



**House of Assembly**  
*Nova Scotia*

DEBATES AND PROCEEDINGS

Speaker: Honourable Gordon Gosse

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Third Session

FRIDAY, NOVEMBER 18, 2011

TABLE OF CONTENTS	PAGE
GOVERNMENT NOTICES OF MOTION:	
Res. 2345, Yakomovich, Jennifer: Johnstone Scholarship	
- Congrats., Hon. M. More.....	3844
Vote - Affirmative.....	3845
Res. 2346, Nat'l. Child Day (11/20/11): Blue Ribbon - Wear,	
Hon. D. Peterson-Rafuse.....	3845
Vote - Affirmative.....	3845
Res. 2347, Martin, Amelia: Death of - Tribute,	
Hon. P. Paris .....	3846
Vote - Affirmative.....	3846
Res. 2348, Unama'ki Economic Benefits Office	
- Excellence in Bus. Award, The Premier.....	3846
Vote - Affirmative.....	3847

INTRODUCTION OF BILLS:

No. 104, Gaming Control Act, Hon. J. MacDonell .....	3847
No. 105, Trade Union Act, Hon. S. McNeil .....	3847

NOTICES OF MOTION:

Res. 2349, Mustard, Dr. Fraser: Death of - Tribute, Hon. S. McNeil (by Hon. K. Casey) .....	3848
Vote - Affirmative .....	3848
Res. 2350, Lbr. Mgt. Review Comm.: Process - Efficacy, Hon. J. Baillie .....	3849
Res. 2351, Stegemann, Barb: Chatelaine Magazine - Recognition, Ms. K. Regan .....	3850
Vote - Affirmative .....	3850
Res. 2352, Capstick, Kyle: Playwrights Guild of Can. Comp. Congrats., Mr. A. MacLeod .....	3850
Vote - Affirmative .....	3851
Res. 2353, The Columbia - Replica: Local Marine Firms - Contributions, Ms. P. Birdsall .....	3851
Vote - Affirmative .....	3852
Res. 2354, The Rockabillys: Mainstreets Sch. of Rock Comp. Congrats., Mr. Z. Churchill .....	3852
Vote - Affirmative .....	3853
Res. 2355, Laffin, Meagan - Lt.-Gov.'s Educ. Medal - Congrats., Mr. C. Porter .....	3853
Vote - Affirmative .....	3853
Res. 2356, Desdautels, Mme. Denise Comeau: Book Publication - Congrats., Hon. W. Gaudet .....	3853
Vote - Affirmative .....	3855
Res. 2357, MacDonald, Sherry Mulley: Cancer - Fundraising, Mr. E. Orrell .....	3855
Vote - Affirmative .....	3855
Res. 2358, MacLellan, Greg: Retirement - Congrats., Hon. K. Casey .....	3856
Vote - Affirmative .....	3856
Res. 2359, Egar, Dr. Susie: Inverness Consolidated Mem. Hosp. - Welcome, Mr. A. MacMaster .....	3856
Vote - Affirmative .....	3857
Res. 2360, Martell-Richard Mem. Mini Marathon: Top Three Men's 10k - Congrats., Hon. M. Samson .....	3857
Vote - Affirmative .....	3858
Res. 2361, Christiano, Peter & Candace - N.S. Woodlot Owner of Yr. Award, Mr. K. Bain .....	3858
Vote - Affirmative .....	3859

PRESENTING REPORTS OF COMMITTEES:

Law Amendments Committee, Hon. R. Landry .....	3859
Law Amendments Committee, Hon. R. Landry .....	3860

NOTICES OF MOTION:

Res. 2362, Chignecto-Central Reg. Sch. Bd. Transportation Dept. - Gold Achievement Award, Hon. K. Casey .....	3860
Vote - Affirmative.....	3861
Res. 2363, Marion Bridge Elem. Sch.: WOW! Reading Challenge - Congrats., Mr. A. MacLeod.....	3861
Vote - Affirmative.....	3861
Res. 2364, Yar. Town - Communities in Bloom Awards, Mr. Z. Churchill .....	3862
Vote - Affirmative.....	3862
Res. 2365, O'Reilly, Shane - NSSAF Award, Mr. C. Porter .....	3862
Vote - Affirmative.....	3863
Res. 2366, Martell-Richard Mem. Mini Marathon: Top Three Women's 10k - Congrats., Hon. M. Samson .....	3863
Vote - Affirmative.....	3864
Res. 2367, Simpson, Emma: Miss Teen C.B. 2011 Scholarship Pageant - Congrats., Mr. E. Orrell .....	3864
Vote - Affirmative.....	3864
Res. 2368, Phinney, Evan K./Team: Cdn. Equestrian Championships - Congrats., Ms. D. Whalen .....	3865
Vote - Affirmative.....	3865
Res. 2369, Hardy, Edward & Theresa: Entrepreneurial Spirit - Congrats., Mr. K. Bain .....	3865
Vote - Affirmative.....	3866

GOVERNMENT BUSINESS:

PUBLIC BILLS FOR SECOND READING:

No. 102, Trade Union Act Hon. M. More .....	3867
Mr. Z. Churchill .....	3868
Mr. K. Bain .....	3877
Adjourned debate .....	3889

ADJOURNMENT, House rose to meet again on Mon., Nov. 21<sup>st</sup> at 4:00 p.m.....3890

NOTICES OF MOTION UNDER RULE 32(3):

Res. 2370, LaRochelle-Bachur, Suzanne: Bus. Success - Congrats., Ms. K. Regan.....	3891
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House of Assembly  
*Nova Scotia*

**HALIFAX, FRIDAY, NOVEMBER 18, 2011**

**Sixty-first General Assembly**

**Third Session**

**9:00 A.M.**

**SPEAKER**

Hon. Gordon Gosse

**DEPUTY SPEAKERS**

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

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

**PRESENTING AND READING PETITIONS**

**PRESENTING REPORTS OF COMMITTEES**

**TABLING REPORTS, REGULATIONS AND OTHER PAPERS**

**STATEMENTS BY MINISTERS**

**GOVERNMENT NOTICES OF MOTION**

MADAM SPEAKER: The honourable Minister of Labour and Advanced Education.

HON. MARILYN MORE: Madam Speaker, with your permission I'd like to make an introduction before reading this resolution.

MADAM SPEAKER: Granted.

MS. MORE: In the east gallery this morning we have Jennifer Yakamovich and her parents, Bill Yakamovich and Pam Sutherland - if you'd like to stand. Jennifer is a first-year student at Dalhousie University and the recipient of the \$6,000 Dr. P. Anthony Johnstone Memorial Entrance Scholarship in 2011.

I ask the House to give them a very warm welcome. (Applause)

MADAM SPEAKER: We welcome all guests in the gallery today. We hope you enjoy today's proceedings.

The honourable Minister of Labour and Advanced Education.

**RESOLUTION NO. 2345**

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

Whereas Jennifer Yakamovich began her studies at Dalhousie University this Fall, working towards a Bachelor of Management with a focus on international development; and

Whereas Jennifer Yakamovich maintained a 95 per cent average in Grades 11 and 12, excelled in science, languages, the arts, and served as a student leader and role model for younger students; and

Whereas Jennifer Yakamovich travelled to India in February for a three-month Global Learning Across Borders program, where she learned first-hand about the cultures, traditions, and challenges facing the people with whom she lived, learned, and shared;

Therefore be it resolved that the members of this House congratulate Jennifer Yakamovich on being selected as the 2011 recipient of the Dr. P. Anthony Johnstone Memorial Entrance Scholarship, awarded annually to a Nova Scotian scholar entering first-year studies at a Maritime university, and commend Jennifer for all that she has accomplished so far, and offer our best wishes for a successful future.

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

MADAM SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Community Services.

### **RESOLUTION NO. 2346**

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

Whereas Nova Scotia's youngest residents and their families hold the key to a prosperous future for all Nova Scotians; and

Whereas all children have the right to live, learn, and play in a safe and healthy environment; and

Whereas this year's National Child Day theme "The Right to the Enjoyment of the Highest Attainable Standard of Health" supports the importance of providing children with the best start possible in life;

Therefore be it resolved that all members of the House be encouraged to take one of the blue ribbons provided in honour of the National Child Day that will be celebrated worldwide on November 20<sup>th</sup>.

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

MADAM SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of African Nova Scotian Affairs.

**RESOLUTION NO. 2347**

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

Whereas Amelia “Doll” Martin of Amherst was a prominent member of the African Nova Scotian community in Cumberland County and the mother of Brian Martin, chairman of the Cumberland African Nova Scotian Association; and

Whereas Mrs. Martin was one of six women who shared her experiences in the 2005 documentary *Weaving the Story*, which celebrated the lives of African Nova Scotian women whose steadfast contributions to their families and communities had largely gone unrecognized; and

Whereas Mrs. Martin passed away on Tuesday, November 8<sup>th</sup>;

Therefore be it resolved that all members of the House of Assembly join me in extending condolences to the family and friends of Amelia Martin, who was one of Nova Scotia’s many unsung heroes.

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

MADAM 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 Premier.

**RESOLUTION NO. 2348**

HON. DARRELL DEXTER (The Premier): Madam Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Sydney and Area Chamber of Commerce held its 2011 Excellence in Business Awards in October; and

Whereas the Stewardship Award, sponsored by the Sydney Sunshine Rotary Club, is presented to an organization to recognize their efforts and success in building sustainable communities; and

Whereas the Unama'ki Economic Benefits Office in Membertou was the winner of the 2011 Stewardship Award in recognition of its success in establishing partnerships and its businesslike approach to economic development;

Therefore be it resolved that this House of Assembly join me in offering congratulations to the Unama'ki Economic Benefits Office, a unique economic partnership between the five First Nation communities in Cape Breton that focuses on economic development, training, and support.

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

MADAM 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. 104 - Entitled an Act to Amend Chapter 4 of the Acts of 1994-95. The Gaming Control Act. (Hon. John MacDonell)**

**Bill No. 105 - Entitled an Act to Amend Chapter 475 of the Revised Statutes of 1989. The Trade Union Act. (Hon. Stephen McNeil)**

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

#### **NOTICES OF MOTION**

MADAM SPEAKER: The honourable member for Colchester North.



**RESOLUTION NO. 2349**

HON. KAREN CASEY: Madam Speaker, on behalf of the honourable Leader of the Official Opposition, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas on Wednesday, November 16, 2011, Canadians, and indeed the world, lost a truly outstanding physician, scientist, and most notably, advocate for children with the passing of Dr. Fraser Mustard; and

Whereas Dr Mustard's passion for early childhood development and the link to adult-life health and wellness has inspired economists, educators and governments around the world; and

Whereas Dr. Mustard is best known for his recommendations around parenting centres to support families, providing health services, pre-school screening, parenting resources and childcare, which he co-authored with the honourable Margaret Norrie McCain in their groundbreaking 1999 *The Early Years Study*;

Therefore be it resolved that all members of this House extend our condolences to Dr. Mustard's family and honour Dr. Mustard's passing by dedicating our collective attention to the importance of investing in early childhood development.

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

MADAM 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.

HON. JAMIE BAILLIE: Madam Speaker, may I begin my resolution with an introduction?

MADAM SPEAKER: You may.

MR. BAILLIE: Madam Speaker, seated in the west gallery today is an important member of the Canadian Federation of Independent Business, Ms. Amelia DeMarco and I would like to extend to her greetings on behalf of all members of the House. (Applause)

MADAM SPEAKER: I welcome her and all visitors in the gallery today.

The honourable Leader of the Progressive Conservative Party.

### **RESOLUTION NO. 2350**

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

Whereas with Nova Scotia's economy in a fragile state and entire industries are fighting for survival, it has never been more important for government to create the right climate for jobs; and

Whereas despite the fact that the Labour Management Review Committee was unable to reach a consensus on the first issue put before it; and

Whereas the Premier promised to share with all Nova Scotians the results of the committee's work even as the government moved past the committee and on with its own special interest plans;

Therefore be it resolved that all members of this House acknowledge that this government is determined to jam through its special interest agenda that will discourage the very investment that would create jobs and that the Labour Management Review Committee process is nothing more than a sham.

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

MADAM SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Bedford-Birch Cove.

**RESOLUTION NO. 2351**

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

Whereas Barb Stegemann of Bedford is the founder of The 7 Virtues, a fragrance line that provides employment to individuals in war torn states like Afghanistan and Haiti; and

Whereas Barb Stegemann was named as a finalist for Chatelaine magazine's Top Entrepreneur of the Year Award; and

Whereas these awards, presented in partnership with Citytv, celebrate the many remarkable and inspiring women, like Barb Stegemann, who are making changes big and small in their communities and in the world;

Therefore be it resolved that the members of this House of Assembly applaud the accomplishments of Barb Stegemann and her recognition by Chatelaine magazine.

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

MADAM SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Cape Breton West.

**RESOLUTION NO. 2352**

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

Whereas Kyle Capstick of Marion Bridge recently won second place in the Playwrights Guild of Canada National Post Secondary Playwriting Competition; and

Whereas Kyle received this prestigious award for his play, *I Miss, Not Just, Your Eyes*; and

Whereas Kyle began acting as a teenager with the UCCB Youth Drama Group and became serious about writing two years ago when his other play, *All My Love*, was produced at the Elizabeth Broadmore One-Act Play Festival;

Therefore be it resolved that all members of this House of Assembly congratulate Kyle Capstick on winning the Playwrights Guild of Canada Competition and wish him every success as he continues on in his future in the theatre.

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

MADAM SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Lunenburg.

### **RESOLUTION NO. 2353**

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

Whereas the iconic American fishing schooner, The Columbia, was launched in 1923 with the express intent to win the International Fishermen's Cup Race Championship from Nova Scotia's iconic schooner, The Bluenose, sank off the coast of Nova Scotia in 1927; and

Whereas the Eastern Shipbuilding Group in Florida currently is building a 140-foot replica of the Gloucester schooner and was looking for a company to supply the Columbia with spars, standing and running rigs, mast hoops, rig metal work and sails; and

Whereas five local marine-based firms will be involved in the recreation of the Columbia involving Covey Island Boatworks, Michele Stevens Sailloft, A. Dauphinee and Sons, LaHave Marine Woodworking and Standfast Fittings;

Therefore be it resolved that this House of Assembly recognize the contribution of Covey Island Boatworks, Michele Stevens Sailloft, A. Dauphinee and Sons, LaHave Marine Woodworking and Standfast Fittings for their expertise in shipbuilding and their involvement in the reconstruction of the Columbia fishing schooner.

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

MADAM 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. 2354**

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

Whereas CBC Radio in Halifax recently held its competition, Mainstreet's School of Rock, Fall 2011, a search for the best teen rock band in Nova Scotia; and

Whereas Yarmouth's The Rockabillys, a country rock band consisting of Yarmouth Consolidated Memorial High School students Alex Surette, Spencer Muise, Matt Wilkinson, and Cameron Nickerson, competed in and advanced to the final round of CBC Radio's Mainstreet's School of Rock, Fall 2011; and

Whereas on November 17<sup>th</sup>, after performing on CBC Nova Scotia Mainstreet in front of a live studio audience and contest judges, The Rockabillys won the Mainstreet's School of Rock, Fall 2011 competition and were named the best teen rock band in Nova Scotia;

Therefore be it resolved that the members of this House of Assembly congratulate The Rockabillys on this impressive and exciting accomplishment, wish them much future success and thank them for their contribution to music in Yarmouth and beyond.

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

MADAM SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Hants West.

### **RESOLUTION NO. 2355**

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

Whereas the Lieutenant Governor's Education Medal recognizes students' academic achievement, leadership and service to school and community; and

Whereas in May 2011, Megan Laffin was awarded this prestigious award by Nova Scotia's Lieutenant Governor Mayann E. Francis for her many achievements including maintaining her Honours with Distinction status; and

Whereas Ms. Laffin has helped raised money for the Hants West Relay for Life, participated in previous Canadian Cancer Society Walks, is a member of the ICE All Stars cheerleading team, as well as the Avon View High School band program;

Therefore be it resolved that all members of this House of Assembly congratulate Megan on receiving the Lieutenant Governor's Education Medal and wish her all the best with her future endeavours.

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

MADAM 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. 2356**

HON. WAYNE GAUDET: Monsieur le Président, par la présente, j'avise que je proposerai à une date ultérieure, 'adoption de la résolution suivante:

Attendu que l'industrie du bois a joué un rôle de premier plan dans l'économie rurale de la Baie Sainte-Marie; et

Attendu que la famille à Joe à Rosalie Comeau de Bangor à la Baie Sainte-Marie est reconnue pour son engagement dans l'exploitation saine de la forêt locale; et

Attendu que Denise Comeau Desautels, fille de Émile à Alphonse à Joe à Rosalie a publié un livre qui nous a fait revivre la belle époque quand nos ancêtres travaillaient fort dans la forêt et les moulins à scie;

Qu'il soit résolu que les members de cette assemble félicitent madame Denise Comeau Desautels pour nous avoir offer tune capsule historique de Bangor dans la municipalité de Clare petit village acadien qui a joué un important role dans le secteur forestier de notre économie provinciale.

Monsieur le Président, je propose l'adoption de cette resolution sans préavis et sans débats.

MADAM SPEAKER: Order, please. I'm sorry to interrupt you but it's difficult to hear the chatter is getting to loud.

The honourable member for Clare has the floor.

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

Whereas the lumber industry played a key role in the local Baie Sainte-Marie economy; and

Whereas a well known local family of Joe and Rosalie Comeau from Bangor in the Municipality of Clare was engaged in sustainable operations in the forest and of sawmills; and

Whereas Mme. Denise Comeau Desautels has published a book titled *BANGOR-N.É. Sur la rivière au fil du temps*, depicting lumbering and sawmill activities over the years;

Therefore be it resolved that all members of this House of Assembly congratulate Mme. Denise Comeau Desautels for writing a piece of local history that fits well into the picture of other rural communities in Nova Scotia engaged in the forest industry.

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

MADAM 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. 2357**

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

Whereas the Cape Breton author Sherry Mulley-MacDonald is using her own experience with breast cancer to educate others about the disease; and

Whereas she is donating all proceeds from her latest book, *One Small Lump: A Survivor's Story*, the memoirs of a breast cancer survivor, to the Cape Breton Cancer Centre; and

Whereas Sherry wants people to hear her story and to know that breast cancer can be beaten and that life can be the same or even better after the diagnosis and treatment;

Therefore be it resolved that all members of the House of Assembly congratulate Sherry Mulley-MacDonald for her efforts to offer comfort and funding to make the battle against cancer easier for others, and wish her success in all her endeavours.

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

MADAM 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. 2358**

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

Whereas Greg MacLellan graduated from Antigonish Regional High School, St. Francis Xavier University with a Bachelor of Science and a Bachelor of Education, and Saint Mary's University with a Masters in Education; and

Whereas Greg has spent his entire 33-year career at North Colchester High School in Tatamagouche, Colchester North, first as a classroom teacher and then as a principal; and

Whereas Greg retired in June 2011 and travelling abroad, renovating the family cottage and playing golf are part of his retirement plan;

Therefore be it resolved that all members of this House of Assembly express our thanks to Greg for his 33 years of dedicated service as an educator and administrator, and wish him a healthy, happy retirement.

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

MADAM 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.

Before I recognize the next speaker, I would remind members again that the chatter in the House at this moment is very high. I don't want to interrupt those speaking, but if you have side conversations, perhaps you can take them outside.

The honourable member for Inverness.

**RESOLUTION NO. 2359**

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

Whereas Dr. Susie Egar of Halifax has joined the team of doctors at Inverness Consolidated Memorial Hospital; and

Whereas Dr. Egar has close ties to Inverness County, spending three months each year at her parents' Margaree Harbour summer home, while completing her medical degree; and

Whereas the people of Inverness County will benefit from Dr. Egar's efforts to help them enjoy healthier lifestyles;

Therefore be it resolved that all members of this House of Assembly welcome Dr. Susie Egar, and wish her a fulfilling career at Inverness Consolidated Memorial Hospital.

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

MADAM. 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. 2360**

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

Whereas the 7<sup>th</sup> annual Martell Richard Memorial Mini Marathon took place September 24, 2011, in Arichat; and

Whereas participants of the mini marathon had a choice to walk 5 kilometres, run 5 kilometres, or run 10 kilometres; and

AN HON: MEMBER: What did you do?

MR. SAMSON: I ran 5 kilometres. (Laughter)

Whereas in the men's 10-kilometre run category Kenny Maxwell finished in first place, Simon Pettipas finished second place, and David George finished third place;

Therefore be it resolved that the members of the House of Assembly congratulate Kenny Maxwell, Simon Pettipas, and David George, on finishing in the top three in the men's 10-kilometre run category at the Martell Richard Memorial Mini Marathon.

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

MADAM 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 honorable member for Victoria-The Lakes.

### **RESOLUTION NO. 2361**

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

Whereas Peter and Candace Christiano of Finewood Flooring and Lumber Limited, Middle River, were selected as regional winners of the Nova Scotia Woodlot Owner of the Year Award; and

Whereas Peter and Candace's 75-acre woodlot is predominantly hardwood that has been managed for the past 30 years to increase quality improvement using a method called uneven-age management; and

Whereas Peter and Candace have been recognized for this method as well as the stewardship of their woodlot that preserves and prepares for longevity of the industry;

Therefore be it resolved that all members of this House of Assembly extend their congratulations to Peter and Candace Christiano for their contribution to the forest industry and wish them great success in the future.

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

MADAM 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 Government House Leader.

HON. FRANK CORBETT: Madam Speaker, with the concurrence of the House, would you please revert to the order of business, Presenting Reports of Committees.

MADAM SPEAKER: Is it agreed?

It is agreed.

### **PRESENTING REPORTS OF COMMITTEES**

MADAM SPEAKER: The honourable Minister of Justice.

HON. ROSS LANDRY: Madam Speaker, as Chairman of the Committee on Law Amendments, I am directed to report that the committee has met and considered the following bills:

**Bill No. 73 - Safer School Zones Act.**

**Bill No. 76 - Civil Forfeiture Act.**

**Bill No. 78 - Civil Constables Act.**

**Bill No. 80 - Constables Act.**

**Bill No. 84 - Animal Protection Act.**

**Bill No. 85 - Agriculture and Rural Credit Act.**

and the committee recommends these bills to the favourable consideration of the House, each without amendment.

MADAM SPEAKER: Ordered that these bills be referred to the Committee of the Whole House on Bills.

The honourable Minister of Justice.

HON. ROSS LANDRY: Madam Speaker, as Chairman of the Committee on Law Amendments, I am directed to report that the committee has met and considered the following bill:

**Bill No. 65 - Nova Scotia Jobs Fund Act.**

and the committee recommends this bill to the favourable consideration of the House, with certain amendments.

MADAM SPEAKER: Ordered that this bill be referred to the Committee of the Whole House on Bills.

**[NOTICES OF MOTION]**

MADAM SPEAKER: The honourable member for Colchester North.

**RESOLUTION NO. 2362**

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 Chignecto-Central Regional School Board's transportation fleet and staff were evaluated by the Nova Scotia Department of Education and the Motor Carrier Division of the Nova Scotia Utility and Review Board; and

Whereas the review included training, accident reporting and frequency, maintenance programs, stops per mile and passenger loads, trip inspection and hours of work, garage cleanliness and safety practices, bus cleanliness and appearance; and

Whereas Chignecto-Central Regional School Board operates more than 200 buses on more than 540 routes, the transportation department has 250 bus drivers, 19 mechanics, and seven supervisory staff who help transport approximately 17,000 students daily;

Therefore be it resolved that all members of this House of Assembly congratulate the Chignecto-Central Regional School Board's transportation department for receiving a provincial Gold Achievement Award for the 14<sup>th</sup> consecutive year.

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

MADAM SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Cape Breton West.

### **RESOLUTION NO. 2363**

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

Whereas Marion Bridge Elementary School recently participated in the Adopt-A-Library WOW! Reading Challenge, a program delivered by Nova Scotia's public libraries, the RCMP, communities, business, and police agencies that encourages a love of reading in school-aged children; and

Whereas the school won a banner for fourth place in the province and a trophy and banner for first place in the small schools category; and

Whereas with students and staff reading over 16,000 books, Marion Bridge Elementary School was also the first-place school in the Cape Breton-Victoria Regional School Board;

Therefore be it resolved that all members of this House of Assembly congratulate all the students and staff of Marion Bridge Elementary School on their impressive performance in the Adopt-A-Library WOW! Reading Challenge, and wish them many happy hours of reading in the future.

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

MADAM 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. 2364**

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

Whereas Communities in Bloom recently released its 2011 national results; and

Whereas the Town of Yarmouth was a national finalist in the 7,500 to 10,000 population category; and

Whereas the Town of Yarmouth also received a 5 Blooms rating and a special mention for its 250<sup>th</sup> Anniversary celebrations as a community;

Therefore be it resolved that the members of this House of Assembly congratulate the Town of Yarmouth for these prestigious honours from Communities in Bloom and recognize the Town of Yarmouth for its strong community heritage.

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

MADAM 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.

Before I recognize the next speaker, forgive me, but I can give a little leeway for the Madam Speaker and Mr. Speaker, but Madam Chairman - I would encourage you to work hard to correct that one. It has been occurring and I think it's just a matter of respect. Thank you.

The honourable member for Hants West.

**RESOLUTION NO. 2365**

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

Whereas over 40,000 student athletes participate annually in school sport programs throughout the province; and

Whereas the Nova Scotia Schools Athletic Federation annually organizes the Celebration of School Sport to celebrate participation, fair play, and service to school sport, and to reinforce the significant role interscholastic athletics plays in education; and

Whereas Shane O'Reilly, a student at Avon View High School in Windsor, was the male recipient of the Celebration of School Sport Award 2010-11 for demonstrating respect for others and displaying a true example of good sportsmanship;

Therefore be it resolved that all members of this House of Assembly congratulate Shane on receiving this award and wish him all the best.

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

MADAM 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. 2366**

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

Whereas the 7<sup>th</sup> Annual Martell-Richard Memorial Mini Marathon took place September 24, 2011, in Arichat; and

Whereas the participants of the mini marathon had the choice to walk 5 kilometres, run 5 kilometres, or run 10 kilometres; and

Whereas in the women's 10-kilometre run category, Angele Richard finished first place, Jessica Boudreau finished second place, and Louise Pettipas finished third place;

Therefore be it resolved that the members of this House of Assembly congratulate Angele Richard, Jessica Boudreau and Louise Pettipas on finishing in the top three in the women's 10-kilometre run category at the Martell-Richard Memorial Mini Marathon.

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



MADAM 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. 2367**

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

Whereas in August, 14 finalists competed for the title of Miss Teen Cape Breton 2011 in Sydney; and

Whereas contestants were judged on a personal interview, formal wear, charitable activities, community engagement, and scholastic achievements; and

Whereas Miss Teen North Sydney, Emma Simpson, was awarded the title of Miss Fitness based on her proven track record of athletic ability;

Therefore be it resolved that all members of the House of Assembly congratulate Emma Simpson, Miss Fitness, in the Miss Teen Cape Breton 2011 Scholarship Pageant and wish her well in her future endeavours.

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

MADAM 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. 2368**

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

Whereas Evan K. Phinney, a Grade 12 student at Sacred Heart School of Halifax and Halifax Clayton Park resident, has been riding with the Halifax Junior Bengal Lancers for 12 years; and

Whereas Evan was named Athlete of the Week by The ChronicleHerald, after she placed third and won an individual bronze medal in the Jumper Division, competing on her horse, Duke of Earl, at the inaugural Canadian Equestrian Championships at the Bromont Equestrian Olympic Park in Bromont, Quebec, in September 2011; and

Whereas Evan was one of the 18 members of Team Nova Scotia and a member of the Nova Scotia Jumper Team and made our province proud by winning a team bronze medal in the Jumper Division and by contributing to Team Nova Scotia's finishing third overall in the provincial standings for a bronze medal at the 2011 Canadian Equestrian Championships;

Therefore be it resolved that members of this House of Assembly join me in congratulating Evan K. Phinney with her horse Duke of Earl and her Nova Scotia teammates for their successes at the Canadian Equestrian Championships and wish them all the best in their future endeavours and competitions.

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

MADAM 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. 2369**

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

Whereas Dino's Convenience & Camping, located half a kilometre south of Ingonish on the Cabot Trail, is a family-owned business operated by Edward and Theresa Hardy; and

Whereas Dino's has a total of 16 campsites and is also a spot where you can purchase delicious baked goods; and

Whereas Dino's Convenience & Camping is well established, having operated in the Ingonish area since 1971;

Therefore be it resolved that all members in this House of Assembly congratulate Edward and Theresa Hardy for their entrepreneurial spirit and wish them continued success.

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

MADAM SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Economic and Rural Development and Tourism on a statement to the House.

HON. PERCY PARIS: Thank you, Madam Speaker. I wasn't in the House at the time, but I understand that there was mentioning in the House, I think it was on Tuesday, as a result of something that I said during Question Period. A point of order was raised in this House, and I want to say this: because of who I am and because I'm a strong diversity practitioner, I would retract the statement that they complained of. Thank you.

MADAM SPEAKER: Thank you, Mr. Minister. The statement is retracted.

## **ORDERS OF THE DAY**

### **GOVERNMENT BUSINESS**

MADAM SPEAKER: The honourable Government House Leader.

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

**PUBLIC BILLS FOR SECOND READING**

MADAM SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Madam Speaker, would you please call Bill No. 102.

**Bill No. 102 - Trade Union Act.**

MADAM SPEAKER: The honourable Minister of Labour and Advanced Education.

HON. MARILYN MORE: Madam Speaker, I move that Bill No. 102, an Act to Prevent Unnecessary Labour Disruptions and Protect the Economy, be now read a second time.

It is my privilege to rise and speak on this bill, which contains amendments to the Trade Union Act. Government's goal is to preserve the stable labour relations environment we enjoy in Nova Scotia. We want to make it easier for employers, employees, and unions to resolve their differences in a mature and responsible manner. This legislation deals with the difficult task of creating a first collective agreement and it creates incentive for parties to reach a collective agreement on their own. In the rare event that they cannot, this legislation allows for a third party to resolve any outstanding issues in the dispute, avoiding a prolonged lockout or strike. There are very few situations - two or three in the run of a year in Nova Scotia - where negotiators aren't able to conclude a first agreement on their own.

First contract settlement is a topic with a broad range of views and perspectives, and I am comfortable that we have heard them. The Labour Management Review Committee conducted broad consultation on this subject. In the end the committee could not reach a consensus, but they did provide me and my staff with valuable input.

I personally met with business and labour representatives to discuss first contract settlement. There was a clear difference of opinion. We have listened to business of an incorporated and educational component in this legislation. It takes place within two weeks of a union being certified. A provincial conciliator will provide information and awareness to both the employer and the union about negotiating a collective agreement. This increases the likelihood of successfully reaching a first contract.

Madam Speaker, first contract settlement has existed in Canada for 37 years. It is good public policy that has been brought in by governments of all political stripes. In 1978 Premier René Lévesque and his PQ Government adopted first contract settlement in

Quebec, the same year the federal government adopted it under Liberal Prime Minister Pierre Trudeau.

Another Liberal Premier, David Peterson, adopted it in Ontario in 1986. Progressive Conservative Premier Brian Peckford instituted first contract settlement in Newfoundland and Labrador in 1985 and it remained in place ever since, including under Premier Danny Williams.

Six provinces and the federal government have such legislation in place; 85 per cent of the Canadian workforce is already covered by such legislation. Research clearly reveals no major problems as a result of first contract legislation. In fact, the legislation is rarely used because most negotiations result in a voluntary agreement. If that's the case in most of Canada, why are some people insisting it will be different in Nova Scotia? We have a good labour environment in Nova Scotia and there's no big strike or other labour crisis at hand. We don't want to wait until there is a crisis and then wish we had been more proactive.

The intent of this bill is simple enough: it is there to prevent unnecessary, costly strikes in newly-unionized workplaces that would hurt businesses, workers, and the economy. The bill only applies to workplaces that are already unionized and have no collective agreement in place. This bill is sensible, pragmatic policy that is commonplace across the country. Catching up with first contract law is the right thing to do, and now is the right time.

Madam Speaker, that concludes my remarks, and I look forward to hearing from the members opposite. Thank you.

MADAM SPEAKER: The honourable member for Yarmouth.

MR. ZACH CHURCHILL: Madam Speaker, it is important that all of us get a chance to stand up and speak on this bill, because it is an important one. To speak frankly, the members of this caucus aren't sure precisely why it is being brought forward at this time. It doesn't seem to be addressing a problem we currently have in our system, and it's doing nothing to address the real problem we have with job losses in the province. Since this government has taken over, this province has lost 12,500 jobs.

I realize the minister says we don't want to be crisis-driven and act, but I would suggest that we are on the verge of a job-loss crisis here, and now is the time to act in the interest of our employers, in the interest of business in the province, to prevent that.

I won't stand up and suggest what the Leader of the Third Party said, that this is part of some sinister, job-killing plot or scheme, because I don't think that's the case. I don't think there are numbers that would suggest this is going to kill thousands of jobs in the province, but there also isn't evidence to suggest that this bill is what it says it is, to protect

the economy. What's happening is that employers, the business people, the job creators in this province are saying, this makes us nervous. This is the second time in this House that we've had a government move forward with labour bills, or Acts, that are counter to what the business community is asking for.

I'm asking, at a time when we've lost 12,500 jobs in this province, under this government, when we need to ensure that there is confidence amongst our employers and business people, that they believe in the government, that they believe in the power of the province, that they believe in investing in Nova Scotia, at a time when we need that to happen so that we don't lose more jobs, why do we continue to move forward with legislation that creates concern with those job creators? Why do we do that? This happened with Bill No. 100. It was brought through quickly. We were told it was a small matter, nothing to worry about, and lo and behold, businesses across the province are saying, wait a second, what is this? This isn't helping us. This isn't helping us create jobs. This isn't helping our business.

Why is this happening again with this? I think the obvious answer is the agenda is being driven by certain union organizers that are involved, in a partisan way, with the government. I don't think anyone can hide from that. I think that's the case because no one else in the business community is asking for this.

Instead of tackling those real issues that we have in this province - job losses, the fact that we have the most uncompetitive tax structure in the country, we're the highest taxed jurisdiction - instead of addressing those real concerns, this government continues to move forward with legislation that actually worries our employers and our business people.

Let's look at the decisions this government has made. One decision that the Minister of Finance was actually a bit apologetic for when he came to Yarmouth was the Yarmouth ferry. He said perhaps - and I can bring the article in if the Minister of Finance would like, we're talking about business here, this is about the economy. The title of this bill is about protecting the economy and that's exactly what I'm talking about. Look at the decisions that have been made by this government when it comes to protecting the economy.

Let's look at them. What have they been? They've been doing the opposite. They've been creating fear in our business people and our employers. Some members may say the Opposition Parties are creating fear; we're not. We're presenting rational arguments that are being echoed by the private sector. If the member for Guysborough-Sheet Harbour ever took the time to actually meet with those stakeholders that we've been meeting with, the retailers, the small business owners, the independent businesses, the chambers of commerce, all those representatives of the business sector in this province, the ones creating jobs, the ones ensuring that Halifax does better, perhaps he would have a different opinion on this. Perhaps he would.

The fact of the matter is, we are losing jobs under this government, that's a fact, according to Statistics Canada. Instead of tackling the real issues that we have in this province, our uncompetitive tax structure being one of them, we're moving forward with bills that actually create more concern from our businesses, big businesses.

To have a Minister of Economic and Rural Development and Tourism stand up in the House and say, we're losing jobs because of other factors that aren't related to this government, I think is a scary thing. It's a scary thing when a government consistently blames everybody else for the problems we're facing in this province. Consistently, we have members of this government stand up in the House and blame a government from when I was 10 and 12 years old. They blame the previous government for their inactivity on the economy and then rebrand a lot of the previous government's plan in their "jobsWhere" program.

We have a government that stands up and blames Italy, that blames Greece, that blames everybody else for the current state of affairs in this province but does not take responsibility themselves. To have a minister stand up in this House and say it is not my responsibility to support the economy of Nova Scotia, it's not my responsibility to help job creation, it's not my fault we are losing jobs - that is a scary thing, because that sends very clear messages to our employers and to business: (1) the government doesn't have control, and (2) Nova Scotia is a risky place to do business in.

When you have a minister who stands up and says this isn't my problem, this isn't my fault, those are the messages that are sent out: the government does not have control and Nova Scotia is a risky place to invest in. Those are the messages that that minister sends out every time he says that, when in fact the opposite is true. Governments do have a very important role to play when it comes to job creation and the state of our economy, a very clear and important role, to create the conditions for success, to ensure that this province is competitive as a whole, to invest in areas like transportation that bring people and business to this province and through it - transportation links like the Yarmouth ferry, which connected this province to the largest market in the world.

The connection of Nova Scotia to the largest market in the world was cut by this government and we've seen the negative consequences as a result of that. Government has a role to do that. This government also has a responsibility to look at our tax structure and to actually make decisions that strengthen it, that make it more fair, that make our province more competitive. Instead of moving on these things, this government brings forward bills that don't help create jobs, but that are what their partisan allies who do third-party advertising for them in elections are asking for.

Right now, at a time when this province is losing jobs, thousands of them under this government, it's not the time to listen to our partisan allies. It's time to listen to our business community, the job creators in this province. If the Minister of Economic and

Rural Development and Tourism says he can't create jobs, then maybe he can help those people in our province who do just that.

Let's look at some of the economic numbers. At 1.9 per cent Nova Scotia has the worst growth of any provincial economy in the country - the worst right now. Yet despite this fact, despite the fact that we are losing thousands of jobs, this government will stand up and boast about bills that aren't helping with job creation. They will yell us down when we bring up these concerns. These aren't the concerns of Liberals. These are the concerns of Nova Scotians; these are the concerns of the business people in Yarmouth who are now out of business.

We just had another business in Yarmouth that announced that they will be closing soon - a golf store. The state of our economy in rural Nova Scotia is in a difficult position right now. In the past year Cape Breton lost 2,100 jobs. Does first contract arbitration put those people back to work? This last year, the North Shore region lost 1,400 jobs. Does first contract arbitration put those people back to work? The Valley region lost 600 jobs in this past year alone. Does first contract arbitration put those people back to work? The southern region, where I'm from, lost 2,500 jobs in this past year. My question to the Minister of Labour, my question to the Minister of Finance, my question to the Minister of Economic and Rural Development and Tourism, my question to this government is, does first contract arbitration put those people back to work? It doesn't.

This is the point: we talk about protecting the economy in this bill, but there's nothing in this bill that protects our economy. There's nothing in this bill that fosters job creation; there's nothing in this bill that supports our business owners, our employers, the job creators in the province. Madam Speaker, I'll be clear: without employers in this province.

There's nothing in this bill (Interruptions) Madam Speaker, I'll be clear - without employers in this province, without business owners, there are no employees. There are no employees. (Interruptions) Without business owners, there are no employees and that's something that this government continues to forget. (Interruptions)

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

MR. CHURCHILL: Thank you, Madam Speaker. That's something that I think we all need to take note of. Without our employers, without the job creators, without the business owners, small and large, without our entrepreneurs - who have all voiced concern over this bill and the previous labour bill, Bill No. 100 - there aren't employees in Nova Scotia, and that's what's happening. That's why we're losing jobs - 12,500 jobs lost - and the members opposite can laugh it off, shrug it off, and rub a little dirt off their shoulder, but that's the truth - 12,500 jobs lost under this government and this Minister of Finance. (Interruptions)



Do you know what I find very offensive, Madam Speaker? Instead of paying attention to those real issues, instead of listening to business owners, instead of listening to the retailers, to the people creating jobs, this Minister of Finance chooses not to do that. And instead of bringing forward an economic development plan that's actually going to help this province, what does this Minister of Finance do? He rebrands the old political slush fund that he said was a bad thing previously - not only rebrands it, he puts more money into it. Is that his economic development plan - the identical expansion fund - one that that Minister of Finance said is a political slush fund.

What did he do when he's in office? He increased it by \$75 million and he calls that protecting the environment. (Interruptions) Give me a break; it's a joke, and what we see consistently time and time again is that these Cabinet Ministers, when they were in Opposition, said very (Interruptions)

MADAM SPEAKER: Order, please. I realize the week has been long, we have much to do in this House, and every member has the right to have their time in their debate. I now recognize the honourable member for Yarmouth.

MR. CHURCHILL: Thank you, Madam Chairman - Madam Speaker, and I apologize. Usually you are Madam Chairman when we're talking about these bills in committees. So I apologize for that, I didn't mean any offence.

You know, at a time when Nova Scotians are feeling the real economic pinch we bring forth bills that say we're protecting the economy and we're protecting jobs, but they're not, they're doing the very opposite. They're doing the very opposite because at a time when we're losing jobs, when we're losing confidence here, this government brings forward a bill that actually increases that uncertainty. And I'm not sure why that happens. We have not had any legislation that has been brought forward that actually addresses the fundamental economic challenge that we have here in this province, and that is our taxes. The fundamental challenge we have in our province is our taxes.

The member for Hammonds Plains-Upper Sackville always asks, what would you do? We have said very clearly what we would do to strengthen our economy. We would create a comprehensive review of our tax system in an attempt to make it fairer, to make it more just, and to make this province more competitive. Instead of moving forward on something like that, that will actually for the long term help this province do better, we move forward on bills that say we're protecting the economy, but all we're doing is supporting some very specific union leaders who have asked for this.

What problem are we trying to fix? That's the question that our Leader has asked several times - what is the problem that we're trying to fix? What is it? I think every piece of legislation we bring in here should be attacking the challenges that Nova Scotians are facing each and every day. That's what legislation should do in this House. We should be identifying the challenges, the problems, identifying potential solutions and bringing forth

legislation that leads us towards those. That's what we need to be doing in this House - talking about legislation that matters - not saying that we're protecting the economy when we're bringing in legislation that creates uncertainty in the business place.

That's not protecting our economy, and the member for Guysborough-Sheet Harbour can shake his head all he wants but, again, I will ask him to check and consult with those members of our business community that bring forward these concerns, that did it before and are doing it now. Not only will I ask that he consult with them, I ask that he listen with an open and objective mind. We can all be proven wrong at one point or another and I'm not here saying - like the Third Party is - that this is a job killer, I'm not saying that. I'm not saying, as the member for Pictou East would suggest, what he said some of us are doing, creating a sense of doom and gloom here. What we are doing is having a very real conversation about what this bill is and why it was brought forward.

We are talking about consultation here and I do have questions about the level of consultation. The comments from the public who were supposed to be in on this bill came in on November 4<sup>th</sup>. The minister, prior to those comments coming out was supposed to consult with the board, consider the comments and bring forward recommendations. What we have is, I think, the same thing we started out with and that's a very quick turnaround to do all of those things, to consult with the board, read all the comments that came in and make recommendations. That happened in what, less than two weeks, and the board was even divided on this.

I think it's very unfair for the members opposite to suggest that the concerns we're bringing forward are somehow misplaced or that we're trying to create fear for no reason. The Labour Board was divided on this issue. It's not just this House that is divided, the Labour Board was divided. If you look at the amount of time it took for the minister to bring forward this bill, they responded quicker to this than they did the Auditor General's Report. Why? Perhaps because the decision was already made, I don't know. And let's look at the reasons for doing this . . .

HON. MARILYN MORE: Madam Speaker, on a point of order. I just want to clarify that the advisory committee is the Labour Management Review Committee, it's not the Labour Board, that's a very completely different board and I think for the sake of both the further discussion and comments, we should be clear that the Labour Board is not implicated at all in giving advice to the minister. Thank you.

MADAM SPEAKER: Thank you, Madam Minister, that would not be a point of order.

The honourable member for Yarmouth.

MR. CHURCHILL: I do want to thank the minister for making that point clear to me, I appreciate it very much, thank you. The LMRC was divided on it, right, a different

group was divided on it. When we come back to that question, what problems are we trying to fix here, I think it's a very real question. This caucus unequivocally supports the principles of collective bargaining, unequivocally we support the rights of employers and employees to work together and negotiate to reach agreements, we support that.

The preamble of the Trade Union Act outlines the importance of free collective bargaining. It is the belief of this caucus that perhaps first contract arbitration actually negates the nature of collective bargaining in Nova Scotia. True collective bargaining allows for an exchange of information about the business climate, et cetera. First contract arbitration can actually pre-empt this vital exchange where employers and employees come together and say, this is what I'm able to do, this is what we want, can we find an agreement that's fair for us, fair for all parties and that makes sense in the marketplace. This legislation could perhaps pre-empt that very important process because one side says, no, we're not going to do that, we're not going to engage in that very meaningful conversation about the climate that we're working in, about what we're each able to do and this could pre-empt that.

I'll allow an introduction, Madam Speaker.

MADAM SPEAKER: The honourable Minister of Finance on an introduction.

HON. GRAHAM STEELE: Thank you very much to the member for allowing an introduction. I would like to draw the attention of the House to the east gallery, to a distinguished visitor we have with us. We have Mr. Wes Sheridan, the Minister of Finance, Energy and Municipal Affairs from Prince Edward Island. He is joined by his brother-in-law Tim Thompson, who has made the very sensible decision recently of moving back to the Maritimes. We welcome both of our visitors. (Applause)

MADAM SPEAKER: Thank you. We welcome all guests to the gallery. I hope you enjoy today's proceedings.

The honourable member for Yarmouth.

MR. CHURCHILL: Thank you. Welcome to everybody in the gallery. (Interruptions) It's true, it's true.

Back to the question, what problem are we trying to fix and does this bill - we've already seen it doesn't protect the economy. At a more basic level, does this actually improve the collective bargaining process in the province? Our suggestion is it may not. As I mentioned before, the collective bargaining process is a process by which employers and employees come together; take into consideration the economic climate they're working in; look at each other's needs, wants, demands, and hopefully are able to reach an agreement that works for all parties and that's fair for all parties.

This legislation could negate that very important and meaningful dialogue. It could allow one group to actually bypass that important process. Under the current legislation, if there is an impasse in labour negotiations, a party can request a conciliator. If that fails they can request a mediator; if that fails they can request an industry panel review - under the current legislation. But under FCA, employers can actually lose their right to a collective agreement.

Employees who are in a certified union lose their right to a secret ballot vote to ratify a collective agreement. FCA places the responsibility of coming to a decision on a first contract, squarely in the hands of a third party who has no vested interest in what's going on. I think we have to ask ourselves a fundamental question - is that what we want collective bargaining to potentially look like in the province?

I realize, sometimes, rarely in Nova Scotia, I don't even think it happens often - there have been strikes, but it rarely happens. But isn't that the right of employees to have a strike if they're not getting what they need? Isn't it the right of an employer to have a lockout if they're not getting anywhere in that process? This process could take away their rights to do that and put it squarely in the hands of a third party that has no vested interest, that doesn't necessarily address this issue comprehensively as an arbitrator would do. As we were told in the technical briefing, an arbitrator comes forward with a very complete plan from an objective standpoint - it's arbitrary, that's why they're called an arbitrator. This could change that.

First contract guarantees that the two parties are not under the same pressure to reach an agreement through free collective bargaining because one party - it only takes one party to ask for this, and then we're there. Instead of the regular process, parties will be bound by collective agreement being imposed on them by the Labour Board. This is an imposed contract by a third party who does not understand the realities, potentially, of business, the region, economic pressures faced by business.

Is that what we want to do? The collective agreement process allows for those factors to be considered. Are we moving into an arena where those factors will no longer be considered by a third party? As we were told in the technical briefing of this, the work that the Labour Board does in reaching first contract arbitration is not as complete as the work an arbitrator does in bringing those two parties together with a decision. All the things out there aren't necessarily considered. That's what we were told in technical briefing. These are real questions that we have about the collective bargaining process and at some point it would be great if these concerns could be answered by the government.

I will reiterate, these aren't just the concerns of your Opposition Parties here. These are concerns that were brought forward by every single organization representing employers and businesses in the province, every single one of them, the people that are actually creating jobs in the province, despite the difficult economic climate here. All of

those people - every one of them representing those groups - have said, we're worried about this.

Big companies like Michelin - Michelin employs 3,500 people in this province - Michelin said, this legislation could impact future investment in the Province of Nova Scotia. Is that what we want our business leaders to be telling other potential investors, entrepreneurs and business people? We want our businesses in Nova Scotia saying, our government listens to us. Our government moves on legislation that makes our province competitive. We want more people to come here. We want to invest more money in here. That's what we want our business people saying. We don't want them saying, this could impact future investment, because then what does Michelin say? They go tell the next big manufacturer, don't go to Nova Scotia.

These are real consequences to moving forward with these labour bills. It happened before - Bill No. 100 - I received countless e-mails and calls about Bill No. 100 from business owners across the province, local business owners in Yarmouth. Our caucus received calls from businesses in other parts of the province: the Canadian Federation of Independent Business, the chambers of commerce, everybody came forward on Bill No. 100 and said, let's hold up on this. There are some questions that need to be answered. The Labour Management Review Committee that was created through Bill No. 100 - it was assured to all those concerned business owners that we're only going to be dealing with unionized shops. That's who we're going to be dealing with. The first thing they do is bring forward legislation - or some of them anyway suggested legislation - that affects non-unionized places of work. Why, what is the problem we're trying to fix?

If the minister or the government can stand up and say, this is precisely the problem that we're trying to fix and this is how it's going to fix it, then let's hear it. We haven't heard that yet. All we've heard are concerns from the business community about this, very serious, adamant concerns from big employers like Michelin. If we're not listening to Michelin, who are we listening to here? Who are we listening to if we're not listening to Michelin?

As I mentioned before, the facts are out there, Madam Speaker, because every single business representative in this province, from the organizations that represent our employers have said, this creates uncertainty for us. So if any minister needs those facts, needs those comments, they're on a wonderful thing called the Internet, and then a wonderful thing called the ChronicleHerald, and in other papers across the province, and on TV when these business owners talk about these things. If you need any more evidence that's on the record, feel free to watch the news at night.

At a time when we need to be acting in this Chamber together to stem the bleeding of jobs in Nova Scotia, to bring forward legislation that makes the province more competitive; which makes us more appealing to outside businesses to come in; which creates jobs in rural areas like the Valley, the South Shore, Cape Breton, the North Shore -

when we need to be doing those things, instead, this government brings forward bills that potentially works against the goals of creating more jobs here.

As I mentioned before, members of this government can stand up and shirk that responsibility that they have for creating jobs for people in Nova Scotia and creating confidence here, but I assure them, Madam Speaker, it is squarely on their shoulders. With those few comments, I'll take my seat. Thank you.

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

MR. KEITH BAIN: Madam Speaker, I am pleased to rise as the Critic for Labour and Advanced Education for the PC Party to speak on this bill concerning first contract arbitration. I can't help but wonder, why is this bill even before us?

One of the biggest questions we have around this legislation is simply, why? Why now? Why first contract arbitration - better called "first contract imposition"? I have never once had a constituent come to me in my office and tell me that Nova Scotia needed first contract legislation. From talking to my colleagues, I know it hasn't been a burning issue in their constituencies either.

I'd like to ask the members opposite, how many of your constituents have come to you and said, if there's anything government can do during the Fall sitting of the Legislature, it should be to introduce first contract arbitration? I'm not getting answers, so I guess that pretty much tells you. That begs the question, who is pressuring the government to act on this? Where is the desire for first contract legislation coming from? It certainly hasn't been a public demand; there have been no loud calls, from what I've heard.

It's clear that this is a government that puts special interests ahead of public interests. We shouldn't be surprised by this; we've seen it before. We all remember Bill No. 100, another extreme piece of anti-business legislation that puts special interests ahead of public interests. Remember the small businesses that lined up and pleaded with government not to move ahead with their extreme labour agenda? Well, the government bullied ahead anyway, and now we see the same thing is happening here.

Between this experience, the Bill No. 100 experience, and countless other instances, I think it is now crystal clear that this government is, quite simply put, anti-business. They are committed to destroying the private sector here in Nova Scotia. Make no mistake about it, Madam Speaker, that's what they are doing, and that's what this bill can do. It can destroy the private sector here in Nova Scotia.

Some time ago we spent many hours in this Legislature discussing Bill No. 100, which set up the Labour Management Review Committee. At this time, I'd like to read the mandate of that committee. It says that:

“Section 139 of the Labour Board Act establishes a Labour Management Review Committee to review, report on and make recommendations to the Minister on labour-relations issues arising out of the Civil Service Collective Bargaining Act, Schedule A of the Corrections Act, the Highway Workers Collective Bargaining Act and the Trade Union Act, on an ongoing basis.”

It talks about the makeup of the committee and then it goes on to say:

“The committee will consult with unionized employers and employees on issues relating to those acts. As well, the Minister may consult directly with the public, including non-unionized employers and employees, in relation to labour issues that affect non-unionized employers and employees.”

I'll table that, Madam Speaker.

When that committee was set up, there was concern expressed about the makeup of the committee and the fact that it would consult with unionized employers and employees on issues relating to the Acts that I mentioned. Small business wasn't listened to at that time and they aren't being listened to now.

The minister, in her opening remarks, said that all sectors were consulted. I think it's important that the members of this Legislature know that the honourable member from Inverness, as a representative of the PC caucus, planned on attending the sessions to observe, but was told he wasn't allowed in. Madam Speaker, the ironic part is one of the reasons he was told that he wasn't allowed in was because there wasn't enough lunch. There's something wrong with that whole system. (Laughter)

AN HON. MEMBER: We've seen him eat. (Interruptions)

MR. BAIN: Madam Speaker, I know the member for Inverness has a very big appetite, but I think a cup of tea and maybe half a sandwich or something, he might have been quite happy. But you imagine being told you're not allowed in, and one of the reasons is we don't have enough lunch. (Interruptions) That's a very good reason.

Madam Speaker, getting back to the recommendations the minister asked from the Labour Management Review Committee, I want to make reference to a letter that the minister tabled on November 17<sup>th</sup> in this House - it's from the two co-chairs of the Labour Management Review Committee. The letter says:

“This is to inform you that the Labour Management Review Committee met on November 7, 2011, to conclude a process of stakeholder consultation,” - the one that the honourable member wasn't allowed in - “and Committee consideration of the issue of first contract settlement in the Nova Scotian context.

After some very engaging and productive discussion, the Labour Management Review Committee has been unable to reach a consensus on whether first contract arbitration should be available under the Nova Scotia Trade Union Act.”

It's signed “Sincerely” by the two co-chairs and I know it's been tabled, but I will table it again.

Madam Speaker, the committee couldn't reach consensus, but still this government is determined to plow ahead with no one's blessing but their own. I mentioned before that the measures being taken by this government are destroying small private business in this province, and you don't have to take my word for it what first contract arbitration can do. There are examples of this very thing happening in other jurisdictions that have imposed first contract arbitration.

I'd like to take a few moments and talk about the devastating effect first contract imposition had on Treats - a franchised coffee and snack shop - in Saskatchewan. Treats operated on a university campus and mostly employed students on a part-time basis. We all know about challenges many students face in finding work during their studies, and any business that makes a point of employing them and engaging them in the economic fabric should be commended. I think that's something that all members of this House will agree with.

In the case of Treats, the Canadian Union of Public Employees was certified as the bargaining agent. The bargaining of their agreement went on until only wage and monetary issues were resolved. At that point the employer made it known he simply couldn't pay higher wages. The losses would be too great and he wouldn't be able to make ends meet, the business would close and the students would be out of work. Unfortunately, that wasn't good enough for CUPE. The union pushed back and demanded the employees at Treats be paid the same wage as the university's unionized cafeteria employees.

Now let's not forget, Treats was a small business that happened to be facing the same challenges that we all know small businesses are familiar with. Many small businesses simply can't afford to pay union wages; in many cases it means their businesses close, the employees are left out of work, and families are left struggling.

Madam Speaker, while Treats and the bargaining agent remained at odds, the labour board intervened and opposed a first contract agreement that increased the workers' wages by almost 31 per cent, that's almost one-third.

Making matters worse, even though the labour board took 14 months to reach their decision, much longer than the 45 days laid out in the province's legislation, they made the increases retroactive. Additionally, it required Treats to find and pay the increases to all of its ex-employees as well. Think about it. Treats did try to fight back because they knew



their business was on the line. They took the decision to court, incurring legal fees, but the Saskatchewan Court of Queen's Bench upheld the board's decision in spite of the fact that the employers produced evidence proving they consistently lost money already and could not afford to pay higher wages.

During the 14-month ordeal, the employers at Treats simply acknowledged that they could no longer make ends meet with the first contract it imposed on them and ended up having to sell the business. That is the kind of devastating impact first contract arbitration can have on an economy. Imagine if we had first contract arbitration in Nova Scotia. All of us, every one of us, all 52 of us in this House, know of small businesses in our own constituencies that would be forced into submission the same way the employers of Treats were, due to the first contract arbitration.

I urge the members on the government side to stop and consider the impact this would have on the small businesses in your constituencies. Stop and think about it.

But it's more than just the businesses. Think about the people who depend on these business successes for their own income. We know that small businesses employ nearly half of all Nova Scotians and that's just small business. This legislation puts futures at risk, futures of thousands of businesses, the futures of hundreds of thousands of Nova Scotians and, collectively, the future of our entire economy. We all know that our economy can't take much more.

We already have a fragile business environment in Nova Scotia and the NDP have proven they only know how to make matters worse, not better. From one end of this province to the other we've seen job losses and businesses close. We're on shaky ground, far too shaky to consider a policy as risky as first contract arbitration. Under the NDP, a staggering 8,400 Nova Scotians have already been forced to leave the workplace. This government is kidding itself if they think it's the right time to pursue further job-killing policies.

The government has proven two things, for one thing they're not very good at creating jobs, but on the other hand they're very good at losing them. With the first contract arbitration they're about to see us lose a whole lot more. If you don't believe me, the members of government, all they have to do is just speak to the Canadian Federation of Independent Business or the Retail Council of Canada to see what they might have to say about it.

Now, Madam Speaker, they tell us the famous words - that just isn't true. How many times have we heard, from across the floor - that just isn't true, simply not true, it just isn't true, that's not true? That's all we've been hearing. They tell us that first contract legislation will not result in job losses. How can we trust them? We know we can't trust this government to handle the economy, they've proven that with the job losses.

We know we can't trust them to keep their word, either. After all, this is the group that told us they wouldn't raise taxes. What happened? I guess it's simply not true - they didn't raise taxes, it's all our imagination, there's something wrong with us. All of a sudden we're seeing that taxes have gone up but it's only their imagination, it's simply not true. Well, tell every Nova Scotian who is paying an extra 2 per cent on their HST every year that it's simply not true. Tell them. Is anybody going to stand up and say it's not true?

HON. GRAHAM STEELE: You sit down, I'll stand up.

MR. BAIN: I know the Minister of Finance wants to stand up. He'll have his chance, he'll have his hour. He can ramble on about the wonderful things that this - but that Finance Minister, Madam Speaker, is the one who raised their taxes 2 per cent, he was the one who did it. Let him answer to the people of Nova Scotia.

MR. STEELE: You sit down, I'll stand up. (Interruptions)

HON. ROSS LANDRY: Let him have his say, be a man about it. (Interruptions)

MADAM SPEAKER: Order, please. I'm going to rule that one unparliamentary. I would ask that the member retract that statement.

The honourable Minister of Justice.

HON. ROSS LANDRY: I was wrong in my remark. I withdraw my remark.

MADAM SPEAKER: The honourable member for Victoria-The Lakes has the floor.

MR. BAIN: Thank you, Madam Speaker, and thank you to the Minister of Justice. I guess when you listen to the remarks that are coming across the floor, the truth hurts. We are touching a nerve here.

Now I've lost my place, Madam Speaker, because that was so interesting. (Interruptions) I found it. The words were, they told us they wouldn't raise taxes but they did. I think that's where I left off.

Madam Speaker, when this government tells us first contract imposition won't result in job losses in Nova Scotia, how can we trust them? Their word is good - think about it. One of the key responsibilities a government has is to build a strong business environment and attract jobs to this province. Well, we have evidence that to date this government has failed to do so and this legislation only confirms that they will continue to fail well into the future.

Madam Speaker, our Leader said it yesterday, all this legislation does is to send up a big, red flag for businesses looking to settle in Nova Scotia. The legislation says one thing and one thing only - don't set up shop here, Nova Scotia is too risky. How backwards is that? At a time when our province needs to be doing anything it can to strengthen our economy and creating jobs, this government is intent in driving them away by introducing first contract arbitration.

Madam Speaker, introducing this piece of legislation also says a lot about their priorities. At a time when the top priority for each and every member of this House should be creating jobs, the government decides that their top priority is to bring forward misguided, job-killing legislation, but not only that, no one even asked for it.

It has become evident, Madam Speaker, that the NDP priorities are not Nova Scotia priorities. Ask the folks at NewPage what their priorities are. Ask the people in Yarmouth what their priorities are. Ask the employees of Bowater what their priorities are. I can guarantee you one thing, none of them will say it's first contract arbitration - they'll say jobs and policies to protect jobs are their number-one concern, not risky laws that kill jobs. Our pulp and paper mills are in distress; Michelin is seriously considering ceasing to make investments in this province - do we really want to see how these companies, indeed these whole industries, will react to something as dangerous as first contract arbitration? Do we?

I also, Madam Speaker, take issue with the title of this bill. The title is an Act to Prevent Unnecessary Labour Disruptions and Protect the Economy - protect the economy? This government has failed to give any explanation of how this legislation will protect the economy. If this bill is really designed to protect the economy, where are the business owners and operators, the backbone of this economy, where are they lined up - where are they? You know, if it's going to protect the economy, they should be here in droves. Where are they? They know better.

Madam Speaker, if this government was really concerned they would say to the business community, okay, we get it, we understand how this is going to be bad for you and bad for your employees, now let's sit down and work out a better arrangement. That's what the government should do. However, we all know they're not going to do that - they didn't do it during Bill No. 100, so why should we expect them to do it now? It's not going to happen; instead they're going to bull ahead with their adversarial approach to business in this province.

They behave like that because they simply don't care; they don't care whether businesses in Nova Scotia succeed or fail. They're not interested in the public interest, they're only interested in their own special interest friends. That, Madam Speaker, is the NDP way. That is the NDP way - they have no respect for the rights of businesses in the province. They have no respect for the businesses in this province, and that's a huge part of what this legislation is about - taking away the rights of businesses, to say no to agreements

that would see them suffer or possibly forced to close up shop. That's what they're doing. (Interruptions)

Madam Speaker, I know one thing, with a lot of the remarks that are coming from across the floor, it's going to be interesting - I hope that all these members will be standing up, talking for an hour, so their constituents can hear them say the wonderful things about first contract arbitration. I'm looking forward to it and, if it means that we're here over the Christmas holidays so that they can do it, I'll be here.

Madam Speaker, this legislation creates uncertainty for job creators in this province. Because of it, they will not be able to be fully aware of what kind of business they can run. Businesses coming to Nova Scotia, or even businesses currently in Nova Scotia, may not know how many employees they're able to hire, what they're able to pay them, what the hours of operation will be - and I could go on and on. All it does is create more and more question marks and provides no answers. This is a common theme again - questions go across the floor, but we never get answers.

Madam Speaker, perhaps the worst aspect of the government's misguided decision to introduce this legislation now is the fact that it couldn't have come at a worse time in the economy of Nova Scotia. It gets back to my opening remarks: Why? Why now? What's the big rush in this whole thing? Our economy needs a revamp, not a decline. Nova Scotia is presented with an historic opportunity. The new shipbuilding contract in Halifax is a source of great optimism for our province, as it should be. That happened because of the good business practices of Irving Oil, and thank you, Prime Minister Stephen Harper.

AN HON. MEMBER: It was based on merit.

MR. BAIN: It was based on merit, that's right. But in order to pay for it, some government has to put up the money, and I guess, thank you Stephen Harper.

ANOTHER HON. MEMBER: We've got the best workers in Canada.

MR. BAIN: That's right. Nobody is going to argue where the best workforce is. The best workforce is in Nova Scotia. The best business for the shipbuilding is Irving shipbuilders - we know it. It was a merit-based opportunity. Irving won it on their merit with their workforce, and we know that.

Again, it could mean thousands of jobs for Nova Scotians, thousands. It could mean young Nova Scotians who've left home for greener pastures will be able to come home, and it should mean that there will be an abundance of opportunities for new businesses here in Nova Scotia, businesses that will employ people from all corners of this province. Yes, the future should be bright for Nova Scotia. Unfortunately, Madam Speaker, with first contract arbitration, the NDP run the risk of blowing it.

Imagine an entrepreneur wanting to set up business in Nova Scotia in order to take advantage of what's going to be happening with the shipbuilding. He or she comes in and they discover that thanks to first contract arbitration - a third party who likely knows nothing about their business or industry - may be able to step in and set all the wages and benefits of the employees. All aspects of the relationship with their employees could potentially be determined by someone else. Suddenly, Nova Scotia is looking a lot riskier.

The shipbuilding presents an opportunity not only us but for the next generation of young people in Nova Scotia as well. We have young people who are in school now and they know that when they finish their education, if they work hard and follow the right path, they too will be able to find meaningful work related to the shipbuilding contract here at home. But the NDP are letting them down with first contract arbitration.

First contract arbitration - or imposition - means that great day and those great opportunities suddenly seem a lot further away than we had hoped. The stakes are high with this shipbuilding contract. We have to get this right. We have a responsibility to make sure the generations to come will be able to take full advantage of all of the spinoffs that will accompany this decision. Madam Speaker, the NDP are throwing all of that in doubt with first contract imposition.

It's not like we have a lot of time to waste. We have to start laying the groundwork for this new opportunity now, and with the government putting forward first contract arbitration that job just got a lot harder, because we also have to sell Nova Scotia. We need to remember that all of us here in this House, regardless of where we sit, are ambassadors for Nova Scotia. We are also responsible for trying to improve our province's reputation across this great country and around the globe.

Suddenly, Madam Speaker, trying to tell people that Nova Scotia is open for business and that they should invest here is going to get a lot harder. We're about to hear a lot of people saying, I love Nova Scotia, or I would love to invest in Nova Scotia, or Nova Scotia is my home and I would like to come back but I can't because of the NDP's mishandling of the economy and because of first contract arbitration.

It's not like the problem is simply that it will be harder to bring new businesses to Nova Scotia, Madam Speaker, it's deeper than that. We're an aging population and if anyone in this House should know, I should. There is a demographic crisis looming in Nova Scotia and in the decades to come we are going to need new, young Nova Scotians. We're going to need a younger, healthier, more productive population to help us grow our economy and to support our aging population. This may be the biggest challenge on the horizon for Nova Scotia and this government has a responsibility to act on it. But what is their answer? Job-killing policies, like first contract arbitration that will not bring new people to Nova Scotia and in fact, may even drive some away.

One of the most offensive aspects of this bill lies in the fact that it's so easy for the Labour Board or an arbitrator to intervene. According to the legislation, all that has to be done is to reach an impasse before the Labour Board can step in. What the legislation fails to define is the word "impasse". What is an impasse? That's a very important question that this government must answer before they proceed. What is an impasse? There are just too many questions, Madam Speaker, that arise out of this.

For example, at what point does a simple debate or disagreement turn into an impasse? At what point? We don't know. We have no definition of what the disagreement might be, when does it become an impasse? What is classified as an impasse? We haven't heard. Again, we don't know. So, Madam Speaker, this begs the question - in bringing this legislation forward, why has this government failed to define impasse? Is this term left open intentionally? Think about it. Is this a way for their Labour Board to interfere in private negotiations with little or no reason? These are important questions that this government has to answer.

The reality, as has been mentioned by our Leader yesterday and he continues to say it today - this is the wrong legislation at the wrong time and for the wrong reasons. Madam Speaker, I want everyone to go back and think about the example I used about Treats. I explained the situation of what happened to Treats as a result of first contract arbitration. I asked the government members opposite to think about what it will do to the small business in your area if there is first contract arbitration imposed.

One of the biggest questions, I think, that comes forward, Madam Speaker, as a result of discussions around first contract arbitration is the unions' ability to go into a non-unionized workplace and be able to sell themselves and ask the employees to become unionized. Because of first contract arbitration, a business that has refused over time to become unionized, the employees are saying, oh, my goodness, this may not be such a bad thing because we can be guaranteed if we don't get what we want there'll be an arbitrator hired, or if we can't agree on an arbitrator, it will go to the Labour Board.

Well, I think that begs the question, who makes up the Labour Board? And I'm going to go back - I had referenced Michelin earlier. The union has tried to come in at least three times that I'm aware of, if not more, to set up shop, and in their wisdom the employees at Michelin decided to continue the way they were going. Now the union has another bargaining tool to come in, to make it more attractive for employees at places like Michelin, to say, look what we have to offer you. You can join a union and if you have concerns about benefits or wages, don't worry about it - it will go to first contract arbitration. There will be an arbitrator hired, hopefully, but if your employer doesn't agree with it, it will go to the Labour Board, and we know who makes up the Labour Board. So isn't that attractive to the employees?

Well, at that point, Madam Speaker, that's when Michelin's tires hit the road and they'll be going in the wrong direction. They'll be leaving this province. They will be

leaving this province and many other businesses will be leaving this province. I can't wait, because the member for Yarmouth was up and in my time up here the member for Guysborough-Sheet Harbour has been quite vocal with his feelings, so again, I look forward to him spending his hour to talk about the wonderful things that are going to happen to the businesses in Guysborough-Sheet Harbour should they become unionized. I can't wait for it, and I'm sure the members on this side can't wait for it either.

We probably won't see too many get up to speak on the wonders of this bill, because they all have someone to answer to at home. I know I do, and not only in my own home but in the whole constituency of Victoria-The Lakes. I mentioned before, not one person - not one single person, not one business - has come to me and said, my God, we need first contract arbitration, that's it, that's the only way this province is going to move forward. Not one person.

We've discussed this in caucus at length numerous times. I haven't heard one member in our caucus say, come on, we have to support the government on this, this is what our people want us to do, support the government. I didn't hear it. I can't speak for the Liberal caucus, but I think we heard from the member for Yarmouth what their feelings are about the whole thing, Madam Speaker. So there has to be a lot of soul searching - I think that's the best way to put it - by every single member across this floor. Remember who put you here. Remember who you're responsible to. You're responsible to your constituents, whether they are union or non-union, who need this province to be in a strong economic position to move forward. First contract arbitration will not allow that to happen.

I'm trying to think of a business in Guysborough-Sheet Harbour that I can reference, that I can use as an example - and I probably will later - that the honourable member could probably go to and ask, what do you think of first contract arbitration, is that going to save you? Think about it. I can't wait. (Interruptions)

AN HON. MEMBER: Name one in your constituency.

MR. BAIN: I can name lots of businesses in my constituency - I referenced a few of them today - that if first contract arbitration was imposed, they wouldn't be here. They would not be here if they (Interruptions) Oh, Madam Speaker, I'm really liking the remarks because this is - we're going to be here over Christmas, I know, because all these people across the floor who are talking now, I know will stand for an hour when it comes their time. I can't wait. Just look at it - count the number of days, count the number of hours between now and the new year. (Interruptions) Maybe we can have Christmas celebrations here in this House.

AN HON. MEMBER: Put the tree up.

MR. BAIN: The tree will be up soon and we can all gather around for our gifts.

MADAM SPEAKER: Order, please. I would remind the member to speak to the principles of the bill, not about Christmas. We have work to do (Interruptions) Order, order. I would remind the member to speak to the principles of the bill and not Christmas.

The honourable member for Victoria-The Lakes.

MR. BAIN: Thank you, Madam Speaker. I made those references in response to some of the talk that was coming from across the floor as the principles were being spoken about - if we could call them "principles."

We all have to realize the seriousness of this legislation. I know that when I speak (Interruptions) Madam Speaker, I know that when I speak to constituents in my area this weekend, first contract arbitration is not going to be what's on their mind, it's going to be, what about my road? That's what we're here for - we're here to improve the lives of our fellow Nova Scotians, not drive businesses that improve the lives of Nova Scotians away or force them to close.

Each and every one of us in our own way is here to help our fellow Nova Scotians. First contract arbitration to me, to our caucus, does not improve the lives of Nova Scotians. It does not improve the lives of Nova Scotians whatsoever. Government would be much better off if they looked at ways of creating jobs. Everyone knows we need more job creation. (Applause)

This bill that's before us today does not create jobs; not one single job does it create. We talk about the economy and ways we can improve the economy of this province. We have a tremendous asset in the shipyard and we know that's going to benefit us for years and years to come - that is creating jobs. That is creating jobs, again, based on Irving's capability to produce, have an able workforce that gets the job done.

That's what we need in the Province of Nova Scotia. We don't need first contract arbitration to drive business away. We don't need it, Madam Speaker. Again, I can't stress enough that government has to take the time to sit back and think about what this is going to do to the people in your constituency first. Although we're all representing a particular Party, we also, first of all, represent the people who put us here. (Applause)

I have no problem going back to the constituents of Victoria-The Lakes and defending my stand on first contract arbitration, or better called again, first contract imposition, because I know it's not on their radar. It's not what they want. They never asked me to come forward and support a government that's going impose something like this. They've asked me to talk to the Minister of Transportation and Infrastructure Renewal on the possibility of getting some roads repaired or done with in the area. They talked about issues relating to Community Services, whether it's housing, whether it's Department of Health and Wellness for problems getting their mother or father or grandmother or grandfather put in the Alderwood Rest Home in Baddeck.



That's what they talk to me about, they don't talk about first contract arbitration, the furthest thing from their mind, but they want a workplace where their child, who is out in Calgary, Alberta - like mine is right now - they want a workforce in Nova Scotia that my son and their son or daughter, can come home to and work here. That's what they want. So all of sudden first contract arbitration comes up, unless you're the union, see you, stay out West, because the businesses will not be here to support my son coming home or anybody else's son or daughter, or grandchild to come home. The businesses will not be here, that's what we have to look at. So first contract arbitration is going to save everything? I don't think so, I don't think so. It's going to destroy more than save.

Mr. Speaker, I can't help but go back to comparing what has happened with introduction of this piece of legislation and the introduction of Bill No. 100 and what the purpose was of setting up Bill No. 100. It's called the Labour Management Review Committee and I already read the mandate as to what that committee should be doing. All of a sudden government comes along, after hearing from the Labour Management Review Committee that they can't come to consensus on it, say damn the torpedoes we're going through anyway. We're going to introduce the bill whether they can reach consensus on it or not because it's on our agenda, it's our go forward and this is what we're going to do and nobody's going to stop us. That's what is happening.

I think, Mr. Speaker, each and every member over there has to consider - go back to Bill No. 100, remember what it was set up to do. We fought against it in the Legislature for hours and hours and hours. We brought across the concerns of business, whether it was the Restaurant Association, whether it was the CFIB, or whether it was the Retail Council of Canada, this government just does not listen. They have their agenda, they're sticking to it. We can all stand up on this side of the House, hopefully representing the wishes of the people of this province, but that doesn't matter. They want this legislation to go through and they're going to make sure it does. Well God help us, Mr. Speaker, God help us.

When we see businesses leaving this province, all of a sudden the constituent in Victoria-The Lakes that wants to get his or her road paved, it can't be done because this province doesn't have any more money to pave the roads. Mr. Speaker, I ask the government to once again consider the wrongs. This bill is "wrong, wrong, wrong," to quote our Leader, it's wrong, wrong, wrong and you're going to be hearing that a lot, I know, as the members of this caucus get up and speak on this bill.

AN HON. MEMBER: Right through Christmas.

MR. BAIN: That's right and I think, Mr. Speaker, when you look across the floor of this Legislature now, the things that we say, representing businesses in this province, are the same; they don't listen to them. They didn't listen to business, why should they listen to us, I guess, that's probably what they are thinking. That's the attitude of this government; that's the arrogance of this government.

So all of a sudden - I asked the question before, early on. The Labour Management Review Committee couldn't reach a consensus on this bill. Business in this province does not want this bill. So I guess I can't wait for some of you to get up and tell us who wants this bill. Who wants it? What direction has government received that this bill is the cat's meow? What direction? Who wants it? Is it just the members who sit across there? I don't think so. All we have to do is just keep remembering the Michelin reference and what would happen should Michelin become unionized - 3,500-plus people work for Michelin. How can you explain to those people if it happens that Michelin pulls away from this province mainly because of first contract arbitration?

Madam Speaker, I know that my time is almost up, but I feel it's very important that we hear from the people of this province. I feel it's even more important that this government listens to the people of this province and doesn't impose their own agenda whether the people of this province like it or not. It's time to start listening. Listen to what the people are saying. I know there has been a large outcry for first contract arbitration. The streets are running wild, people demanding first contract arbitration. Where did it come from? Where? Why are we talking about this in this House when we all have better things to do? Why are we talking about it? Because those people want to get this through because it's on their agenda, damn the torpedoes.

So, Madam Speaker, with those few words, I will take my seat and make a motion that debate be adjourned until a further day.

MADAM SPEAKER: The motion is that we do now adjourn debate on Bill No. 102.

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: Madam Speaker, that concludes the government's business for the day and for the week. I move that the House do now rise and after the daily routine, we will be doing Bill Nos. 94, 95, 96, 98, 100, and I think we'll return to Bill No. 102. So as I said, I move that the House do now rise to meet between the hours of 4:00 p.m. and 10:00 p.m. on Monday.

MADAM SPEAKER: The motion is that the House do now rise to meet again on Monday, November 21<sup>st</sup>, between the hours of 4:00 p.m. and 10:00 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 stand adjourned.

[The House rose at 11:13 a.m.]

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**NOTICES OF MOTION UNDER RULE 32(3)****RESOLUTION NO. 2370**

By: Ms. Kelly Regan (Bedford-Birch Cove)

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

Whereas Suzanne LaRochelle-Bachur, president of Premier Atlantic Suites, is a successful entrepreneur and a great leader, multi-talented and fluently bilingual, who has been in the hospitality industry for 35 years; and

Whereas Suzanne LaRochelle-Bachur, in 2010, refocused her company's resources to take advantage of expanding markets thereby improving efficiency and increasing occupancy for Atlantic Suites; and

Whereas Suzanne LaRochelle-Bachur effectively motivates employees through clear communication and support, demonstrates an outstanding work ethic and a willingness to learn, and believes a winning personality is as important in business as any great skill set;

Therefore be it resolved that all members of this House of Assembly congratulate Suzanne LaRochelle-Bachur on her leadership skills, her positive attitude and resulting success in business.