other vehicles.

As you can see, Mr. Speaker, auto insurance is a very complex policy area. When considering reform it is important to get it right. We must avoid panicked responses such as we saw from the Progressive Conservatives, supported by the Liberals, in 2003. We know now that those changes made things worse, not better. Not only was fairness sacrificed by the slashing of compensation but the rates turned out to be quite a bit higher than necessary. As a result of those Progressive Conservative-Liberal changes in 2003, Nova Scotia drivers paid too much and some Nova Scotians injured in automobile collisions received too little. That was a model of how not to do auto insurance reform.

In contrast, our government developed a review process that is now being held up as a model for other jurisdictions considering auto insurance reform. This is the difference between an NDP Government and a Liberal or Progressive Conservative Government. We took our time to get it right. We also made sure that any proposal would be consumer-friendly and would meet the threefold test of fairness, affordability and stability.

Mr. Speaker, a key component of this package is the extensive consultation that has led up to it. Auto insurance is a complex industry with many players, and we wanted to capture the insight and experience of them all. I am proud to say that I think we have done exactly that.

At our announcement of the improvements on November 9th, we had support from all of the key stakeholders. The best part is that we did it while keeping front and centre the interests of Nova Scotia drivers and their families.

The minor injury reforms introduced last year were the first part of our auto insurance review. Because of the mistakes made by the Progressive Conservatives and Liberals in 2003, the problems with the minor injury cap were the most urgent, so we tackled them first. Those minor injury reforms came into effect on July 1, 2010. Mr. Speaker, they are working exactly as expected and intended.

After that was done we established an independent review. Ron L'Esperance undertook a robust program of analysis and consultation, and we thank him for his work. We received his interim report at the end of March and his final report at the end of May. Over the summer and Fall the Utility and Review Board did some actuarial work on certain aspects of the L'Esperance recommendations. We received their report at the end of September.

The Office of the Superintendent of Insurance, which is part of the Department of Finance, also conducted extensive analysis of these reports to determine which reform should be adopted and how they could best be implemented. The end result of this comprehensive, careful, consumer-oriented process is the package of improvements announced on November 9th of which Bill No. 86, the Fair Automobile Insurance (2011) Act, is a part.

Mr. Speaker, the package of reforms is too extensive, and in some cases too technical, for me to review in detail on second reading. As I have mentioned, not all of the reform package is embodied in Bill No. 86 since a number of improvements will be implemented by regulation under existing law and besides, I know that second reading is for approval in principle rather than for a detailed technical examination. I will, therefore, take only a few minutes to review the highlights of the package of improvements.

First, benefits under the no-fault provisions of a driver's own policy, which are referred to in the business as Section B, will be substantially improved. These no-fault benefits are at levels that were barely adequate in the early 1980s when they were last revised and are badly in need of improvement.

Second, we are instituting a system by which drivers will be able to deal with their own insurer for property damage, which should allow for quicker and better claim settlement. This system, known in the business as direct compensation for property damage or DCPD, is already in place in several other provinces, including New Brunswick. Our legislation mirrors New Brunswick's legislation since the system is working well there. Our draft regulations dealing with fault determination for DCPD also mirror New Brunswick. This promotes harmonization and consistent interpretation of the law in the Atlantic region.

The third highlight of the reform package is that insurers will no longer be permitted to penalize a driver who has paid collision damages themselves rather than

making a claim under their policy. This has long been an irritant for Nova Scotia drivers and we are very happy to remove it.

The fourth, Mr. Speaker, of today's reforms will permit people injured in a collision to get quick and certain access to treatment with the development of diagnostic and treatment protocols for minor injuries. This system is in force in Alberta and works well there. Our reforms are being deliberately modeled on the Alberta experience. By modelling ourselves on a larger jurisdiction, it is our intention that insurers and courts will be able to take advantage of the policies, practices and precedents already in place. This should reduce or eliminate uncertainty in how the protocols will be interpreted and applied.

Fifth, there are some changes to the insurance relating to car rental companies. The bill limits the liability of rental and leasing companies for damages of up to \$1 million. This reform recognizes that rental and leasing companies have little control over drivers and, therefore, it is unfair for them to have unlimited liability. There is also a regulation making power to change which insurance policy responds first where a car, which is rented or leased, is involved in a collision. This will be done in such a way as to protect consumers. It is hoped that these changes will, by removing an unnecessary cost for rental companies, put downward pressure on car rental costs in Nova Scotia.

Mr. Speaker, the last highlight which I would like to mention from the reform package includes a measure that will provide modest, but real, financial assistance to small volunteer fire departments in rural Nova Scotia.

Mr. Speaker, I would like to tell a quick story about how this measure came about. A little over a year ago in August 2010 I attended a drop-in constituency day held by the member for Pictou East in Sutherlands River. Among the people I met there was Joe MacDonald, the chief of the Barneys River Volunteer Fire Department. Joe's district includes a portion of Highway No. 104, and he pointed out to me how much of a financial strain it was on his department to respond to collisions on the highway.

The fact is those costs should be borne by the insurers of the vehicles involved but, instead, were being borne by the ratepayers in his small, rural district. The problem is that small, volunteer fire departments usually don't have the capacity to chase down insurance claims, and whenever they do and there is a disagreement with the insurer, the fire departments are often unsure of their rights and don't have the capacity to pursue their claims even if they were.

We looked into this issue that Joe raised, and we found that fire departments do indeed have the legal right to make an insurance claim at least under some circumstances. We will take steps to ensure that all volunteer fire departments are aware of their rights under the existing law, and that all insurers are aware of their obligations. That really is the best way to solve the issue that Joe MacDonald brought to me and the member for Pictou East.

But recognizing that small, all-volunteer fire departments often lack the capacity to pursue all possible claims, we will be instituting a levy on insurers of 50 cents per vehicle insured in Nova Scotia. The proceeds of this levy, which are estimated to be \$300,000 per year, will be distributed amongst small, volunteer fire departments according to a formula that the departments themselves will decide upon. This will provide modest but real financial support for the volunteer fire departments that are such a critical piece of rural Nova Scotia.

I want to acknowledge the member for Pictou East, whose strong commitment to his constituency work is what brought this issue forward. (Applause) I also want to acknowledge Joe MacDonald, the Barneys River fire chief, for bringing this issue forward to his MLA and, through his MLA, to the government. I especially want to acknowledge, as I'm sure we all do, the commitment of Nova Scotia's volunteer firefighters. (Applause)

I also want to mention one thing that is not included in our proposed legislation, nor in the associated proposed regulations. One of the issues considered by the Independent Auto Insurance Review and evaluated by the Utility and Review Board was whether gender should be disallowed as a factor in calculating premiums. This is a factor that has led to substantial premium differences between young women and young men.

The Utility and Review Board reported to us that gender is actuarially sound as a rating factor - and I see you nodding, Mr. Speaker, because I know you have a young man in your household, as do I. The URB reported to us that gender is actuarially sound as a rating factor; in fact they said it is more justifiable now than the last time they looked at it. In other words, it continues to be a provable fact that young women cost the auto insurance system less - indeed, much less - than young men. The URB also reported to us that removing gender as a rating factor would lead to a substantial increase in premiums for young women - even higher than the decrease in premiums for young men. For all of these reasons, we have concluded that gender should continue to be an allowable rating factor in Nova Scotia.

As I mentioned earlier, one of the purposes of the Auto Insurance Review was to ensure that Nova Scotia's auto insurance system is up to date and meeting the needs of today's families. Through these reforms, we've brought Nova Scotia's automobile insurance system into the 21st Century. We want to make sure that the auto insurance system will never again be allowed to get so badly out of date as the Progressive Conservatives and Liberals have allowed to happen. Bill No. 86 therefore proposes that the system be reviewed at least every seven years.

Before concluding, there is one more person whose contribution to this bill I would like to acknowledge. There is one person in the House whose knowledge of the automobile insurance system surpasses everyone else's in the House. It is because of his leadership, his knowledge, his commitment to ensuring that the automobile insurance system meets the

needs of today's family that this bill is before the House today. I would like to thank him and acknowledge his substantial contribution. Mr. Speaker, I am speaking of the Premier.

Thank you, Mr. Speaker. With that I move second reading of Bill No. 86, the Fair Automobile Insurance (2011) Act.

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

MS. DIANA WHALEN: Mr. Speaker, it's my pleasure to rise and speak on second reading on Bill No. 86, which is entitled the Fair Automobile Insurance (2011) Act. It is certainly interesting to see this back today. I think that we can be pleased that the minister took time to explain this bill. I was disappointed with the first two bills today, that there was no real explanation of where the bills came from or why they were needed. At least we got some explanation from this minister and I do appreciate that. I think when you come to second reading, it's important to frame the issue and to talk about why it is before us here in the House.

I was pleased to see that there was a fair bit that was said on second reading by the minister, although I thought it was a little patronizing to suggest that it is too complicated to go into all the details. I think that the members of the House would be interested in knowing more detail about what is before us. I think that most of the elements of the bill were covered but certainly not everything that is in this bill. Although it is a complex set of changes to the Act, I do think members of the House could absorb that and understand it and would like to know all of the changes that we can be looking for as this bill moves forward.

Mr. Speaker, there are a number of things in the bill that we certainly are happy to see. I agree that bills should be reviewed. I believe it's the government's job to do that and make sure that bills don't become out of date. I think maybe the Minister of Finance and the Minister responsible for the Insurance Act should remind himself that it has been over a decade since the Liberals were in government. Although we hope to be there again soon, it has been more than 13 years and that, I think, these bills were not out of date at the time we were in government. I think it's a little bit disingenuous to lump all Opposition Parties together in this.

Mr. Speaker, I was present in 2003 as well, when there was a lot of discussion about this. The minister spoke at that time as a member of the Opposition, very strongly about the need for public insurance and very much touting the NDP line that it would be better to have the government set up an entirely separate system to manage the insurance of this province, so he completely rejected the idea that what was working in our province with private brokers and with the insurance companies doing their job, was the right way to go. I heard myself talk about the benefits of that, why he thought that was the preferred system.

The other day, when the minister gave his briefing, he said that was only applicable in a crisis and that, at that time, we were in a crisis. It is interesting that in his opening comments today, he said there was no crisis in 2003, that the government of the day overreacted. Now either there was a crisis and they reacted and the minister at the time thought they should have reacted by introducing public insurance, or there wasn't and then they overreacted.

I think the minister's take at that point in time - as a member of the Opposition, calling for public insurance - shows very much that it was a time of a lot of disturbances in the marketplace, sharp increases in premiums and a lot of concern for all of us, as MLAs. In fact, that issue became the issue of the 2003 election, even though that wasn't really expected, it just took off and overshadowed all other issues because it was a pocketbook issue, Madam Speaker. It came up time and time again because they were paying premiums that were much higher and they didn't understand why and they were asking all of us to come to terms with it and find a way to alleviate that extreme cost that was coming from it.

Now that being said, Madam Speaker, I do believe that these changes are needed and I do believe that the soft tissue definition was wrong, that was brought in at that time in 2003 was wrong. I believe it was misinterpreted in regulation, not in the bill that was passed here in the House. I think the bill that was passed would have been a reasonable approach, but the regulations that were written behind closed doors and with no input from the members of this House, with only the government members having any say in them, went beyond what a definition of a minor injury was. They really manipulated and circumvented the intent of this House.

That, to me, was quite a rude awakening as a new member of the Legislature at that time, that the government members could take what was the intent of members here, what was spoken about on the floor of the Legislature, and go behind closed doors and write their own definitions and their own interpretations, which then became the regulations that govern an industry. That was wrong.

Certainly in the ensuing years, there have been many people who have been caught in this in-between time when the payouts for what were called minor injuries were in fact very low. Some of those people have enduring pain, enduring problems, and difficulty. I know some of them in my riding. I've talked to them, and I think it is a travesty that they've been left out in that period of time. So I was pleased to see the amounts increased earlier for the cap that is in place on minor injuries and soft tissue injuries. I think that was long overdue.

I know that, as has been pointed out, the mandatory no-fault benefits that are included in this bill have been left unchanged for many years. It was said that some of them are 30 years old. It's certainly necessary to change that as well.

Because we all have the opportunity to speak with and meet many people in our ridings and in the province, we know that the kind of payments that were available for those benefits were really inadequate. Just to go over a few of them, you can see - I guess they've all been doubled or a little more than doubled. I see funeral expenses have gone from \$1,000 to \$2,500. That certainly is a necessary change. They've also increased the amount for loss of income: it has gone from \$140 a week to \$250 a week. Even that is modest, it really is, to try to maintain your home if you've been injured and you're living in pain or trying to get well again. That's still not much money if you can't go to work. So I'm glad to see there are changes. This will be a benefit to anybody who's involved in an accident now and in the future here in Nova Scotia. By all means, we are looking forward to those changes coming into effect.

Again, I think some of the changes were mentioned by the minister. For example, the support for volunteer fire departments. I know some of our members who live in rural areas or have volunteer fire departments will see this impact very directly. It's not fair to ask those small departments to pick up the cost of going to the scene of an accident and the cost involved in helping people at that time when it should be returned to them from the insurance companies. I was told in our briefing that it was not an issue in HRM because the cities and bigger towns that have full-time fire departments are able to use their own legal resources to make sure they get the money back, so they weren't out of pocket, but any of the rural areas - we talked about Pictou East - were affected. Those volunteer fire departments were being harmed, and then their ability to do other work is harmed because their resources are gone. So I'm glad to see that. It will mean 50 cents per vehicle, but I think Nova Scotians would support that. Collectively, it would give a pool of money that will help in those instances, so I think that's a small price to pay.

But as we come to cost, I think that's the crux of the matter right now. There are a lot of changes on the table - some coming this April, in 2012, and another group of changes coming in 2013, at the start of that fiscal year. They are complicated in that there are a lot of balls in the air at one time, if I can put it that way; a lot of different changes that are going to have an impact on the cost of insurance.

It's certainly going to have an impact on the cost to the underwriters and the brokers and the people writing your policy, so what we really want to see is how this is going to transcend into our premiums as individuals and for the people we represent. Are we going to see cost pressures? Are they going to be pushed upward? Hopefully not too severely; in fact, hopefully not at all.

Maybe we got a very rosy briefing from the department, but I appreciated the briefing. The briefing was that we expect not to see much increase in the premiums. If I believe them - and I hope they are right - that will be very good because we'll see an improvement in the benefits for consumers; an improvement for the people who we represent in the province who have actually been at a disadvantage, compared to other provinces in Canada, because we didn't have the same benefits that you would get if you

were injured in, even, our neighbouring provinces. That was important that they be treated fairly. I agree with that but there will be cost pressures and I am concerned about that. I think the devil is going to be in the details of how all of these different changes unfold and how we see Nova Scotia's rates really respond.

In the meantime we have the URB that has been in charge of this, and they look at insurance rates, and any company that wants to increase their premiums has to go before the URB. I think they go annually, or on a regular schedule anyway, to present what their financial situation is like and what they want to do with their premiums - if they want to have increases and so on. If that is coming, we're then going to be putting our trust in the URB. The Utility and Review Board will be the body that will be administering this. Again, I'm a little bit concerned - maybe more than a little bit concerned - that they will have the ability to control those rates because it's arm's length from government, Madam Speaker, and you and I know that.

Whenever we put an element like this in the hands of the Utility and Review Board we have divorced it from government. It becomes arm's length and when there are questions here on the floor of the House, I know what the answer is - that's not our business, that's the URB's business. The Utility and Review Board have to do their work unimpeded by government, unimpeded by politics. The reality of the day is these kinds of cost pressures - whether it be power rates, whether it be our insurance rates - those kinds of cost pressures that are hitting people we represent will become political issues if they're escalating and if there is pressure on families.

It's very difficult for me to sit back and feel comfortable that the URB is going to be in charge solely in handling these rates because I haven't been satisfied with the way that we've treated Nova Scotia Power and their applications for increases. They've been getting exorbitant increases every year and they're given a huge rate of return that they feel entitled to, that's built into their arrangement with government and, I guess, with the URB. Those things have to change and I want to know, and have some confidence, that when things are not working well and when Nova Scotian families are being impacted, that the government has the power to step in.

I mean, clearly, insurance is a regulated industry because we have this bill before us. This bill is laying out the parameters under which the insurance business and insurance industry operates. I am pleased to see that there has been some consultation in this bill. I see that both the Insurance Bureau of Canada - which is more of a policy and a higher level of organization - as well as the insurance brokers who are in every one of our ridings - both of those organizations have supported the bill, again, with some reservation about how it's going to be implemented, exactly how it's going to unfold, but they like the individual elements, from what I can gather, so that's a positive.

But I point out that, as a member of the Liberal caucus, our concern is going to be the affordability factor. The minister talked about that as one of the elements that has

guided him. If, in fact, that is one of the key ones then I'm sure he will also be very concerned. Let us hope that the changes the minister brought in don't create a crisis and let us hope that we don't go back to the discussion about public insurance in Nova Scotia.

For a small province with less than 1 million people, I think it would be an enormous boondoggle to go that way and set up something of that nature. I don't think this is going to cause any huge problem, but if, in fact, we are put in a position where prices were to rise quickly for insurance premiums, that would be a crisis because that's what we faced in 2003. There were huge pressures on individuals, many of whom couldn't get any insurance because they didn't have good driving records or they had difficulties and the costs for them to be insured became so enormous they couldn't even afford their insurance. Things like that were happening in 2003. That was a really difficult time when people depend on driving for their work, in order to get to work, in order to be fully engaged in the economy. We knew that was unacceptable, that we had to find a way to make it affordable for people to drive.

As I said, some of the changes that were mentioned - the increase in those mandatory no-fault benefits, which are things like loss of income and I think there are death benefits there as well, medical and rehab expenses, and even principal unpaid housekeeper where a person is injured, how much money will they get. It's different for loss of income from a primary income earner to somebody who is not earning income but is certainly providing many services at home.

Madam Speaker, you'll remember that we spoke just on the weekend about how many years we all spent at home. I guess that put us in the category of the principal unpaid housekeeper but I think there's nothing wrong with that. I don't particularly like that term, do you? I think maybe I would ask the government to look at changing that definition because we all agree, members of the government and of Opposition, the women members agree that that's not a very good way to describe the very important work that whatever spouse is home is doing, the spouse who's staying home is doing important work.

That actually takes me to the issue of gender and I was glad that the minister mentioned it at the end of his discussion because that was a recommendation from the review that was done. The consultant's review talked about their evidence that young - or not even young, inexperienced women drivers were far less risky than inexperienced male drivers. We know there has been a big differential in the cost of insuring boys and girls. In my own family, many of us are talking about insuring our children but I think that we have to look at what is actuarially justified and it was very clear that if this is based on risk and the risk is measured by actual claims, and there's no question that girls were a better risk, or inexperienced women drivers are a better risk, and therefore I think it's important that we honour that because, you know, often when we're passing legislation and looking at things, we may not consider what is fair in that instance.

One thing I would love to see the government do in the future, and perhaps there is some move afoot to begin to do this, I know that there is a call for it, and that is that all legislation that passes the House should go through a gender lens and that means you look at what is the impact of this legislation on men and on women. I think that's really important that we do it. Other Legislatures have begun to do it. It has become something that, I heard only yesterday when Sheila Fraser got her honorary degree from Mount Saint Vincent University, it was said that Sheila Fraser was the first Auditor General in Canada to begin to look at gender as part of her performance audits and integrate the gender analysis into her performance audits.

I'm interested to know more about that because I don't know of it and it was the first I had heard. I thought that that was another important thing but gender does play a role sometimes and in the interests of trying to be fair to all, we might harm, you know, women in this instance if we were to abandon the actuarially justified rates. So I'm glad to see that that will be continued in terms of what the evidence shows.

Madam Speaker, I don't know that the minister mentioned one of the features and that was the full tort option. I'm not sure that I heard that in his opening comments. He covered an awful lot of the different features that are in this bill but there is something very unique that is being proposed and it's called an optional full tort product for minor injuries and that would be an option that is being proposed for drivers. It won't come into play, I don't think, until the second step or second year of this implementation but it is to give consumers, or the driving public, a choice to pay a higher premium in order to basically not be involved in the cap that's on pain and suffering for minor injuries. So it takes you out of that category entirely. If you pay a higher premium, you will now be able to go with what they call the full tort option.

I'm not a lawyer by training, or even by hobby or any other way, but is there another way to become a lawyer? Anyway, it's enough to say that I'm not a lawyer but my concern is (Interruptions)

MADAM SPEAKER: Order, please. The honourable member has the floor.

MS. WHALEN: I feel like one. No, Madam Speaker, finance is my area of greater expertise and my concern again here is the cost of this and also the implications to lawyers themselves. We haven't heard what the legal community feels about this entire basket of changes that are being brought up by the Minister of Finance. We haven't heard whether they think this is good or bad and those of you who were at the Law Amendments Committee in 2003 will remember that we heard from a good number of lawyers and that they were very alarmed at that point in time and spoke very loudly, you know, first and foremost on behalf of their clients whom they felt would be left without recourse.

I've spoken earlier about many of those people who, because they simply didn't have - with the cap in place, they weren't able to have - a lawyer or to seek further benefits

or redress from their injuries, so that was a problem. But I'd like to know where they stand today on this basket of changes and I'm a little worried when the Minister of Finance says that the biggest supporter of this, and the biggest expert on their entire government side of the House is the Premier himself, who was an injuries lawyer, who did exactly that sort of work; he worked with personal injury and sought compensation for people in those circumstances. People who were doing his work were harmed by the changes in 2003, if we can believe what they told us in large numbers at the Law Amendments Committee.

So I wonder exactly what these changes are going to mean again for the legal community and those who are still engaged in that work and I'm wondering what the impact will be of this full tort option. It's very likely that it'll be too expensive for many people to afford and probably it won't be taken up in very many great numbers. But again, on the finance side of things, Madam Speaker, where I do have background and knowledge, I would be interested to see what the impact is going to be there, what the premiums will be and whether or not we're creating a two-tier system that offers so much better benefits to those who can afford the expensive premiums as opposed to those who are going to be kept under the cap of \$7,500, which I think now is \$7,600 for soft tissue injury because it's on an index, a cost price indexing, so it will go up a little bit every year with inflation.

So I just caution about having a two-tier system, which I think would not be the intent of an NDP Government, certainly to create something for the rich, something else for the poor. I don't think that would be in line with your philosophy and something to consider about where this bill will take us in the future.

Madam Speaker, my main concerns really are the affordability and what these changes are going to do to our premiums. So I think that this calls for all of us to watch it carefully to be alert to any changes and to be flexible enough to intervene before it becomes too severe. It's great to have a seven-year review of this but given that these are quite major changes to come in in the next two years, I would hope that the government will be watching it very closely to see the impact on the costs. Again, trying to get a little bit more control over the URB in terms of leaving all of this in their hands really does leave Nova Scotians, I think, open to, perhaps, very difficult times ahead. Because the URB simply hasn't kept control over power rates and, really, who knows what's going to happen when they are in charge of these kinds of changes, which are going to create pressure in the auto insurance area.

Madam Speaker, there was only one further issue that I'd like to raise today. I wasn't sure why in the very opening clauses of the bill it calls for a clause change that will permit more than one Deputy Superintendent of Insurance to be appointed, and again, I don't know why we would feel the necessity of having more than one Deputy Superintendent of Insurance. Perhaps this is a small matter, maybe so that if one is away on vacation the other one can act, I'm not sure but I would like to know why that is, maybe that's something the minister can simply answer, he probably has a simple answer but I

would like to know. I hope it's not something about creating a bigger bureaucracy around this because we have a fairly small province; again, I don't need to remind the members that we need to control the growth in bureaucracy as well, and not to have needless bureaucracy. I know we have a very good Deputy Superintendent right now - well, we have a good Superintendent of Insurance, I think, is what we have. We don't want a bigger bureaucracy so maybe the minister could talk about what the current structure is and how many we need to have and why we would suggest that we need more.

That said, I'm interested in the Law Amendments Committee, the next stage of this when we finish second reading because we heard from so many people when the changes to the Insurance Act went through in 2003. There were a lot of people impacted by this, people who've been injured, people who represent those that are injured. We know we'll hear from the legal profession and from the insurance brokers themselves, and I'm sure others in the industry. I think that with all of these changes coming forward it will be important to listen to what those who are most knowledgeable about it have to say.

With that I will certainly, as they say, turn the floor over to others who have comments to make on this bill and I look forward to hearing their comments and those that we will hear at the Law Amendments Committee. Thank you, Madam Speaker.

MADAM SPEAKER: The honourable member for Inverness.

MR. ALLAN MACMASTER: Madam Speaker, from listening to the minister's remarks tonight, I would almost sense that he is still a bit sensitive about his days in Opposition. With just one or two short years left before the end of this government's mandate, I would hope that he would mature and focus more on what his government is doing, rather than this aimless sparring that he chooses to do.

I think Nova Scotians out there know of the promises that were broken by this government from their election campaign. I know that they often say that their way is the NDP way and it is different from everybody else and they like to claim this moral high ground. But you know, Madam Speaker, I think Nova Scotians see through that. It's a very risky way to go about one's business in this Legislature and we can all do with humility.

There were some comments that I do take exception to. One was that Nova Scotians paid too much and those injured received too little. In fact, if we focus on the first part, Nova Scotians were paying too much, that was the very reason for the changes made back in 2003. That was the reason that the cap was instituted and Nova Scotians have seen meaningful decreases in their premiums. A quick review over the last number of years, if Nova Scotians were to do it, if they looked at their premiums, they would note that they have decreased.

The injured received too little. Well, I think it's always important to highlight that the cap only applies to injuries that are minor and those that will heal. That is in the eyes of

qualified physicians. I think that's an important point to be made, Madam Speaker. I think it needs to be made here tonight because to suggest that those changes were not in the interests of Nova Scotian consumers is unfair.

If we look at some of the changes that are brought in with this piece of legislation, we look at the cap itself. This government spoke against the cap while in Opposition but we see that they chose to keep it, which further affirms that the decision to have a cap in the first place made sense and saved cents for Nova Scotians who were paying for their auto insurance.

So the cap was maintained, it was increased modestly and we supported that, Madam Speaker. Suffice it to say, the cap was a good decision back in 2003 because this government, while they complain about what was done in the past, have chosen to keep it - if it ain't broke don't fix it, and it is obvious that the government has chosen not to make changes with that.

There are some minor points here. I know the minister didn't mention in his remarks but I think one of the clauses to allow more than one Deputy Superintendent of Insurance, and I presume that this is for practical reasons - if one person is not available for some reason, to make a decision at a point in time, then it would make sense, and we support that, to have another person available to do that.

The MLA for Pictou East made a recommendation - it's nice to see that the Minister of Finance listens to some of the MLAs in the Legislature. We, of course, support our volunteer fire departments. I was recently at a dinner in Port Hood where they celebrated 50 years of serving their community. We are happy that the government is working with them to help them. It's very important because fire departments, as we know, they have the ability and they can claim costs that they incur when responding to motor vehicle accidents. That's right as per the standard automobile policy, so that's something that already exists, Madam Speaker.

It's important for government to be assisting those volunteer fire departments, to ensure that they are able to make those claims because, as we know, they have to do a lot of fundraising to maintain their operations. Some benefit from area rates but those volunteers put their hearts and souls into what they do and they are certainly valued parts of our Nova Scotia communities.

We hear there is going to be a formula that is decided upon by the volunteer fire departments. We think it's good to have volunteer fire departments involved in that decision making.

I must make the comment, Madam Speaker, that there was a first responders fund that was reduced by 90 per cent by this government. That was instituted by the previous Progressive Conservative Government to help these volunteer fire departments with the

cost of their purchasing equipment, their buildings, capital investments they make. We know that volunteer fire departments appreciated that program. I think it needs to be put on the record here tonight that that was something this NDP Government took away from our volunteer firefighters in this province and it is important for people to know that. That's a fact, it was taken away; it was reduced by 90 per cent.

I probably have some other items to mention here. I do want to say something positive, something from the Nova Scotia College of Chiropractors. He mentioned, I am going to quote him here, this is Dr. Ward MacDonald, said, "We know from both our clinical experience and medical research into the treatment of whiplash, that more timely care leads to better outcomes and recoveries for patients." Madam Speaker, this makes sense, it's important for people to not have any delays if they require treatment. The sooner they can be treated, the sooner they can be helped to recover from any injuries. That saves money which, in turn, makes rates more affordable for Nova Scotians. I did want to mention that.

MADAM SPEAKER: Order, please. Would the honourable member please table the document he read from and quoted.

MR. MACMASTER: Certainly I'll table that.

Madam Speaker, I know the minister was speaking earlier, and I was actually about to start to blush, because I thought he was speaking about me when he was referring to the member in this House who knows a lot about auto insurance and about the bill. I thought he was going to be referring to the recommendations I had been making to him in the Spring of 2010 around adopting Alberta's Diagnosis and Treatment Protocols. We see that he has obviously listened to me because he has taken that advice and incorporated that into his changes and those are significant, so I do thank him.

I want to thank him for thinking of me and remembering that I made that recommendation. One thing I'll say about that - and actually, I still have my old notes, Madam Speaker, I suppose I could table those as well at some point but I think I should give you a cleaner copy of it here. The medical panels in Alberta that were used, they used best evidence to support physicians in making diagnoses and recommending treatments. Essentially it helped to make things clearer for physicians when they were making their judgments on cases and that helped with the legislative system. So it was clearer legislation that helped to improve the auto insurance for users in Alberta and we thought - why not bring it here to Nova Scotia - and that's why I recommended it. I'm pleased to see it now being incorporated.

Madam Speaker, I guess not all the Progressive Conservative ideas are bad, we see that the NDP are incorporating some of them.

One final point - we didn't hear the minister speak about it but my colleague with the Liberal caucus had mentioned - that is the optional full tort coverage. The big question is, how much is it going to cost? If it's going to be very expensive, which we predict it will be, it will be out of reach for most Nova Scotians. That kind of defeats the purpose of having it but we'll let the market, and I guess the minister is going to let the market, decide what that is going to be and we'll watch curiously to see if, in fact, that is the case. With that, Madam Speaker, I will conclude my remarks.

MADAM SPEAKER: The honourable member for Richmond.

HON. MICHEL SAMSON: Madam Speaker, it's a pleasure to speak this evening on Bill No. 86, dealing with automobile insurance. I'm reluctant to use the word of the bill because I question whether that's actually what's going to happen - government is clever in calling it "fair" automobile insurance, but I think Nova Scotians will be the true judges as to whether these changes will be seen as fair or not.

Listening to the Finance Minister's speech, I was thinking to myself that I certainly hope he doesn't suffer, himself, a soft tissue injury from patting himself on the back. From what we heard this evening, I would remind the minister as well that there's a reason why we have two ears and one mouth. I think he should spend more time listening to what Nova Scotians are saying rather than preaching to them as to what is good for them.

This is a government that continues to send mixed messages to Nova Scotians, to their supporters, as to where they stand on a whole variety of issues. When I heard the minister speak, I have to say it's probably one of the more political speeches I've heard ministers, especially on a bill that they're introducing, his continued references to the former Progressive Conservative Government and his attacks against our Party, they were nothing less than cheap - that's the best way to describe them, and Nova Scotians listening will judge them for themselves.

Back then, around 2003, Nova Scotians were facing insurance costs that they simply could no longer afford. They were asking all elected members to work together to find a solution to bring down insurance rates in Nova Scotia. We were not the government of the day; it was a minority government that was there. We could have easily said we want no part of this - we're going to do like the NDP and we're not going to try to work towards a solution. Instead, something was brought forward that the industry said will bring down rates for consumers and we thought the responsible thing in answering to the concerns of Nova Scotians at the time - there was a crisis - was to be supportive of it.

Tonight we heard the Minister of Finance say how that was all terrible, what horrible things it did for Nova Scotians, yet I have to say I'm not sure who he's hearing that from. I can tell you the constituents I spoke to in Richmond County on the weekend were quite content with what they're paying for insurance - they're not complaining.

I will get into one of the complaints they shared with me, based on this government's actions, but let's go back because when the Minister of Finance was taking his digs at the former Progressive Conservative Government, and taking his digs at the Liberal caucus, he forgot to tell us what the NDP position was back then to deal with the auto insurance crisis. He forgot - not once in his speech did he mention the words "public auto."

Because public auto insurance is what the NDP believed in - that's just one of the things that they used to believe in that, all of a sudden, they've forgotten along the way, on their conversion to government they've forgotten about. But it was all about public auto. Hopefully as we go on debating this bill, we may have the opportunity to go back through Hansard and quote the Minister of Finance, the Premier, the member for Halifax Chebucto, many others, on why public auto was the salvation for Nova Scotians.

Suddenly, this government has completely abandoned that idea and, ironically, they've never really told us why. What is it about public auto they no longer believe in, and why is it that they're trying to tinker with a system which they told us back in 2003 was broken and just would not work? Now, suddenly, here are some amendments trying to play with that same private system that we have in Nova Scotia.

One has to ask, is that the only thing that this Party said in Opposition, or before they got elected to government? Now we all know, Mr. Speaker, that's not the case. They said that they wouldn't increase taxes, yet we now have the highest combined tax in the entire country; they are a government that used to criticize the former Progressive Conservative Government for raising user fees outside of this Legislature, not debating it here and having to be accountable to the people of Nova Scotia. And the minute they got elected they did the exact same thing - 1,400 user fees, no rhyme nor reason as to why they were increasing them. Some were minor increases. Others were increases that clearly showed that they were a tax and not a reflection of the service being provided to Nova Scotians. Had they brought it here to this Chamber, we could have gone through each and every one of those 1,400 user fees and pointed that out. Yet instead, the Minister of Finance hid in his office, made the announcement from there, and refused to be accountable to the Legislature - something that he stood in his place in Opposition and criticized.

So again, when one looks at his comments made earlier - and it's important to keep in mind what exactly this government said in Opposition and what they've done while they've been in government, but this is also a government, you'll recall, that told Nova Scotians in the campaign that we will balance the budget. Yet here we are still waiting for a balanced budget and still getting excuses from the Minister of Finance. But it was interesting, because at least tonight we heard the Minister of Finance speak; apparently in Question Period he's not interested in speaking anymore.

In the last session he used to laugh and say, oh, the Opposition doesn't ask me questions, I'm lonely over here - because we know not many of his colleagues talk to him a

lot, so he was lonely because we weren't asking him questions - but since that time he has seen a tax increase, a user fee increase, cuts to Education, cuts to Health and Wellness, cuts to the Department of Justice, and cuts to Transportation and Infrastructure Renewal.

In any other Parliament, the Minister of Finance would be the one standing and telling Nova Scotians, here's why we have to do this, but this Minister of Finance is clever. He said, no, no, no, I didn't give any directives to make cuts. I'm the Minister of Finance. I'm not responsible for the finances of this province. It's the Minister of Education who decided to cut 3 per cent. It's the Minister of Health and Wellness who decided to cut 3 per cent. It's the Minister of Justice who has decided to undertake the single largest cut to any government department in the last budget. Now it's the Minister of Transportation and Infrastructure Renewal who has decided on less salt for Nova Scotia roads, because he feels that he should be pitching in. He wants to help the province.

Obviously, this is a government that must be run almost like a co-operative - they all collectively make decisions about finances, which begs the question of Nova Scotians, why bother having a Finance Minister if each department is taking care of its own finances and making its own decisions?

As I mentioned last week, in case any of the government members didn't hear, I believe the Minister of Finance is trying to isolate himself from the unpopular decisions of this government. It's quite ironic, because I know the Government House Leader said at the time, no, no, no, we're not like Liberals. It was interesting he made that comment, because that was the same day that Alexa McDonough announced her endorsement for Peggy Nash, leaving poor Robert Chisholm out in the cold in Dartmouth-Cole Harbour.

I have to tell you, Mr. Speaker, I'm not sure what we could change in our insurance system that would better ensure Robert Chisholm's chances of winning the federal NDP leadership, seeing the silence of Alexa McDonough saying thanks but no thanks. I do believe - and I've said that to many - that the federal leadership campaign will show Nova Scotians once and for all that the NDP really are not any different at all, and that some of the comments that they've made earlier will come back to haunt them.

I have no doubt that in years down the road the next Government of Nova Scotia will reflect on the comments made by the Minister of Finance. Hopefully they will show more class in their comments about what impact that has had than what we heard from the Minister of Finance tonight - when you had a government of the day trying to deal with a crisis and then you had an Opposition Party that could have easily played politics and done the same as the NDP and said, we want no part of a solution, but instead we did what we could to help. History will judge if it was a good decision or a bad decision, but as I said, none of my constituents are complaining about their insurance rates right now.

What was the message on the weekend? The changes being made by the NDP better not cost me more money. That was the message. Power rates are going up while this

government does absolutely nothing. They've raised the HST. They're still having the tax on tax on gasoline that they called immoral when they were in Opposition, and now that they're tinkering with the insurance system, it had better not cost me any more money. That is the message, and I believe that is the message that all Nova Scotians want to send to this government.

Now, there's no doubt we want to see enhanced benefits for Nova Scotians who are injured or who suffer a loss as a result of an automobile accident, but at this time, with the economy so fragile, with Nova Scotians having seen their investments take serious losses because of market conditions, who are seeing the cost of living under this government continually increase, the thought of the government now saying we're going to change the insurance system and you have to wait to see what the impact will be on your rates, that is what is the most scary part of these changes.

As I said, yes, the Section B benefits, there's no question they're outdated, there's no question that they don't reflect the financial reality that most Nova Scotians find themselves in, but what is going to be the added cost of better Section B benefits? We still don't know and that is the concern, because until we know the price, the minister can stand there all he wants and talk about fairness, affordability, and stability. We have to see the price first and that's what we're still waiting on.

I have to tell you, I found it ironic that the minister would stand in his place and say that the rates will be set by the Utility and Review Board, so Nova Scotians can sleep well at night. Well, I can tell you, this is the same government telling us to sleep well at night because Nova Scotia Power's rates are being set by the Utility and Review Board and that hasn't been such a good deal for Nova Scotia families up to now. Gas regulation being administered by the Utility and Review Board hasn't worked so well for Nova Scotia families and hasn't been much of a deal either. So I have to say I don't have that much confidence in seeing insurance rates being reasonable when the government is going to hide again behind the Utility and Review Board and stand in this House and say, I'm sorry, we're not responsible for this, it's the Utility and Review Board.

But they will say they're going to be at the hearings though, they're going to be there watching like they've been there watching for the power rate hearings - watching them go up, is what they've basically been doing and then when it comes to insurance rates, they'll watch them go up, as well. But they'll say that they're there fighting for Nova Scotians, but they can't interfere because it's independent.

Mr. Speaker, Nova Scotians are telling us time and time again, that being able to stay in their own homes is almost impossible due to the cost that they are facing on everyday items. When this government came out with the Heating Assistance Rebate, which was an opportunity there, considering the extra revenue they're bringing in from the HST, the extra revenue they're bringing in from the tax on tax on gas. They said \$200 is what poor Nova Scotians will receive to help them heat their homes, even though the price

of oil continues to go up and we can only expect that it may go even higher. Once again there was an opportunity to help out, to try to ease the financial burden on Nova Scotia families and this government said no thanks.

Let us keep in mind, and the Minister of Finance knows well, that barely 60 per cent of Nova Scotians and Nova Scotia families that qualify for the Heating Assistance Rebate actually apply. That has been the case for years, so I'm not going to say it's just under this government because it was way back when we were in government, which is why we've said to the previous Progressive Conservative Government and we say again, there needs to be a better way of getting that money into the pockets of Nova Scotia families because asking them to apply is not bringing the results that we need. It's great if you're the Minister of Finance because while you're saying here's how much money I've put there for Nova Scotia families and you know that less than 70 per cent are going to apply, well, there's a nice 30 per cent that you know will come back to government coffers and will never be spent. I have to say, unfortunately, Mr. Speaker, that will probably happen again this year.

I can assure you that we've done everything in Richmond County to get the message out, from the paper to the radio, to the community station, to the parish bulletins, to our Facebook site, every opportunity we have to try to make sure that families know that if they qualify, this is available for them. But unfortunately numbers across the province still show that it's less than 70 per cent, in some cases barely 60 per cent that actually apply.

Let me go back because as I was talking about some of the promises and the comments made by the NDP while in Opposition that they've suddenly forgotten about, some of my colleagues may remember that they said how horrible the \$2,500 cap on soft tissue injury was. All the Nova Scotians who were injured and fell under that cap, this was the government and the Party that said if we get in government, we're going to review that right away. In fact, we're going to look at retroactivity, so vote for us and we're going to take care of Nova Scotians who are injured and fall under the cap.

What happened? Once they got in office, the Minister of Finance said, we're going to increase the cap, not remove it. We're going to increase it to \$7,500. Well, I can tell you that I can't think of any Nova Scotian who is injured and gets \$7,500 is going to join the NDP in saying hear, hear! That's nothing to brag about, \$7,500.

Then, as they're listening to that announcement, all the injured Nova Scotians who fell in their cap are like okay, what about us? Remember the Premier said, the Leader of the NDP, they're going to take care of us. I think the Minister of Finance said that the Leader of the NDP was one of the most knowledgeable people on insurance in this province. So they are listening to him and saying, okay, he's got a solution for us.

What is the solution from the NDP when they are in government? Sorry, can't do anything, no retroactivity for you. Thanks for the support, though, thanks for the vote, but

no support for you. That's just one more example of what this government said, what this Party said in Opposition, what they've done in government. When I hear members of the NDP get up and talk about how pure a Party they are and how they've taken care of the people, well, let them go see those injured Nova Scotians who fell under the cap that the NDP said was immoral, was horrible.

What have they done? They've kept the cap in place. They've only increased it by \$5,000. Let the member for Halifax Citadel-Sable Island go tell those injured Nova Scotians, we have completely abandoned you. Even though they raised the cap, they didn't go back, retroactive, to those who had been hurt before. So they were left out, one more broken promise, but that's just part of a broken record that I believe you're going to be hearing about more and more when it comes to the NDP and to what they've done to Nova Scotians, how things were when they were in Opposition and how things are now when they are in government.

One of the questions that was asked is, are they trying to make changes to the insurance system that will increase the costs, to create a new crisis, so that they can once again haul out the argument of public auto insurance? Only time will tell, at least putting it on the record today so someone down the road will be able to go back and say, oh, they had that discussion and there was that fear. It may have come true because not once in his comments did the minister say, we have abandoned the concept of public auto insurance, it was wrong, we were wrong; it wasn't good for Nova Scotians then, we have concluded it's not good for Nova Scotians now, so it's off the table.

They are clever enough that they never say that, so it always leaves us wondering, is it really off the table or is it still something that this government believes in? The flip-flops that we've seen of what they've said in Opposition and what they've done in government, I've listed but a few examples this evening, more to come, as we go on with this bill and other pieces of legislation. At the end of the day, Mr. Speaker, the last thing Nova Scotians need right now is an added expense.

The question is going to come down - I believe the member for Inverness was right in pointing out - will the enhanced benefits and the enhanced ability to sue the costs associated with that, will it only be the wealthier Nova Scotians who will have access to that and those of lesser financial means will be told sorry, but you're stuck in the old system because you can't afford to pay the additional premiums?

One would think at this time in our history, with what's happening in the last number of weeks with some of the protests and that, I'm not sure this would be the opportune time to be creating a system that once again distinguishes between the classes that exist in our society. But this bill has the potential of doing exactly that because it will be optional. So if you have the ability to pay, you can pay to get better protection. If you don't have the ability to pay, you will be left with the less expensive system that will be there, and a cap.

One of the other issues which I was surprised that the minister - I don't believe I heard in his comments, I didn't hear him saying anything about facility insurance. Now, those who have been in the House for a little while will remember this is what happens if you are downgraded by your insurer or you're put as a high risk, you are put into facility insurance. Most Nova Scotians who watch the Chamber would know about facility insurance from listening to the Minister of Finance when he was the Finance critic in Opposition, giving the horror stories of Nova Scotians who had missed a payment or somehow, for minor reasons, were thrown into this facility insurance and the extraordinary rates they were being charged.

Yet, with all of the changes he's proposed, I haven't heard one mention about facility insurance or providing better protection for Nova Scotians. Apparently, that's something that got forgotten along the way by the minister. He certainly spoke enough about it when he was on this side of the House, but now in government, apparently, it's not the big concern that it was. For those Nova Scotians who have been downgraded to facility insurance, I assure you, it still remains a major concern for them.

Once again, this is legislation where Nova Scotians are being told, we're going to pass the bill and then we're going to set the rules and the regulations and we'll wait to see what's going to come back from industry. That's a method that, while in Opposition, the NDP would have argued against. They would have said, why don't you bring it forward as a package, regulations ready to go, so that Nova Scotians clearly know what's going to happen here, how it's going to roll out, how it will impact them and that will give an opportunity for the industry to be able to react and to tell Nova Scotians, here are the exact rates that it is going to cost you.

Instead, the government says, wait, we'll do the regulations after. There might be some changes in the regulations, might be changes and then, what exactly, is the industry going to charge Nova Scotians as a result? But that's something that I'll have the opportunity, on that very subject, to possibly speak more on another piece of legislation from the Minister of Justice, where he himself will present the bill and then tell Nova Scotians, wait, to find out the exact details in the regulations, which I will have more opportunity to speak at length, about that specific bill.

Again, the message from Nova Scotians is loud and clear. These changes better not cost us any more money. The fact that the Minister of Finance cannot stand in his place today and say, this will not increase rates, should be of concern to all Nova Scotians. As he has said, it is mandatory to have auto insurance in this province to operate a vehicle. But, I should add, that this government also has to look at the problem of many Nova Scotians who operate motor vehicles without insurance, because of the cost.

It's a terrible thing because for innocent Nova Scotians who are involved in accidents only to find out that the other party has no insurance, the government has failed to address any sort of strategy as to how they're going to deal and crack down on making

sure that Nova Scotians are not operating a motor vehicle without the proper amount of liability coverage before they get behind the wheel.

With those few brief remarks, as I indicated, I won't bother tabling my notes because they're written on the back of this envelope so I don't think you'll ask me to table that. Mr. Speaker, at the end of the day, I'm not going to apologize to the Minister of Finance for having been responsible as an Opposition Party when a crisis existed back in 2003 to try to find relief for Nova Scotians. Today, that crisis is not there, yet the minister is bringing about reforms which only time will tell what impact they are going to have on Nova Scotians' pocketbooks.

In future years, legislators will have the opportunity to judge the Minister of Finance and the changes proposed today. But our message is loud and clear - these changes better not cost Nova Scotians more money because this government has certainly done its part to take enough out of the pockets of Nova Scotians and make life harder for Nova Scotia families in their two years in office. With that, I look forward to continuing debate on Bill No. 86. Merci.

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

MS. KELLY REGAN: Mr. Speaker, I don't have the vast depth and breadth of knowledge about the insurance system that my honourable colleague does. (Interruption) Excuse me? However, I did want to bring to the Legislature a concern of a constituent of mine. This young woman was in an accident during the period when the cap was only \$2,500. She was in an accident; her vehicle was hit by a truck. At the time of the accident, she was a student at Acadia University and she was doing extremely well. The aftermath of that accident has left her in severe pain. She can't even carry her books to class and she is unable to continue her studies at the level she had formerly.

Unfortunately, because the cap existed at \$2,500 at the time, she has not been able to receive adequate treatment. Her family's medical insurance rapidly runs out each year for this particular condition. Her mother contacted me because she said there has been no justice for my daughter. My daughter is trying to carry on as a student and she is limited. This was in the period after which the NDP had raised the cap to \$7,500, but this student is left in some kind of legal limbo, some kind of no man's land.

The changes that the NDP brought in when they first came into office, and these subsequent changes, do nothing for her. During the election the NDP was talking about retroactivity for these people and somehow that has evaporated. For this young woman there has been no help at all, so I wonder where the justice is for her. What about that group of people who are legal orphans of the system, who are left out in the cold by the changes that have been introduced?

Interestingly enough, my colleague from Richmond raised the spectre of public insurance. You know we all wonder when we see changes, is this the first step down the road? Interestingly, I was just on the phone with a constituent whose son has just moved to British Columbia and I'm saying, how is he doing? She said, well you know he really loves it out there but what a shock that public auto insurance program is out there. When he was here he paid about \$1,000 a year for his car to be insured. Out there it is \$3,600 - more than three times what he was paying back here in Nova Scotia, and it was \$1,000 here.

As you can imagine, that was a bit of a shock for him moving to British Columbia where she noted he has many more job opportunities. She said, I hated to see him go but I had to let him go because there just weren't the job opportunities for him here. So he has moved out there and we have lost yet another Nova Scotian and what a tragedy that is. I talked to his mother and she said, you know, I really miss him. He's out there.

I've sort of wandered off topic a little bit but given the chance to talk, as a mother, I have to say that I hate hearing about talented young people who move to other provinces, and where they may have to pay more for auto insurance. It's so sad to see that one of Nova Scotia's biggest exports turns out to be our young people, despite the fact that we are going to get - whenever the contact is actually negotiated - we are going to see some more jobs come in here. In the meantime, we are seeing more jobs flow out the door.

Certainly while the Ships Start Here program indicated that we would need, I think it was \$19.5 million - no, maybe it was 24 more insurance brokers as a result of the activity that would be generated down at the shipyard, I do think that we should be careful about the changes we're making right here to the Automobile Insurance Reform Act because when you make changes, as happened when the cap was introduced, when it was only \$2,500, we can leave people out. I'm sure that the former government did not intend that people be left out, and I'm sure that when this government raised the cap to \$7,500, they thought they were doing a good thing, but the fact of the matter is there are some people who have been left out and it's affecting their lives.

I guess it was two and a half years ago, my middle child, my daughter, was injured in a sports accident at university and she sustained a massive concussion, which is also what this young woman from Acadia had. It took her between 16 and 18 months to recover, and she has pretty much recovered from it now. But she didn't have any soft tissue injury, she simply had a concussion - and it devastated her marks for a year, it left her unable to read for longer than five minutes. And that's the kind of injury that this young woman had, in addition to other injuries.

When we look at young people who are in the prime of their lives, if we fail to protect them, if we fail to give them what they need to be able to move on from a devastating injury like that, I don't think we're doing our jobs. For us to simply say this is a wonderful thing and whatever you're doing is right, I think we would not be doing our jobs here on the opposite side. Our job is to hold the government to account; our job is to speak

truth to power - and the government needs to hear that there are problems with these changes and they should be consulting with Nova Scotians to see what changes they should be looking at.

We know that there's a group of people who have been left out as a result of the cap being at only \$2,500 and, because the government campaigned on retroactivity, they should live up to that obligation. They should make sure that the changes that are ultimately passed here, because they have the power they can change things, reflect what is needed.

I know that for those of us who have watched a family member struggle with an injury - and actually in this very Chamber on Saturday we had a group of Girl Guides in, who came in to meet with women parliamentarians. Several of the ministers were here and several of us from the Opposition side were here. All of the members talked about their background and how they got into politics, and we heard a very moving story from one of the ministers about being in a car accident and the pain and suffering she endured for, I think, seven years following that injury. Any of us who have ever seen a family member or a loved one, or a friend, go through that kind of pain and suffering, we don't want our children to be going through that; we don't want our friends to be going through that.

So I would ask the government to consider making a change to this legislation that would deal with retroactivity, because there's a group of people who have been left out in the cold and who need their assistance - and, with that, Mr. Speaker, I will take my seat. (Applause)

MR. SPEAKER: The honourable member for Preston.

HON. KEITH COLWELL: Mr. Speaker, I hadn't intended to speak on this bill this evening, but when my honourable colleague was talking about the Utility and Review Board going to set the prices for insurance, it sure struck a tone that's sort of scary for me.

When you look at the job they've done with power rates in Nova Scotia and you see the power rates have gone up 36.2 per cent, I believe, since 2000, with the Utility and Review Board looking after the cost and the regulation on electricity and at the same time Nova Scotia Power has given over \$1 billion to Emera in that same time - and Nova Scotians are paying this bill. Look at the gas regulations - gas is typically a higher price in Nova Scotia than any of the neighbouring provinces, so it makes you wonder if you're going to be really assured and see that your insurance is going to be reasonable.

I'm just in the process of paying my insurance for the year and it's a scary number, and luckily so far, at least up until this evening, I haven't had any accidents and we haven't had any accidents in our household for a long time - we have no young people there driving. I'm afraid when the Utility and Review Board gets hold of this it's going to be a very expensive proposition for Nova Scotians.

I want to talk, again, about the people I see in my office now. We've seen the two per cent GST increase, which took \$200 away for every \$10,000 you clear after taxes - automatically taken \$200 away. You see the fee increases that the province has put on almost everything - I remember a small utilities trailer with two fee increases in a month, and I don't know what happened there. I remember, too, when I was over in the Red Chamber, we were talking about the estimates and the Minister of Service Nova Scotia and Municipal Relations, who I was asking questions of, admitted that it was strictly a tax and they were instructed to put the tax up on these fees because the Minister of Finance said to do it.

That's quite interesting. The Minister of Finance the whole time was saying, no, these fees are a cost; we have to really do that. When I started asking the minister about that, he indicated he didn't really know what the costs were and indeed, it was a directive by the Department of Finance to put fees up; in other words, a tax increase. I remember in this House when the Minister of Finance, and other members in the government there now who were around at that time, got up and railed on about the Progressive Conservative Government putting fees up without bringing it to the Legislature to discuss it. Lo and behold, they come in and what do they do? They do exactly the same thing. We did find out with the estimates - I believe the Minister of Service Nova Scotia and Municipal Relations to be a very honest man and indeed he told the truth. He was directed by the Minister of Finance to put those fees up.

You take these fees and add those on to the cost to Nova Scotians that your driver's licence, your vehicle registration, basically anything you need to get done in this province and indeed, you have a higher cost of living in Nova Scotia, and that's scary. It's scary.

This is starting to play out in my office - 90 per cent of the people we see in our office now are having financial difficulty. I was talking to a friend of mine today who buys oil to heat his home; I don't buy oil luckily. Last year it was 66 cents a litre, the price they got for it - this year it's 99 cents, a 50 per cent increase. When this government across here came into power, gasoline was a dollar a litre - it's \$1.27 today. That's a 27 per cent increase, a double-digit increase in cost. What's happening, people don't realize that all of a sudden they don't have enough money to pay their bills.

If this insurance rate goes up, as everything else the Utility and Review Board is looking after, it's going to be another real serious burden on Nova Scotians. Will that mean they won't insure their home? I know I've had several people in my riding who couldn't afford to insure their homes, and some of them burnt - and there they are with all of their belongings gone, their home gone, and no insurance to pay for it. Are there going to be more people like that who can't afford to pay the insurance, especially auto insurance? If someone has an accident, and really how much is it going to increase it? I say I have no faith in the Utility and Review Board to keep this under control.

Is this government directing this? With the endless taxes they're putting on people, the extra costs and burdens that they're placing on the communities and the families, it's unbelievable and, as time goes on, it's going to start showing in the economy. We've talked about jobs here before; we've talked about businesses not wanting to locate in Nova Scotia. There are business that don't want to locate here but even worse than that, a lot of the good companies moving out of the province because they can't afford to operate here anymore. Labour laws they've put in place are just unbelievable, and if you're running a small business today, which is the backbone of business in Nova Scotia, you really can't afford to operate here with all the extra fees and all the extra services that the government is imposing on them. It's hard to believe that the economy is doing as well as it is, and it's not doing well now.

The Minister of Economic and Rural Development and Tourism said last year, and I clearly remember it, that tourism is doing great, that it's not going to slide at all. When the numbers came out - a huge decrease. The whole time they were talking about the ferry being cancelled by this government, oh, it doesn't have any effect on anybody. I don't have very many bed and breakfast tourism operations in my riding, but everyone I talk to, there's a significant decrease in their bookings. That means a significant decrease in their income. When the income goes down that means they hire fewer people and they have less money to spend on renovations or work that they may do or whatever they're going to do with the funds they have - if, indeed, they can make ends meet.

When you add all these costs in and see what is happening to the average Nova Scotian, the better deal for today's families - that has a real nice ring to it, a better deal for today's families. Higher taxes, more regulations, higher fees, everything under the sun that this government said they wouldn't do. Power rates are up, gasoline is up, tax on tax. You've got so many taxes now and it is so restrictive on what people can do that it's getting to the point that it's not worth living in Nova Scotia.

I don't like to say that, because I'm a staunch Nova Scotian. I believe this is a beautiful province and a wonderful opportunity.

I want to talk about tourism a little bit again too. When you talk about the ferry in Yarmouth, there are so many negative things that have happened from that, yet this government says, oh, we've got this team put together that is going to save the world, we're putting all kinds of money into it, made a few announcements - but still no ferry. Some of the hotels have closed down, and all those hotels that have closed mean that there are fewer people working. If there are fewer people working, that means the money they would spend in the grocery stores, in the work they would have done in their homes, or even on their auto insurance - in that case, they are not going to be able to pay these bills.

As this continues, the better deal for today's families doesn't look very good. Actually, it is a horrible situation that has been created in this province.

You see, my colleague here also talked about young people leaving the province. It's a reality. There are jobs there, and there's going to be fewer jobs here. I talked before about the wonderful shipbuilding contract that Irving got. They don't really have the contract yet - hopefully they do get it. They got the right to negotiate it, but the right to negotiate is not a written contract.

I quoted numbers in here. I believe it was 1,900 new people that Irving was going to employ at the height of the contract. Evidently the vice-president of Irving disagreed with my numbers, and unfortunately, my numbers were better than his. He said there were going to be 1,200 people at the Irving shipyard in the prime of this contract. In 2020 there are going to be 1,200 new jobs there, and two to three years from that it is going to drop 300 jobs from there, so you are going to have 900 new jobs. There will be some spinoff jobs, a lot of work that will be done outside the province, but at least I want to commend Irving for doing the job and being honest with Nova Scotians and letting them know what the economic impact is really going to be.

As I said before, we've got a lot of time between now and the time the contracts are going to be let. You see the federal government closing down departments now, cutting budgets everywhere. They may decide that this huge contract for building ships may be only half the size it is. Who knows? Anything can happen in this country, and you see crisis in the country.

You tie all these things together, and then you see the pulp and paper mills that are struggling. Hopefully some kind of solution can be brought in place there. But if these pulp and paper mills close, there's going to be a far greater negative economic impact on Nova Scotia than the shipbuilding contract could ever replace. We would have to be building five or six times as many ships to replace those people working in the pulp industry.

Now as you go through the whole process and you get back to the better deal for today's families, well, the people I see in my office are struggling to pay their mortgage, struggling to heat their homes, struggling to insure their homes and their vehicles; they're just simply struggling. Anyone on the government side here that doesn't believe this, you're not talking to your constituents, because this is real. This is real. It's really happening to people.

They have the big \$200 tax credit deal on the fuel. It was \$450, they took it down to \$200, but yet the price of fuel has gone from - from what I heard today and it may not be accurate - from 66 cents a litre last year to 99 cents this year. That's a 50 per cent increase. You don't have to buy much fuel to eat up \$200, and actually that won't buy enough fuel to do hardly anything. As it gets more and more difficult, more and more expensive to do things here, people who are working are having more and more difficulty as time goes on. (Interruption)

Yes, Mr. Speaker, I'll bring it back to insurance. Not a problem. As I'm talking about this, this is very relevant because as the Utility and Review Board puts the price of insurance up for the average Nova Scotian, it means they may not even get insurance. If somebody is driving with no insurance - it does still happen today - and they run into somebody with no insurance, guess who the loser is on that? All the people who pay into insurance, they're going to end up paying for it. The people who are injured may have a very difficult time getting anything out of it, never mind \$7,500. They may not get anything and indeed it could cause a long, serious problem.

All these things are interconnected. When you look at what the Utility and Review Board is doing, with the other things that they look after, it makes you wonder how it can be a better deal for Nova Scotia families. That has a nice ring to it. Fewer jobs, more taxes, we can go on with a lot of things. The reality is - I think this government has lost touch with people. They don't understand what people are struggling with to keep their homes, to feed their families, and to look after their children.

If you take a family of four - two people working at minimum wage or slightly above minimum wage, have a modest home, one vehicle if they need to travel back and forth to work - they can't afford to do hardly anything. They can't afford to put their children in any sports, which is very important. They probably can't afford to buy a new appliance if they need it; taxes have gone up on that by 2 per cent so that'll cost a lot more than it did before. They can't afford to do the things that they need to do to ensure their family is living healthy and happy lives and ensuring that they're able to survive in this environment.

Well, I think it will just be a matter of time, and I think it's going to be a very short time, before we see people in this province say we've had enough of this government, we've had enough of these increased taxes and fees and all the service we're going to have. It's going to be interesting to see how much the insurance goes up. When it starts being regulated by the Utility and Review Board, who knows? Maybe the insurance company has a big daddy somewhere in Ontario or down the States that they're going to have to send millions of dollars to every year like Nova Scotia Power does to Emera.

Let me remind you again what that number is. From 2000 until today, \$1 billion went to Emera out of Nova Scotians' pockets. That's a lot of money out of Nova Scotians' pockets. When you look at the increase in the power rates, 36.2 per cent, which I stated before, in 2000 if you paid \$100 for power, you're now paying \$136.20 for that same power, the exact same power. That's a huge increase.

Wages haven't gone up 36 per cent in that time, they haven't. What about someone who is retired? What about someone on a fixed income? They're struggling every day now, you add another 2 per cent onto the cost for the year - HST did. Oh, I forgot about the income tax increases, the income tax indexed in this province, so the highest income taxes in the country, you know, so that's going up every year. When we tally all these up, and I

did a quick calculation today, if you look back to just before this government took power and you had \$10,000 of income after income tax - and actually it wouldn't be \$10,000 anymore because they took some more income tax so it would be less than \$10,000 that you used to get. By the time you take the \$200 off for GST, if you take the extra money off for fuel that you're paying now, and I added all these things together, you're probably down around \$7,000 to \$8,000 in actual disposable income you can use.

Now, think about that, that's just in a couple of years. So that is a lot of money. That's a lot of money that has gone out of Nova Scotians' pockets - again, a better deal for Nova Scotian families, a better deal. It has a nice ring but the deal is if there are more taxes, it's a better deal for the government. I don't know what they're spending the money on but, anyway, it sure is not paving roads outside their own ridings. (Interruption)

Yes, what happened to the public auto insurance (Interruption) That's right. My colleague here, the member for Bedford-Birch Cove, indicated, you know, a friend of hers, her son, in Nova Scotia, it was \$1,000 for insurance here under a private system and in B.C. it was over \$3,000 for the same coverage and the same person with the same driving record. So that public insurance is really working well.

All these things that a better deal for today's families is providing are pretty scary, they're scary. What's going to happen to the senior citizen who can't afford to pay for their home anymore because of all these costs accumulating and all of a sudden they're going to lose their home? They worked their whole lives, maybe a single person in the family, a husband or a wife, a survivor, and they're wondering why they can't pay their bills anymore. Well, you take all the costs that this government has imposed on them, over and above what's there, you're going to see some very serious issues for families. I can guarantee you I'm seeing it now. I am seeing it now.

We're seeing lots of financial difficulties and when you talk to people and ask them what the problem is, they don't really know but I guarantee you we're going to tell them what's going on. We're going to let them know who has put the taxes up. We're going to ensure that they know and we're going to let them know what this better deal for Nova Scotian families is and I can tell you, when they finally figure it out, there's going to be very few of the people sitting on the other side after the next election that are here now - very, very few. So, you know, it's going to be interesting when all this deal comes out and who's going to have to straighten this mess out? That's going to be the problem. It's going to be a serious mess to clean up, you know, just all the costs that people had and all the things that they are living with and not realizing what the costs are from.

Well, Mr. Speaker, I would like to adjourn debate and continue on a further day on this very important topic.

MR. SPEAKER: The motion is to adjourn the debate.

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 Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, that concludes the government's business for today. Following the daily routine, we will be doing Bill Nos. 86, 90, 93, 94, 95.

I move that the House do now rise to meet between the hours of 2:00 p.m. and 6:00 p.m.

MR. SPEAKER: The motion is that the House now rise to meet tomorrow at the hour of 2:00 p.m.

Is it agreed?

It is agreed.

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

The motion is carried.

We now stand adjourned to sit between the hours of 2:00 p.m. and 6:00 p.m. tomorrow.

[The House rose at 9:59 p.m.]

NOTICES OF MOTION UNDER RULE 32(3)**RESOLUTION NO. 2213**

By: Hon. Sterling Belliveau (Fisheries and Aquaculture)

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

Whereas Jordan Falls resident Terry Smith was presented with a Remarkable Seniors Award at the 50+ Expo at Exhibition Park in Halifax on June 11, 2011 in recognition of his exceptional volunteer work and leadership skills; and

Whereas Terry Smith volunteers at least 40 hours a week in various capacities for numerous organizations at both the local and provincial levels with a passion to improve health care and quality of life for all seniors in Nova Scotia; and

Whereas Terry Smith also contributes to other aspects of community life, such as the intergenerational garden in Sable River and the Lockeport greenhouse project, as well as the Coastal Communities Network, helping to enrich the lives of many;

Therefore be it resolved that this House of Assembly congratulates Terry Smith for receiving a Remarkable Senior Award and applauds his efforts as an outstanding volunteer in the community.

RESOLUTION NO. 2214

By: Hon. Sterling Belliveau (Fisheries and Aquaculture)

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

Whereas Lockeport Regional High School student Danielle Williams is one of the recipients of the ninth annual Fishermen and Scientists Research Society Award for Outstanding Achievement in the Oceans 11 program; and

Whereas this annual award recognizes students that have demonstrated outstanding accomplishments in the Oceans 11 class by their level of participation, interest, contributions to the classroom and scholastic achievement; and

Whereas the Oceans 11 program is helping to educate the future stakeholders of Nova Scotia's marine industry by offering Grade 11 students the opportunity to learn about a wide range of marine science topics;

Therefore be it resolved that this House of Assembly congratulates Lockeport Regional High School student Danielle Williams, who was presented with the award on Oceans Day, June 8, 2011.

RESOLUTION NO. 2215

By: Hon. Sterling Belliveau (Fisheries and Aquaculture)

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

Whereas Barrington Municipal High School student Nicolas Banks is one of the recipients of the ninth annual Fishermen and Scientists Research Society Award for Outstanding Achievement in the Oceans 11 program; and

Whereas this annual award recognizes students that have demonstrated outstanding accomplishments in the Oceans 11 class by their level of participation, interest, contributions to the classroom and scholastic achievement; and

Whereas the Oceans 11 program is helping to educate the future stakeholders of Nova Scotia's marine industry by offering Grade 11 students the opportunity to learn about a wide range of marine science topics;

Therefore be it resolved that this House of Assembly congratulates Barrington Municipal High School student Nicolas Banks, who was presented with the award on Oceans Day, June 8, 2011.

RESOLUTION NO. 2216

By: Hon. Sterling Belliveau (Fisheries and Aquaculture)

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

Whereas Barrington Municipal High School student Tyler Brannen is one of the recipients of the ninth annual Fishermen and Scientists Research Society Award for Outstanding Achievement in the Oceans 11 program; and

Whereas this annual award recognizes students that have demonstrated outstanding accomplishments in the Oceans 11 class by their level of participation, interest, contributions to the classroom and scholastic achievement; and

Whereas the Oceans 11 program is helping to educate the future stakeholders of Nova Scotia's marine industry by offering Grade 11 students the opportunity to learn about a wide range of marine science topics;

Therefore be it resolved that this House of Assembly congratulates Barrington Municipal High School student Tyler Brannen, who was presented with the award on Oceans Day, June 8, 2011.

RESOLUTION NO. 2217

By: Hon. Sterling Belliveau (Fisheries and Aquaculture)

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

Whereas Shelburne County Special Olympian Bill Rhyno was a gold medalist at the Nova Scotia Summer Games held at Saint Mary's University on July 15th to 17th; and

Whereas Bill Rhyno captured his gold medal in bowling where he competed in the male A division; and

Whereas Bill Rhyno is a dedicated Special Olympian who demonstrates good sportsmanship and always tries his best;

Therefore be it resolved that this House of Assembly congratulate Bill Rhyno for winning a gold medal for bowling at the 2011 Nova Scotia Summer Games.

RESOLUTION NO. 2218

By: Hon. Sterling Belliveau (Fisheries and Aquaculture)

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

Whereas Shelburne County Special Olympian Tobi Krafve won gold and bronze medals at the Nova Scotia Summer Games held at Saint Mary's University on July 15th to 17th; and

Whereas Tobi Krafve captured her gold medal in bocce competition and bronze in the 400 metre walk race; and

Whereas Tobi Krafve is a dedicated Special Olympian who demonstrates good sportsmanship and always tries her best;

Therefore be it resolved that this House of Assembly congratulates Tobi Krafve for winning gold and bronze medals at the 2011 Nova Scotia Summer Games.

RESOLUTION NO. 2219

By: Hon. Sterling Belliveau (Fisheries and Aquaculture)

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

Whereas Shelburne County Special Olympian Dale Nickerson was a silver medalist at the Nova Scotia Summer Games held at Saint Mary's University on July 15th to 17th; and

Whereas Dale Nickerson captured his silver medal in the 400 metre walk race; and

Whereas Dale Nickerson is a dedicated Special Olympian who demonstrates good sportsmanship and always tries his best;

Therefore be it resolved that this House of Assembly congratulates Dale Nickerson for winning a gold medal at the 2011 Nova Scotia Summer Games.

RESOLUTION NO. 2220

By: Hon. Sterling Belliveau (Fisheries and Aquaculture)

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

Whereas Shelburne County Special Olympian Dale Roache was a gold medalist at the Nova Scotia Summer Games held at Saint Mary's University on July 15th to 17th; and

Whereas Dale Roache captured his gold medal in bocce where he competed in the C division; and

Whereas Dale Roache is a dedicated Special Olympian who demonstrates good sportsmanship and always tries his best;

Therefore be it resolved that this House of Assembly congratulates Dale Roache for winning a gold medal in bocce at the 2011 Nova Scotia Summer Games.

RESOLUTION NO. 2221

By: Hon. Sterling Belliveau (Fisheries and Aquaculture)

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

Whereas Shelburne County Special Olympian Harold Doane was a bronze medalist at the Nova Scotia Summer Games held at Saint Mary's University on July 15th to 17th; and

Whereas Harold Doane captured his bronze medal in bowling where he competed in the male A division; and

Whereas Harold Doane is a dedicated Special Olympian who demonstrates good sportsmanship and always tries his best;

Therefore be it resolved that this House of Assembly congratulates Harold Doane for winning a bronze medal for bowling at the 2011 Nova Scotia Summer Games.