



**House of Assembly**  
*Nova Scotia*

DEBATES AND PROCEEDINGS

Speaker: Honourable Gordon Gosse

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Third Session

TUESDAY, NOVEMBER 22, 2011

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House of Assembly  
*Nova Scotia*

**HALIFAX, TUESDAY, NOVEMBER 22, 2011**

**Sixty-first General Assembly**

**Third Session**

**12:00 NOON**

**SPEAKER**

Hon. Gordon Gosse

**DEPUTY SPEAKERS**

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

MR. SPEAKER: Order. Order, please. The topic for late debate has been submitted and reads as follows:

Therefore be it resolved that all members of this House of Assembly require the Minister of Finance to take leadership on this important issue and find an immediate resolution to the Auditor General's concerns.

This was submitted by the honourable member for Cape Breton West.

**PRESENTING AND READING PETITIONS**

MR. SPEAKER: The honourable member for Inverness.

MR. ALLAN MACMASTER: Mr. Speaker, I beg leave to make an introduction before tabling a petition.

MR. SPEAKER: Most certainly.

MR. MACMASTER: In our west gallery we have some guests with us today. They are salaried, non-unionized pensioners of NewPage, Port Hawkesbury. As I read their names I will ask that they stand: Cathy MacLean, Murielle MacNeil, Brian MacNeil, Clark Brander, Jerry Peters, Russ Waycott, Mary MacDonald, William Innes, Ruth Innes, Gerard French, Sandy MacDonald, Sam Moran, Roddie MacDonald, Winston C. England, Grace England, William Cotton, Gisele Urquhart, Robert Urquhart, and Lorna MacRury.

Mr. Speaker, I would ask all members of the Legislature to give our guests a warm welcome here today. (Applause)

MR. SPEAKER: We welcome all our guests to today's proceedings and hope you have an enjoyable day.

The honourable member for Inverness.

MR. ALLAN MACMASTER: Mr. Speaker, I beg leave to table a petition, the operative clause being:

“We respectfully ask you and your government to give urgent attention to the protection of the value of the current pensions of retired NPPH employees and the future pension value for current employees.”

This petition has been signed by 175 people, and I have included myself as the 176<sup>th</sup> signee on this petition. I wish to table that at this time.

MR. SPEAKER: The petition is tabled.

**PRESENTING REPORTS OF COMMITTEES****TABLING REPORTS, REGULATIONS AND OTHER PAPERS****STATEMENTS BY MINISTERS**

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

HON. WILLIAM ESTABROOKS: Mr. Speaker, last week I was asked by the honourable member opposite how much the province paid per kilometre of chip seal since introducing a provincial chip-sealing crew this year.

Well, it's good news. The news is so good that I decided to share it with all members present. I'm pleased to update the House on how much we paid - in fact, how much we saved - this year since introducing the provincial chip-sealing crew in August. In 2008-09, under the previous government, the province was paying \$91,000 per kilometre of double-chip seal; \$91,000. That's not an estimate; that's a fact. It was too much money. How did we know that? The department looked at other provinces. It was significantly more than what was being charged in other provinces, particularly New Brunswick.

Mr. Speaker, it's no surprise to our government that since we introduced the provincial chip-sealing crew this year, the costs have gone down significantly. I'm pleased to report that the tender price we paid per kilometre for double-chip seal was \$40,000 - \$40,000 this paving season. That's less than half of what we were paying before. (Applause)

Well, why did that happen? It happened because our government took the initiative to introduce a provincial chip-sealing crew. It happened because the province recognized that it was being charged too much, and our government was going to do something about it. Not only is the province now paying less for tenders, the provincial chip-sealing crew can do the work for much less than what was being charged in 2009. They can lay double-chip seal at a cost of \$46,000 per kilometre. Even if you add in the one-time-only start-up costs, such as equipment preparation and the time to train a new crew, we're talking about \$50,000, which is still significantly less than the tender prices in 2009.

By introducing a provincial chip-sealing crew who can do the work for significantly less than what we were being charged by the private sector, we can now be assured that in the future tenders will continue to be less than half of what we paid in 2008-09. So just imagine the money this province would have saved and the roads we could have paved if the government had done this 10 years earlier.

The fact is, the province wasn't getting competitive bids on the vast majority of our chip-sealing tenders. In 2009 the province received only two bids on all of its chip-sealing tenders and they were all from the same two companies - two bids, two companies, tender after tender. In 2010 the same two bidders dropped their prices to less than half of what they were charging in 2009. That's no coincidence. Those lower prices are a direct result of the actions this government took. As the Minister of Transportation and Infrastructure Renewal, I'm not interested in the inflated profit margin for road builders. In all good conscience, Mr. Speaker, this minister is interested in seeing what's the best value for taxpayers and their needs when it comes to safe roads.



Mr. Speaker, the facts speak for themselves. This decision has saved the province money; in fact the province saved \$2.3 million that we have been able to reinvest to make Nova Scotia's highways and roads safer. I am pleased at this time to table a cost comparison chart for all members to see, and I know it will be read intently as we look at this important subject. We want to be sure that we can pave as many kilometres of road as possible, at a cost we can afford. I would think Nova Scotians would expect nothing less from a government, particularly this government. By paying less, the province is able to pave more.

I also want to remind the members of this House that the last three provincial highway budgets our government has introduced have been record-setting budgetary amounts. The total amount of money our government has spent on Nova Scotia roads, highways, and bridges is close to \$1 billion - \$1 billion - over three years. That's a significant investment, Mr. Speaker. The chip-seal work that has generated so much interest lately represents just \$2 million of our overall highway improvement budget - that is less than half a percentage point.

Mr. Speaker, I want to be clear. We, and I as the minister, value our partnership with road builders - they still do the vast majority of provincial road work. The province is responsible for more than 23,000 kilometres of road. There is plenty of work to go around. In fact, when looking at just chip-sealing projects, we still expect more than \$6 million of the \$8 million the province will spend for chip seal each year will continue to flow to the private sector. There is no danger of them going out of business.

The province's chip-seal initiative is a long-term project. It's a three-year commitment, and at the end of those three years the province will have an audit done to evaluate how we've pursued this issue.

Mr. Speaker, the province is paying less and we are paving more. Based on our experience so far, our government is confident that we are correct to move ahead with our asphalt plant; in fact the tender closed today and the crew will be operational in 2012. Taking this step will ensure the province continues to provide quality roads, help to maximize federal dollars, work more effectively with communities and road builders, and reach more communities, while living within our means.

Mr. Speaker, as you know, I've always encouraged feedback from my fellow MLAs on either side of the House. I've already received requests from all Parties asking where we are going to do the chip sealing next year and where the asphalt plant is going to be operating. That decision has yet to be made, but if any member feels there is a need in his or her community, please come and speak to me directly and we'll consider your request. Your constituents are counting on you. They want to see an asphalt plant or a chip seal crew operated by this government in their community, and I encourage members opposite and members on this side of the House to make their views known on this important topic.

Thank you for your time today, Mr. Speaker.

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

HON. STEPHEN MCNEIL: I want to thank the minister for the advance copy of his statement, Mr. Speaker. I don't know if I was the member opposite who he was referring to, but I think I am one of the ones who have asked questions regarding the cost of doing chip sealing by the government. Before I get to that particular question I had asked, which is not answered in here, I want to go back to a couple of other things that were stated inside of this statement that I think would help all of us and all Nova Scotians to fairly assess whether or not the province should be in the tendering business.

Mr. Speaker, we have asked repeatedly to verify and have government explain to us where the \$91,000 per kilometre has come up, where they have come from in 2008-2009. We have the private sector telling us that number was much less. Their number is about \$39,000; government has a different view. What we're asking, and what we've asked for and will continue to ask for in this House is that we see some verification of where that number originated. Let's not just throw a number out there without backing it up with solid information, quite frankly, so those of us on this side of the House can then ask whether or not it is good value for money for Nova Scotians. That's what we've asked for when it comes to what is happening inside of the tendering process.

Another aspect that has happened that has changed since 2008-09 to the present day, when it comes to chip sealing - one part of the process has been taken out, called priming. The private sector had asked the previous government to respond and remove that aspect from the process. At that time they said there'd be tremendous savings to the people of Nova Scotia; they chose not to. I know the government and the minister responded and removed that from that process. That has affected the price of tendering and, Mr. Speaker, I want to congratulate the minister on listening to the private sector, professional people and the Road Builders Association who saw a way for the taxpayers to save money and he paid attention. I want to congratulate him for that.

But I want to go back to one of the questions that I had asked in the House, and that was for the minister to explain to all Nova Scotians how much it cost per kilometre of the roads that were paved by the chip-sealing plant owned and operated by the province. Mr. Speaker, that is not in this document in the sense that we look at the \$40,000 number, that is comparing in our view - and the minister may correct this - it is comparing the private sector tenders that government had received. That's the private sector, responding not to the government's issue of paving 30 kilometres. They are responding, quite frankly, to the competition that all of them knew was coming.

If you look in our neighbouring Province of New Brunswick, that government has changed its road building budget. Companies have come into here and we all know, from all of our communities, that there is a large company in New Brunswick that bought a Nova

Scotia company and is driving down prices based on one thing alone - private sector competition, nothing more, nothing less. Private sector competition is driving down that price, which we said over a year ago.

Mr. Speaker, let's think for a moment, and I want everyone to think about this for a second, do you honestly believe that the private sector - if they believed that the government was going to get into building roads, that they were going to eat away at the profit margins, that they were going to take away their business - do you honestly believe that they would be frightened by 30 kilometres and drive down their prices? The exact opposite, they would have kept their prices high. That's what would have happened and then we move forward.

What we've asked for and we'll continue to ask for is verification of these numbers. It is important that Nova Scotians get the best value for their buck. If the government believes that it's theirs then what we want to know is what are the kilometres that they have paved, and how much has that cost us as a province individually, and compare that to the private sector. It is important as we go forward that we get a real sense of how much this has cost us.

Mr. Speaker, one of my other questions that I had to the minister was this, while we continue to evaluate the chip-sealing plant and find out whether or not it is good value for the people of this province, to find out whether or not that it is in the best interest of the province to continue down this road, let's halt the idea of entering into the paving business until we can do a full assessment. In the minister's remarks he talked about a three-year window to audit; we think that window is okay. Let's look at that, let's step back and before we enter into the asphalt business let's look at whether or not we're getting good value and compare apples to apples.

We'll continue to ask these questions. I look forward, as we go further down the road, to getting clarification on the \$91,000 and furthermore I look forward to getting a real number on how much it actually cost us to pave those 39 kilometres that the government chip sealed.

MR. SPEAKER: The honourable member for Inverness.

MR. ALLAN MACMASTER: Mr. Speaker, I can hardly believe my ears today listening to the boasting of the government. The government's new chip-sealing crew only completed 10 per cent of the work that they were supposed to do. They only completed 40 kilometres out of the 366 that they had promised in the business plan they used to justify the government's entry into the paving and chip-sealing business. This underwhelming accomplishment cost taxpayers \$1.4 million for equipment; that leaves only \$600,000 for other costs. Will the government have us believe that all the materials used, the salaries for the 26 crew members, the accommodations, the training, the planning, and set-up costs at the department for this new venture by the government all came in at under \$2 million?

The costs are substantial, we can be assured of that but they are especially substantial when you consider that the crew double chip sealed only one kilometre each day; that's right, on average - one kilometre each day.

Now the government claims the total cost for that one kilometre of \$50,000. The industry has expressed to us that they feel, on a conservative estimate basis, that number is more likely \$65,000 per kilometre - that is \$15,000 per kilometre more than the prices of the numerous companies who do this type of work. So, let me get this straight, the government is boasting about double-chip sealing for \$50,000 a kilometre when the cost may really be closer to \$65,000 and when our road building companies are doing it for \$40,000. It doesn't add up.

In fact, at \$50,000 per kilometre, if we take the government's word - if the government chip-sealing crew had to bid on tenders like every other road building company in this province, they wouldn't have been awarded any of the work. It is also misleading of the government to claim that their actions have led to lower prices. We don't feel the New Brunswick comparison is accurate because the tendering in New Brunswick, the practices there, are for much larger volumes of work. They are more closely geographically located and another significant point, one of the key differences between the estimates that the minister has referenced from the past 10 years - those estimates included, by industry's own comments, an additional cost of about \$18,000 per year.

We're not comparing apples to apples. I should point out a small point but one that's important in rural Nova Scotia. When the province in the past tendered out this work, all the private truck drivers, the dump truck operators benefitted from the 80/20 rule in that they were able to gain opportunities to do work on these projects. With the government doing it now, they are going to be out of business on those opportunities.

The industry feels that heightened competition between the two biggest companies have kept costs lower. Increased competition from New Brunswick has really been the reason costs have been kept lower. Why would having a government chip-sealing crew lead to lower prices when it doesn't have to bid on tenders? For this government to claim that they have kept costs lower, when they have never submitted a bid on a tender, is a dubious claim.

The small amount of work they did do had no impact on the overall volume of road work in the province this past year so it's hard to imagine that small volume of work impacted on the pricing of chip sealing. For them to claim that they paid less to pave more, it just doesn't add up. Nova Scotian taxpayers paid more; they paid more for every kilometre, all 40 kilometres of it. So today the government is spending more taxpayers' money, millions more on an asphalt plant; the tender closes today, as the minister mentioned. He says the government is confident that they are ripe to move forward.

Without the benefit of a fair bidding process for work, how can Nova Scotians be assured the government isn't just wasting their money, at \$50,000 per kilometre for double chip sealing - or as the industry maintains, it may be closer to \$65,000 - when the competitive industry already in place in Nova Scotia is doing it for under \$40,000?

We believe this situation could have been fixed with better tendering practice. We complimented the government when they came out with their five-year plan because we agree that it should help companies to be able to respond to tenders more quickly so we can get the paving projects going earlier in the construction season, but this year we have seen that only 50 per cent of tenders were released by August, which is well into the construction season. That is where the problem really lies.

I know that it has also been mentioned in the Legislature - it has been raised - that some of the members on the government side have actually had paving work completed in their ridings. We wonder, if this is not about saving money, is it about control?

With that, Mr. Speaker, I will close my remarks.

#### **GOVERNMENT NOTICES OF MOTION**

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

#### **RESOLUTION NO. 2400**

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

Whereas Nova Scotia boasts many talented artists and inspiring sights; and

Whereas the Nova Scotia Seniors' Art and Photo Gallery provides artists and photographers 50 years of age and older a central location to display and sell their works of art; and

Whereas this one-of-a-kind art gallery, located at the World Trade and Convention Centre, is celebrating its 100<sup>th</sup> showing;

Therefore be it resolved that the members of the Legislature congratulate the Nova Scotia Seniors' Art and Photo Gallery on its 100<sup>th</sup> art and photo show and wish them much success in the future.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Health and Wellness.

### **RESOLUTION NO. 2401**

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

Whereas on average, 394 Canadians die every week from lung cancer and 450 Canadians are diagnosed with lung cancer on a weekly basis; and

Whereas lung cancer is caused by many lifestyle and environmental factors, such as smoking tobacco, long-term exposure to second-hand smoke, or air pollution; and

Whereas lung cancer continues to be a leading cause of death for both men and women;

Therefore be it resolved that all members of this House of Assembly join me in marking Lung Cancer Awareness Month and show leadership in making healthy lifestyle choices.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Education.

**RESOLUTION NO. 2402**

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

Whereas Dr. J. Fraser Mustard, who passed away on November 16, 2011, was a leader in the areas of early childhood learning and the role of communities; and

Whereas as a founding member of the Canadian Institute for Advanced Research, Dr. Mustard made an extraordinary contribution to the world's understanding of how social and economic factors affect early childhood development; and

Whereas Dr. Mustard was known all over the globe for emphasizing the importance of early childhood development to society;

Therefore be it resolved that the members of the House of Assembly recognize the important contributions Dr. Mustard has made to early childhood education in Canada and send our deepest condolences to his family.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Communities, Culture and Heritage.

**RESOLUTION NO. 2403**

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

Whereas Nova Scotia's public libraries are important resources that support vibrant communities through programs that encourage lifelong learning; and

Whereas October was Canadian Library Month, a month designated by the Canadian Library Association to raise awareness around libraries and information services in Canada; and

Whereas in commemorating this month, the Office of Gaelic Affairs chose to raise awareness of the Gaelic culture by donating several recent works on Nova Scotia Gaelic language and culture to the People's Place Library in Antigonish, where many Gaelic-speaking Nova Scotians live;

Therefore be it resolved that this House join me in congratulating the Office of Gaelic Affairs for helping to advance the profile of Gaelic culture in the area and provide additional Gaelic-based resources for those who frequent the People's Place Library in Antigonish.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Health and Wellness.

#### **RESOLUTION NO. 2404**

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

Whereas on September 29<sup>th</sup> Cape Bretoners turned out in full force to support the Cape Breton Cares Radiothon by raising more than \$500,000 during a live, 12-hour broadcast to support specialized care at the regional hospital; and

Whereas this fundraiser would not have been possible without the support of volunteers, sponsors, entertainers, and donors who, over the four years the Radiothon has been taking place, have raised a total of \$1.5 million; and

Whereas the funds from this year's Radiothon will support a number of the hospital's priority areas, including the Cape Breton Cancer Centre, the Neonatal Intensive Care Unit, Pediatrics, the An Cala Palliative Care Unit, the Renal Dialysis Unit, and the Intensive Care Unit;



Therefore be it resolved that all members of this House join me in thanking Cape Bretoners for their generosity and in congratulating the volunteers, sponsors, entertainers and donors for their hard work and dedication to the regional hospital.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

## **INTRODUCTION OF BILLS**

### **NOTICES OF MOTION**

MR. SPEAKER: The honourable member for Hants West.

### **RESOLUTION NO. 2405**

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

Whereas the first annual Pumpkin Idol was held on October 8<sup>th</sup> where more than 100 people gathered at Victoria Park in Windsor to watch 11 talented contestants competing for cash prizes; and

Whereas Heather Donohue of Hens Uniforms and Wendy Geddes of Readers' Haven Used Books teamed up to lead the Windsor Business Enhancement Society's marketing initiative that resulted in one well-attended day of fun for all; and

Whereas the debut of Windsor's Pumpkin Idol raised more than \$300 for Avon View's band program, and organizers Heather and Wendy say that it will only get bigger and better in the 2<sup>nd</sup> annual Pumpkin Idol and for the years to come;

Therefore be it resolved that all members of this House of Assembly congratulate Heather Donohue and Wendy Geddes on a very successful first annual Pumpkin Idol and wish them continued success in future events.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Bedford-Birch Cove.

### **RESOLUTION NO. 2406**

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

Whereas Bruce Strum, whose environmental consulting company, Strum Environmental, has grown since its inception in Bedford in 1985 to employ 35 people; and

Whereas Strum Environmental has done business all over Atlantic Canada, as far away as Yellowknife, England, and the Caribbean, and has worked on such projects as Emera's Muskrat Falls, the Melford International Terminal and the Gulf Force Development; and

Whereas Bruce Strum says the Halifax region is his chosen place of business because there are good business people here with ethics and morals, who still do work based on a handshake and an understanding;

Therefore be it resolved that the members of this House of Assembly congratulate Bruce Strum for his business acumen and encourage him, from his head office in Bedford, to continue doing business the Maritime way.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Inverness.

### RESOLUTION NO. 2407

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

Whereas the Province of Nova Scotia and the Government of Scotland have continued to build upon the vision of the memorandum of understanding signed by then Tourism Minister Rodney MacDonald in 2002; and

Whereas Nova Scotia and Scotland have recognized the importance of maintaining the rich Gaelic cultural ties of our people by supporting shared experiences in language, education, culture and economic development; and

Whereas a new bursary program has been established to recognize the unique connection that exists between the Gaelic-speaking areas of Scotland and Nova Scotia;

Therefore be it resolved that all members of this House of Assembly acknowledge Alasdair Allan, the Minister for Gaelic with the Scottish Government, for providing £10,000 each year for bursaries to support young Nova Scotian Gaelic speakers who visit Scotland for summer language training.

A Labhraiche Urramaich, tha mi a'leigeil fhaicinn gum bi mi, san àm ri teachd, a'cur air adhart an ruin a leanas airson gabhail ris:

Seach gun do chùm Riaghaltas na h-Alba agus na h-Albann Nuaidhe suas lèirsinn a'Mheòrachain Còrdaidh bho 2002, ris an do chuir Ruaraidh Dòmhnallach ainm nuair a bha e na Mhinistear air Turasachd, Cultar is Dualchas; agus

Seach gun do ghabh Alba is Alba Nuadh sùim ann a bhith gleidheadh cheanglaichean brìghmhor, cultural ar Gàidheil le bhith toirt taic do leasachadh coitcheann ann an cànan, fòghlam, cultar agus eaconamas; agus

Seach gun do chuireadh air bhonn program sgoileireachd ùr, a'toirt aithne do 'n dàimh àraid a tha eadar Gàidhealtachd na h-Alba agus na -hAlbann Nuaidhe;

Mar sin, biodh e na rùn aig gach ball de'n phàrlamaid seo, gun aithnichte Alasdair Allan, Ministear na Gàidhlig ann an Riaghaltas na h-Alba, chionns gun deach 10,000 punnd a chur ma seach gachbliadhna airson taic do Ghàidheil òga a Albainn Nuaidh a thèid air turas a dh'Albainn a dh'ionnsachadh cànan as t-samhradh;

A Labhraiche Urramaich, tha mi a'guidhe gun tèid brath-gluasad an darna taobh agus gun tèid a'chùis air adhart as aonais deasbaid.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Transportation and Infrastructure Renewal.

### **RESOLUTION NO. 2408**

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

Whereas the world's greatest hockey player, Sidney Crosby of Cole Harbour, was sidelined for 10 months as a result of a concussion sustained during play; and

Whereas Sidney has worked diligently and faithfully to not just recover from his injury but to condition and train so that he could continue to excel in his sport and his passion of hockey; and

Whereas in last evening's game pitting Pittsburgh against Washington, Sid showed the results of his hard work and talent by scoring the first goal of the game and four points overall - two goals and two helpers;

Therefore be it resolved that this House of Assembly recognize the extraordinary efforts of this talented young man, Sidney Crosby of Cole Harbour, congratulate him on his return to the game and wish him all the very best in his hockey career in the many years ahead.

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

MR. SPEAKER: With an amendment I will consider that because they played the Islanders last night, not the Capitals. (Laughter)

There has been a request for waiver.

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Kings West.

### **RESOLUTION NO. 2409**

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

Whereas Bill Swetman of Sheffield Mills passed away in March 2011 after spending his entire life in agriculture after graduating from the Nova Scotia Agricultural College in 1956 where he soon became involved in poultry farming and one of the founding members of the Nova Scotia Turkey Producers Marketing Board; and

Whereas Bill served on the Nova Scotia Farm Loan Board and the Farm Practices Board and also the Agricultural Land Review Committee, he considered one of his most important roles was to preserve agricultural land in Kings County; and

Whereas Bill has combined dedication, commitment and community leadership in many ways while serving as a scout leader, member of the Annapolis Valley Health Services and teaching Sunday school;

Therefore be it resolved the family of the late Bill Swetman receive the gratitude of this House for a lifetime of dedication to church, community, recreation and agriculture in this province.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Cape Breton West.

**RESOLUTION NO. 2410**

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

Whereas Walter and Elaine Sawlor of Sydney were presented with the 2011 Best Real Estate Sales Office Award; and

Whereas Walter and Elaine Sawlor are the proud owners of PropertyGuys.com Cape Breton, which is the reason for this award; and

Whereas the Sawlors received this award recently from the Sydney and Area Chamber of Commerce;

Therefore be it resolved that all members of this House of Assembly congratulate Walter and Elaine Sawlor, owners of PropertyGuys.com on this award as they continue working hard to build their business.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Education.

**RESOLUTION NO. 2411**

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

Whereas the Valley Animal Shelter, located within the Wolfville Animal Hospital, was started in 1988 by Dr. Peter Bligh who saw the need to help stray and abandoned cats in the Kings County area; and

Whereas the Valley Animal Shelter is needed to help the overpopulation of cats in the Wolfville area; and

Whereas the Valley Animal Shelter ensures the well-being of healthy cats so they can be adopted to loving and good family homes;

Therefore be it resolved that this House of Assembly recognize the important work and diligence of the Valley Animal Shelter in helping control the feral cat population in the Town of Wolfville and surrounding communities.

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

MR. SPEAKER: There has been a request of 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. 2412**

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 President's Award Diamond Club, Ford of Canada's highest dealership honour, is presented annually to those dealerships which demonstrate outstanding achievement in sales and customer satisfaction; and

Whereas for 2010, Ford of Canada is recognizing Ford and Lincoln dealers for providing a superior customer experience in sales, service, and overall dealership experience; and

Whereas Tri County Ford in Tatamagouche, Colchester North, is among the elite group of Ford and Lincoln dealerships to be recognized as part of the President's Award Diamond Club;

Therefore be it resolved all members of this House of Assembly extend our congratulations to Tri County Ford for receiving this prestigious national award, and for their dedication to their customers.

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

MR. SPEAKER: There has been a request of 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. 2413**

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

Whereas Ingonish borders the 950-square kilometre Cape Breton Highlands National Park and consists of the five distinct communities of Ingonish Ferry, Ingonish Harbour, Ingonish Beach, Ingonish Centre, and North Ingonish; and

Whereas on Saturday, November 26<sup>th</sup>, the beauty of the Ingonish Beach area will be on display as the community celebrates their annual Christmas Tree Lighting Ceremony; and

Whereas as a result of the efforts of many community volunteers, community residents and visitors will see a parade of floats travel through Ingonish Beach to the Keltic Lodge;

Therefore be it resolved that all members of this House of Assembly applaud the volunteer efforts of those community volunteers, and wish them every success in this year's festivities.

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

MR. SPEAKER: There has been a request of 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 Fisheries and Aquaculture.

**RESOLUTION NO. 2414**

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

Whereas Woods Harbour third baseman Bailey Cameron competed at Baseball Canada's Bantam Girls National Championships in North York, Ontario from July 27 - 31, 2011, as a member of the Nova Scotia Bantam Girls team; and

Whereas the Nova Scotia Bantam Girls were the bronze medalists in the five-team tournament, marking the first national medal ever for a female team from Atlantic Canada; and

Whereas 14-year-old Bailey Cameron was awarded the game MVP award during the tournament for her performance on the pitching mound, where she racked up five strikeouts in two innings;

Therefore be it resolved that this House of Assembly congratulate Bailey Cameron and the Nova Scotia Bantam Girls baseball team for bringing home the bronze medal from the national championships.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Preston.

**RESOLUTION NO. 2415**

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

Whereas Carolyn Cooke Perkons was raised in the Village of Isaacs Harbour, Nova Scotia, and moved to Halifax at the age of 16 to further her education and to work, met and

married her husband, George, and has been happily married for the past 48 years, and moved to Dartmouth with their son Christopher 41 years ago, where they reside today; and

Whereas Carolyn worked in various office jobs and accepted a position with what was known at the time as the Department of National Revenue Taxation for 31 years, until she retired and shortly after accepted a job with MLA Dr. Jim Smith in Dartmouth East as his constituency assistant, and has been with the current Preston MLA as his constituency assistant since 2003; and

Whereas Carolyn has volunteered with Blind Sport, Dartmouth Literacy, the Caledonia Minor Soccer Association, and as president of the Ian Forsyth Home and School Association, among others;

Therefore be it resolved that all members of this House acknowledge Carolyn Cooke Perkons' many contributions to her community and our province.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Cape Breton Nova.

#### **RESOLUTION NO. 2416**

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

Whereas the Youth Inclusion Program summer program provides at-risk youth with employment training, conflict resolution training and arts-based programming; and

Whereas the focus of this program is to help change young people's attitudes and educate them on healthy activities and lifestyles through participation in a whole range of activities; and

Whereas project coordinator Heather McNeil and staff member Andie Currie have witnessed countless youth turn their lives around through the program;

Therefore be it resolved that all members of this House of Assembly recognize the significance of this program in helping rehabilitating youth at risk and thank Heather McNeil, Andie Currie and all the staff at Youth Inclusion for their commitment to young people.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Energy.

#### **RESOLUTION NO. 2417**

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

Whereas the Pictou County Chamber of Commerce held its first Best of Pictou County People's Choice Awards with 800 nominations in 25 categories; and

Whereas the contest for Best of Pictou County People's Choice Awards voting was done on-line with over 1,000 choices received; and

Whereas this year's winner for the Best Accommodation was won by Stonehame Lodge & Chalets, which is located in Scotsburn, Pictou County, and is owned and operated by the Gunn family of Scotsburn;

Therefore be it resolved that the members of the Nova Scotia Legislative Assembly congratulate Stonehame Chalets and the Gunn family on winning the Pictou County People's Choice Awards for Best Accommodations.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Colchester North.

### **RESOLUTION NO. 2418**

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

Whereas Salem United Church is located in Tatamagouche Mountain, Colchester North; and

Whereas on September 11<sup>th</sup>, 2011, the congregation gathered to celebrate the church's 125<sup>th</sup> Anniversary; and

Whereas the celebration included speaker Rev. Dr. Douglas MacEachern and a guest choir from the Harmony-Camden United Church;

Therefore be it resolved that all members of this House of Assembly congratulate the Salem United Church on this occasion of their 125<sup>th</sup> Anniversary.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Leader of the Progressive Conservative Party.

### **RESOLUTION NO. 2419**

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

Whereas Kimberley MacMillan had the crown placed on her head after being named Queen during the Parrsboro Old Home Week activities for 2011; and

Whereas Kimberley is a 17-year old who is active in the youth town council, basketball, hockey, soccer, softball, volleyball, photography and much more; and

Whereas Kimberley MacMillan appeared in the Grand Street Parade and will appear in many other events over the year while serving as a role model for local youth with a community-minded outlook;

Therefore be it resolved that all members of this House of Assembly congratulate Kimberley MacMillan on being named Queen of the Parrsboro Old Home Week and wish her much success in all her future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Cole Harbour-Eastern Passage.

#### **RESOLUTION NO. 2420**

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

Whereas the member of the Legislature for Truro-Bible Hill is an acclaimed performer of stage and screen, who is actively involved in the arts, particularly in her constituency of Truro-Bible Hill; and

Whereas the member of the Legislature for Truro-Bible Hill has released her debut CD, *Change the World (One Day At a Time)*, which was recorded in Halifax and features 13 songs, including six by Maritime artists; and

Whereas today, November 22, 2011 the member of the Legislature for Truro-Bible Hill is celebrating her birthday;

Therefore be it resolved that this House of Assembly extend congratulations to the member of the Legislature for Truro-Bible Hill on the launch of her debut CD, recognize her leadership role as an ambassador for our creative economy, and wish her a very happy birthday.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Preston.

#### **RESOLUTION NO. 2421**

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

Whereas in the past year employment in rural Nova Scotia has taken a tremendous hit under this NDP Government, with 2,100 jobs lost in Cape Breton, 1,400 jobs lost in the North Shore region, 600 jobs lost in the Valley region, and 2,500 lost in the southern region of Nova Scotia; and

Whereas in the past year the workforce has shrunk under the NDP Government by 2,300 in Cape Breton, 1,400 in the North Shore region, 1,800 in the Valley region, and 4,300 in the southern region; and

Whereas since this NDP Government took office, more than 12,500 more Nova Scotians are out of work and 14,800 more Nova Scotians have exited the workforce;

Therefore be it resolved that all members of this House of Assembly strongly urge the NDP Government to stop ignoring the economy and finally address the critical issues of rural job losses in Nova Scotia.

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

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

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Victoria-The Lakes.

**RESOLUTION NO. 2422**

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

Whereas 17-year-old Rebecca Blakeney, a bilingual honours student at Cabot High, was crowned Miss Teen Cape Breton 2011 on August 26<sup>th</sup>; and

Whereas Miss Blakeney, who is pursuing a career in archaeology, represented Ingonish and impressed judges with her charming personality, artistic abilities, academic ability, and incredible stage performance; and

Whereas her values and enthusiasm for life will become a positive influence to all youth across Cape Breton;

Therefore be it resolved that all members of this House of Assembly extend congratulations to Rebecca on being crowned Miss Teen Cape Breton 2011 and wish her all the best in the future.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Queens.

**RESOLUTION NO. 2423**

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

Whereas small businesses provide the lifeblood to our towns and rural communities; and

Whereas the 10to20 Project is encouraging our small businesses to work together to attract today's customers; and

Whereas Queens County's 10to20 Project is actively highlighting the benefits of spending money locally and the effects of doing so on the economy of Queens County through promotions, workshops, and distribution of information and tangible statistics;

Therefore be it resolved that the House of Assembly recognize and congratulate the 10to20 Project of Queens County for its proactive role in revitalizing its local economy.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Cape Breton North - sorry, Cape Breton West.

**RESOLUTION NO. 2424**

MR. ALFIE MACLEOD: Mr. Speaker, the only thing we have in common is we have the same tailor.

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

Whereas recently Sean Coyle shared with the board of directors of the Sydney and Area Chamber of Commerce his desire to resign his position as executive director; and

Whereas Sean now has plans of going into business locally in Sydney; and



Whereas during Sean's tenure, he has accomplished a great deal to stabilize financial and administrative procedures in the organization and also helped grow the chamber membership;

Therefore be it resolved that all members of this House of Assembly thank Sean Coyle for his service at the Sydney and Area Chamber of Commerce and wish him every success in his new business venture.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Antigonish.

#### **RESOLUTION NO. 2425**

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

Whereas Antigonish resident Molly Thomason is a talented musician who has accomplished much by a relatively young age; and

Whereas at the age of 14, Molly was the youngest ever recipient of an Emerging Music Grant from the then Nova Scotia Department of Tourism and Culture for her work on her debut CD, which was also nominated for New Artist Recording of the Year during Molson Canadian Nova Scotia Music Week in 2009; and

Whereas on May 27<sup>th</sup> Molly Thomason released her second CD, *Beauty Queen*, with a concert in Antigonish and was nominated in two categories at the 2011 Nova Scotia Music Awards;

Therefore be it resolved that all members of this House congratulate Molly Thomason on her many musical achievements and wish her all the best with her future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Kings West.

### **RESOLUTION NO. 2426**

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

Whereas last week during Question Period, the Minister of Health and Wellness was evasive in defence of her department's review of publicly funded vaccination programs; and

Whereas the minister refused to rule out whether cuts are coming to vaccination programs currently being offered and provided no indication as to whom she will be consulting around potential changes; and

Whereas vaccines are considered to be among the most cost effective health interventions because they reduce the economic burden of illness both in the workplace and in institutional settings, and ensure a healthy and productive population;

Therefore be it resolved that all members of this House urge the Minister of Health and Wellness to come clean and tell Nova Scotians what plans she has in mind for Nova Scotia's publicly funded vaccination program.

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

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

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Victoria-The Lakes.

**RESOLUTION NO. 2427**

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

Whereas Ryan Baker, a Grade 10 student at Springhill High School, led a Grade 12 program crash course in the Korean martial art of Tae Kwon Do; and

Whereas Ryan has been a practitioner of Tae Kwon Do, and other martial arts, for two and one-half years and is well on his way to a black belt; and

Whereas Ryan has worked hard over the years and is already making the transition into a leadership role;

Therefore be it resolved that all members of this House of Assembly congratulate Ryan Baker on his outstanding achievement in the field of Tae Kwon Do and wish him continued success in the future.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Hammonds Plains-Upper Sackville.

**RESOLUTION NO. 2428**

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

Whereas on June 25, 2011 Grand Day for Cobequid was held on Grand Lake in support of Cobequid Community Health Centre Foundation in Lower Sackville; and

Whereas the event included approximately 60 participants and raised \$76,000 which will fund an EKG for the health centre's cardiology clinic; and

Whereas lighthearted fun and engaging events such as this bring together the community in support of improving our local health centres which assist with the health and well-being of ourselves and our families;

Therefore be it resolved that all members of this House of Assembly recognize the significant contributions that Grand Day for Cobequid contributes to the Cobequid Community Health Centre Foundation and congratulate them on raising \$76,000 which will fund an EKG for the health centre's cardiology clinic.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Cape Breton North.

#### **RESOLUTION NO. 2429**

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

Whereas Mildred Kettlewell noticed the outside garden courtyard at Harbour View Hospital in Sydney Mines had fallen into disrepair while her husband, Glen, was a patient at the rehab facility; and

Whereas Mildred spent all winter getting donations, and in the Spring her family worked on the garden by cutting back the brush, weeding, and planting; and

Whereas today the courtyard garden is a brilliant mixture of flowers, trees, and shrubs, with benches and swings where patients can spend quiet quality time;

Therefore be it resolved that all members of the House of Assembly join me in congratulating the Kettlewells for their initiative and hard work and for improving the experience for patients and their families at Harbour View Hospital.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Hants West.

### **RESOLUTION NO. 2430**

MR. CHUCK PORTER: Mr. 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 (NSSAF) 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 play in education; and

Whereas Haley Guild, daughter of Lisa and Tony Guild and a student at West Hants Middle School, was the female recipient of Celebration of School Sport 2010-11 award 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 Haley on receiving this award and wish her all the best.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Kings North.

**RESOLUTION NO. 2431**

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

Whereas the Nova Agri Group of employees, together with its six families of owners, are celebrating their 40<sup>th</sup> Anniversary of farming in the Annapolis Valley; and

Whereas the Nova Agri Group decided to celebrate their anniversary by contributing to the health of the community in which their customers and employees live with a \$50,00 donation to the Our Community, Our Health campaign of the Valley Health Revitalization project; and

Whereas the Nova Agri Group of Companies is comprised of Dykeview Farms Ltd., Nova Agri Inc., Blueberry Acres, Between the Bushes Restaurant, Salad Acres, and Vital Berry Farms, and their operations have expanded to include packing, marketing, research, product/process development, and agri-tourism;

Therefore be it resolved that the Nova Scotia House of Assembly congratulate the Nova Agri Group of Companies on its 40<sup>th</sup> Anniversary of farming in the Valley and for its many contributions to the economy and health of our community.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Colchester-Musquodoboit Valley.

**RESOLUTION NO. 2432**

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

Whereas Recipe to Riches on the Food Network is a new competitive reality series where each week Canadian home cooks battle to have their original recipes become a

President's Choice product, win \$25,000, and become eligible for a grand prize of \$250,000; and

Whereas Lunenburg native Glo McNeill, an 82-year-old grandmother with a passion for the arts and a flair in the kitchen, entered the Recipe to Riches competition with her recipe for Luscious Lemon Pudding; and

Whereas Glo McNeill won the first round and \$25,000 in the Sweet Puddings and Pies category with her Luscious Lemon Pudding, with the product being adapted for production by the show's corporate sponsor, Loblaw's, under its President's Choice brand;

Therefore be it resolved that this House of Assembly congratulate Glo McNeill on winning \$25,000 and seeing her product placed in Loblaw's stores in the Recipe to Riches contest, and wish her luck in her quest to win the grand prize of \$250,000.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Kings North.

### **RESOLUTION NO. 2433**

MR. JIM MORTON: Mr. Speaker, on behalf of the honourable member for Guysborough-Sheet Harbour, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas Guysborough Academy student Kalene Hines was selected from more than 1,000 applicants from across Canada to take part in the Shad Valley Program, which is designed to focus on innovation, entrepreneurship, science and technology; and

Whereas Shad Valley is a non-profit program in operation for over 30 years, in 30 Canadian universities, the participants of which are 500 of the brightest Canadian high school students selected through a highly competitive application process; and

Whereas in July 2011 Kalene successfully participated in this prestigious program, which enabled her to learn new skills, make new friends and bring her unique talents and perspective to the table;

Therefore be it resolved that the members of this House of Assembly congratulate Kalene Hines on her selection to and participation in this impressive program and wish her well in her future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Community Services.

#### **RESOLUTION NO. 2434**

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

Whereas on September 24, 2011, at the Hubbards' Save Easy, the St. Margarets Bay Pumpkin Growers Association held its annual weigh off; and

Whereas the winners for the men's division are as follows: 1<sup>st</sup> place went to Leo Swinimer, his pumpkin weighted 485 lbs; 2<sup>nd</sup> place went to George Manuel, his pumpkin was 273 lbs; and 3<sup>rd</sup> place went to Russel Coolen with a pumpkin weighting 266 lbs; and

Whereas the winners for the women's division are as follows: 1<sup>st</sup> place went to Avis Swinimer and her pumpkin was one of the heaviest weighing 534 lbs; 2<sup>nd</sup> place went to Lori MacLeod with 179 lbs; the youth winner was Taylor Schnare, his pumpkin weighing 185 lbs; and the winner for the field pumpkin was Fenton McInnis with a 116 lb pumpkin;

Therefore be it resolved that the Nova Scotia Legislature congratulate all the winners in this year's pumpkin weigh off and wish them all the best next season.

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



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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, I request that the House revert back to Tabling Reports, Regulations and Other Papers.

MR. SPEAKER: There has been a request to revert back to the order of business, Tabling Reports, Regulations and Other Papers.

Is it agreed?

It is agreed.

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

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

HON. MARILYN MORE: Thank you Mr. Speaker, I wonder if I might have permission to introduce someone before I table this report.

MR. SPEAKER: Certainly.

MS. MORE: In the Speaker's Gallery I'm very pleased and proud this afternoon to introduce Don Bureaux, president of the Nova Scotia Community College, and I ask him to stand and be recognized by my colleagues. (Applause)

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

HON. MARILYN MORE: Mr. Speaker, I beg leave to table a report, the 2011 Report to the Community by the Nova Scotia Community College.

MR. SPEAKER: The report is tabled.

**ORDERS OF THE DAY****ORAL QUESTIONS PUT BY MEMBERS**

MR. SPEAKER: Question Period will begin at 1:14 p.m and end at 2:14 p.m.

The honourable Leader of the Official Opposition.

**PREM.: JOB LOSSES - REASONS**

HON. STEPHEN MCNEIL: Mr. Speaker, my question is for the Premier. Since taking office the Premier has been raising taxes and fees while remaining silent on power, gas and food prices have been sky-rocketing. The Premier's failed approach has taken its toll on Nova Scotians who are struggling to keep up with their expenses, on businesses who are finding Nova Scotia is simply an uncompetitive environment to do business. It is also taking its toll on the job market. In the Premier's first month in power, employment was at 461,900 and today it is at 449,400.

Mr. Speaker, that's a loss of 12,500 jobs on the Premier's watch. So my question to the Premier, who does the Premier want to blame those job losses on today?

HON. DARRELL DEXTER (The Premier): Well Mr. Speaker, the Leader of the Official Opposition is playing games. He knows that if he compares June to June there were 3,000 more jobs in Nova Scotia, not less jobs.

MR. MCNEIL: Well, Mr. Speaker, this government is living in November of this year, not June, like those Nova Scotians who have lost their jobs under that government. In the past year 2,100 jobs have been lost in Cape Breton; 2,300 people have exited the workforce. In the North Shore region, 1,400 people have lost their jobs; another 1,400 people have just given up hope and left the workforce. In the Valley there are 600 fewer jobs and 1,800 people who have stopped looking, while in the southern region 2,500 people are out of work and another 4,300 have left the workforce and just given up hope of finding a job.

Nova Scotians are worried about their jobs and they're worried about them being here for them tomorrow. So my question to the Premier is, when will the Premier get around to focusing on job creation in Nova Scotia and taking on the people in this province to create jobs for the people of this province?

THE PREMIER: Mr. Speaker, one of the reasons why the business community in this province now enjoys some of the lowest taxation rates in 20 years is because of the work that we have done in this province. The Leader of the Official Opposition is being completely disingenuous with the people of the province when he uses seasonally-adjusted numbers to try to justify their attack on the business community.

MR. MCNEIL: Mr. Speaker, did I just hear the Premier suggest the Opposition are attacking the business community? Isn't it his government that's bringing in first contract arbitration, the very thing that the business community says is a direct attack on investment in the Province of Nova Scotia, which is being brought in by that government?

The Premier has done nothing to control power bills. He has done nothing to control the price of gas, and under his watch food continues to get more expensive. Instead of doing everything he can to make life a little more affordable for Nova Scotians, this Premier has turned around and hiked taxes and fees and, I might add, he has put the NDP electricity tax on every power bill in Nova Scotia.

Mr. Speaker, businesses can't employ people if they can't survive and they can't survive if they continue to live in an uncompetitive environment that is being created under this government. If the Premier needs proof that his plan is not working - or if he needs any more proof, I should say - he should ask the 12,500 Nova Scotians who have lost their jobs under his watch. So my question for the Premier is, what more proof does he need that hiking taxes and allowing the power company to get away with murder in this province is not doing anything to create jobs?

THE PREMIER: You know, Mr. Speaker, I've never heard the Leader of the Official Opposition come up with a single, solitary, constructive suggestion about what to do with power rates in this province. The reality is, we have 3,000 more jobs in this province as a result of this government's efforts, and I think the Leader of the Official Opposition should stop attacking the hard-working businesspeople in this province who are trying to create jobs.

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

#### **PREM.: NURSING HOME CARE - WAIT TIMES**

HON. JAMIE BAILLIE: Mr. Speaker, seniors in Nova Scotia want to stay in their own homes as long as possible, an initiative known as Aging in Place that we all support, but sometimes it's simply not possible. The needs of many older Nova Scotians cannot be met without more advanced care, and often the most appropriate place for that advanced care is a long-term care facility.

Mr. Speaker, the Premier used to understand that. When he was in Opposition, he said: "You can count on the NDP to ensure that Nova Scotians who need nursing home care beds will have the beds they need, without further delay." I will table that quote for the benefit of the House. My question to the Premier is this, how long are the delays Nova Scotians are facing now today when they need nursing home care?

THE PREMIER: Mr. Speaker, as the member opposite knows, it was this Party that championed the seniors and their right to be able to get into long-term care facilities

without having to give up everything that they have worked their lives for in order to pay for medical care. That was this Party. It is this Party that opened, I think, seven new nursing homes in this province - long-term care facilities - in order to ensure that there were appropriate numbers of beds for those who are in need of those facilities.

MR. BAILLIE: Mr. Speaker, that's very interesting because the fact of the matter is that as soon as the Premier got into office, he cancelled 200 planned nursing home beds - 200 planned and promised nursing home beds that were supposed to service that very need. When he was in Opposition, the Premier said, why would a government rather see seniors go without service than admit they need more nursing home beds? The wait for long-term care beds is now longer than it was when the Premier made those statements before the last election and yet he decided to cancel the promise - the funded promise - of 200 more long-term care beds in our province. I will ask the Premier the same question today that he used to ask when he was on this side of the House, why would the Premier rather see seniors go without service than admit that there is a need for more long-term care beds?

THE PREMIER: Mr. Speaker, we do no such thing. In fact we all know we have an aging population, we all know that there are growing requirements for models of care that are going to assist people right through the aging process. That means providing the appropriate number of long-term care beds, providing support so that people can stay in their own home, providing assisted living facilities and ensuring that those seniors get the kinds of facilities they need. That's going to be an ongoing process and it's one that this government has engaged in with communities right across the province.

MR. BAILLIE: Mr. Speaker, only with that Premier could meeting the needs of seniors long-term care needs mean cutting 200 promised long-term care beds, a promise that he told the people in the last election that he would uphold. We all know, and the statistics of his own Department of Finance confirm, that there is a growing need for long-term care beds. In fact, by the year 2036, according to the Department of Finance, there will be double the number of people over 85 years old as there are today. That is why there was a plan to build 1,320 more long-term care beds in this province, which in Opposition the Premier said he supported, but in government he cancelled the last 200 beds, flying in the face of the very statistics of his own department.

My question to the Premier is, why doesn't he just admit that Nova Scotians can't count on the NDP to look after their long-term care needs?

THE PREMIER: Mr. Speaker, that's simply not true and the reality is I wish the Leader of the Progressive Conservative Party was down in Shelburne County with me when I was opening the new Bay Side Home extension to have those people get the right care that they need. I'm going to ask the Minister of Health and Wellness to further explain it to the Leader of the Progressive Conservative Party.

HON. MAUREEN MACDONALD: Mr. Speaker, to date we've opened nearly 1,100 new long-term care beds. Last year we opened an additional 475 new beds; we invested \$21 million into the system last year. We recognize that with an aging population there is a growing demand for not only long-term care, but continuing care. Continuing care includes many seniors who want to remain in their own homes, close to their own families. We've invested in a Caregiver Benefit program. We've invested in a new program to provide snow removal and additional supports to seniors. Seniors are a priority for this government and they will continue to be a priority for this government.

MR. SPEAKER: The honourable member for Colchester North.

**ERDT: ABORIGINAL COMMUN. - ECONOMIC STRATEGY**

HON. KAREN CASEY: Mr. Speaker, my question through you is to the Minister of Economic and Rural Development and Tourism. Nova Scotians have been hit hard by this NDP Government and that includes all communities in Nova Scotia. The Aboriginal community of Nova Scotia is one of the most vulnerable communities in this province. They are faced with the highest rates of unemployment and lower rates of participation than the rest of the province. My question through you to the minister is, what is the economic strategy that this minister has, specifically, to address the needs of the Aboriginal community?

HON. PERCY PARIS: Mr. Speaker, I thank the member for that very important question because we just announced today - we launched the Workforce Strategy, which is a strategy to address the unfairness, the inequities, the under-representation that has occurred with governments for over 250 years in the province, not only for First Nations individuals but also for women, also for persons with disabilities, African Nova Scotians, all those under-represented groups.

We came in as a government at a time - and you know it's fortunate for all Nova Scotians that we are the government of the day because, finally, after 250 years of being ignored, those under-represented groups have somebody who cares.

MS. CASEY: Mr. Speaker, yes, it is an important question and I'm concerned that it took years for this government to decide that they should look at it.

The Aboriginal community is one of the only communities experiencing that population growth in our province and, because of that, it is our future workforce; however this community is also one of the most vulnerable when it comes to employment. According to Statistics Canada regarding labour force activity, the unemployment rate for the Aboriginal identity population is almost two times as high as it is for the province as a whole, and for people living on reserves that rate is almost three times as high - and I will table those stats.

In addition, the participation rate for people living on reserve is only 50 per cent. So, Mr. Speaker, for the NDP to ignore this important segment of our population and to fail to provide an economic strategy with real targets is unacceptable.

So my question to the minister is, what specific employment targets has this minister set to combat the higher unemployment faced by the Aboriginal community?

MR. PARIS: Mr. Speaker, again it gives me great pleasure to rise in my place and talk about this very important question. You know, I'll be the first one to stand here in my place and say yes, it took us two years to do this. Do you know why it took us two years? Because we wanted to plan, we wanted to do it right - we weren't going to rush into anything and get it wrong.

The problem with what governments have done in the past is that they have run into and tried to implement something without having an awareness and an understanding of what it actually was. Mr. Speaker, our vision is to have as many people as possible who are under-represented in Nova Scotia to be employed - that's our vision.

MS. CASEY: Mr. Speaker, the question was, what are the employment targets that have been set? I did not hear an answer to that.

Wages in Nova Scotia are among the lowest in the country for all Nova Scotians. Rural Nova Scotia is experiencing people exiting the workforce by the thousands. Again, Mr. Speaker, one of the most vulnerable communities struggling with high unemployment, and this government has no strategy to help, is the Aboriginal community. So there's no strategy, there's no target, and there's no measurable outcome.

So, Mr. Speaker, when will the minister stand up for the Aboriginal community, introduce a strategy that has real targets, has real measurable outcomes, and real hope for members of this community?

MR. PARIS: You know, Mr. Speaker, I love this question because I can stand here in my place and say in two years this government has done more in two years than any other previous government in the last 250 years has done when it comes to under-representation.

Mr. Speaker, I can also tell you this - do you know what our target is? There is unlimited because we want as many (Interruptions) Do you know what, Mr. Speaker? We want as many people from not only the African Nova Scotian community, not only from the First Nations community, not only females, not only from the Acadian community, not only from persons with disabilities, but all the groups that are under-represented in the workforce. We want as many as possible in the workforce, which is different than before.

MR. SPEAKER: The honourable member for Preston.

**ERDT: AFRICAN N.S. COMMUN. - EMPLOYMENT TARGETS**

HON. KEITH COLWELL: Mr. Speaker, the Minister of Economic and Rural Development and Tourism simply has no real economic targets or measurable outcomes. This is a grave situation and communities across the province are suffering because of the minister's failure to grow the economy. The African Nova Scotian community in our province suffers from higher unemployment, lower participation rates, and lower earnings than the rest of the province.

Mr. Speaker, will the minister please tell Nova Scotians what his specific employment targets are for the African Nova Scotian community?

HON. PERCY PARIS: Mr. Speaker, I agree. I agree that when it comes to the African Nova Scotian community that the financial rewards have not been there. I agree that when it comes to the African Nova Scotian community that they are under-represented in the workplace. I also know whose fault it is. Do you know what? That fault does not rest with this government. That fault rests with Liberals and Progressive Conservatives for 250 (Interruptions) years ignoring the demographics of the Province of Nova Scotia. We will not ignore them. (Applause)

MR. COLWELL: Mr. Speaker, the stats are stark - 15.7 per cent of African Nova Scotia males are unemployed compared to 13.5 per cent of males in the general population; 11.3 per cent of African Nova Scotian females are unemployed compared to 10.4 per cent of females in the general population; African Nova Scotia university graduates earn an average of \$12,000 per year less than those in the general population. Like all Nova Scotians, the African Nova Scotian community needs this government to deliver specific targets and measurable outcomes. Will the minister explain why he has no specific employment targets or measurable outcomes for the African Nova Scotian community in Nova Scotia?

MR. PARIS: Mr. Speaker, you know, as a person of African descent, it's very heart-wrenching for me to stand here in my place, listen to a member who represents the largest African Nova Scotian community in Nova Scotia - and I know Question Period is for questions for the government, but when I hear that particular member ask those kinds of questions, I stand here in my place and I wonder what he has been doing for the last number of years that he has been in government, when he was in government, and it breaks my heart to hear that member get up in his place and talk about the very individuals that he is supposed to be representing.

Mr. Speaker, he has sat there for how many years and has done nothing. Finally we have a government that recognizes the problem and by - oops - by Jiminy Cricket, we're going to do something about it. (Applause)

MR. COLWELL: Mr. Speaker, I'd like to read from the provincial Web site of the Office of African Nova Scotian Affairs: "Numerous reports, submissions, and recommendations have attempted to define the problems, provide solutions, or establish corrective measures. However, government's accountability and resources for specific initiatives have not been consistent. There is a widespread belief across communities that the root causes of discrimination, institutional racism, and cultural biases have not been addressed."

That's from the minister's own Web site, Mr. Speaker. Will the minister explain how he expects to address the problems of unemployment faced by African Nova Scotians with no specific targets or measureable outcomes?

MR. PARIS: Mr. Speaker, this is a question that should have been raised in the House of Assembly 400 years ago. (Interruption) Or 249. You know what, they can make light of it; they get the point. It's amazing, Mr. Speaker, that a subject as serious as this becomes a point of some laughter in the House of Assembly. It's disheartening, it's disappointing; it's all those things.

Mr. Speaker, it took 250 years for us to get to this point in time. It took an NDP Government to get us to this point in time. What we've realized as a government, and what we are doing, we are doing this - we are taking our time at it because we are going to do it and we're going to do it right.

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

### **ERDT: WORKFORCE STRATEGY - EFFICACY**

MR. EDDIE ORRELL: Mr. Speaker, this morning the Minister of Economic and Rural Development and Tourism said the new Workforce Strategy will keep Nova Scotians in Nova Scotia. But this government would rather drive away investment and create a more risky business environment than help make the climate right to grow our economy. We can train all the people we want but Nova Scotia-based job creators are needed to take full advantage.

Under this government's watch we've already lost 5,900 full-time jobs net, a staggering 8,400 have left the workplace, giving up in many cases. My question through you the Minister of Economic and Rural Development and Tourism is, will the minister admit he has failed Nova Scotians and his Workforce Strategy will do nothing to increase actual jobs or keep trained people in Nova Scotia?

MR. PARIS: Mr. Speaker, the Workforce Strategy is about education, it's about having a trained and skilled workforce. It's quite obvious to me, and I've said this before - I remember one time I said this and somebody wanted to negotiate and I'm still a little confused over that. I'm more than willing because it's quite obvious to me that there has to



be education, has to be education to members on the opposite side of the House, which was provided very generously to the members on this side of the House, that we are more than willing to sit down and explain the Workforce Strategy. One is part of the other and that was one of the problems that we've had before in the past with previous governments - they didn't understand. They didn't understand, they might have been aware of something, but what they did is they ignored it and by ignoring something, matters just got worse. We are investing. We've invested in Nova Scotians and in companies coming to Nova Scotia and we will continue to do that so we can grow the economy here and keep Nova Scotians here at home.

MR. ORRELL: Mr. Speaker, we have an amazing opportunity before us with the shipbuilding contract but this government is proving that it only hears what it wants to hear and only does what its special interest friends want it to do. We are facing a shortage of skilled workers to take advantage of this historic contract and this government is proving it's willing to blow it in order to appease its friends.

My question through you to the minister is will the minister commit to change this government's investment-frightening, high cost, job-killing policies that are making Nova Scotia less attractive to invest in and will make it more difficult for newly trained workers to find employment in Nova Scotia?

MR. PARIS: Mr. Speaker, through our own initiative we've come up with the strategy called jobsHere. We also know that with jobsHere we had to implement other portions that were a part of the whole jobsHere strategy. The Workforce Strategy is another way (Interruptions)

MR. SPEAKER: Order, please. Order, please. The honourable Minister of Economic and Rural Development and Tourism has the floor for a short period of time.

MR. PARIS: Thank you, Mr. Speaker. We support businesses in Nova Scotia, we support employment, and we support growing jobs. That's why we invested in Maritime pride eggs in the northern region. That's why we invested in LED roadway lighting. That's why we invested in Pictou Lodge. That's why we invested in Seaforth Energy. We have a strategy, we will stick by our guns, and we will see Nova Scotia grow.

MR. ORRELL: Mr. Speaker, this government makes a habit of sham consulting. We saw it with the Labour Management Review Committee, the Back to Balance tour and the new Back to Balance Web site, with pharmacists, road builders - the list goes on. It just proves this government has an agenda and is determined to push it through while giving the mirage that it's consulting.

Mr. Speaker, my question through you to the Minister of Economic and Rural Development and Tourism is, will the minister table a list of groups that were consulted for this strategy and show exactly how their input was incorporated into this document?

MR. PARIS: Mr. Speaker, with respect to the jobsHere strategy, we consulted wide and far. We consulted Nova Scotians. We consulted Nova Scotian businesses. You know, it's not rocket science - we went out, we knocked on doors, we called, we did focus groups, we talked to chambers of commerce. We did a very thorough and diverse consultation.

MR. SPEAKER: The honourable member for Yarmouth.

### **ERDT - YARMOUTH FERRY: BUS. CASE - REQUIREMENTS**

MR. ZACH CHURCHILL: Mr. Speaker, last Wednesday the minister responsible for 12,500 job losses said in reference to the Yarmouth ferry, "I'll stand here in my place time and time again and say, bring forward the business case . . ." The latest tourism statistics from the minister's own department tells that U.S. visits to Nova Scotia decreased by an additional 3 per cent compared to August 2010. The minister has argued that this is because of a global downturn in American tourism. However, if you look at U.S. visitations to our neighbour, New Brunswick, it went up by 9 per cent in 2010 and I'll table that document.

Mr. Speaker, those Americans could have come here but we cut off their link to this province. So my question to the minister is, how much more of a business case does he need to support investing in a Yarmouth ferry?

MR. SPEAKER: I'll remind the honourable member for Yarmouth that when you're addressing the minister, you address him with his proper title – the Minister of Economic and Rural Development and Tourism.

The honourable Minister of Economic and Rural Development and Tourism.

HON. PERCY PARIS: Mr. Speaker, this is a reiteration. When somebody comes forward with a business case, I've said, and I will maintain, that we will look at that business case whether it be for a ferry, whether it be for a business, whether it be for anything. This is an open government.

Mr. Speaker, tourism numbers coming from the U.S. have been in steady decline for not the last year, not the last two years, not the last five years, but for the last 10 years. The ridership for The Cat went down between 75 per cent and 80 per cent. It speaks for itself.

MR. CHURCHILL: Mr. Speaker, the first economic impact analysis that came out said Nova Scotians lost \$25 million in profit because this government cut the Yarmouth ferry. My question to the minister is, how much more of a business case does he need before he admits that investing in a Yarmouth ferry is a good idea?

MR. PARIS: You know, Mr. Speaker, the member opposite keeps quoting a business case and he keeps throwing one assumption at us. That's what it is and, again, we are an open, transparent government. If the member opposite wants to come forward and give to me a business case, I will look at it. (Interruptions) But do you know what? Mr. Speaker, decisions will be made on that business case as presented to us.

MR. CHURCHILL: Mr. Speaker, 3,700 jobs have been lost in southwestern Nova Scotia since this government has taken office; 4,300 people from southwestern Nova Scotia have left the workforce alone. The most recent economic impact analysis says that this negative trend can be reversed with a new ferry. How much more of a business case does this minister need?

MR. PARIS: Mr. Speaker, it's the same question. The answer is the same. Bring something forward, put it in writing, make a presentation to us. We will consider it and it will be based on its own merit. I can't say it any clearer than that.

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

#### **HEALTH & WELLNESS - CCSVI TRIALS: PARTICIPATION - COMMIT**

MR. ALFIE MACLEOD: Mr. Speaker, my question through you will be to the Minister of Health and Wellness. When asked about Nova Scotia's plans for the CCSVI treatment last April, the Minister of Health and Wellness said, "We've said as a province we certainly will participate in clinical trials when the scientific panel recommends that clinical trials proceed." Since then the federal Minister of Health gave the go-ahead for clinical trials after a scientific working group agreed unanimously that a clinical trial should proceed at the phase one and phase two levels.

New Canadian research has reported in the Canadian Medical Journal in October that people with MS are significantly more likely to have abnormalities in their veins draining blood from the brain, rather than people without MS. After pooling the results from eight studies researchers in Toronto and Calgary found that MS patients were between four and 14 times more likely to have CCSVI than those without MS. So the scientific proof is piling up.

The obstacle holding the minister back has been removed. Now she says she's waiting for the federal guidelines to proceed with the trials. Will the minister give Nova Scotia MS sufferers and their families some peace of mind and commit today that the province will definitely participate in trials once the federal framework has been established?

HON. MAUREEN MACDONALD: Mr. Speaker, I want to thank the honourable member for the question. I must say, it's a very timely question. Before Question Period today I was on the phone with our federal Minister of Health just finalizing our agenda

items for Friday's agenda when all of the Health Ministers from across Canada will be here in Nova Scotia, along with our federal Health Minister. Indeed, we have a presentation from the Canadian Institute for Health Information with respect to what the guidelines will be with respect to clinical trials. I and officials in my department are very much looking forward to that presentation so we can get on with planning our involvement. Thank you.

MR. MACLEOD: Mr. Speaker, I want to thank the minister for that answer because she had said before that the Health Ministers were going to be meeting here in Nova Scotia and that is part of the reason why this question is being asked today. As we know, Nova Scotians are amongst the highest number of people with MS in the country. What we need to make sure is, and what I would ask the minister to do is, to take a real leadership role when she meets with her counterparts and push, not only her fellow Health Ministers, but also the federal minister to proceed quickly with the guidelines for these trials. Could the minister commit to that for this meeting?

MS. MAUREEN MACDONALD: Mr. Speaker, to the honourable member and members of the House I would say that in many respects the research, the clinical trials are already being fast-tracked. The fact that we're at this stage in having a discussion for clinical trials is a much quicker schedule than one would ever have imagined in what generally happens with respect to other pieces of research.

So indeed, we will again be looking forward to looking at the guidelines that the federal government lays out and then proceeding with plans to participate in those.

MR. MACLEOD: Mr. Speaker, I know I don't have to remind the minister that time is not a friend to those who suffer with MS. The question was, would she push her colleagues at this meeting to get this moving even faster?

Nova Scotia has the benefit of a well-recognized medical school and many physicians and scientists who do important and groundbreaking research in many fields of medicine. My question to the minister is, what discussion has the minister had with notable Nova Scotian physicians and scientists about participation in the clinical trials? Will she tell the House and the MS sufferers in this province the level of interest there is in the medical research community in being involved in the trials once the federal government has established its framework?

MS. MAUREEN MACDONALD: Mr. Speaker, I think all members of the House recognize that we're very fortunate in Nova Scotia to have a very robust scientific and medical research community here, associated with Dalhousie and with Capital Health. There is an MS research unit. I've met with many members of the research staff from the research unit. They are fully versed in the research that has been going on with respect to this particular treatment from all around the world. They attend many conferences, they read all the publications and the learned journals, and they too have been watching the developments for clinical trials with great interest.

I'm sure that after we know what the federal guidelines are, they will be prepared to give me the benefit of their expertise with respect to how they might participate, if in fact they will participate. Thank you, Mr. Speaker.

MR. SPEAKER: The honourable member for Kings West.

### **AGRIC. - CETA: FED.-PROV. DISCUSSIONS - DETAILS**

MR. LEO GLAVINE: Mr. Speaker, my question is for the Minister of Agriculture. The Comprehensive and Economic Trade Agreement (CETA), currently under negotiation between Canada and the European Union, is a massive deal with far-reaching implications for our agricultural community. As Canadians learn about CETA, communities across the country are raising concerns.

My question to the minister is, what discussions has the minister had with his federal counterpart about CETA and the concerns being raised about this multi-billion dollar agreement?

HON. JOHN MACDONELL: Mr. Speaker, I want to thank the member for the question. Actually, very little conversation with the federal minister on this. This is an issue where the feds really do take the lead. I think at every opportunity with the federal minister, whether it's trade talks in this regard with the EU, or North American, or wherever, any advantages for Nova Scotia producers we pursue aggressively.

The one thing I want to make clear, and I think my colleagues across the country have done this as well, certainly in our meetings last summer, is that protection for supply management is paramount across the country. I think there are not great advantages - I don't see many disadvantages, but I think there are not great advantages for the agricultural community, but certainly I think for the fishing community in Nova Scotia there could be some advantages in these talks.

MR. GLAVINE: Mr. Speaker, as well as opening the door for the privatization of water, rumours about CETA abound which suggest that it threatens local procurement and democracy by putting corporate rights above public rights.

A number of municipalities, including Lunenburg, have passed resolutions demanding that provincial and territorial governments negotiate a clear, permanent exemption for local governments from CETA.

My question to the minister is, as both Minister of Agriculture and Minister of Service Nova Scotia and Municipal Relations, what is the NDP Government doing to quell some of the fears about this deal?

MR. MACDONELL: Mr. Speaker, I'll hand this off to the Minister of Intergovernmental Affairs, the Premier.

THE PREMIER: Mr. Speaker, as you would probably be aware, this is a very serious set of negotiations going on between the federal government and the European Union. As the member opposite would know, we're not a signatory to those trade arrangements. What we have, though, are observers there at the table. We're providing advice to the federal government from the perspective of Nova Scotia, as other provinces are. In fact, if we had more resources, we'd like to be more active in that. Quebec and Alberta have bigger trade teams.

The things we are absolutely clear about are things like the supply-managed sector, where we would be completely opposed to anything that would affect the supply-managed system in Canada. It has proved over the years to be very effective. It's been effective for farmers here in Nova Scotia, and we want to see it protected.

MR. GLAVINE: Mr. Speaker, I thank the Premier for that response. The effects of CETA that have been clearly outlined in information coming from negotiations will show a significant threat at the local level. Decisions regarding buying locally-produced goods or food, pollution control, local job creation, control over our water supply services, health care, and many more will be subject to the new CETA rules. My question for the Premier is, will the NDP Government speak for local farmers and oppose the CETA agreement that has devastating impacts?

THE PREMIER: Mr. Speaker, as I pointed out, it's easy to say yes to that, because we don't want to see any negative impact on local agriculture or on local industry or the ability of provincial or municipal governments to manage the systems that they are responsible for as a matter of jurisdiction.

More than that, it's important that we engage on this issue in a very serious matter. There are great opportunities that exist as a result of trade negotiations as well, and generally speaking what we see with broader and deeper markets is better ability for us to benefit from those, to create opportunities for local businesses to be able to sell products into markets that before would have been closed to them. That's particularly true in the seafood industry. We have not had the kind of depth of reach into the European market that we would like to have, and that would be a great benefit to all areas of the province.

We're watching very carefully. We are supplying the federal government with information about the kinds of benefits we can receive from these negotiations, but we're also warning them about what we see as things that would be problematic for our province.

MR. SPEAKER: The honourable member for Hants West.

**AGRIC.: AG'S REPT. - ACCURACY**

MR. CHUCK PORTER: Mr. Speaker, my question through you is to the Minister of Agriculture. The Auditor General said on CBC's Information Morning last Thursday that, in terms of inspections for protecting public safety, it's simply not adequate. He said in a news conference that the department is not adequately managing its duty to audit - in other words, inspect - facilities that process meat or slaughter animals for human consumption and, "That failure increases public health risks associated with meat and meat products."

The minister said on CBC that the AG's report was not accurate. If the AG was wrong, why did his department agree, in the response to the Auditor's recommendations, to adopt nearly every recommendation? Does this minister believe it's okay to tell the Auditor General one thing and then tell Nova Scotians something different?

HON. JOHN MACDONELL: Mr. Speaker, this minister believes it's important to tell everybody the same thing. The comment that the Auditor General had made that I was trying to address was that the Department of Agriculture does not get reports on food-borne illnesses. We actually do, and we investigate them. That was the point I was trying to make.

MR. PORTER: Mr. Speaker, when it comes to the Auditor General's observations about the unacceptable length of time between inspections at meat processing facilities, the minister told CBC: I have to say I have to disagree with him. Even our own records indicate that someone would be there, at least try to be there three times.

The minister then went on to say: There must be a misinterpretation of the data because they would be there at least three times in a year but they may not be there once in a month.

My question to the minister is, why is he saying the Auditor General is wrong when his department said no such thing in its response to the Auditor General's report?

MR. MACDONELL: Mr. Speaker, I did check with my staff prior to making those comments. I want the member, all members, the Auditor General and Nova Scotians to be aware - I'm not going to split hairs with the Auditor General. He made some very good recommendations. My staff work closely with his office on going through the information. We think that there are many things there that we can do better and intend to do better. We fully intend to implement all the recommendations that the Auditor General had suggested.

MR. PORTER: Mr. Speaker, I thank the minister for that answer. On at least two occasions last week the minister said the Auditor General got it wrong. When it comes to food safety, there is no room for error. People want to know that the food they buy for their families is safe, Mr. Speaker. My question to the minister is simply, who should Nova Scotians believe - the Minister of Agriculture or the Auditor General?

MR. MACDONELL: Mr. Speaker, I'll make a couple of points, I hope. One is that no slaughter facility in this province can operate unless there's an inspector there, it cannot happen. The point that was raised by the media to me - we said there has never been a case of a food-borne illness traced back to a Nova Scotia facility, and the point that was raised by the Auditor General was that we wouldn't know that because nobody reports to the Department of Agriculture.

What I tried to indicate to the public and to the Auditor General is that they actually do report to the Department of Agriculture. We have the food health specialists in that department. Quite often across the country, Mr. Speaker, those professionals will be in the Department of Health and Wellness, but in Nova Scotia they're in the Department of Agriculture. We investigated 623 reports from 2002 to 2010. Some of those reports were a single individual; one of them actually was up to 40 individuals, my staff interviewed up to nearly 4,000 people over that time period. They did a three-day history and the reason we can say that none of them have been traced back to any plant in Nova Scotia is because they did the follow-up on those reports of food borne illnesses. None of them could be traced back to Nova Scotian facilities and that's why we can say that.

MR. SPEAKER: The honourable member for Kings West.

#### **HEALTH & WELLNESS - DHAS: BUDGET CUTTING - DETAILS**

MR. LEO GLAVINE: Mr. Speaker, my question is for the Minister of Health and Wellness. In recent weeks, district health authorities have become a lightning rod. They have become entities outside of government that this minister likes to hide behind. They have become her shield for cuts to budgets that in many districts across the province, despite the minister's denial, have impacted patient care and will continue to do so. She even went so far as ensuring that it was the districts themselves that ordered an audit of administrative and support services – an audit that has met with a strong disapproval of government's union friends.

My question to the minister is, why does the minister continue to use the DHAs as a convenient shield when the reality is it's the minister calling the shots?

HON. MAUREEN MACDONALD: Mr. Speaker, DHAs are a very important part of the delivery of health care in the Province of Nova Scotia of a \$3.8 billion budget. The Department of Health and Wellness transfers \$1.6 billion to the DHAs. We set the policy and the priorities of government for the health care system and DHAs are tasked with the responsibility of operationalizing that policy and focus. We work very closely with them in the planning of the delivery of health care and in the funding of the delivery of health care.

MR. GLAVINE: Mr. Speaker, I think the minister was trying to convince herself on that response. Last week the Cape Breton District Health Authority posted board meeting minutes for October. Those minutes contained the following statement: "Board



advised that the Department of Health and Wellness has requested that recruitment efforts to replace the retiring CEO and VP of Medicine be suspended for 90 days.”

My question to the minister is quite simple - could the minister please explain why the directive was issued?

MS. MAUREEN MACDONALD: Mr. Speaker, we have three district health authorities where the CEOs have indicated they will be retiring. I directed the chairs of the boards to not rush right out and fill those positions but to allow a period of time to reflect on how we want to proceed with the budgetary planning across district health authorities in the province.

MR. GLAVINE: Mr. Speaker, no question, nine DHAs have increased the cost of unnecessary administration. It's also more difficult for patients to access more timely care in other districts as each and every one of those nine artificial boundaries have had to protect their own budget turf. We have the Progressive Conservatives to thank for all of that. I note the Guysborough Antigonish Strait District is also searching for a new CEO and wonder whether this same directive has been issued to that board.

My question to the minister - is it the minister's plan to annex the Cape Breton District into GASHA, which is a simple legislative option that has been available to government since the Health Authorities Act was passed in 2000?

MS. MAUREEN MACDONALD: Mr. Speaker, I'm really pleased to have an opportunity to tell the House that under this government we've been able to reduce the cost of administration in the DHAs to under the national average. All of our efforts with respect to working very hard to deliver high-quality health care but to do it without having to go out and borrow money to pay for health care is one where we are constantly looking for ways to run a very efficient, well-organized, well-planned, well-delivered health care system. This requires looking at administrative positions and directing any saving that we have into the front lines of health care services, where patients will feel the benefit.

MR. SPEAKER: The honourable member for Kings West on a new question.

**HEALTH & WELLNESS - THERAPEUTIC SUBSTITUTION:  
PHARMACISTS - USAGE**

MR. LEO GLAVINE: Mr. Speaker, after establishing a rocky relationship with pharmacists in the Spring as a result of Bill No. 17, many were hoping that this government learned the error of its ways. Apparently they have not. A tariff agreement signed by both government and the pharmacists made provision for three items pertaining to expanded scope of practice. One of these items is therapeutic substitution. Therapeutic substitution not only saves the health care system money, it allows pharmacists to practice to their full scope.

Could the minister please explain why pharmacists aren't able to perform therapeutic substitution, despite the fact that the tariff agreement negotiated said they could do so, effective September 1, 2011?

HON. MAUREEN MACDONALD: Mr. Speaker, first of all I want to tell the House how pleased I am when staff in the department inform me that we actually have more pharmacies in the Province of Nova Scotia after the Fair Drug Pricing Act and not less, which was the objection of the Opposition to having the Fair Drug Pricing Act.

Mr. Speaker, pharmacies and pharmacists are a very important part of the health care team and we continue to work with pharmacists across the province as we broaden their scope of practice and we bring them into the health care team. Thank you.

MR. GLAVINE: Mr. Speaker, I'll table information sent to pharmacists by government. Clearly the document outlines an effective date of September 1<sup>st</sup>, yet we have pharmacists in this province who have, in good faith, provided a service for government and submitted a bill for services rendered, only to have the bill rejected for payment.

Mr. Speaker, that's not dealing in good faith, and this government knows better. My question to the minister: Why is it acceptable for government to break their end of the tariff agreement negotiated in good faith with the pharmacists?

MS. MAUREEN MACDONALD: Mr. Speaker, as I indicated, pharmacists are a very important part of the health care. We are working very hard to integrate the services of pharmacists into our health care system and we will continue to do that and to work with pharmacists and the Pharmacy Association of Nova Scotia.

MR. GLAVINE: Well Mr. Speaker, we'll give one more try on behalf of the pharmacists. Despite the fact that the circular stated that therapeutic substitution was an insured service effective September 1<sup>st</sup>, the small print states therapeutic substitution is eligible only when it responds to a Pharmacare policy. Apparently the department has yet to develop the policy.

In legal terms one would call that a technicality, Mr. Speaker, a technicality that breaks faith with pharmacists, fails to honour the tariff agreement negotiated and signed. My question to the minister is, given that an agreement was reached in June and the minister knew therapeutic substitution would be ensured effective September 1<sup>st</sup>, why did the minister fail to produce the corresponding policy, and when can pharmacists expect it?

MS. MAUREEN MACDONALD: Mr. Speaker, as the honourable member and other members know, the Fair Drug Pricing Act had many, many components to it with many, many benefits for Nova Scotians, both as health care consumers and as citizens and taxpayers. Certainly I think that one of the benefits is that fact that we are seeing a dramatic

reduction in the prices of generic drugs. Those prices still have some ways to come down - we will see two more benchmarks in the reduction of drug costs in Nova Scotia.

In addition to that, we have seen an expansion of the services that pharmacists are providing to members of the public in terms of the services that they provide. We do have a contract with pharmacists, we do have ongoing discussions with pharmacists, and we will continue to work with the Pharmacy Association of Nova Scotia in the best interest of patients . . .

MR. SPEAKER: Enough, thank you.

The honourable member for Inverness.

MR. ALLAN MACMASTER: Thank you, Mr. Speaker. We can always count on the Minister of Health and Wellness for her verbose responses to the questions from this side of the House.

Mr. Speaker, my question is for the Minister of Community Services. We agree with the Auditor General that protection of persons in care deals with a vulnerable sector of our society - and it's too bad we didn't have time to ask this question today.

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

### **GOVERNMENT BUSINESS**

MR. SPEAKER: The honourable Deputy Government House Leader.

HON. CLARRIE MACKINNON: Mr. Speaker, would you please call the Order of business, Public Bills for Second Reading

### **PUBLIC BILLS FOR SECOND READING**

MR. SPEAKER: The honourable Deputy House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please call Bill No. 102.

### **Bill No. 102 – The Trade Union Act.**

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

MR. ALFIE MACLEOD: Mr. Speaker, I'm pleased to be able to rise again and pick up where we left off last evening talking about Bill No. 102 - an Act to Prevent

Unnecessary Labour Disruptions and Protect the Economy by Amending Chapter 475 of the Revised Statutes, 1989, the Trade Union Act.

Mr. Speaker, as I said last night and I'll repeat today, this bill is unnecessary. People even question the very title of the bill, but I will say this, it has brought some interesting comments from people in my constituency. People have often said that there's not much difference between politicians in the Province of Nova Scotia, that they can't see the difference in the Parties.

Mr. Speaker, I can say to you that on this occasion there is a definite, definite division on where the Parties stand. In this Party, we have a vision of a Nova Scotia that will flourish with small business at the helm, that will provide jobs for people here in our province, that will make this place a better place to live, a place that we can all be so proud to call home. On the other side, on the government side of the House, they have a clear vision of wanting to hurt private business, to try to stifle private business in moving forward and doing what they do best. We have seen time and time again that government cannot run business. They don't have the ability to do a good job at it.

It's interesting when we talk to this bill and we see the urgency that has been put on it by this government. They say we need to have this in place, and yet their own committee - the committee that there was so much talk about in Bill No. 100, of how we're going to make things much better for the people of Nova Scotia - on November 15<sup>th</sup> wrote:

“Dear Minister More:

RE: First Contract Settlement in Nova Scotia

This is to inform you that the Labour Management Review Committee met on November 7, 2011, to conclude a process of stakeholder consultation, and committee consideration on the issue of first contract settlement in a Nova Scotia 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 by the two co-chairmen. Even their own committee can't conclude that this is a good piece of legislation for this province.

Where I come from in Cape Breton, we have a 15 per cent unemployment rate - that's the rate that's showing. We're not talking about the people who fell through the cracks, and we're not talking about the people who have given up and are not trying to find

work anymore. We're talking about just those who are still in the system. Then we see what's going on at NewPage and the jobs that have been lost there.

Nova Scotians are very proud people. Nova Scotians want to work. Nova Scotians feel that what they do best is providing for their families. What we need to do as members of the Legislature is make sure that we make it easy for people to do that, not put in pieces of legislation that will hurt small business, which is the driver of the economy here in Nova Scotia, where we have 50 per cent of the people in our province employed by small business. Small businesses can be as easy as the MacKenzie store that was mentioned by the member for Victoria-The Lakes yesterday, with four people employed in it, to a business that employs 20 or 30 people, like landscaping companies. All of these people are members of our community providing jobs to their friends, to their neighbours, and sometimes to their relatives.

This legislation, if enacted, could have a definite impact on how these people are able to do their business. It could hurt them to the point where, indeed, they may not even be able to stay in business because it wouldn't be economically viable. So we have to wonder, what is the rush by this government to put in a piece of legislation that their own committee said they can't find consensus on? If we look across the country, and all the other legislation that's been referenced by the government members, there isn't a piece identical to this. You have to question yourself, why would this government who says they're so friendly to labour, so friendly to the people of Nova Scotia, why would they put this in place?

The only thing I can think about is maybe it's payback to some of their friends, but at what cost? That's the question - at what cost? We come here as individuals, 52 of us in a province of over 900,000 people. In this province, it is quite an honour to be a member of this Legislature. I know for myself that every day I come into this Chamber I'm humbled by the history that has been in this Chamber, by the people who have served in this Chamber before me, and the people that have had the honour to sit in the chair that you're sitting in.

The people of Cape Breton West said, we want you to go there to that House and put forward what we believe is important, not what's important to special interest groups, not what's important to your Party, but what's important to us as the residents that you represent. I would guess that the other members in this House are very similar, that they've been given a mandate to come here to do a job for the people they represent.

I can't help but wonder how many of the members on the government side of the bench have gone and talked to their constituents, talked to the small business people in their community and said to them, what do you think of this legislation? Is this going to help you survive? Are you going to be able to hire more people? Are you going to be able to have a bigger business so that we'll have a stronger economy? Of course, we all know

that, unfortunately, the members who aren't on the front benches on that side haven't been given the opportunity to speak freely in this House of Assembly.

That's what this is about. That's what this Chamber is about, an opportunity to make sure that your voice is heard on behalf of the people that you represent. It's important that we think about where we're going to go. Not just next week, it's not just the next election, it's about where are we going to go as a province over the coming years. (Interruption) No, I'm not like a whole lot of Nova Scotians, I'm very lucky. I have three grandchildren living in my community now. They're living close. I get to see them every day. Not everybody in this House can say that their grandchildren are that close to home.

But will they be able to stay here if we have pieces of legislation like this that drives small businesses out of work? Will they be able to have a home here? Will they be able to get an education here? Will they be able to have the quality of life that we've had and enjoyed so much?

I really would like to understand, and get a better understanding from the members of the government side, why this piece of legislation needs to take place now. Is there not a chance for us to hear more from the business community? We heard yesterday from a group that represents 7,000 businesses in the Province of Nova Scotia and they said this is a bad idea. Mr. Speaker, I don't know what you think, but I know from my perspective, if there are 7,000 businesses telling me this is not good for their future and the future of the Province of Nova Scotia, then they deserve and need to be listened to.

If we have big companies like Michelin expressing concern about where they're going to go in the future in this province and what they're going to do and where their investments are going to be made - they are good employers, the people that work there have a good lifestyle - we have to wonder what it is that we can do to make sure this legislation is doing what it's supposed to, and I'm not even sure what that is.

I know earlier today we had a group of people here who were pensioners from NewPage. They are now worried about what is going to happen to their pensions because NewPage is being put into some very severe times and we don't know if NewPage has a future. These people, who worked hard, who worked long, who were members of their community, are now wondering if, indeed, they are going to keep the benefits they have. So you have to wonder why the rush. What is the need to make this happen so quickly?

Mr. Speaker, I know that I spoke last night about people who have come into our constituency office and have had concerns and worries. I know that during the last election campaign the pledge of the current government was to make Nova Scotian families have a better life. They said we are going to be leaders in the Province of Nova Scotia. They are right. We now have the highest power rates in the country. We have some of the highest taxes in the country. We have the highest gas prices in the country. We have higher unemployment than most places in the country.

If that's the way they lead, if that's the type of government they believe is going to make Nova Scotia a better place, then God help us all because that is not the kind of Nova Scotia that I have envisioned and I'm sure the rest of my colleagues on this side of the House have envisioned for what we need to do here in the Province of Nova Scotia. It would be very interesting to see just where our colleagues are. I notice today, Mr. Speaker, that they are very subdued and that's the difference, I guess, about being the last speaker at the end of the night and being the first speaker at the beginning of the session.

Last night there were lots of catcalls about where we were and what they wanted to do. Today maybe they've had the chance to think about some of the things that have been said over the last couple of days about this legislation. Maybe they even got some phone calls from some of their constituents who said, hold off, this is not what we need; this is not the type of legislation that we asked you to put in place, and this is not the way to make Nova Scotia flourish.

We hear great things about the contract on the shipbuilding. The reason that we have that contract here is because they had a quality bid. They had a bid based on knowing that the workforce they had at that yard were some of the finest people in the province, more likely in the country. They had a group at the head - the Irvings - who invested in time and money and energy to make sure that they put forward the best bid possible. We know, as we look around the Province of Nova Scotia, that we have the best workforce that anybody could ask for. That's the reason we have this contract. I don't want to see that contract put in jeopardy by a piece of legislation that is going to drive small businesses and other businesses out of work.

Mr. Speaker, this government has an opportunity to blow the best opportunity that this province has seen in decades and that's not what this province needs. What our province needs is a government with a vision, a vision that is clear, a vision that will take us forward, not a vision about looking after their friends and damn the torpedoes, away we go, we are not going to allow anything to get in the way of a piece of legislation that we have to put in place as payback.

Mr. Speaker, I'm really beside myself because I see the opportunity for Nova Scotia to grow, to prosper and to be a leader not only in our region but in our country. Then I see backward legislation like this, legislation that is going to hurt the people here, legislation like Bill No. 17 that was brought in about the pharmacies and what it did and the effect that we heard time and time again when we sat in Law Amendments Committee and we heard them say, I'm probably going to have to lay one person off, or I'm going to have to lay off two people, or I'm going to have to shorten my hours. Now that legislation combined with this new piece, this Bill No. 102 - you can't help but ask yourself, what kind of effect is that going to have on those small businesspeople who are the backbone of our economy?

Mr. Speaker, I'm getting close to the end of my remarks - and I'm almost seeing some cheers there - but you have to look at the whole thing and take it in the whole circle. You have a bill that even their own committee says there's no need of, that they couldn't come to a consensus on. You have 7,000 businesses - close to 7,000, represented by the chambers of commerce across this province - saying, we don't want this. We have constituents coming to us time after time and saying, this is going to hurt my business, I may not be able to survive. We've heard stories from other provinces where this has hurt businesses there and they had to close or sell off.

I think the question that has to be asked by all members of this House is, do we really need this legislation? Is this a payback? Is this really what the people on my street, in my community, in my constituency sent me here to do? I think the answer to those questions is no. I think that the people want us to make it easier for small business to move forward, make it easier for people to find jobs, make it easier for our families not to have to move, make it easier that we will be able to provide for our seniors as they grow older and we'll have good quality care for those who are growing older when they need it, because they were the backbone that made our life here in the Province of Nova Scotia so well and so important.

It would be beyond any belief that we could bring forward a piece of legislation like this that can have such a bad effect on our people here in the Province of Nova Scotia and on our business community. (Interruption)

The Minister of Communities, Culture and Heritage seems to have something to say. I've noticed that he has always got something to say when somebody's speaking on this side of the House, but is rarely allowed to speak when he's over on that side of the House. Now, that's not the fellow I remember when he was over here. When he was on this side of the House, he had lots to say. He had lots of things that he was going to do to help the people of Nova Scotia, and now he's a part of a government that's hurting the very people that he said, when he sat on this side, that he would do something to help them.

He used to stand up for small business, Mr. Speaker, and now, not only does he not stand up for it but he sits on his hands to make sure that nobody can get any wrong idea of where he is on this whole thing. It is those kinds of things that have created a problem for us. We have to be careful on the kinds of legislation that we pass, because it will have an impact not only on us and this government, not only on us in this generation, but for generations to come here in this province. There will be no way, after listening to the people that I represent, that I could vote for this piece of legislation. Thank you.

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

HON. MANNING MACDONALD: Mr. Speaker, welcome to the Chair. I noticed you took over a few moments ago and it's good to see you earning your pay.



It's a pleasure to rise in my place here to say a few words about first contract arbitration, otherwise known as Bill No. 102, amendments to the Trade Union Act. The preamble to this bill says it's an Act to Prevent Unnecessary Labour Disruptions. I think that is also known as "promoting union certification." That would be a better title to put on the bill, or a better preamble, or Trade Union Act amended, which has the same end result.

Why is this bill here? Well, everybody has speculated as to why the bill is here and so will I. Obviously, this government has felt that big labour in this province is owed a huge reward from the NDP and I think that's why the bill is here. I can't see any other reason why it would be here because there is labour peace in this province. There is a situation here where we haven't had too many labour disruptions over the past number of years so you have to wonder why, with all the problems we have here in Nova Scotia, this bill would occupy the kind of time it is occupying in this House and be a priority of this government.

Cynics would say this is another attempt to get into Michelin. Over the past dozen years big labour has tried and tried to negotiate contracts with Michelin. As far back as the late 1990s when we were in government, we were told at that time that Michelin was concerned about the possibility that labour unions would enter their plant with collective agreements. They made no bones about it, at that time, that if that happened they would leave Nova Scotia, and hence the Michelin bill at that time. Michelin is a very important contributor to the economy of this province and I would hate to think that somebody would jeopardize that importance by trying to do something that Michelin and its employees have rejected over the years. It's a back door way, in that particular business, of getting a contract into Michelin.

You've heard the saying before that Michelin has worldwide interests, of course, and you've heard the South Carolina named used. I can recall Michelin saying that they could go down the road to South Carolina and not have to worry about being organized by a major union in Nova Scotia, and they rejected that. They treat their employees pretty good at Michelin and to date there has been a resistance. With first contract arbitration, if that bill comes into effect - and apparently it's going to because of the majority status opposite - then that bill will mean that, in effect, somebody could go in there and with first contract with that particular company, and somebody else down the road, after 120 days or whatever, would decide whether or not that would move forward. I'm suggesting to you that's a back door way of the union getting into Michelin.

I don't know why the government would be that interested in creating that problem because if you create the problem there, you've already been warned what the Michelin company has said they're going to do in this province. They couldn't make it any clearer than that. With all the market conditions that are going on in that industry with things like the Canadian dollar, with the rising labour costs and all of that kind of stuff, plus the fact that the competition is very heavy in that business, Michelin may see, down the road, this is a way, if it happened, to say goodbye to Nova Scotia, and what a tragedy that would be.

They're a good corporate citizen. The people that work for Michelin know what they're doing, so there's no need of anybody tinkering with that situation.

The Nova Scotia economy is weak at the present time so why would any government entertain legislation that would make it weaker? We are bleeding jobs in this province and we can't afford to make business nervous. This bill is making business nervous. Small business is very important to this province. It's the backbone of the economy and small business is worried about Bill 102. They're worried about the consequences that could accrue with Bill 102 passed into law and subsequent contract negotiations being subject to this particular bill.

Labour relations are good in this province at the present time. I think everybody would agree with that. Even members opposite would agree with that. We should be focusing on bringing investment to the province and boosting business confidence, not driving investment away with bills like Bill No. 102. What are they trying to fix?

You know last week when this bill was introduced, during Question Period I believe it was - or perhaps it was in a scum in conversation about this bill - the Premier made reference to a fact that the member for Cape Breton South was in favour of this bill because he did the same thing with the firefighters in the CBRM. Well you know what? The Premier was worried about the ramifications of this bill, so he tried to spin it by saying that the Liberal Party and, by extension of that, the member for Cape Breton South was actually in favour of it because he did that for the International Association of Firefighters and the CBRM.

Well, I corrected him on that - they already had a contract, this wasn't first contract negotiations at all. The Premier, who is fond of saying that is simply not true, I said it back to him - that simply is not true. He knew it because he was at the event where I was honoured for bringing legislation forward that would amend the Trade Union Act to provide for compulsory arbitration instead of the right to strike, something that the International Association of Firefighters themselves wanted and came to me, as their MLA in Sydney, to bring that bill forward. They felt they were an essential service in this province and could not see themselves going out on strike because of labour disruption.

Everybody in this House agreed with that. It wasn't precedent-setting, but it also wasn't first contract negotiations. It was a contract that was already in place and all they wanted was to change the end results of negotiations to compulsory arbitration, which, by the way, is working very well, as it is with the police in industrial Cape Breton in the CBRM. They are both essential services and they feel much more comfortable in doing their jobs knowing now that they're not going to be forced out on the street to get a contract.

One had nothing to do with the other and, Mr. Speaker, the Premier knew that, but he was trying to spin it that we were actually in favour of first contract arbitration, and that's simply not true and far from the truth.

The Trade Union Act provides the tools for negotiating parties to come to an agreement. In Nova Scotia work stoppages have been few and far between, well below the national average, so what are we trying to fix here? What are we trying to fix, except to pay back big labour in the province for their interest in seeing that the NDP formed government in Nova Scotia. They achieved that aim, so now it's time for payback.

Everybody in Nova Scotia knows that, because why would a bill be here if it wasn't for that? Nobody has given one good reason for the bill to be here, except doing the bidding of big labour and paying back a debt owed for the election.

Now, Mr. Speaker, this province has a lot more to worry about, and this government has a lot more to worry about – and I'll give you some facts of what they have to worry about. The NDP Government has increased 1,400 user fees since coming to power, they increased the HST by 2 per cent, and they put NDP electricity tax on every power bill in Nova Scotia. Every person in Nova Scotia whose power bill went up can thank that government, the NDP Government, for putting electricity tax on their bill.

Mr. Speaker, another fact - at 1.9 per cent Nova Scotia had the worst growth of any provincial economy in the country. Only the Northwest Territories had lower GDP growth, and that's not fantasy; that's fact. The government should be dealing with that instead of wasting the time of this House and wasting the time of Nova Scotians on a bill that no one can figure out what it's doing here, except to pay back big labour in this province for their support in the last election.

Mr. Speaker, in the last year Nova Scotia had the third worst performance in manufacturing in the country and the worst performance in motor vehicle sales. You know, the Minister of Economic and Rural Development and Tourism totes about his strategy, but these are facts. This is not something that somebody pulled out of a hat, these are facts: third worst performance in manufacturing in the country and the worst performance of motor vehicle sales.

Since taking office, another fact - gas prices have gone up over \$0.25 a litre in the past two years. Employment in this province has decreased by 12,500 jobs since the NDP took office - 12,500 jobs. If that's a strategy that we should be following, heaven help us if this government is here another couple of years. By extracting those numbers and pulling them out, we could probably suggest that by that time there will be 25,000 less jobs in Nova Scotia.

The area I'm more familiar with than any other area is Cape Breton and we lost 2,100 jobs since the NDP has come to power and our unemployment rate stands at over 15

per cent. That's a disgrace, Mr. Speaker, that the unemployment rate in my area of Cape Breton is over 15 per cent and the government is doing absolutely nothing to do anything about that. The North Shore region lost 1,400 jobs, the Valley region lost 600 jobs and the southern region lost 2,500 jobs.

Another interesting fact, in the past year alone 5,000 Nova Scotians have exited the workforce and the situation is worse when you leave Halifax. For example, in Cape Breton, 2,300 people have left the workforce, just given up. They've just left the workforce because they see no hope of ever getting gainful employment. And the North Shore, 1,400 people - yes, the biggest beneficiary of Cape Bretoners leaving has been Fort MacMurray. Half the young people are out there and some people in their 50s and 60s have had to go out there because of being displaced in jobs and to try and support their families.

The fact is, we're losing too many jobs in Nova Scotia under this government and we do have a number of worrisome situations that are happening in this province that I think - and I refer again to that 1.9 per cent of provincial economy in the country, the lowest growth next to the Northwest Territories.

Those are facts that no one can dispute because they're facts that we get from Stats Canada. They are facts we get from other agencies throughout the country who are involved in providing statistics to governments and providing people who are interested in growing the economy with some statistics about where they should invest their money - particularly business, where business should invest their money. I'm telling you, the climate in Nova Scotia is not favouring the establishment of new business in this province; in fact, it's endangering the small businesses that are presently operating in Nova Scotia. That should be a concern to all Nova Scotians, that small business is in jeopardy in this province, and it's going to be in even more jeopardy if this bill clears this House and comes into law.

This bill will not contribute to better economic performance or economic stability for the province. In fact, the reverse will be true - FCA will not encourage people to stay in Nova Scotia or business to expand and invest. It's important that small business in this province, and people coming into the province and setting up as a place to do business, having the ability to determine where they're going to set up - they're going to take a look at the laws of the province. They'll look at where the government stands with regard to its hope for small business or its encouragement for small business or setting a regime in place that would favour small business setting up here in Nova Scotia.

This government has shown none of that. We hear, day after day, about the Department of Economic and Rural Development and Tourism and its minister talking about jobsHere strategy. He has not given us one job that's being created in this province because of that strategy. All he talks about is, why is everybody in a hurry? We're putting a long-term strategy together. I think the strategy is to try to get to the next election in the

hopes that people in Nova Scotia will still believe that there are jobs coming to get them through a second mandate.

I think Nova Scotians are going to have enough of this government by the time the next election comes around, unless there's a huge turnaround in the jobs in Nova Scotia and the performance in regard to the rest of Canada, because people who are investing money take a look at the performance. They take a look at where the priorities of any particular government lie. In this particular case, Mr. Speaker, they're going to take a very jaundiced view of coming to Nova Scotia if they know the only thing on this government's mind is paying back big labour and putting in a bill that is going to jeopardize small business in this province in the future.

This bill is not going to strengthen the collective bargaining process and it won't increase business confidence. I've said before that, as a matter of fact, the reverse is going to be true. We're losing too many jobs in this province to even risk offending any more small businesses in this province by increasing taxes, by increasing user fees, or by increasing rates, particularly electricity. The Premier made mention the other day, a couple of times, when questioned about power rates - the Premier has done absolutely nothing to instill any faith in his government in dealing with Nova Scotia Power. Nova Scotia Power is having their way with this province. They're not only going for rate increases once a year now, they're going twice a year. The consumers of this province and small businesses of this province who depend on electricity have had enough.

This Premier has the responsibility to intervene with Nova Scotia Power and tell them to go back inside their company and find the savings there and stop gouging consumers in this province. Our power rates are way too high, and I would think any reasonable person, even on the government's side, would know that power rates are too high in this province. When the Premier says that he can't interfere with the URB, that's simply not true. He knows that, and everybody else knows that's not true. The precedent has been set. The URB has been stopped in their tracks by a previous Premier of this province when he didn't like the outcome of a decision.

I suggest to you, Mr. Speaker, that this particular Premier and his ministers have a responsibility to stop raiding the wallets of consumers in this province by allowing power rates to increase at an obscene rate - not only once a year but twice a year now. In other words, and I've said it here before in this House, Nova Scotia Power has an insatiable appetite for money. All they want to do is have their way with the consumers in this province, and that's exactly what they're doing, with no regard for anything other than looking after their shareholders and investing money outside of this province while at the same time increasing power rates to a place where, at some point in the future, people simply aren't going to be able to pay to heat their homes or to make their businesses grow, particularly those businesses that depend on power.

I've said it before here, as well, that we're losing too many jobs in the province. I know in my area it's happening almost on a weekly basis now - we're losing 50 here, 100 there. The one thing that used to stabilize the employment rate in my area was call centres, and even the call centres are disappearing. We've lost over 1,000 jobs in the call centre industry in the past two years in Cape Breton. I suggest to you that even in the call centre industry there is concern with Bill No. 102 because what's to stop the big unions from trying to negotiate contracts in call centres?

Most of these call centres are American-owned, and as such with the present conditions, with the Canadian dollar and with the competition from third-world countries, from places like India and other large centres throughout the world - with that competition the last thing these call centres need in my area is to be set on by somebody trying to organize them in terms of first contract, and then have somebody else decide in 120 - because they will have to decide. I'm going to tell you, these call centres will either leave or they will hopefully have to insist that a decision be given in their favour or a bill. What I'm trying to say is, they'll either leave sooner or they'll leave later but they will leave.

Now, my fellow members from Cape Breton who are here with me today know exactly how fragile the economy is in Cape Breton, in our part of the province. If it wasn't for the call centres right now, there would be a couple of thousand more people unemployed in Cape Breton. Aside from the public sector, the university college of Cape Breton or the University of Cape Breton - formerly UCCB - which has been a major employer in our area and the regional hospital and the public sector jobs that are down there, you can't point to any large scale industries that have stayed in Cape Breton since the big industries left in the past decade, and I'm talking of course of steel and coal. There was nothing that actually took the place of those particular jobs.

You imagine, if somebody got the idea they wanted to set up a major employer, a major job-placing industry in Cape Breton and they were faced with this Bill No. 102, the first thing they had to face, I think they'd probably go somewhere else. I'm concerned about the ones that are there now, who may have to go somewhere else if this particular bill is put into practice.

Again, Mr. Speaker, I go back to the point, why is the bill here? Why is the bill here? I'm sure that somebody has told this government that the government must do this, that the Premier and his Cabinet must do this because big unions say so, the ones that help them out. Now I know, there are some people over there who aren't in the Cabinet, there are a lot of them that aren't in the Cabinet. I'm wondering, whether or not . . .

AN. HON. MEMBER: And never will be.

MR. MANNING MACDONALD: As an honourable member says, probably never will be. Anyway, the difficulty for those members is that unfortunately, and I've said it here in this House before - they, unfortunately, are not part of the government. They are

MLAs sitting on the government side of the House and they are sent here to do the bidding of the people who sent them here in each constituency.

I would suggest to them that when it comes to useless bills like this, instead of dealing with all the problems facing Nova Scotians today, in terms of the economy, that those members would be well advised to go back to their constituents and seek out their opinions as to what the current government policy is on Bill No. 102. You'd be surprised what their constituents may say to them and I'm going to tell you, Mr. Speaker, a lot of these MLAs are going to disappear anyway after the next election. We know that; this House never stays the same. I've said that before in this House, too. If an MLA comes to this House and doesn't come here with the best interests of his constituents in mind, he's not coming back here and if he doesn't do what his constituents want, he's not coming back here. If he toes the government line and only does what his Cabinet people, the front benchers - the Cabinet Ministers don't have the luxury of doing something other than toeing the government policy line. If they don't toe that line, they have to leave the Cabinet.

Some who aren't toeing the line know that - even as recently as yesterday, we saw a resolution in this House attacking another level of government and I can tell you, Mr. Speaker, that member knows he's not going in Cabinet anytime soon with this government so he has decided to do something for his constituents, who he must have sought out for opinion on whether or not the Occupy Nova Scotia people were dealt with fairly or not. He must have, he just didn't dream it up himself, unless he's using that as a stepping stone for running for mayor. I don't know what his motives are but I mean, I can tell you this, that he is one person, I think, who has turned his attention to the feelings of his constituents. Perhaps he had enough of his constituents come and tell him that the municipal government here did wrong by these people and he's expressing that in a resolution and that, whether it's right or wrong, is not the question. The question is, when are other MLAs on the back bench over there going to address the concerns of their constituents in this House instead of sitting back and blindly toeing the dogma and policy of this government and, in particular, in a bill like Bill No. 102?

With all the things that are happening in this province, Mr. Speaker, we're wasting a week or more debating Bill No. 102, in this House, and it hasn't even gone across the hall to the other Chamber here for discussion at the Law Amendments Committee. That should be a very interesting discussion and will probably take another week or two before it clears that Chamber and comes back here for amendments at Committee of the Whole House on Bills, which perhaps will take another week. We don't know that, but what we do know is that while all of that is happening, other business is not getting done in this House.

I'm going to tell you, Mr. Speaker - and I've said it before - people come and people go in these seats. The number of people who have been here, the average length of stay of an MLA is seven and one-half years in this House. Some over there will make it to seven and one-half years; some won't make it past the next election. I could perhaps guess

who will be here and who won't be, but maybe I'll save that for another day and another topic. (Interruptions)

But I'll say this, Mr. Speaker, that unless - and I've said it here in the 19 years, heading for 20, that I've been in this House, I've said it here many times - that if you don't listen to your constituents, you won't be back here. Never mind listening to the Premier and the Cabinet Ministers, they don't have the luxury of just listening to their constituents. They have to do the government's bidding or get out of the Cabinet, but backbenchers are not encumbered by that. Backbenchers should really ask their constituents what they think about Bill No. 102 - ask them. Ask them what they think about it and come back and express it. If you can't express it by getting on your feet in this House, you can express it like the member for Halifax Chebucto did, by a resolution. He did it. He didn't care what the front bench thought of what he was doing.

I understand his resolution was not even in the package of resolutions that came over. He didn't want anybody to say you're not putting that here. (Interruption) Oh, yes, sure, we worked together, yes. Now, there's a wannabe if I ever saw one. He better get his act together or he'll be one of them disappearing after the next election but, anyway, I got his attention.

Anyway, Mr. Speaker, Bill No. 102 is a bill that I think Nova Scotians are still puzzled about. They're puzzled and we're trying to tell them why they're puzzled because there's no reason for that bill to be before this House with the current state of labour negotiations in this province, which is bordering on tranquility. There's no labour unrest in this province but certain elements of the labour movement want to get more people into collective bargaining situations here. It's all about money. It's all about dues. It's all about control. It's all about power and this government has fallen in line with that at the risk of offending the mainstay of this province, which is small business, at the risk of offending that.

It doesn't seem to bother this government that a lot of people in this province are going to be upset. Maybe they won't be upset right today or tomorrow because they don't realize what's happening, but when it starts to come home to roost, they're going to realize it, but they're not going to be masters in their own house. They're not going to be the people who control the destiny of their business. Somebody else is going to do that for them.

I suggest that the government can't rely, or can't fall, on the kind of directives that the Minister of Economic and Rural Development and Tourism continues to spew out here every day in Question Period about the strategy, the strategy for the future, and we're taking our time. He said that today. Then he started to go back 400 years, about the problems in Nova Scotia - I don't even know if we were here 400 years ago - and then he said, oh, well, maybe it was 250 years - all the ills of this province were visited on this province by previous governments going back 250 years. Now he says he has a strategy,



but we've asked him time and time again to tell us one job that has been created with this strategy. And he hasn't said one job yet, not one - not 1,000 jobs, one job we asked him. (Interruptions) His own, that's about the size of it.

I will say that he does have a strategy - he says he does, anyway, and we're waiting for that to roll out. I'm sure the small businesses are going to be very appreciative of the fact that there is a strategy. We don't know what fruit is going to come from that strategy in terms of job creation, but we do know there's going to be a strategy and we're waiting. We hope we don't have to wait too long to start creating jobs.

MR. SPEAKER: Would the honourable member permit an introduction?

MR. MANNING MACDONALD: Certainly.

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

MS. DIANA WHALEN: Thank you very much, Mr. Speaker, and I do thank the member for Cape Breton South for allowing me to interrupt his debate today and make an introduction. We actually have a number of guests in the west gallery, and I thought it was important that we acknowledge their presence today.

We have with us one of our former members, Kenny MacAskill, who served in this House very ably and distinguished himself over the years. He is from Cape Breton, as you all know, and I'd certainly like us to welcome him. (Applause)

As well, we are joined in the House today by two other individuals who themselves represent thousands of business owners in Nova Scotia. We have Leanne Hachey, who is with the Canadian Federation of Independent Business, and Luc Erjavec, who is the Atlantic vice-president for the Canadian Restaurant and Foodservices Association. I would like to welcome them and have all members welcome them to the House as they listen to our debate today. Thank you. (Applause)

MR. SPEAKER: We welcome the former member back and all our guests in the gallery today and hope you enjoy the proceedings.

The honourable member for Cape Breton South.

MR. MANNING MACDONALD: Mr. Speaker, I'm just getting ready to wind down here and I'm sure that the Opposition - but you know what, we're going to be here. If this bill continues to work its way through the House at the expense of some other legislation that is needed, then I think we're going to be here for a while. I may have an opportunity again to rise in my place and talk about the role of government backbenchers and the role that they should be playing in looking after their constituents and not blindly following the front bench of this NDP Government, some of whom have been around a

long time and who know the consequences of certain things and the repercussions they will have because of their involvement on both sides of the House in the past number of years.

Mr. Speaker, we're weak on many variables here that create a healthy economic environment capable of attracting, and I just want to read some of them to you. Income tax is a variable that we need to be very aware of when business is looking to set up in a particular area, consumption tax, corporate tax, small business tax, and power rates. I say again, power rates are probably more important than most of the other things I have mentioned, for the simple reason that power rates affect everybody. Power rates affect every single person in this province in one way or another.

I don't know about the government backbenchers, whether they are bothering to talk to their constituents anymore, but I talk to mine and I know the people that I know in this House talk to theirs. Their big concern is, are they going to pay their power bill this winter or eat? That's what's happening in this province right now. The power bills are becoming so heavy that they're cutting into disposable income of Nova Scotians and Nova Scotians simply cannot afford the kinds of costs they are faced with these days.

Fuel is another issue. People depend on fuel in this province to transport themselves or goods. Small business has a number of businesses in this province that depend on fuel. We've said it time and time again here that regulation on fuel tax is not working. The Third Party kind of agrees it's working, but I don't know if they're ever going to change their stand on that - it's kind of a strange thing to have the Tories agree with regulation but I think it's because they made a mistake initially and don't know how to get out of it, in terms of regulation. I'm not surprised that the NDP would try regulation on, but the bottom line is regulation is not working in this province and the market forces should take over and decide what consumers are going to pay for gas in this province. Then you'll be able to go and get a deal. (Interruption) The Minister of Agriculture reacted to that, but I would again say that regulation is not working.

Because of the weaknesses that I talk about in various areas here, Nova Scotia has seen 12,500 jobs gone - gone since this government came into power. Gone. A lot of them are gone down in my area and are not going to be replaced - we're pinning our hopes on the future in terms of what may come with the deep harbour we're working on. People have called me up because of the spin that was put on that, and they've asked, where do I apply for work in Sydney Harbour? The spin went out that there would be 1,000 jobs there - I'm saying to those people that there are no jobs yet. Once the harbour is dredged, then we have to go looking for business. Hopefully, we'll get some business - and hopefully we'll get a great amount of business, so we can employ people.

The first step has been done in that with all levels of government participating - all of us signed off on that, all three Parties. But the bottom line is that even that is not creating any jobs now; hopefully, in the future, it will. But think about it, we have to be very vigilant in looking for those jobs because we're going to be competing with, guess who? Halifax,

and probably the Strait area - all three looking for the same book of business. So those are the kinds of challenges that the people of my area face in the future.

Are we going to get those jobs? Well, if we have a sharper pencil than the other two we might get some. The fact of the matter is you can't try to spin it out there now that the jobs are here today, because they're not. We're putting the infrastructure in place that hopefully we'll be able to get those jobs in the future. We desperately need them in Cape Breton because as I said when I opened my remarks, 15 per cent is the official unemployment rate in my area - God knows what the unofficial rate is.

A lot of people have given up looking for work, and some have left. The population is dwindling. Young people are leaving, and this government has not given one bit of hope to anybody in my area that we're about to turn the corner. I haven't seen any evidence of that strategy that the Economic and Rural Development and Tourism Minister talks about, I haven't seen any evidence of that bearing any kind of fruit in Cape Breton, and I'm sure the members who represent other areas in this province feel the same way about their areas. I can say that I'm sure that if asked individually, backbenchers over there would have to admit that things are not all that rosy in their constituencies either.

But they've been told, stay the course with this Cabinet and we'll protect you in the next election. Well, I'm going to tell you something - that may or may not happen. But some of them, if they think their seat is a sure thing, they'll protect them. If they don't, they'll throw them under the Dexter bus. In their zeal to protect certain interests in this province, the vested interests, they'll throw their own members under the bus if they dare question the policies that this government is pursuing at the present time.

The Premier has said at least a dozen times that's simply not true. The Health and Wellness Minister used to say it when she was over here, how can we trust you now? I'm asking the question now that the Health and Wellness Minister used to ask when she was over here, how can we trust you now? Well I'm asking the question now, the Health Minister used to ask it when she was over here so I'm asking it, how can we trust this government to do the right thing for Nova Scotians when we don't see any meaningful legislation coming before this House in terms of job creation? All we see is Bill No. 102, which is destined to take jobs away from this province in the future, to take jobs away from small business and for some of the industries that are here now that could be put at risk.

Again, would somebody, Mr. Speaker, please tell us why this bill is before the House? There is no labour disruption in the province at the present time. Labour seems to be happy. Management seems to be happy with the situation the way it is. Why fool around with that? There's only one reason I could suggest, somebody owes somebody something.

The Minister of Community Services is over there shaking her head. Well let her tell me the reason why the bill is before the House. Let her get on her feet and tell me that. Let her get on her feet and say why the people who are paying exorbitant power bills in this

province aren't going to be able to eat this winter. Maybe that is where she should be turning her attention.

Mr. Speaker, I digress. I want to conclude my remarks, because I think I must be running out of time pretty soon, by sending a message to the government from this side of the House, that this bill should not be occupying the time of this House. I haven't seen anything in this bill that would suggest to me or any other members on this side, for sure, and Nova Scotians who are still confused about what is going to happen here, because nobody has told them anything else and there's all kinds of legislation that could be put through this House, meaningful legislation.

If you look at the order paper here and the legislation that is on the books, or about to be, there's not much. It's pretty thin except for this Bill No. 102. But the government can point to - in two or three weeks or between Christmas and New Year or whenever we get out of here - they can point to the fact that they put 25 bills through the House, 22 of them housekeeping, no meaningful legislation to create jobs here. The strategy of this government that the Minister of Economic and Rural Development and Tourism talks about every day, we've yet to see any evidence that anything is moving along in that. I mean, if he could tell us that we've created 20 jobs here or 50 jobs there or 100 jobs here, then fine, moving towards that.

All he tells this House and Nova Scotians is that there's a strategy. Well tell that to the 15 per cent unemployed in my area or the area of the member for Glace Bay or the other members for Cape Breton. Tell it to them, the people down there. It seems to me that this government either doesn't have a direction for the future in regard to jobs or is deliberately saying to the people of this province that if you live in a certain area then that's too bad, we're not going to do anything for you.

Whatever happened to the so-called strategy regarding rural economic development? That should be renamed no rural economic development. I say again to a lot of first-termers over there that you better get with the program, in terms of looking after your constituents, or you won't be second-termers. If you don't think that can happen, I can tell you that in 1993 the Savage Government was elected with 42 members, I was one of them. There are three of those 42 left in this House and, after only one term of that government, we were reduced from 42 down to 19, after one term. I think the reason for that is obvious. We didn't listen to the people who sent us here. We didn't listen to our constituents. We didn't go back home and try to do what is in the best interests of the people who send you here.

The Premier didn't send you here. The Cabinet Ministers didn't send you here. The people of your riding sent you here.

MR. SPEAKER: Order. I know the honourable member has been in this House a very long time, and it is tough to break some old habits, but the word “you” directed at members, we had better refrain from that.

MR. MANNING MACDONALD: The current [Deputy] Speaker has caught the spirit of the Speaker of the House there in that regard. I apologize to you, Mr. Speaker. Can I use the word “they”? Anyway, members of this House should take a history lesson, and the Minister of Agriculture knows that he has heard me say this before, and I’m giving you ample warning of that, take a history lesson from the number of people that have gone through this House since 1993. They are not going to be re-elected here on Bill No. 102, I can guarantee you that, but they may get re-elected if they decide to let the Cabinet take the blame for this and make statements in this House as members, as MLAs. I refer again to the fact that you are not members of this government, you are MLAs on the government side. You’re no different than the MLAs over here except you happen to sit on the government side.

But your strength is - or your weakness, depending on how you employ it - is what you do with your constituency back home. I suggest to you that more of what the member for Halifax Chebucto did yesterday should be happening among backbenchers, unless there are backbenchers who think that if by toeing the government line, and by giving blind obedience to bills like Bill No. 102, that they may someday get in Cabinet. Well you know what? They won’t get in Cabinet but they’ll get the door in the next election if they employ that strategy themselves. Mr. Speaker, I use the word “strategy” again because the Minister of Economic and Rural Development and Tourism got us all thinking strategy now, except with his strategy, there’s no meat on the bones, unfortunately for him.

I think this bill, Mr. Speaker, and I am winding down, I think this is nothing more than political ideology. That’s what it is. It’s political ideology from some members of the front bench here who feel that their survival depends on whether or not they play ball with organized labour in this province. You know what, I’m not talking about people who belong to unions, I’m talking about people who head up these unions. I’m talking about people who are inside the Cabinet Room with this government dictating policy. I’m talking about union leaders who are on the transition team. I’m talking about people like Robert Chisholm, who was a former Leader of this Party, ended up back working for CUPE and then ended up on the transition team for this government. Now if that’s not . . .

AN HON. MEMBER: Next Prime Minister.

MR. MANNING MACDONALD: Listen to the member. Listen to that dreamer over there who used to be Speaker of this House until I chased him out of the Chair. His brilliance is that Mr. Chisholm will be the next Prime Minister of Canada, well let me tell you, if he is, heaven help Canada. But I’m going to tell you that former Leader of the Party, a CUPE representative, ended up on the transition team. As did Rick Clarke, as did other senior labour people in this province dictating policy to this government. I think this

government should be representing all Nova Scotians, not vested interests like big labour in this province. Small business needs a government to represent them, small business in this province needs an advocate and that government can be an advocate for small business but not by bringing in bills like Bill No. 102. Thank you very much Mr. Speaker.

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

HON. JAMIE BAILLIE: Mr. Speaker, just let me begin by first of all expressing my appreciation for the remarks made by the member who just spoke, the member for Cape Breton South. We may not agree all the time but I particularly enjoyed his comments today. I've never seen anybody wind down seven times in the same speech before but if that's him in wind-down mode, look out when he's winding up. I could not agree more with pretty much 90 per cent of what he had to say, there may have been the occasional moment of disagreement but I do want to just recognize that a lot of common sense was just spoken in this House.

Mr. Speaker, let me just begin my own remarks by putting this bill, Bill No. 102, in an important context and that context is the responsibility of government in our system. That responsibility is defined, actually, in law in the constitution of our country, in the constitution of 1867, which founded the great Country of Canada, and was affirmed in the Constitution Act, 1982. In those documents it was determined that it is the responsibility of government to govern for the peace, order and good government of our country.

Indeed, Mr. Speaker, Bill No. 102, like any bill, whether it's in the Parliament of Canada or whether it's in a provincial Legislature, ought to meet that test, that there ought to be some calamity that it looks to solve, there ought to be some problem that it looks to correct, there ought to be some harm that it looks to reduce, there ought to be some opportunity that it looks to take advantage of. That is the test of legislation. Under the Constitution of Canada those are the things that we should ask ourselves when we're considering the bill.

Mr. Speaker, the constitution really ensures that as a responsible government that a government concerns itself with the safety and security of the people. That it concern itself with national defence and with the establishment of a currency. That a government concern itself with trade and commerce. That a government ensure the liberties of the people who are governed. That a government allow that people engage in a livelihood that allows them to earn a living, to build up some wealth and, in so doing, that the national wealth can be built up. In fact, Mr. Speaker, all of those responsibilities of government are enumerated in Sections 91 and 92 of the Constitution of Canada and divided between the Parliament of Canada and the provincial Legislatures.

One of the ones that we are particularly interested in today is the governance of trade and commerce, which is, in fact, assigned to the Government of Canada, but over the years every province has made laws to encourage the generation of wealth, the creation of

jobs, the opportunity to start a business, the opportunity to run a business as you see fit within the laws of the land.

Mr. Speaker, in my opinion, Bill No. 102 is offensive to everything we believe about what a responsible government should do. Not just what we know in our hearts about what actions we want employees and employers to take, but also about what a government should spend its time doing.

At its core, Mr. Speaker - and this is not necessarily a constitutional prerogative - but I will say that at its core, when a government acts, it should restrict itself to ensuring that parties play by the rules of the game when engaging in trade and commerce; that government sets the rules that contracts are negotiated under; that businesses are created under; that trade between provinces, between individuals, between countries is engaged in, but they don't actually determine the contracts themselves. That is the fatal flaw of Bill No. 102. That is what is so offensive about Bill No. 102 that now we have an NDP Government here in Nova Scotia that has cast aside the principle enshrined in constitutional law, enshrined in practices of good government, that a government restricts itself to setting up the rules of the game for other, free individuals, whether they are business interests or employees or just basically people, to live within the rules of the game but to determine their own contracts. That has now been set aside by Bill No. 102.

Mr. Speaker, imagine a hockey game which has a referee. What is the referee there for in the hockey game? The referee is there to ensure that the players play by the rules of the game. The referee enforces the rules, like a government enforces the rules. But under the NDP that is not good enough for the referee any more.

Now imagine if the referee actually had to score the goals as well - what kind of hockey game would that be? Imagine if the new rule was if the referee doesn't like how you are playing, Mr. Speaker, that the referee can take your stick and your skates and can decide to score your goal for you. That, in essence, is what Bill No. 102 would mean to the great sport of hockey. No longer is the referee there to enforce the rules - he actually gets in the game. Neither team on the ice, by the way, under this wonderful analogy that I'm constructing - neither team has any say over what that referee does. They just have to live by whatever actions he takes. He could score in either net. He could decide that you're not going to use sticks and pucks anymore. He could come up with some other implement. I'll let your own imagination run wild on what that referee might do if he had the powers that Bill No. 102 is going to provide in our labour markets.

Mr. Speaker, my own girls, they play basketball. They love basketball. They practice all week. They study the rules of the game. They play every weekend in their many junior leagues. Imagine if they got to their game and the referee - who they thought was just there to make sure that they play by the rules - suddenly says, you know what? I don't like the way you're playing. It has nothing to do with the rules, you're playing within the rules, I'm going to take the ball and score for you and you have to live by whatever score that

results in. That's what Bill No. 102 does to our labour and employment market, the same as it would do in basketball.

Mr. Speaker, imagine if an umpire in baseball didn't like your swing and decided he was going to get up from his spot, grab the bat from you and take your turn at bat, and whether he strikes out or whether he hits a home run, you have to live by what that umpire has done. You didn't even ask for him to do this. It's called first contract umpiring, I guess, where the umpire takes your place and you have to live with the results, or in figure skating, where there are judges. (Interruption) By the way, I've got a lot of these.

Imagine, Mr. Speaker, that you're out there skating under the rules of the sport. You're doing axels and you're doing spins and the judge decides they don't like the way you're doing it, so the judge jumps on the ice and takes your place. That is another example.

Let me give you one more. Mr. Speaker, you are the arbiter of this House of Assembly. You determine that we all play by the rules of the game. We ask questions, the government attempts, sometimes, to answer them. We have rules about debates, about motions, about amendments, about time limits, and so on; about how bills are introduced, as well. We have rules for these things. You are the arbiter of the rules of this House but imagine if someday we had some other Speaker - not as benevolent as you, sir, but another Speaker - who decided he didn't like the way that the rules were going, decided to make his own rules, decided to come down onto the floor and have the debate for us, decided that rather than have a vote of government and Opposition, that the Speaker will be the one who votes and that we all have to live with that vote. Well, there's a name for that.

AN HON. MEMBER: There is?

MR. BAILLIE: Yes, I believe it's known as a dictatorship. That's why we have rules that we live by, that's why we have a constitution, that's why we have a Speaker who doesn't actually do the debate, doesn't actually cast his vote, or her vote, just to make sure that we play by the rules of the game.

Now, Mr. Speaker, we have hundreds of years of labour laws, of contract law (Interruption) Our province is not quite 400 but if you go back to the origins of contract law, you could go back at least 400 years in the system of government that we operate under now - the British parliamentary system. Contract law was well established, in this case truthfully, hundreds and hundreds of years ago and it was very clear that we are free citizens with freedom to engage in trade and commerce within the rules of the game, to make contracts, to set prices, to set wages, by the process of bargaining, where a free buyer and a free seller, whether it's your labour services or some other good or service, that the market, that your negotiations, that you set the price.



Now we have a bill here in Nova Scotia, Bill No. 102, that's going to throw all that away and take that judge, that Speaker, that umpire, that coach, and say they have a new power, that arbiter. They have a new power and that is to impose a score, impose a solution, impose a price, impose a contract where two free parties are not able to come to one on their own.

That's just wrong, that is offensive to me, it is offensive to the thousands and thousands of Nova Scotians, whether they own and operate a business now or whether they hope to someday, who now see this great new risk in our province. What an irony. How ironic that on the very day that the Minister of Economic and Rural Development and Tourism tries again to introduce some new strategy around jobs, that his government as a whole is engaged in a plan that will do nothing but risk jobs.

The jobs of today, in the 85 per cent of Nova Scotia businesses that are non-unionized, are now all on the table and all those jobs of tomorrow, that, who knows, where they're going to come from, who is going to make that investment that won't be here because a whole new risk has been added to investing in Nova Scotia. That's why it is so important that we have a government that takes its responsibilities seriously, its responsibilities under the Constitution Act - particularly in this case, Section 92 which enumerates provincial powers and its responsibilities to follow this well established underlying fundamental principle. That governments set the rules of the game - we all agree on that - but it doesn't actually impose a solution within those rules.

If that responsibility were not enough, now we have a heightened level of responsibility when it comes to jobs and the economy. This is not a normal time. These are not normal economic times. We live in a world that faces great economic hardship. Luckily for us, Canada is one of the better survivors in this time of economic hardship, but let's make no mistake. Even in Canada, even in little Nova Scotia, the economy is very fragile, things are very volatile, and the risk to upsetting the apple cart when it comes to jobs, is higher than normal. This increases the responsibility of the government to tread lightly, when it jumps into the labour market, when it proposes to disrupt part of the labour market that's working well as they propose to do with this bill.

Why now, of all times? Even if, deep down, you just want to do it because you believe in it as an ideologue or even if, deep down, you have to do it because someone behind the scenes is pushing you to do it. We need to remind the NDP that they have a greater responsibility than to their ideology, they have a greater responsibility than to those hidden forces that push them to do these things. That is a responsibility to all Nova Scotians, to their constituents and to the economy and to the financial and the job interests of all Nova Scotians to not upset the apple cart at this heightened, fragile time.

Unfortunately, Mr. Speaker, they have done this exactly wrong. At this most careful of times, they've decided to listen to those hidden forces, those unseen forces that pushed them to do these things. They've decided to follow whatever ideology pushes them

to do these things and risk this very delicate balance that we have in our country and in particular, in our province where so many jobs are at risk.

If the economic distress that we face is not enough of a reason to act responsibly, there is also a more positive reason and that is that we do have an opportunity in Nova Scotia with this shipyard contract to actually build something great for the future for the next 30 years, for the workers of today and tomorrow. Two generations of Nova Scotia jobs, 3,000 by the most recent estimates, 3,000 jobs.

We do have that shipyard contract; it is coming here. Irving Shipbuilding did win it on merit and they will build those ships, but if we truly want to take advantage of that shipyard contract then we want to make sure we're doing all we can to maximize the work that gets done in Nova Scotia, to encourage businesses to form here as contractors and subcontractors and suppliers, including all the services, whether it is home construction or restaurants - or for those among us who still need a haircut now and then. These are all opportunities.

Mr. Speaker, I'm not referring to you when I say that, by the way, of course. My point is that 3,000 can turn into a lot, but those decisions about what businesses, what jobs are done here and are contracted and subcontracted across our province are going to be made by people who have had a big, red flag raised in front of them about investing in Nova Scotia.

Why propose a strategy in the morning to hopefully attract a few jobs and then crush it in the afternoon with a piece of legislation that only says to those who want to hire a few Nova Scotians, that that's a bad idea? It makes no sense, Mr. Speaker. So if the worldwide economic calamity was not enough to give the government pause on this awful plan, then hopefully before this is all done, while there's still time, they'll think twice because they're going to blow one of the greatest economic opportunities that our province has.

Mr. Speaker, just to drive that point home, the Irving shipyard has to decide where to source a lot of the work that they're going to do, and you need businesses around them capable of doing that work in an efficient way that they can subcontract to. If no one wants to take that chance here then they're going to take those jobs and that work somewhere else, where people do want to take a chance, and that's the shame of it.

Moving on from those obvious reasons, Mr. Speaker, let me just move to something that I believe all members of this House do agree on. We certainly disagree on the intent of Bill No. 102. In fact, I've said repeatedly, if people ever thought there was no difference between the political Parties, they now can see a very clear and real and distinct difference between the political Parties.

But moving on to something we agree on, Mr. Speaker, first of all everyone in this House, of course, agrees with the collective bargaining process, that workers and employers ought to engage in collective bargaining to work out their differences. In fact, Nova Scotia's recent history shows it has been one of the leaders in the country in having a successful collective bargaining process lead to successful, mutually agreed-upon collective agreements.

There is agreement on that and we don't need to debate whether we believe in collective bargaining. Of course we all believe in collective bargaining and the rights of workers to associate with each other, to bargain collectively, to form a union if they feel that is in their economic interest. We all agree on that; those rights are enshrined in law. No one need debate whether that principle, those laws, are right or wrong. We all know that we are guaranteed that freedom of association, including economic association, so let's not spend time on those silly arguments. There is agreement on that.

I hope, Mr. Speaker, that we also agree that when someone wants to start a business - when someone wants to put their own savings, their own capital at risk, where they see a need to fulfil in a profitable way - that they ought to be free to do that. They ought to be free to measure the risks that they face and the return they hope to get on their investment and make a decision on their own about what that business is going to look like - within the rules of the game, of course, as established by the government. I hope we all agree on that, and I certainly believed we all did up until this point.

Now this bill, Bill No. 102, proposes to kick the legs out from that third area of agreement. If you were one of those who - let's say you are in Truro and you've heard about the shipyard contract. You know that the Irving shipyard is going to need an awful lot of nuts and bolts and you want to create a company to manufacture them. Now it's not totally up to you how much your labour costs are going to be, as an example. For the first time, the risk that a major cost is going to be imposed upon you is going to become very real. Common sense tells us when you take that one example and you multiply it by the thousands of people who are looking at that Irving contract and the opportunities, that some of them are going to say no, I can't take that chance. That means those nuts and bolts will still get made, but it will be somewhere else. That's what this bill does to our province.

Mr. Speaker, if we do all agree that collective bargaining is an appropriate process for settling disputes between employers and employees, if we do all agree that workers have the right to associate if they choose to and to bargain collectively, then we ought to look at how that system is working in our province.

I have with me the most recent Human Resources and Skills Development Canada report on Collective Bargaining in Canada (2010). I will table this when I'm finished with it, but I just wanted to share with you that the very first line in this report states that, "Labour relations in Canada in 2010 experienced a period of relative calm." In fact, this federal department tracks all of the concluded collective bargaining processes in our

country, and in 2010 there were 305 of them. Every single one of them concluded successfully, I might add - “successfully” meaning that the employer and the employee union together were able to reach agreement. This, by the way, includes the Province of Nova Scotia, where there were no work stoppages - zero work stoppages in 2010.

First of all, there were no strikes. There were also no lockouts. Every collective bargaining exercise that occurred in Nova Scotia in 2010, according to Human Resources and Skills Development Canada, concluded successfully. So what is the problem that the government wants to solve here when the independent reports of the collective bargaining process in Nova Scotia tell us that we have relative calm - in fact, that we have total calm in Nova Scotia. Bargaining has gone on and goes on in our province and it concludes successfully 100 per cent of the time.

The average term of those contracts is three and a half years, according to that report. So when they come up and they conclude successfully, everything is then orderly and at peace and jobs can be created, business can go on, for an average of three to four years under each individual contract. This is a very stable collective bargaining process that we have. Who could not be satisfied with that? The employers are satisfied. They signed off. The employees - through their unions in those cases - are satisfied. They signed off. It just leads to the question, who is not happy with a system that produces negotiated results? That is one of the reasons we are here debating this awful bill - it’s very unclear who is not happy when we have a system that’s working.

Mr. Speaker, even under the current laws - not including Bill No. 102, but under the current laws of Nova Scotia - you’re required by law, you have a duty in law as a union or as an employer to bargain in good faith. That’s already established. If the problem is that someone might bargain in bad faith, there is already a law that covers that. You have a duty to bargain in good faith and beyond that, if there is a complaint or an example of an employer or a union who has a bad-faith proposal on the table meant to poison a negotiation, there’s already a remedy for that. Either side can appeal to the Labour Board today, through conciliation, through mediation and so on, to have the offensive, bad-faith proposal removed from the bargaining process. This is already there. If there’s any concern over there on the government side about bad faith bargaining, we already have a system that covers that.

Mr. Speaker, guess how many complaints of bad-faith bargaining there have been in the last 10 years in our province, imagining the hundreds or potentially thousands of agreements that have been concluded in a decade? Exactly three, and all three were resolved through the existing laws of the province and the parties went on with the bad-faith provisions removed to reach agreements. Who is not satisfied with that arrangement? Again, hopefully we’ll get an answer to that question.

Mr. Speaker, for those who have followed the collective bargaining process, the labour management process in our province, they know that we have a whole series of

steps from collective bargaining to the appointment of a conciliator, to the appointment of a mediator, to the option of arbitration, both binding and non-binding arbitration, and that process has settled every single bargaining process. But even beyond that, we have an industrial commission and other ways that aren't even being used today to settle disputes between employers and employees. Who's not satisfied with that? We're not even using the tools that we have, all of them in our province, because we have a system that works.

Mr. Speaker, the fact that we have a system that works means there's no need for Bill No. 102. There's no upside to Bill No. 102. It doesn't meet the test of identifying a problem that needs to be solved, of identifying a harm that needs to be corrected, of identifying a hardship that can be made better. It doesn't meet any of those tests, but there is a big downside to Bill No. 102 and that is the horrible message that it sends first and foremost to the 85 per cent of Nova Scotian employers who are non-unionized and the horrible message that it sends outside our borders to all of those in our Atlantic region, whether in New Brunswick and competing with us, or in another Atlantic Province, across our country, in other provinces that compete with us, or across the world, as we scan the world to hopefully show people that Nova Scotia is a place worthy of investment. It sends a horrible message to all of those people that we can't afford to have sent at this particularly fragile time.

Mr. Speaker, one can only imagine what their thoughts are and they hear that at a time when the world is competing for people, at a time when the world is competing for jobs, Nova Scotia is the one that decides now is the right time to introduce first contract arbitration, a great risk to all of those potential jobs and those potential employers. Certainly, Bill No. 102 is intended to send a message to the already established unions in the Province of Nova Scotia, and certainly, Bill No. 102 is intended to send a message to those whose job it is to go out and convince others to unionize - which is their right, of course, and no one disputes that, so I want to be accurate here.

My point is that for those who are paid to unionize workplaces, they've been handed a very big gift by this government. That's the message that was intended to be sent, that they're on their side. After all, if you're paid to go out and find a workplace that's not unionized and get it signed up, then you've just been given a powerful new weapon. Your argument, sign the card, vote yes for the union, don't worry, you won't have to strike ever but I guarantee you, you will get a contract. That is a very big club to give, it is a very big gift to give. That is the message, of course, that the NDP wants to send.

Mr. Speaker, if I could just pause for a moment, to drive this point home, by giving you an example. PolyCello, a great company in Amherst, in rural Nova Scotia, employing a fair number of people is a non-unionized workplace. There have been repeated attempts by organizers to convince the employees there to sign a card and vote yes. They haven't, to this point because they have an employer who pays a fair wage, who provides fair benefits, who values the employees and works together with them, to make that company all that it can be and so they have said no.

I can tell you, Mr. Speaker, that many of them talk about some of the promises and tactics. Promises that have been made to them by those that want them to unionize anyway, about the great benefits and wages that the union will secure for them if they just sign up. They knew better and they said no but others have said yes in that circumstance. Of course, no one can promise what a contract will say when it's negotiated in good faith; those are empty promises. There is a history in our province, of employees who have been made great promises by organizers, who have signed their card and voted yes, who then, after a year or two, still have no contract to show for it because the union, now having made some wonderful promises to them, cannot deliver in a fair, good faith, collective bargaining arrangement. In fact, Mr. Speaker, there are examples where employees have then sought to decertify because of that letdown.

Well, Mr. Speaker, with Bill No. 102 that will never happen because they will be guaranteed a contract under first contract arbitration and the sky is the limit about what can be promised to employees, a sad exercise. Then when that contract is imposed, on both sides, it will either meet the promises that were made or it won't. But that won't matter then, will it, because it will be an arbitrator who will have determined the contract. This is the great gift that the NDP are giving to their union friends, those that are paid to sign up people.

Rather than allow employees to make a decision in their own economic interest, using their own judgment, free of influence about whether they wish to organize collectively and negotiate collectively or not - which we all agree is the right way to go - they have come up with a new way to take it out of the hands of those very employees and give a new club to those who are paid to sign up members for their union. That is the message that the government is sending behind the scenes to those who are determined to have first contract arbitration.

But the bigger message to all Nova Scotians, to all those around the world who might like to consider an investment in our province, create a few jobs in our province, is that they have a whole new risk that they have to consider. After all, let's just go back for a moment to where this all started, which is Bill No. 100, which in its own was a series of amendments to the Trade Union Act.

In fact, Bill No. 100 placed a preamble in the Trade Union Act, as members will remember. That preamble contained some important principles such as employees and employers ought to be able to engage in free collective bargaining. I would suggest to you that when the end result is an imposed agreement on both sides in the case of a first contract, when it is imposed it is not free. For that reason, Bill No. 102 offends the very preamble that this government put in the Trade Union Act. It is not free when it is imposed on you. The cost - there's the financial cost first of all which is out of your hands - but the cost in bad relations, the cost in destroyed relationships between and employer and his employees or her employees, the cost to a business that has no idea how it's going to manage from this point forward, is great. It is an offence to free collective agreements, to

free collective bargaining because when someone else imposes it on you, it is no longer free.

The preamble that this government placed in the Trade Union Act last Fall with Bill No. 100 also says it's important that we have a process of collective bargaining that results in good relations between employer and employee. That's in the preamble, theoretically they want there to be a good relationship at the end of the day between Nova Scotia employers and Nova Scotia employees. We all agree with that.

But when you impose by force of law a contract on two parties, never mind which one you secretly are supporting, when you impose a contract on two parties, it is not free and it is not conducive to good relations between those two parties. It can only lead to a breakdown in the productive relationship that would exist otherwise between an employer and an employee group. It can only lead to a less productive enterprise. It can only lead to bad feelings, to hurt feelings, to resentment on one part or another or potentially both. Bill No. 102 is an offence to the very preamble this government put in the Trade Union Act.

It's always important to listen to the arguments of the other side. I know that the NDP likes to point out that there is first contract arbitration - this is how they would put it - in many other provinces in Canada. Let's take a look at that. We looked at the preamble to the Trade Union Act, let's take a look at what exists around first contract arbitration in some other parts of Canada. In British Columbia, in Newfoundland and Labrador, in Quebec, in Ontario they have first contract arbitration, but it is not the same as the one that is before this House today - it is not the same as the first contract arbitration that the NDP wants to impose on Nova Scotia. In each of those provinces a party must appeal to the Minister of Labour, or his or her equivalent in that province, when they are at an impasse, and they must provide evidence of bad faith negotiating before they can proceed any further.

Then the minister has a choice, and that choice is whether to refer it to the Labour Board for an imposed arbitration or not - it is not automatic and it requires evidence of bad faith negotiating. That is a very, very different system than the scheme that the NDP want for our province, Mr. Speaker, where it is automatic, where you go right to the Labour Board here, all you have to do is show that there was an impasse, a disagreement, a gap. You don't have to show bad faith, you don't have to show harm or hardship - all you have to do is disagree to get to first contract arbitration.

Mr. Speaker, in Saskatchewan when two parties negotiating their first contact can't agree, either party can appeal to the Labour Board, but they must provide evidence of an impasse - that still is a higher standard than what the NDP want for our province. In British Columbia, which the NDP here have cited as an example, you have to actually get to a strike vote before you can appeal for first contract arbitration. You have a strike vote and then it has to go to a moderator to try and help the parties come to agreement, knowing a strike vote has already been taken and passed . . .

AN HON. MEMBER: In which province?

MR. BAILLIE: In British Columbia. Others may wish to elaborate on this more later. (Interruption)

When the moderator fails, if the moderator fails, then you can go to an arbitrator, but that arbitrator does not have to impose a contract in this situation - he or she may, but they are not required to. For example, they may determine that the strike vote is allowed to proceed, that the collective bargaining process, including the economic consequences of strikes and lockouts, should be allowed to proceed to its logical conclusion. That arbiter has that choice. He can choose to avoid becoming the third party that imposes a solution and allow the two parties to work it out in the normal way. That is not an example that anyone who has done their homework could possibly agree is relevant to what this bill imposes on Nova Scotia, Mr. Speaker.

In the case of the federal government, which the NDP are keen to cite, when two parties under federal legislation are unable to agree, it is to the Minister of Labour that they make their appeal, and the Minister of Labour decides whether to send them to an arbiter or not. The minister can say no. There is another check on this imposition system that the NDP wants for our province, and for that reason, Mr. Speaker, it is considered - the federal system - to be the one least likely to end up in first contract arbitration.

Now, Mr. Speaker, guess which province has the harshest form of first contract arbitration? What a surprise, what a surprise, it is Manitoba. Manitoba is the only other province, besides Nova Scotia, where you don't have to exercise bad faith if you are a party to a first contract negotiation. You can appeal directly to a Labour Board or to an arbiter and there is an automatic imposition of a contract. They say six, the fact is there is only one that is even close to what they want to do to Nova Scotia, and it is Manitoba which, as we know, has been the source of many of the ideas that the NDP have been determined to bring here.

Mr. Speaker, the harshest, the harshest - my point is the harshest form exists in Manitoba. And of all of the options, even if you did agree that this is a good idea - which we certainly don't, in any of these forms - even if you did want to give it a try, they went right to the harshest example, where it's an automatic first contract, where you don't have to show bad faith, where you just declare that you've reached an impasse and a contract will be handed to you. Manitoba is the only example of that.

I want to share one other item from the report on Collective Bargaining in Canada in 2010, Mr. Speaker. I'm just trying to keep track of the time here - if you could just let me know where I am?

AN HON. MEMBER: I'm sure you have lots of time.



MR. BAILLIE: Do I? Oh, great, well, I've got lots of stuff . . .

MR. SPEAKER: There's approximately 13 minutes left, honourable member.

MR. BAILLIE: Thank you. It's barely enough to scratch the surface, but like the member who spoke before, I will begin my wind down shortly.

In that report on Collective Bargaining in Canada 2010 - and I will table this in a moment, Mr. Speaker - they reported 305 successfully concluded collective agreements in our country last year, and 128 of them were in the private sector and 177 of them were in the public sector. In total, they covered 1,245,670 Canadians. To break that down, there were 396,340 private sector Canadian workers who successfully reached a collective agreement, bargained in good faith, and there were 849,330 public sector workers, Canadians, who successfully reached a collective agreement, bargained in good faith, for a total number of agreements of 305 - 1,245,670 working Canadians.

But what's also interesting on this page, from this report, from the Government of Canada, Mr. Speaker, is that it also tracks the average length of time that the negotiations took for all of those agreements. The fact of the matter is that in Canada it takes, on average, 9.9 months to negotiate a collective agreement - and these by the way are not only first contracts, these are all contracts and include hundreds of people who bargain in good faith, who have experience as collective bargainers, and it still took, on average, 9.9 months.

In the private sector, Madam Speaker, that average was 8.6 months - basically three-quarters of a year. In the public sector, it was 10.6 months - almost a year, to reach a collective agreement on average - on average. Well, guess how much time Bill No. 102 gives the parties involved in their first contract ever to negotiate an agreement before they can go to an arbiter? One hundred and twenty days - four months. Less than half of the time it takes experienced negotiators to reach an agreement. I will table that document, by the way, for all members to see, particularly the government members who need to know that they are going to provide to the employer and the employees, who are new at first contract bargaining, less than half the time it took all the contracts in Canada, on average, to be reached - and if they're not able to do it in that time, that short amount of time, off you go, automatically, no evidence of bad faith, go to the arbiter and you'll have a first contract imposed on you.

Now, Madam Speaker, come on, come on, 9.9 months, on average, for everybody and we're going to . . .

AN HON. MEMBER: For renegotiation.

MR. BAILLIE: Yes, for renegotiation, which, presumably, when you already have an agreed-upon collective agreement, when you already have experienced negotiating on

both sides, it's quicker. When it's your first one, when neither side is experienced at negotiating contracts, you're going to give them less than half the time and then you're going to impose a contract.

Madam Speaker, that is nonsensical. The NDP aren't even going to give collective bargaining a chance for those involved in a first contract negotiation, not even half a chance - less than half a chance.

As I wind down, I think it's important that I point out that none of these things are done in isolation. None of these things should stand on their own, they have to fit into the bigger picture. I've drawn the bigger picture about a world economy that is on the precipice; I've drawn the bigger, more positive picture about a great opportunity that they will screw up if they go down this road.

First contract is not the only item that needs to be taken into consideration in these perilous times, coupled with a time of opportunity. You have to add first contract arbitration to what was done with Bill No. 100 and to the cost of everyday items in our province which were driven up, in large part, by a 2 per cent HST increase; you have to add to that the bite-the-bullet electricity plan, which foresees ever-increasing costs of electricity in our province; and you have to add to that the behind-the-scenes, behind-closed-doors, regulatory changes that the NDP have made to make it easier to organize collectively.

All of those things have to fit together, and when you do put them all together, you see that far from having a strategy to increase employment, far from having a strategy to actually help Nova Scotians who need a job - who want to build some personal wealth, who want to save for their retirement, who want to get ahead - the government has systematically, step by step, made it harder, made it more expensive, made it more complicated, made it more unfair, made it more risky. Just like everything else that they've proposed in this House over the last two and a half years, they are driven by some behind-the-scenes force, an ideology or a friend who pushes them to do these things.

It may be cost-free to the NDP, but it is Nova Scotians who pay the price; it is Nova Scotians who pay more in HST; it is Nova Scotians who pay more and are told to bite the bullet under their electricity plan; and it is Nova Scotians who will lose jobs and lose future jobs because of this type of bill - Bill No. 102, Madam Speaker. That is what is so offensive about what is being done here today.

I will say, as the MLA for Cumberland South, I raised the example of PolyCello and where they are headed if this bill goes forward. But I also want to point out that there are a number of employers like Oxford Frozen Foods, which employs a great number of people in Cumberland County, a non-unionized workforce - and not because their employees aren't allowed to organize. Of course they are; they have that right. But they have an employer that pays a fair wage; that provides housing and other modern,

progressive benefits; that works with the employees on building up a great company; that employs a big part of Oxford in the County of Cumberland; and will see this as a new risk to their business just at a time when they need a new risk the least.

Madam Speaker, the Wild Blueberry Producers Association annual meeting was just this last weekend and, for those who follow those things, you know that our blueberry crop, which is the best in the world, is down. We can debate why - it could be the weather, it could be the honeybees, it could be any number of things, but it's down.

This is an important export of Cumberland County; it's an important export of all Nova Scotia. We have a world-leading company that processes blueberries in Oxford, Oxford Frozen Foods, which has built up a dynamic business in a non-unionized workforce, and everyone agrees that is the way to go. Now that's going to be put at risk. There are many other examples and I'd like to go on and give you some more - Ropak industries in Springhill would be another - but I think at this point I will sum it all up today the way I summed it up when it was introduced: It is a bad idea, at a bad time, and for bad reasons.

With those words, I will take my place and hope that the debate will go on and a happier outcome than the one it appears the government wants us to reach is, indeed, reached. Thank you.

MADAM SPEAKER: The honourable member for Kings West on an introduction.

MR. LEO GLAVINE: Thank you for the opportunity, Madam Speaker. Today we have a rare and, at the same time, a special day. We have a second Kenny MacAskill in the gallery today. Kenny also has a very strong Cape Breton heritage, but now lives in Berwick - he is my association president and I'd like to ask all members of the House to give Kenny a warm welcome here today. (Applause)

MADAM SPEAKER: I welcome all guests to our gallery today.

The honourable member for Halifax Clayton Park.

MS. DIANA WHALEN: Madam Speaker, it's a pleasure for me to rise today and speak on Bill No. 102, which is entitled an Act to Prevent Unnecessary Labour Disruptions and Protect the Economy, and then it says, by amending a certain chapter of the Trade Union Act - so it is an amendment to the Trade Union Act.

We've actually been treated to quite a few people speaking on this bill already - perhaps we'll hear from more again - and I think a lot of points have been made.

Certainly the members of the Legislature know that generally when I speak on any bill I like to look at it for its merit; I like to examine it and see what it's going to do that will

improve the province. I tend to, by and large, stick to the matter at hand. I'm sure, Madam Speaker, you'll be pleased to know that. I think it is important that we look at this on its merit and that we consider what exactly is being proposed here.

Honestly, this bill just seems to be completely missing the mark of where Nova Scotians' concerns are today, under the current difficulties, economically, in the light of the job losses we have been experiencing in this province. Very unfortunately in the last number of months we've had just one after the other, in rural Nova Scotia, announcements of job losses and announcements of a downturn or cutbacks. It's been very difficult and I'm sure it's difficult for the government as they look at all of that news, the downgrading of our growth forecasts, which are not officially announced yet by the Finance Department, but are bound to come; in fact, even the Finance Minister has said they will come when we finally get the next quarterly update in December.

We know, even today, that it is coming, that other provinces have downgraded their growth forecast as well; and the federal government has made an acknowledgement of that. So we're looking forward to hearing from the minister when that does come. Overall the Canadian numbers are down, and I think the minister agrees with that, and we will not make the growth targets that are forecast for our province, that were the basis for our budget this year, the basis for the revenue that we're going to receive.

That's just a bit of backdrop. We're in a time of turmoil and some of the answers in Question Period from the government ministers have pointed to that turmoil, have said these are forces beyond our control. Guess what? This bill before us is within the control of government. It really is a foolhardy move to go forward with this for a number of reasons. One, is where the government should be placing their emphasis today is on the need for creating a stable economy, jobs, improving and shoring up the competitiveness of our province, building a province where young people have opportunity and will stay.

I can tell you, I know of people in my riding who have been saying goodbye to their children, seeing them with their U-Hauls heading out of the province. The one I'm thinking of, right off the top of my head, is because of the closure of the New Waterford call centre, where many jobs were lost in New Waterford as a result of that. We've heard nothing from the government on that and the member for Cape Breton South has been monitoring that. There has been no word, no acknowledgement, not even concern indicated about that. That is just one major job loss and one major company closing.

We've had concerns right across the province and it seems if the members of the Opposition don't mention these concerns, they go unnoticed. Madam Speaker, Bill No. 102, and speaking to the title, actually says it is protecting the economy. I think that goes beyond presumptuous use of the language, really, to suggest that introducing first contract arbitration is somehow going to protect our economy. What we are hearing from major employers in the province is the exact opposite. I'm sure the members of the government caucus and Cabinet are aware of the article that appeared Wednesday, November 2<sup>nd</sup>, it

was an opinion piece that was in the Halifax ChronicleHerald and it was signed by - it says at the bottom - the article was submitted by an employer coalition of 18 associations from across Nova Scotia.

When I looked at another letter that was sent by the same coalition, I saw 16 at that time. It was obviously a growing coalition because in October they wrote to the minister and there were at least 16 on this list. The letter was copied to the Premier, to the Minister of Economic and Rural Development and Tourism, it was copied to the Leader of the Liberal Party, the Leader of the Progressive Conservative Party, and to members of the Labour Management Review Committee, as well and the Labour Services Branch, so it got wide circulation. It wasn't a secret letter and many of us have seen it. I'd be happy to table it if I could, after I speak to it. Thank you, Madam Speaker.

The letter itself, as I say, what I thought was most telling, and I can cover some of the points in it, but really a lot of the points have been raised here by members. They have been raised because of people we've talked to, business owners we had in the gallery today Leanne Hachey, representing small business, and Luke Erjavic, again, representing the Restaurant Association here in Atlantic Canada. They are all expressing concern about this bill.

Some of the large employers and groups that are in this coalition of employers include the Atlantic Building Supply Dealers Association, again, the Federation of Independent Business that I have mentioned, the Canadian Manufacturers and Exporters, the Construction Association of Nova Scotia, the Chamber of Commerce, the Road Builders Association, the Home Builders Association. We've got the Automobile Dealers Association, Pharmasave Atlantic, the Retail Council of Canada, and more. Those are just some that jump out at us.

What they are primarily saying is that this is a terrible time for the government to be considering changes to the Trade Union Act and to introduce any changes like this. They are just saying this is not the time to send out a signal that will alarm or even disquiet business. Why would we do it if it makes them uncomfortable, if it makes them think there is a deeper conspiracy, if there are some other further moves that are going to follow this and it's going to be detrimental in the workplace? Again, it's because we want employers to think that Nova Scotia is the best province to come to, the most business-friendly province, the place where the welcome mat will be rolled out.

I often think back to New Brunswick, when not that many years ago they were in a much worse situation and their Premier used to phone up companies that were even remotely thinking of relocating there and give them all the reasons why they should come to New Brunswick, and why they would be welcome and how the environment would be good for those companies to come there. You know who I am speaking of - I am speaking of Premier McKenna at that time, Madam Speaker. Frank McKenna took an active interest in promoting his province and trying to make sure that businesses would come there and

employ New Brunswickers and they wouldn't be leaving at that time for Nova Scotia or for other parts, perhaps out West.

We know we have a flood of people leaving our workforce, leaving our province to find work elsewhere, because they have lost their jobs, or for young people because they can't get a foothold in the economy here. With that kind of backdrop, wouldn't we be going out of our way - or shouldn't we - as a province and as individual MLAs, and certainly as members of the government, shouldn't it be a priority to create a good, stable, productive economy, rather than throwing something into the works that really is not a priority for Nova Scotians? It's not something that they were asking for; there was no compelling reason to go here.

Other members have gotten up and have suggested that this is a sort of payback to unions. I know that if we go back to a number of recent elections - not just the last one, but we can go back to 2006 as well, in that election, and there was definitely a great deal of support for the NDP that was voiced on the doorsteps from union members.

It got very blatant in 2009 when union members actually said we've received instructions, we've received encouragement, we've received all kinds of reasons that we should be voting for the NDP this time. Why were the unions taking such an active interest in supporting one Party over another, or trying to direct their members one way over the other? It was because they expected union-friendly legislation, they expected a change to the environment here in Nova Scotia that would in some way tip the scales and make things more beneficial to them.

Again, as the member for Cape Breton South said, I support unions and the benefits that they bring to their workers, but I don't like it when union members are bullied or pushed in one particular way or another. I think that the union leaders need to respect the individuality of their members and that throwing, as I say, a lot of support behind one Party and instructing members to vote for that Party goes a little bit far in our democracy.

If you remember 2006, I had the privilege, I guess, to run against the executive director of the Nova Scotia Government Employees Union, who ran in the riding of Clayton Park. We had a very fair and I think a very respectful race, but in that race letters were sent from the NSGEU president to every member of the NSGEU who lived in the Clayton Park riding. I mean, that really is an affront - that's trying to manipulate the outcome of an election, and I think use private information and undue influence in the outcome of an election. That actually did not go well for the union leadership in that case, because I think people saw it for what it was, that it was being pushy. At a minimum we could say it was being pushy to the members of that union and, again, trying to take too active a role in an election process.

At the time, as I say, it was a close race, but I was able to win in that election and I think it was because people realized that they weren't going to be bullied or pushed or

intimidated in any way to vote a certain way. It did not benefit another candidate who was in her own right very capable. She is a very capable woman, but at the same time I think that it did not benefit her in any way to be using that kind of union influence.

I think that there's a similarity here to this bill, which is the amendments to the Trade Union Act. Really, is there not a sense that this is something that the unions have been expecting from this NDP Government and now they're getting it, two and a half years into the mandate? It's time to move on that commitment that was made obviously at some point - I would say prior to 2009; I would say prior to 2006 - because of the pressure on the doorsteps then, and I'd say that it is wrong and this is the wrong time.

That really is the message. I know we've heard from a lot of other members and they've told you about the economy. All the members of the House have heard about the economy and the bigger issues that are affecting Nova Scotians. That really is the message that I would like to leave you with - that this is not a necessary piece of legislation.

Madam Speaker, as you know, we have in the House a large portrait of Joseph Howe, and downstairs in our lobby we have a display that commemorates Joseph Howe, a former Premier and Lieutenant Governor of this province, among other things. Joseph Howe said that he measured legislation by the sentence: "What is right? What is just? What is for the public good?"

I'm looking to the Clerk to make sure that I've quoted that correctly, but I think I've got it. So three tests: Is the legislation just? Is it right? Is it in the public good? (Interruption) I'm not sure I can do that.

Anyway, those three things really are a test that I like to look to as well. I know other members of the House admire Joseph Howe, and some of them would like to see a day in his honour. I think that it's important that that gets mentioned at least once every session. What he left us with, the legacy that he left . . .

AN HON. MEMBER: For eight years, for eight years now.

MS. WHALEN: He's counting. I'm looking for the Minister of Communities, Culture and Heritage to take up this charge because the Minister of Communities, Culture and Heritage understands the vitality that this would bring to our community, to have a winter holiday in memory of, I would say, our most illustrious parliamentarian in Nova Scotia, somebody who left his indelible mark on journalism and on our province, and certainly left a huge legacy from the 1800s to today. We remember him well, and I think that our young people need to know more of the message that he brought.

Again, in looking at legislation and looking at Bill No. 102, we should look at: Is it just? Is it right? Is it in the public good? Is there a demand for it? Is there a need? Are we correcting something - is there an injustice that needs to be corrected or altered? Is there

something missing in our province? Is there an injustice? I don't see an injustice to anybody. Again, if we look at the detail of the bill - and I know the minister in her opening comments, and a couple of times in Question Period, has pointed to the fact that every political strike in Canada has adopted first contract arbitration.

Taken on the surface that seems to be reasonable, I'm not an expert in this bill, what first contract arbitration is, but having sat here in the Legislature and listened to other speakers over the last number of days, we now know there is a difference between one Act and the other, and there is a difference between provinces, and not everybody has gone about it the same way. Some are really, in fact, more draconian than others. Some are not giving a business the same opportunity - and employees, frankly, the same opportunity to reach an agreement before first contract arbitration would kick into play.

I think that's very, very important because it's wrong to suggest that, for example, my Party, the Liberal Party, has supported first contract arbitration when in fact the legislation they have supported would have been much milder, would have required more steps before it was ever called into play, would have left more discretion with the Minister of Labour and Advanced Education before it was ever called into play.

In this particular bill, which is before us, I think one of the biggest things that is missing is that demonstration of bad faith. You shouldn't take people who are in the midst of collective bargaining and ask them, if they haven't come to an agreement within a short period of time - and correct me, but I think it's only a matter of weeks that this bill calls for - if they haven't reached an agreement on their first contract it immediately goes to an arbitrator, and you'll have a contract that's provided by the arbitrator rather than by the two parties who should be, in good faith, negotiating that contract.

As I say, what I'm missing here in this bill is that there doesn't need to be a demonstration that there has been bad faith, or that the parties are not acting in good faith. That doesn't need to be demonstrated in order for this amendment to the bill to kick in and force a first contract arbitration, and I think that's a fundamental flaw. If the government's determined to move on this bill and determined to see it pass, I think it would be so much better if there were a few more provisions put into play that would allow the two parties, both the employers and the employees, to work out an agreement on their own, or even to follow what is currently in the Act.

I was interested in looking into this and reading over how it currently works, to understand collective bargaining just a little better, Madam Speaker. In going through that I realized that we already have a lot of provisions in the Act to help parties come to an agreement. First of all, if there's an impasse in labour negotiations under current legislation, parties can request a conciliator. So that's your first point that you would go to if you were having an impasse, and that is being used in our public service unions and others at any point, not just with the first contract, but with any contract. So we already have that.



If it fails when you go to a conciliator, you can then request a mediator, and if that fails you can request an industry panel review, it says. So there are three steps right there that employers and employees can turn to, to try and reach an agreement that they are both happy with. But now we're losing that right and we're really, in effect, gutting the idea of collective bargaining in this bill because we're taking that away and creating, instead, a system that's going to be imposed, really, that will just kick into play and be imposed. And some people have suggested this is going to make it far easier to unionize some workplaces that are not unionized, because you can actually say there is no threat of a strike - if you run into difficulties with your employer there can't be a lockout and you can't strike because we're going to ensure that you get a contract right off the bat.

It is interesting to note in other provinces where this has been brought into play that after the first contract is signed, in the next round of negotiations there's a higher rate of strikes. Madam Speaker, you may not have been aware of that. Looking at the history in other provinces there's actually a higher rate of strikes on the second contract because the first contract has been proposed and brought into play under the rules of this first contract arbitration, it has been imposed on both parties, and when that time frame elapses and a second contract comes up to be negotiated, there tends to be a much higher rate of strikes and labour disruption as a result, because one or the other party is dissatisfied with what was provided by the arbitrator.

I think that's a little cautionary note, too, for government in suggesting that this may encourage unionization, and it will certainly expedite the first contract that any new union is going to have, but it may lead to labour disruption in the second instance.

Often it's very important to be looking at what the ramifications are - when you make one change there are often unforeseen other changes that come. We see it often in accounting where I've worked as a management accountant, and you might change one parameter or one way of acknowledging perhaps good work and find that it has some negative impacts, that people start to work differently because they're looking to get a bonus or get whatever it was that had been set in place as an incentive. It can have a negative effect or the opposite effect - and maybe this will too. Maybe in going down this road we'll find that we'll have more labour disruption than we ever have had before.

When I started my remarks today I was speaking about whether or not there's a need for this. I think we should go back to that and just have a quick look at what the current labour situation is in our province - and it's very stable . . .

AN HON. MEMBER: Tranquil.

MS. WHALEN: It is tranquil. Exactly. The best word to use to describe our labour and management relations right now is very "tranquil." There is not a lot of labour disruption; it's very seldom that we've seen any troubles. I think we saw that there have only been three orders since 1998 to impose a collective agreement because of collective

bargaining failing. If that's true - and that, in fact, was in the letter that the Coalition of Employers had brought forward as well, they had said, "We understand that since 1998, the Labour Board has only issued three orders to bargain. In fact, officials from your department report that in most cases agreements are negotiated amicably . . . ."

So tranquil, amicable, seldom are we seeing any disruptions whatsoever, yet we're here today spending valuable time in the Legislature looking at first contract arbitration which is absolutely unnecessary. It is not needed to correct or right a wrong; it's not needed to improve our labour relations; it's not going to create one job in this province.

It may not be a job-killer - I know that the Progressive Conservative Party has been pushing the idea that this is completely catastrophic - it's not that I think it's catastrophic. I think it is a diversion; I think it is not a place where our efforts should be focused today in Nova Scotia, spending time in the Legislature and having this be the pre-eminent bill that will probably pass this session.

Why can't we be looking at bills that are going to be improving our competitiveness as a province, perhaps creating some new opportunities for Nova Scotians? We talked today in Question Period about Nova Scotians who are under-represented in the workforce - Aboriginals, women, disabled Nova Scotians, or African Nova Scotians. We need to come up with programs that are going to help people participate fully and we need to find the jobs and the opportunities. That can be done through some government programs that can be a stimulus or a support, but, Madam Speaker, we don't see anything like that.

We could be here until the cows come home, we could stay in the House for months talking about other bills and Acts and issues that are not prominent and high on the priority of Nova Scotians. That is what I really feel is important, that the government spend more time looking at the kind of initiatives that are needed, policy and Acts and legislation that are needed to set this province on a stronger and more stable path for the future.

It concerns me greatly that we are not really performing, I think, to the level that we should be. We have resources, we have wonderful universities and they support our economy. We have a lot going for us in this province but we don't seem to be able to capitalize on it. I think part of the problem is a very uncompetitive tax regime. We have personal taxes, corporate taxes, small business taxes that one after the other are the outliers, the second highest in the country. Sometimes we are the only place that has some of these taxes.

We have our tax brackets which are the amounts of money at which you enter a new bracket, the cut-off points where your rates increase. We have them at a much lower level than the federal government does so you pay quite a different level of tax at the end of the day because we're paying more to the Province of Nova Scotia than we really should if we had advanced those tax brackets in lock-step with the federal government as they recognize

inflation and rising incomes and the fact that it takes more money today to be at the poverty threshold, it takes more earning today to be anywhere near middle class. We have to up those amounts so that they reflect where people's earning power really is.

Our brackets do not do that and therefore, we are taking more taxes from low-income Nova Scotians than we should, we absolutely are. That makes it a very unattractive place, if you are looking at moving back to Nova Scotia, which is exactly what we want to do, in terms of the opportunity from the Irving Shipbuilding contract, Madam Speaker. We are hoping that people will come home to fill those jobs or new people will choose to join us or immigrants will see Nova Scotia as the best province to come to and make their home.

If we're going to get there we have to create a little bit - we have to narrow that gap and create a more competitive tax environment. When we do narrow the gap between ourselves and other provinces, it will not be such a deal-breaker for people when they are looking at the impact on their own lives.

I think we know that one of our biggest problems facing the province is going to be having people here who have the skills and who are young and have the ability to fill the jobs that are going to come in the future, both through the Irving Shipbuilding contract and other jobs that we hope to create and other industries we hope to attract because our people are our best resource right now. Yet we're not doing the things that are going to help our people get the skills they need and we're not doing the things to attract the jobs that are going to match with those skills.

Here we are, talking about first contract arbitration and debating Bill No. 102 which, as I said, I have no idea who named this bill, Madam Speaker. To suggest that this bill will prevent unnecessary labour disruptions, when we live in a province that has almost no labour disruptions, and it also says that this bill has the power to protect the economy because it is named, an Act to Protect the Economy. I can't see the connection to that at all.

I know we get very creative in naming our bills, we like them to say a lot when they are read into the record. That's certainly important when you are in Opposition because often they don't get mentioned again, so it is important that at least the title be quite descriptive. For this particular case I noticed when the Government House Leader actually said - he called Bill No. 102 the Trade Union Act. Well that's really what it is, an amendment to the Trade Union Act. So that was much more to the point, absolutely.

As I said, we were looking at other Acts too, in other provinces, to see if they had made any difference in those provinces, whether they had improved anything by their introduction. The one thing that jumped out at me was the actual increase in labour disruptions on the second contract, when the employer and the employees have enjoyed whatever length of time the first contract is sort of forced upon them, through the arbitrator, if it's a year or two years, after that they tended to have labour disruption because they were

not satisfied with it. I think that it just points to the fact that nobody has really done their homework on the ramifications and, perhaps, the unexpected outcomes of passing a bill like Bill No. 102.

We haven't looked at the provinces and the jurisdictions that have better legislation. When I see an adoption of Manitoba legislation, I'm reminded that so many of the advisers to the government have come from Manitoba. When the government was first elected in 2009, they had to reach out. There were no people with government experience and no workers with - people who work in government who had that experience for the NDP here in Atlantic Canada and they reached out to Western Canada.

So we have people who have come here to join us in Nova Scotia and help the government craft legislation and perhaps come up with an agenda and a way to hopefully meet the promises that were made during the election. We have seen that many of those promises have fallen by the wayside. I don't think it's the fault of the advisers and the support staff that have come in - I think it's a question of the government losing touch with some of the priorities of Nova Scotians.

In their heart of hearts, I do believe the Premier and the members of the Cabinet and the members of the caucus on the governing side of the House know that the biggest concern for all of us is to maintain employment and to maintain the stable, harmonious, amicable, tranquil relationship that we currently have between labour and business and the employers. So setting out to introduce a bill like we've seen here today, Bill No. 102, is just heading in the wrong direction. It's taking valuable government time and staff and effort and time here in the House on the wrong track, on an issue that is not a burning issue for Nova Scotians and, in fact, isn't a burning issue for union members.

Those that are in unions now have collective agreements; they're on a bargaining schedule and have everything in place. We're talking about something that will benefit very few in this province. I think it comes back to rewarding union organizers and rewarding union top brass, or administrators, who want to see more people join unions and want to create more unionized environments. This is not the time to be going there.

The article that I referred to that came from an employer coalition has the title on it: "N.S. should focus on real problems - like the economy". I think that is the message that you've been hearing from the Liberal caucus over the last number of days as we've begun to discuss this. The Liberal caucus believes the economy and jobs and securing a more prosperous future in this province is what really matters, and not bending or kowtowing to any particular interest group, no matter what sense of entitlement they may have.

It's not about speaking to your base, as they say; it's about looking at the problems that government has been elected to deal with. It's unfortunate that the government is at the helm at a time when there's a great deal of uncertainty, that the NDP find themselves, finally, in the seat of power at a time when world news is bad and there are downturns in

other places and instability in the economies elsewhere. That's really unfortunate because it may have hampered some of the plans the NDP had. Many of us held out some high hopes that we'd see something that might help Nova Scotia. I'm not a member, obviously, of the NDP. I sit on the Liberal side of the House and I believe in Liberal values, the history of the Liberal Party. I think the background we have is strong and I think governing from the middle is really the best way to govern in Canada.

There's a reason why it has worked so well in Canada.

AN HON. MEMBER: You agree with that, I know you do.

MS. WHALEN: Yes, I absolutely do. The middle ground is definitely the best ground. This is where you take the best ideas from both ideological ends of the spectrum. We find the Progressive Conservative Party very ideological. You can hear it again and again - and don't they speak often about the Fraser Institute and we know what the Minister of Finance thinks about the Fraser Institute. Then we have the other ideological side of the spectrum, we have the NDP who have their own think tanks and look at other viewpoints, but they are very labour-focused, there's no question about that.

On the other side, we have a strong business focus, but I believe the Liberal Party can best take the needs of both of those parties and put it together in sensible legislation and in charting a course that sees the Province of Nova Scotia or the country of Canada moving forward because we're not averse to looking at good ideas on the left and good ideas on the right and melding them together. We have no problem doing that because that is what's required. We cannot afford to be dogmatic and ideological. Bill No. 102 actually does, I think, present a very ideologically-driven bill that is forcing upon Nova Scotians a new system for first contract arbitration, first contract negotiation, which is completely unnecessary.

As I had said earlier, Madam Speaker, yes, I was just talking about the time that's left to me and I do believe that I have a little bit more to say on this bill before I'm done. So I wanted to assure my colleagues that that won't be a problem. I may not go 25 minutes though, but I'm particularly concerned about the impact that this has in terms of causing our employers in this province to feel a sense of unease, a sense that they're not in a province that's listening to them, they're not in a province that consults, they're not in a province that wants to ensure their prosperity. I believe strongly that when business prospers, we all do better. When business is doing well, there's employment and people feel secure.

We know how the Canadian Federation of Independent Business does a regular survey of their members, to see if they feel that they're going to be better off in the next year, do they feel they'll hire more people in the next six months, how confident are they in their positions, and sometimes they say, no, we're going to be downsizing our workforce or we're frightened and we're not going to be expanding in any of our business activities. So

they take that as a barometer for how the economy is doing and I think that sending a signal like this Bill No. 102 sends, is the wrong way for the government to move forward because you're not sending out a signal that says we're listening to the employers of this province.

I'm not suggesting that the employers are more important or should have an undue influence but I think that you have to have that balance that I spoke about, that the Liberal Party represents, a balance between union and worker interests and having fair rules for workers and our employees, and also making sure that those people who take a risk and those companies that are willing to invest here, that they also feel that they're in a positive environment, in a province and a jurisdiction that's going to keep them. If we're going to go through a litany of anything, I think we should be looking at the job losses in this province. If you want to hear a litany of what's going on. (Interruptions)

If you want a list, I have in front of me, Madam Speaker, there is a long list and you've heard it from other members. You've heard about the level of unemployment, you've heard about the lack of growth in this province. You've heard about the jobs that have gone out the door - people either giving up or leaving this province - and that's very important. The shipbuilding contract, which everybody is happy about, is really being diminished by the job losses everywhere else and so as much as I'm happy to see thousands of new jobs come to this province, I don't believe that Bill No. 102 is going to do anything to protect the economy or grow those jobs, or make this a stronger province.

I think we're on a distracting sidebar in the history of Nova Scotia, a distracting sidebar for the union movement of this province, and it will give you something - pardon me, it will give the government something to boast about when any members visit any union meetings. It does give a wonderful few speaking points for a speech, to indicate that bills have passed this House that are union friendly but this doesn't create a single job, not one in this province, and it may prevent expansion. It may prevent investment and it may prevent people from moving forward with their business activities and that is what concerns me.

I think that's the issue that we need to be upset about here and not going back into history and talking about things that are absolutely irrelevant in this current debate of Bill No. 102 because the economy has prospered in the past in this province, without this kind of legislation. We need to see it prosper again. We need to stand strong while the rest of the world has their difficulties. It will affect our exports and it will affect other things in our province. What's really important is to listen to the people who employ thousands and thousands of Nova Scotians. If we don't listen to them, then it has been a complete sham. It's completely bogus.

Madam Speaker, I think one of the things that was mentioned was that there was some consultation with business. We were told that, at least in one case, the CFIB made their presentation a week before this legislation was introduced in the House. Now, if they made a presentation to a group that was supposed to be a working group and they made that

one week before the law was actually presented here for the members to debate, it's pretty clear that there was no opportunity and no intention of integrating what was heard in that consultation into the bill itself.

The bill is set in stone because, as I said, it is copied from Manitoba. Somebody worked in Manitoba and said, what a terrific idea, let's do what we did in Manitoba, it works really well. You may say that Manitoba is doing fine. Well, it's quite a different place, isn't it? It has a different history and it has different employers. Immigration is a marvellous thing to raise about Manitoba because it does affect the economy. If we look at Bill No. 102, which is focused on the economy, we need people and we need a place that people want to move to.

Amazingly, Manitoba, with roughly the same population as Nova Scotia, has been able to attract 10,000 immigrants a year. In the 1990s they had the same immigration level that we did here in Nova Scotia, and we fell from 3,000 immigrants down and they have risen and risen. So they've obviously looked at the kind of initiatives that do something, unlike our government right now sitting here in Nova Scotia. The government is doing nothing. They are bringing in pieces of legislation that are - people call them housekeeping. They are fairly meaningless pieces of legislation.

What we're saying on the Liberal side is that there are significant problems on the horizon and some of them are hitting us squarely between the eyes right now. I'm talking about NewPage, I'm talking about Bowater's concerns. I know the Premier went there and witnessed their situation in Queens County. We have job losses in - well, let's begin. We have Yarmouth where hotels have closed, tourist industries have closed. We have the loss of jobs again with White Point Beach Resort, which had 100 people working there. I know they will rebuild - I feel confident about that - but the job losses at Bowater are significant. NewPage in Cape Breton, call centres in New Waterford, and I can go down the list. There is Composites Atlantic, Larsen Packers only a couple of years ago, Scanwood in Dartmouth.

We can carry on if you want a litany of places that have been impacted both by the environment here in Nova Scotia and conditions that may have been outside the purview of Nova Scotia. I think that the Government of Nova Scotia owes it to the employers and the employees to protect the environment we have, which has been described as amicable, as tranquil, as positive in terms of labour-management relations. For an ideologically-driven agenda to circumvent that and create instability in a time of great uncertainty is really irresponsible, Madam Speaker.

I feel that Bill No. 102 is exactly that - it is just unnecessary. It's superfluous at this point in time and it can create some negative impacts. If that's the case, then I think it should be abandoned and we should all turn our attention to ways that this province can move forward and ways we can get ready to position ourselves to be more competitive, because that's what is necessary. Frankly, I'm pretty tired of us being in this category

where we're just not able to keep pace with the rest of Atlantic Canada, let alone the rest of the Canadian provinces. I'd like to see us become pre-eminent again in our region, and I would like to see the government set its goal to do exactly that. Right now that is not happening.

Madam Speaker, I believe that the bill, as I said, is a distraction and that we should be looking at jobs and the economy. I think that the other members who have spoken before me have done a very good job in outlining what those issues and problems are and where they are in the province. I think the members of government understand that. We've heard about power rates, we've heard about gas prices, we've heard about issues that are impacting every Nova Scotian every day. That's why their earning power is down and that's why the taxes need to be adjusted. Our tax rates and our brackets need to be adjusted. We need to have some innovative, thoughtful legislation coming forward from the government in order to position our province for its greatness.

I am disappointed that instead we have some Justice bills that were three or four words practically; I think there were 54 words in total in three bills, all together, in those three Justice bills. There's no reason why they couldn't have been combined. There are three Education bills before us that, again, are small, little tweaks and changes to the Education Act. Again, they could have been combined in one bill.

Madam Speaker, what we're looking at then is an agenda which is designed to have a lot of bills so at the end of the day, the number will be significant, that the government can say we did so well and worked so hard because we passed whatever number of bills. Really, there's no substance here is what I'm trying to demonstrate. What we would like to see are some bills with more substance that are going to actually be just and right and in the public good, for the public good, just exactly as Joe Howe said.

I'm sorry to see the Minister of Communities, Culture and Heritage - well, I'm sure he's listening, I have no doubt he is listening to what I have to say because it is important. I really do honestly believe that the Minister of Communities, Culture and Heritage, a brand-new ministry and department, would be the ideal place to take up the charge for a Joseph Howe Day, where we can look at a person who set the parameters for good legislation. I don't believe Bill No. 102 meets those parameters and I'm disappointed to see that it is the bill that is before us today, rather than something that's going to make life better for Nova Scotians. Thank you.

MADAM SPEAKER: The honourable member for Hants West.

MR. CHUCK PORTER: Madam Speaker, I'm pleased to have an opportunity today, in some ways, to rise and speak to Bill No. 102, the Trade Union Act. I guess I want to start off by saying it's not about unions, that's for sure. Quite a few years ago now, as I think about it, I was a member of a union and it was something that was introduced to us as



paramedics - I can't remember the year, somewhere around 1990, 1992, something like that. It doesn't matter. There was a process that was in place that was fair.

After some discussion within our organization, we decided, well, maybe we need to have a union represent us, take our concerns to our then-employer. Things were difficult in those days, the money was very small that we made. We were paid by the call in those days not by the hour. It just goes to show you how far we've come in this province, which I think is a great thing. We decided we would talk amongst ourselves for a while and we would decide if this was the right thing to do. We had two units, two operations, one in Sackville and one in Windsor and we did do that, we had considerable discussion. It was fair, it was open. We talked about the good side of it and maybe what the bad side of it might be. Well, it ended up not to be too bad, we thought we'd talk to somebody else, so we have one of our local unions a call through a connection of some friends that we knew and we ended up talking to Ken Estabrooks with the Union of Operating Engineers.

Great fellow, Mr. Estabrooks, he was around a long time and knew a lot about the union circles, knew a lot of the right people. He knew how to get contracts negotiated, knew what the gist of the labour laws were, knew the kind of simple things that were included in every day contracts besides things like money and benefits. In those days, as I said, we never had anything, by 1992, I think, we were up to \$4 an hour and the per call base went away. The benefit for us, we thought, was increased wage perhaps, a contract, maybe some gear to work with, things like that, stuff we never had.

We entered into some discussion with the Operating Engineers and we became 921B, which was our number at the time and I think still is today, perhaps there. Of course, the Operating Engineers support and represent many, many, many different people in this province. So we got into that negotiation with Mr. Estabrooks and some other people in that union and we ended up signing our cards and in those days I think it was \$2 to sign a card and I think today it's free maybe I hear, I don't know if that's right or not, but anyway, it doesn't matter, so we signed on.

Of course, our employer, he said, well we're all going to lose our jobs, they can't afford to run a union operation, it's going to cost too much money and so on and so forth, but we all know that it went on for a number of years after we were unionized, mainly because we didn't get a whole lot out of our contracts, that's probably fair to say. In those days it was hard going, it was tough sledding and negotiations went on for a lengthy period of time. One of the things about it was we had a lot of input. We decided who the shop stewards would be, through a process, which was fine; there was training provided.

We agreed with - and I still do today, I want to make that clear - the opportunity to unionize and to sit down and discuss the things that were important to our organization when it came to what we needed and what we expected from a collective type bargaining, in the end of the day, and coming out with a contract that would benefit us and our families, to be something to begin what the future might hold in our industry. At the time, I'm not

sure, the VG ambulance service was probably unionized at the time, and I stand to be corrected on that but I believe that they were. If there were any others I don't think there were many at that time, it was something that evolving and certainly did evolve in the years after that and into the latter part of the 90s when we saw the different unions that were representative by then come together and have a runoff vote and so on, and become what they are today, a very strong unit.

But anyway, Madam Speaker, in getting back to that, I think it's important to note that there was a fair process in place. Although we didn't get everything we wanted, we never expected to, I guess. We wanted what we thought was to better our working conditions, to better the vehicles we were driving, to better our wages to some degree, to try to find some benefits - which we did get. We got a little better wage. We got a health plan that was not so bad, it was a Blue Cross plan at that time, and that was pretty good in those days for an organization just starting out in the union world.

I say that because we came from nothing at all. I don't want to call it volunteer but it was close to it because there were organizations in this province that were driving a cab one minute and the phone would ring and then they go and park the cab and jump into an ambulance and go in to a call. That unionized environment created a number of opportunities which brought us where we are to date, which is a professional organization, one of the very best accredited organizations in North America, and we've seen that over and over through their re-accreditations. That is all because of the strength, I believe, of those early days when we decided we needed someone to help us along and that someone helping us along was the Operating Engineers Union, which we felt was good to us.

Like I said, Madam Speaker, you don't get everything you want. You try to negotiate and we felt we negotiated fairly, and you would argue no matter what. The boss, the owner of the company, they all have a job to do as well. There is only so much money. There is only so much profit that any company makes, and there is only so much that they can afford to pay for wages before they start laying people off or finding reasons to take trucks off the road, in this example.

In 1992, and I remember that year well because it's the year I was married and I should remember it well, I'm sure. Madam Speaker, you can appreciate that from where I come from, and having a house full of women, I can tell you right now that's not something you forget, some of those more important moments in your life, times, years in your life when you're supposed to remember. This is all very relevant.

So Madam Speaker, in moving on, in 1992 there were a couple I was working with in Windsor that had to be transferred and we had to be transferred from Windsor to Sackville, if we wanted to continue working, because we had a bit of a bargaining unit by then. We had a bit of a negotiation going on by then and this was some of the tactic that was used at that time. It's not uncommon, we know that when new organizations unionize,

there's always this threatening feeling that people have, and sometimes employers like you to believe - we can't afford you to be unionized, we can't afford it.

In those days, like I said a few minutes ago, we made next to nothing in wages. We made \$4 an hour by 1992 and - believe it or not this is a true statement - we were one of the highest paid around in this province, at four bucks an hour; hence the reason we worked 168 hours every two weeks before you worked any overtime, that's the reality of those days. Those days aren't that long past us, really, that was only the 90s, not that long ago. Yeah it was 20 years ago, maybe a little more. Not long before that, in the Town of Windsor, when you worked in the ambulance service where I worked - and it was not unionized but there was a good group of guys there around 1989-90 - you made \$5 a call in town and \$8 a call out of town and you got a whole \$25 to drive to Halifax and back. That was your salary paid; it was a whole mixed thing.

So you can see where a union does have some points where they can step in here. They have the ability to bring something to your organization that no other can. We tried to organize as an association, we were okay for awhile, but you don't have any real stability. You need somebody who knows what they're doing. There's no question, everyone in here is probably familiar with what a union can do and what a union has done and what unions do. We've seen disruptions and we've seen labour drive things, we've seen unions in strikes. Believe me, in my world, in the EMS world, from years back, I remember strikes. Those were very difficult times. That's what happens when you work through some of those first collective bargaining. You want it to be fair.

Unions have a place in certain sectors, where you need them. Some large organizations who have been in the conditions that we have been in, that I've gone through in my working life, there was a benefit at that time to having the Operating Engineers and Ken Estabrooks and I can't recall the other gentleman's name, there were multiple people who got us going, who organized us in a way that was strong. Experience and knowledge was just invaluable in those days and there was a reason to get there.

It's hard to believe that we did live on \$4 an hour, working those hours and trying to raise a family. The member for Sackville-Cobequid knows all about that. He was part of - a few years later than that, he came along a few years later than that, when things were really good, I think we were up to around \$6 an hour then, maybe \$6.50, somewhere there. Those times were still 168 hours every two weeks before you worked overtime. I'm serious when I say before you worked overtime because you worked overtime. You had to work overtime and those hours and that wage, to make a living.

Most of us, I think, were probably married by then, some of us had families started by then, I think a lot of us did. It's hard to believe and as times change, you think back and you go, wow, how did we do that? We did it because we had to do it. We did it and we did okay. We did alright. Our spouses usually worked, I know the honourable member for Sackville-Cobequid's spouse was working when he first joined our organization and he

could not probably have worked there otherwise to get by. That's just the reality of those times.

It goes back to that organization and how things have transpired to some degree. When I look at this, I think, okay, first contract arbitration - would that have done anything for us in those days? Probably not. It wouldn't have mattered because what needed to be done, I think in all of our opinions, was we needed to learn. We didn't want to rush, we needed to know where we were going and we needed to know what we wanted. The last thing, I think, that anybody wanted in those days was anybody just to walk in and go bang, here you go, thanks very much, have a nice day.

Everybody wanted more money. Everybody wanted better benefits. That's typical. As every year goes by and the cost of living goes up and items are getting higher, it doesn't matter what you're buying. In those days, for me, in the mid-to-late 1990s it was diapers and milk and formula and all those things, just like it was a lot of my colleagues in those days. Today, it still is, that still goes on, even more the cost.

We have to figure out why this bill is really worth even talking about on this floor of this Legislature. Who has asked for it? We've heard these questions asked, we've heard a lot of debate over the last couple of days, I believe this started Friday of last week and went into last night and it's been going all afternoon today and it's probably going to continue on for some time yet.

We have to ask, what's wrong with the legislation? Why are we introducing it now? Times are economically quite tough. People will tell you it is good to have a job, although all of those people would like to say, we all want to earn more, we all want more benefits, we all want to have a nice home, we all want to have a nice car to drive to get back and forth to that job. We all want to be able to take a holiday. Wouldn't everybody just love that? Wouldn't that be great?

We know that that's not the reality. I think about those statements and I think about the people down in Bowater with the bad news in the last week or so. I think about, certainly, the people in Cape Breton, in Port Hawkesbury where we visited back some time ago in September and where that has all gone. With the hope - that is what's left there is a little bit of hope that something will come of the potential new buyers in that facility in Port Hawkesbury. Hope is all they have left there. Hope is all we have left in this province, generally speaking all around but the number of jobs we've seen lost, people are asking why aren't we focussing on some incentives to bring business here?

This bill does nothing to focus on any incentive to bring anybody here. Ships Start Here - we've heard about that contract, that's a great thing. They won that. We need to make sure that that gets done right. We don't have any options on that, we need every nickel of the billions of dollars that have been awarded on the merit of the fine people who

are working at the Halifax Shipyard and numerous other places in this province that will benefit and that will gain.

We cannot afford to create any difficulties. We have negotiations, as I understand it, that this province will have to have with Ottawa, and completion of all the appropriate paperwork and time frames and all of the good bureaucracy that goes along with that, to make that happen and to see people working.

What matters is going to be the first job that is hired, the second, the third and the one hundredth and the one thousandth, and thousands of jobs beyond that that we will see created because of that employment. That is a wonderful thing for this province, Madam Speaker. Luckily - at least I hope in some ways - we know that that's a unionized shop down there. They won't have to worry about first contract arbitration.

What about all the potential for spinoff in business incentives? The next thing that I would almost think that this province wants to do is go out to the borders and hang a great big sign that says, Nova Scotia is open for business and you are welcome to come and here's why you should come. But you know what? We don't have much to offer them. Under that sign we also have to add, sorry, we have the highest taxes in the country. Not a good thing. It's a deterrent.

Where are the incentives to bring business here? Now, I know that every member in this House wants Nova Scotia to thrive. I know that every member over there, whether they are sitting on the front bench, the back bench, or in the middle, wants this province to survive. They want every town, they want every small community, they want everyone to be viable. They want businesses created. They want the spinoff. No matter what the spinoff is from that shipyard project, that's but one.

Think of the years - how long is that going to go on? Years, potential generations - two and a half, maybe three generations of people. There must be a great comfort that has been instilled in those people working in the shipyard today and those who have but who maybe have been laid off for a period of time. We may have some long-term hope in Nova Scotia with regard to shipbuilding. We know shipbuilding, the spinoff from that is just - well, it will touch the entire province and probably the Maritimes and then some. Great benefits for this country to be investing, for the federal government to commit - Madam Speaker, I apologize for that. I thought it was off. It threw me right off there, with the phone ringing.

I want to get back to that, Madam Speaker. The federal government, to make a commitment of \$25 billion, it's almost hard to believe that here we are on the East Coast, and finally we're seeing something happen with a positive spin on it, in times that are tough. So getting back to Bill No. 102 and the potential for incenting jobs - but now we have a little controversy here, don't we? We have the potential to jam a bill through this House that has not been totally vetted. We say that we've talked to stakeholders and that

we've consulted. Well, there was a consultation that did go on, and I know the member for Inverness tried to get in on that consultation, but no. I think he was told something silly like there wasn't enough lunch, perhaps, we didn't know you were coming. Well sure, he knew we were coming. There's a closed-door meeting to take the direction that the government wanted to go in, and that's not where we wanted to go.

This process should be open. It should be transparent. Any legislation that comes through this House should be so open and so transparent, but what are we seeing? We are seeing - I don't know what the total number of bills is, maybe 20-something put forward in this House by the government, and the majority of them small housekeeping items.

There are a couple of good bills there - I know that the Minister of Transportation and Infrastructure Renewal back a couple of weeks ago put a bill forward in this House with regard to safety. That was a fine bill. There's a reason to be here; there's a reason to put that bill through this House. There's a reason to be here. There is good legislation that can be passed - not just by government members, by all members of this House. It's really unfortunate that part of the process of this House allows one Party, the governing Party, to put forward a bill. It doesn't matter whether anybody else likes it or not, and it can happen without the proper consultation that we believe has not been done.

What is even worse, Madam Speaker, is that we can stand here and talk and talk and it is not going to matter at the end of the day because the government appears to be bound and determined to get this thing next door to the Law Amendments Committee, to bring it back and to put it through and maybe we'll talk some more. I say maybe - I'm sure we're going to talk some more. As a matter of fact, I know we're going to talk more on this bill. It's not just going to be that easy, because the people have come to us. The small business community has come to us, the chambers of commerce have come to us.

I'm sure that all members have been copied on documentation that they provide. I want to reflect on a little of that, and I'll table that when I'm done commenting from it. I won't read them word for word, but if it is fine with you, Madam Speaker, I will, as per past practice, just maybe paraphrase a few of the comments in the letters that I read from, and then I'll table those. So we do have one, which is not unexpected I'm sure, and it's from the CFIB. It's with regard to the Labour Management Review Committee and I'm just going to pick on a couple of highlights here. Now, they represent a pretty significant number - 50 to 100 members they have in this province which is a large piece when you think about a small business.

We're all quick to say, Madam Speaker, that small business - I don't know how many times I've heard this and I'm sure they've heard it thousands upon thousands of times - is the backbone of our economy. We hear that on all levels of government but yet here we are hearing from them today. Now, this one's dated back in October when all this first came out and it's about the feedback will be of great interest, and they're talking about the Labour Management Review Committee. They talked about the “. . . non-unionized

small- and medium-sized businesses - the very workplaces that would be impacted by legislation. . .” such as this that’s before us today in Bill No. 102.

Some of their foremost concerns, “. . . the decision to prohibit the full and direct participation of non-unionized employers. . .” during those meetings but yet we’ve said in this House, I’ve heard it said, that we have consulted. According to them, we haven’t consulted maybe with all the people we should consult with. It’s, in their opinion, being far removed from the process and that is not how you get business in Nova Scotia done and when you talk about incentives for business wanting to be inclusive, wanting to include and gather important facts from business, you probably should talk to small business.

It’s like any other industry. It doesn’t matter what it is and it doesn’t matter what bill we’re going to put forward in this very Chamber. We probably should, when we say we’re going to consult, consult in great detail as much as we can with that particular industry and in this case it is small business. Small business takes in just about everything you can imagine out there. “The most significant is that we still have not been provided with a satisfactory rationale for why legislation to settle first contracts is needed in Nova Scotia. Nor has any compelling evidence been presented that indicates FCA would improve labour relations in Nova Scotia. . .”

Now, we’ve heard the talk today and past days, and we’re going to hear it in future days, about the harmonious relationship that we’ve had over the years, Madam Speaker, and we’ve had for the last 10 years or more a good working relationship between unions and employers when it comes to bargaining. I know from past experience, I spoke a bit about it, my days in EMS, I kind of worked up through and did a variety of jobs, worked in different places around the province under collective agreements and then somewhere in there - I don’t when it was exactly, I forget, the late 1990s I guess - I stepped out of the union role and went into a management role. I spent a number of years there and because of the experience I had with unions, I was asked to sit on negotiation committees on behalf of the company during those times.

It was great to be able to do that and to get experience with the union, negotiating and putting together agreements with harmony, trying to get it through, and then it was great to get on the other side, on the management side, and saying, all right, we know this side pretty good, we know the other side. You know, you’re sitting there thinking, when you talk about strategies, you’re sitting there thinking we know what they’re going to talk about, we know what they’re going to want. That’s where the experience comes in, Madam Speaker. They already knew that I had the experience from being on the other side and that we knew what was going to come forward. We knew what was going to get brought forward because we knew the items that were hot items, that are always of great interest to anyone in bargaining.

There are labour laws that say, and you can pick up multiple collective agreements and it doesn’t matter which it is, it will point out all the standard labour practices that are

generally included in any, and we always get down to the same thing. You negotiate and negotiate and it goes on and it gets stalled and for whatever reason it takes - sometimes I've been part of agreements that have taken over a year to negotiate, but at the end of the day it got passed, it got done, and I think it's probably a good thing that it took time because you do need to give it the time that it needs. You need to go back to your membership and you need to talk to your membership. A lot of time I was always of the opinion and felt that it didn't happen, it was more about the people at the table who were negotiating. Yes, they negotiate on your behalf, you've empowered them to do that. You've elected them as stewards. You've got a business person from the union who does that on your behalf, but not always do you feel, as an employee or a bargaining unit employee in the union, that you're fully represented because your opinion may vary from theirs. That's just human nature. We know that that happens. We know that not 100 per cent, it would be very rare if there were 100 per cent of the people ever when presenting the contract who would go, yes, that sounds good, thanks very much, we're going to take that.

I'm not aware of anywhere that has happened, that's fair process, that's fine, all the more reason you don't go in and rush through something and say, bang, there you go and in this case, with first contract arbitration, that's what you'd have. You would go, here's your contract, there it is, thanks very much, it doesn't matter whether you like it or you don't, here it is. Instead of taking the time working harmoniously with the employer, and believe me, that can sometimes be difficult. I would have argued in those days back, in my early days in EMS when I worked for a particular company that although we had respect for our employer, it was difficult. In thinking back over those years, it was difficult for them probably too. There wasn't big money in that operation.

Today we're into \$100 million-plus and maybe the Minister of Health and Wellness would know the number right off the top of her head about what the emergency health services budget is for this province. In those days, believe it or not, it was near \$14 million. We are a long, long, long, long way past \$14 million today. Again, we had one of the very best anywhere in the world, there's no doubting that and we take great pride in that. I can tell you that I am proud to have been part of that organization, to have been part of negotiating some of those contracts both on the labour side and on the management side. It is a great experience that you can only get from being there. What I'm getting at here is there was value in that because you took the time to go through it, you took the time that it needed and you went through all of the issues.

Anyone who has ever sat at the table and negotiated a contract - and I'm sure there are people in here who have probably been in that position. At least I'd think there would be, whether you were a teacher or whatever, it doesn't matter what industry you came from. If you were in a unionized environment, Madam Speaker, you would have some experience, in all likelihood, at how negotiations go. You come together and you sit and say, what are all the things that matter to us? In the beginning, there's a great big long list and then you soon start adding all the standard clauses that would be in a contract and



there's a lot of them, there really is quite a few of them, hence the reason some of them are pretty thick.

I think our first contract was something like 10 or 11 pages long and it was like this and it probably had bigger print and it wasn't on both sides, that was our first contract. We learned from that, of course, you know that's your first time through and you try to get better and you're always adding to try to make life a little better, you're looking for that extra benefit, you're looking for the extra dollar. Having been there, on both sides of that - and anyone here who has been there would know - it's the last thing in the world that you ever want to rush. In my opinion, having been on both sides of this, the last thing that you would ever want to do in a very new contract, after a group that has just organized who have never been there before, who have never been part of a union ever before, here they are. They're in, they're not shocked, but they're going all right, we're feeling pretty good, maybe we've got some strength, we're going to get something going our way, but we don't know what that is, what is our way? You are just going to be told, here you go, bang and it doesn't matter who likes it or who doesn't, that's the unfortunate part about it.

I strongly believe in the collective bargaining process. I have no problem with the door being open and someone walking in and saying hey, I'm so and so and I'm with the brotherhood of this, or the sisterhood of that, or a union, or an association, all of those things are important. That is democracy in this country, that's what we celebrated not too long ago here, a week or so ago, Remembrance Day, that's what those fine people fought for was that democracy. They fought for the right to be able to stand up and say, I don't mind, I'll take part in a union, I want to hear what they have to say. They fought for the right to negotiate that contract, that's the freedom to do that, not to have something shoved down your throat, that's not what they fought for, they fought for democracy.

This bill moves away from democracy, in my opinion and in others, you've heard them speak in the last few days on it, you'll hear them speak more, as I've said, we have a long way to go yet. But it is important, to remember, that the union has a role, nobody is disagreeing with that, but there is a free and democratic process called negotiations that must be allowed to take place, you can't not have that. You have to have people sit down, you have to have ideas brought forward and it's not just about the hourly wage, that's a huge part of it, the finance piece is always the big part, it's the clincher, it's the one that takes you long hours and days and weeks, months sometimes to get through.

The first ones, to me, are probably the most vital. They are the ones that you have to take your time on, you can't rush them. There are many small business owners, who right now, are a bit fearful of where this might take us. We're hearing from them, we know that the government may not be able to pass that off and say, no, that's not going to have any impact but sometimes when you're putting a bill through and you want to be right, and you believe that you're right and that's your philosophy in life, you think that's okay.

But there are an awful lot - I mentioned a few minutes ago, that the CFIB represents 5,200 members and they don't represent them all. There are thousands of small businesses that are not part of the CFIB. I know that they are working to get under that fold and to become part of that and to be well represented. Then there are other people out there, just individuals, who are small business owners who might own a music store, for example, who might say, I have three or four employees, we're not busy, times are tough, we're going to have to let one or two go. Now, we heard from people in the past, when minimum wage went up, there was a great argument then, small business owners, although they believe in their employees and they wanted to be able to pay good wages, sometimes they didn't have the ways to be able to pay good wages.

What we have seen, unfortunately, although I support very much good wages being paid in this province because as I mentioned a few minutes ago, when I started this debate, that I came from a world where wages were next to nothing. Madam Speaker, we all know what it takes to live these days with the increased cost of everything.

I talked to these small business folks, I ran into a guy this morning on my way here and I was chatting with him for a few minutes and he wasn't even aware, he asked me what's on for today, I said I'm heading to Halifax. He said, what are the big issues, and I said to the Opposition and to our Party and to myself, it's Bill No. 102. Well, what's that? Of course, he didn't even know, in all fairness, he didn't know. He's one of these guys who's a busy guy, he's in the TV business of all things, if you can imagine; he works for EastLink. What's that mean? You tell him a bit about how we perceive it and here's where you can get the bill, read it for yourself, trying to be fair and someone would say, oh no, no, you're just giving him your side. No, not at all, we want you to make a judgment because that's what the people who have written us, and who have called us and have e-mailed us or have run into us on the street or have talked to us in Tim Hortons or talked to us in the businesses that we visit - we said, read it for yourself, understand it, what does it mean to you? Some may say it doesn't mean anything. We've heard from an awful lot who say, it means a lot to us.

What will it mean? The scary part is, is they don't know what it means because they feel they're not going to have an opportunity to negotiate a contract. If, in fact, this drives small business into more organized businesses such as being represented by unions, Madam Speaker. Now there's nobody right now that's going to jump up over on the other side, I'm sure, and say that, okay, we're putting this bill forward in the hopes of unionizing every business in the province. I don't think there is anybody over there that's going to stand up and say that and I'm not going to stand here and say it either because I'm not sure that that's the intent. But what the intent is going to have happen is, people are going to look at this . . .

AN HON. MEMBER: We've got legislation for that now, that can happen now.

MR. PORTER: That can happen now, the member is right, you can unionize. I spoke to that if you were listening to my debate a few minutes ago in my comments, you would know that we decided that on our own in those days because we felt we needed to do that.

MADAM SPEAKER: Order, please. I just want to remind the member to speak to the Speaker as opposed to the members on the opposite side of the floor, Thank you.

The honourable member for Hants West.

MR. PORTER: Thank you Madam Speaker, and I appreciate that little reminder to just keep me on my toes, that's just fine, thank you, I appreciate that. But we did speak to, Madam Speaker, we did organize ourselves, we got our own group together because we felt we needed to, there was no choice and I would argue, even today, that that is why we are, those fine ladies and gentlemen that are working in the streets today as paramedics are where they are. The good people working at communications are where they are. They are represented, they've had strong representation and I'm sure every employer - I know that my former employer wasn't the most excited when we signed union cards, he was mad. There is no question because he saw the end of the line for him. He saw we were going to break him, that we wanted to take everything he had. Well, believe me, Madam Speaker, there wasn't much to take, there wasn't much to take at all, but we felt that we could be treated a little better. We felt that we could at least be given a pair of boots and maybe a pair of pants, maybe an extra dollar an hour on our pay but that didn't come for an awful long time.

But it was because we negotiated and we did it in good faith. Some would argue that they didn't do it in good faith, but we did it in good faith, and we did end up, years down the road, after multiple contracts, after a new ownership came along. I often said, I'm by no means a Liberal, but I often said through the mid-90s when the Liberals were in government in this province, there was a gentleman who was a minister at the time, who saw fit to take us where we are today. If it hadn't been for Mr. Stewart, if it hadn't been for Ron Stewart, I daresay the governments that came afterward, and that will come afterward, and the people of this province would not be very well served by that particular legislation and changes and allowing this system to be brought into the 21<sup>st</sup> Century - in those days, the 20<sup>th</sup> Century - where it needed to be because we were behind. We were way behind.

But unions have helped form and shape that. We don't disagree with that. Again, I was a long-time union person, I don't disagree with that. What I do disagree with is the pretense of this bill that says you're going to tell me what I'm going to get, right away. I have no option. I want to be able to sit down at that table and I want to be able to say what do we have today and I want to be able to say, where do I want to be tomorrow and where do I want to be next year and where do I want to be in five years, in 10 years, as my family grows, life changes and the cost of everything goes up, including electricity and you name it, taxes continue to rise, governments come, governments go. We know what happens.

You never know what's going to happen. But one thing, through a fair, open and transparent negotiation in good faith, the patience of time will allow you to have the majority of that membership who are union members say, yeah, we can accept that because this is a good deal for us.

We've seen some pretty significant deals that are important to mention here, deals like the police officers, are really good - I believe a 10-year contract. There may be some other examples. I'm not sure of HRM Fire - how long their contract is, but there is some history of long-term negotiated contracts. Where would you be if you were forming a pretty significant operation with a lot of people? These people obviously employ hundreds of people, but there is a lot of other industry in this province that employs hundreds of people. We want to bring more of that here. How do you incent them by saying, great, we'd love to have you come in and we'd love to have you set up and as soon as you can put 200, 300, 50 people - I don't care if you're putting one person to work. Those are all important jobs in this province, whether they're in Cape Breton or in Preston or in Windsor, Yarmouth, Shelburne, or anywhere in this province, every single job matters today in this province. They're all important.

Which one of those employers, though, wants to open up a business - I keep thinking about the spinoff and the opportunity from the Ships Start Here. Thankfully, they are going to start here. We hear an awful lot about this and it's going to be - what business can I get into where I might be able to do pretty good as a business owner? I can employ some people, maybe there's some government incentive somewhere down the road where there's a federal program or a provincial program or whatever it might be, it doesn't matter.

Or, maybe there's just a real good opportunity because the time is right; there's \$25 billion and everybody wants a piece of it, that's great too. What if I want to be a contractor and I want to build houses in Hants County? We're an hour outside in that circle. Not everybody's going to want to live in downtown Halifax, we know that. I can tell you there are a number of people moving out of the HRM, moving to Falmouth, Three Mile Plains, Martock, moving all over. (Interruption) Because of taxes, there's no question. All of those things matter.

Why? Because it's a pocketbook issue. What have we been seeing? Governments like to put their hand in your pocket and if you have a few cents left, they want that too. That's what they want. You need to do better. We need to do way better than where we are today.

If I wanted to set up a business, I'm going to build houses out there. Great, because there is probably going to be a demand, we're hopeful there's going to be a demand, we want a little piece of the \$25 billion. I can offer maybe 50, 25, whatever the number is, employees an opportunity for multi-years of work, whether it's building new houses, fixing old houses, the reconstruction, laying floors, putting in new windows, because over

time we know there are programs, which are great programs, to replace such things. That's all good.

Who's going to want to start that up and think okay, I'm going to put 25, 30, 50 people into a position, a job and then maybe there's a risk? What's the risk? The risk is you could unionize. That wasn't a risk before, because now the employer isn't going to have the opportunity that he or she needs or they need in the long term to sit down and negotiate over time, in good faith, an agreement that will be of value, not just to the employee but to the employer. If we don't have some value going to that employer, they're not going to be here. There's no reason to be here. They are not going to work their whole life for nothing - that's not right either. We, as employees, don't want to work every day for nothing. We want to work, we want this, and we want that. Well, that's okay, that's human nature.

Business people have needs too. They have families, they have expenses, whether it is shops or trucks or hammers and nails - whatever it is, there are expenses. We have to realize that that negotiation is vitally important. You can't walk away and introduce something that doesn't allow for fair, open, and transparent negotiation when it comes to the labour workforce.

Now, for whatever reason, somebody has decided in their infinite wisdom, oh yes, we can do that in Nova Scotia, that's okay, it doesn't matter. We've got a lot of documentation - I haven't even got a chance to touch on part of it, and I haven't even had a chance to look at my notes, unfortunately, Madam Speaker. That's okay, though, because I know I'm going to have another opportunity as we move forward. There are going to be a lot of opportunities for other members to talk.

I'm hopeful, and what I'd really like to see is that the government has a solid, well-founded, consultative process where they want to stand and talk for an hour or a couple of hours. We've got nothing but time, because this is a bill that needs to get through in full. It needs to be discussed; it needs to be debated. If there is an opinion they want offered, great, we're open to hearing it, just like they are listening to ours right now. But they are not in it, it's not really debate - I guess it's sort of a one-sided debate, unfortunately.

Again, how is that good for anyone here? How is that good for Nova Scotians? It is not good for Nova Scotians. This bill is the wrong direction at the wrong time. The free, fair, open, democratic society that has been in place through negotiations of past days has worked fine for years and years. It is fair to both sides. We come out with numbers that are generally high when there is an agreement.

Yes, it takes time, but time is okay. Time gives you time for the second, sober thought and not to be too anxious, not to do something that is going to hurt the employer or the employee. Don't cripple something before it even gets underway. Don't cripple things

that have been in place for years. Give it the time that it needs. That's all that people are asking.

I guess looking at the time - how much time do I have left, Madam Speaker?

MADAM SPEAKER: You have 18 minutes.

MR. PORTER: Oh, I've got lots of time yet. Thank you, Madam Speaker. I know it's getting late . . .

MADAM SPEAKER: I'm sorry, no, 13 minutes.

MR. PORTER: Thirteen minutes, thank you. I'll just go a couple more minutes, Madam Speaker, and then perhaps adjourn debate for the afternoon and look forward to picking it up on Thursday.

Madam Speaker, as I've said, we've had numerous letters come in, people expressing their unhappiness about how that Labour Management Review Committee has operated, how it has not been inclusive. Now, this is a now-government who sat on the Opposition, and we heard the word "inclusive." We heard about fairness and we heard any number of those words - and "democratic" - that you can imagine.

It's not that far to walk across that floor, but a lot changes when you get over there, it seems. Promises are made; promises aren't kept. No taxes increased; taxes up. We want you to come and work, but yet we're saying we're going to make it more difficult. It doesn't seem fair to me.

I'll end just quickly today with the words that I know they don't want to hear, and that is that this is not fair to Nova Scotians. This is the wrong legislation. I hope that when this gets over to the Law Amendments Committee - and I know that it will at some point - we have a lot of people coming in, the people who are contacting us. I hope they stand up and they say, this is why, it's not just the Tories, it's not just the Libs in the Opposition who are here talking about why this isn't good for the business community. It's not just us rambling on for hours after hours. We're trying to get their points across, because that's what we are doing. We are doing more than rambling. We are here on their behalf, those are the people we represent.

I look forward to coming back on Thursday, our next day, and picking this up and having much more discussion and hearing others. Given the hour of the day today, I will move to adjourn debate, Madam Speaker, and thank you very much.

MADAM SPEAKER: The motion is to 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 ends the government's business for today. I move that the House do now rise to sit from the hours of 2:00 p.m. until 6:00 p.m. tomorrow which will be Opposition business. So I will now hand it over to the Acting Official Opposition House Leader.

MADAM SPEAKER: The honourable Acting Official Opposition House Leader.

HON. KEITH COLWELL: Madam Speaker, our business tomorrow will be Resolution No. 2389 and Resolution No. 2245.

I move that the House do now rise to sit tomorrow.

MADAM SPEAKER: The motion is that we do now rise to meet again tomorrow, November 23<sup>rd</sup>, between the hours of 2:00 p.m. and 6:00 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 have now reached the moment of interruption. The resolution as read earlier today and put forward by the honourable member for Cape Breton West reads:

“Therefore be it resolved that all members of this House of Assembly require the Minister of Finance to take leadership on this important issue and find an immediate resolution to the Auditor General's concerns.”

## **ADJOURNMENT**

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

MADAM SPEAKER: The honourable member for Inverness.

**AUDITOR GEN. – CONCERNS: FIN. MIN. – RESOLVE**

MR. ALLAN MACMASTER: Madam Speaker, this resolution has called upon the members of this House to require the Minister of Finance to take leadership on this important issue and find an immediate resolution to the Auditor General's concerns. Last week, as part of the Auditor General's Report, we learned that the Auditor General was prevented from doing his work, from their office doing their work, at the Canada-Nova Scotia Offshore Petroleum Board. More disturbing than that, we learned that the Minister of Finance wasn't going to do anything about it. It appears the Minister of Finance does not trust the Auditor General and if we look at what was said, and I can certainly table this, it comes from the Auditor General's most recent report dated November 2011, on Page 63, and it says in the department's response, "... the uncertainty revolves around whether your offices are authorized to exercise discretion in maintaining the confidentiality of certain operator information once in . . ." the Auditor General's hands.

So it's essentially saying that the minister doesn't trust, because that's the minister's department, that the minister does not trust the Auditor General with the safety of that information. Now, the Auditor General last week, told reporters that, "I must report with disappointment that one agency of government - the Canada-Nova Scotia Offshore Petroleum Board - denied us access to information we needed to conduct an audit of that federal-provincial body. That denial came at the instruction of the operators of Nova Scotia's offshore gas developments, ExxonMobil and Encana. It places the Board in contravention of the Nova Scotia Auditor General Act. More to the point, it is contrary to the principles of open and transparent government - principles I believe to be fundamental tenets of good government."

The Auditor General said, "We are unable to provide assurance to the legislature or the people of Nova Scotia that the Board is properly meeting its regulatory responsibilities - to ensure offshore activities are conducted safely, with due regard for the environment and protecting the interests of the public, the ultimate owners of the resource." So the Auditor General said "We believe the exercise of these responsibilities should be open and transparent. It is not."

So those are pretty firm words from the Auditor General and the Auditor General also said, and I'm quoting an awful lot here, Madam Speaker, but it's all relevant and it starts out, "What is relevant is that we did not conduct the audit because the Board refused . . ." that being the Canada-Nova Scotia Offshore Petroleum Board, "... to provide a large part of the information we requested, unless we agreed not to disclose it without permission from the operators. They feel they can legally do this. I do not agree. As a matter of principle, I will not conduct an audit in which the subject of the audit is able to dictate what I can disclose in my report."

So, Madam Speaker, in Opposition, our Minister of Finance lectured government, day in and day out about the importance of transparency but in this case he suggests the



best remedy is for the parties involved to go to the Supreme Court of Nova Scotia. I believe the best remedy here would be for the Minister of Finance to show some leadership and use his authority as minister and start acting in the public's interest. The minister said in Question Period recently, that it is in the public interest that that mechanism, being the Supreme Court, should now be used so that this dispute can be resolved as quickly as possible. That means going to court. Anybody with a passing knowledge of the court system knows that going to court is certainly not the fastest way to resolve an issue.

The Auditor General later said the minister is wrong. In fact he said that he talked to the minister about this issue and thought he would know better than to suggest court as a remedy. Madam Speaker, those aren't my words, those are the words of our trusted Auditor General, the individual and the office in this province that looks out to ensure that government is operating as it should be and that the dollars of taxpayers are being spent wisely.

So the Minister of Finance spent many years on the Opposition benches on this side of the House and he often believed he knew better than everyone else about how government should work. Now that he sits on the other side of the House, it appears he thinks the government should shrug off its responsibilities and he believes the best remedy in this situation is for the parties to go to court.

Madam Speaker, this is very important, this whole issue of the Auditor General being able to audit the Canada-Nova Scotia Offshore Petroleum Board, because that board is responsible for three important things: our environment, the safety of people working in the oil and gas industry, and royalties. Now we've seen incidents around the world of oil and gas activity causing environmental damage. Accidents happen, but you know, Madam Speaker, we have to do our best to ensure that accidents don't happen.

Some people would say that accidents don't happen, that it's always the result of some kind of happening that could have been prevented. I will say, in this Legislature, that it is government's responsibility to do its best to take an active role. If we're doing that active role through the Canada-Nova Scotia Offshore Petroleum Board, then why not have the Auditor General go in there and have a look, to make sure that the board is looking after our environment when it comes to oil and gas development in this province.

The second thing this board looks after is the safety of workers. I don't think we need to debate that. The safety of workers is obviously important and if the industry - I know the industry would have a lot of good practices already because most businesses in the oil and gas industry recognize the importance of having safe workplaces because they need a good, productive workforce and they don't need incidents of people getting hurt, to tarnish the reputation of the industry and, of course, for the obvious reason that they don't want to see their workers getting hurt.

Madam Speaker, the third item that this board is responsible for, and why we believe that the Auditor General should be able to review the board, practices of the board, and the reason why we believe the Minister of Finance should facilitate the Auditor General in being able to do that, is royalties. Without the Auditor General's audit, how do we know if the production and royalty reports that come to government from the oil and gas industry are actually accurate? Who is doing a back-check?

It's quite possible that the Canada-Nova Scotia Offshore Petroleum Board is doing an excellent job; however, that needs to be verified. That's the Auditor General's job. The Auditor General wants to do his job but the Minister of Finance will not facilitate that.

Madam Speaker, those royalties have - I know it sounds like a small number - but I know those royalties in the past have represented about 2 per cent of the province's revenue. We talk about balancing budgets and we talk about a government that is raising taxes, HST being one notable, to increase revenues, well royalties from our oil and gas are a significant component of revenues for the province. Why isn't the Minister of Finance making sure that we're getting our fair shake?

Madam Speaker, how much time do I have left?

MADAM SPEAKER: About a minute.

MR. MACMASTER: Okay, I'm going to have to move ahead a little bit here. So I think, to wind down, we believe the Auditor General is correct and that the Minister of Finance should change his position on this matter. How can the minister stand with the Auditor General when he says things that he agrees with but stand against the Auditor General if something comes about, like this situation where the minister disagrees with the Auditor General.

It is wrong to stand on the sidelines and wait to see what a court will direct. This is not a theoretical argument. The Offshore Petroleum Board regulates health and safety of our workers, protects our environment, and of course, looks to make sure our royalty rates that the province is getting are accurate, that we're getting our fair share from the industry. It is in the public's best interest to know that these functions are being performed adequately. If they are not, if an action is not being taken to protect the environment or the petroleum resource stakes that we deserve, then the Auditor General can - I think I'll wrap it up by saying that our caucus is urging the Minister of Finance to take action and play a leadership role to ensure the resolution of this dispute between the Auditor General and the Offshore Petroleum Board. Thank you.

MADAM SPEAKER: The honourable member for Halifax Chebucto.

MR. HOWARD EPSTEIN: Thank you. This entire issue is a discussion for lawyers. We can have the discussion here, and to a certain extent we will, but really it

should take place in the courts. The courts are the best place to resolve all of the issues that have been identified in this motion and have been identified in other discussions that have been associated with the issue.

There is an ambiguity in the resolution that has been put forward that has not been resolved by the comments of the previous speaker. The resolution says that the Minister of Finance shall “take leadership on this important issue.” There are two possible interpretations of that resolution. One is an active interpretation and the other is a passive interpretation.

The active interpretation would be that somehow the Minister of Finance has authority to resolve this issue; somehow the Minister of Finance has powers over either the CNSOPB or the Auditor General or both of them. I assure the honourable members that this is not the case. In no respect does the Minister of Finance have any powers with respect to this CNSOPB, and in no respect, by any means, does the Minister of Finance have any powers or any authority with respect to the Auditor General. Members will know that the Auditor General is an independent, arm’s-length functionary.

Under Section 3 of the Auditor General Act, the Auditor General is an officer of the House of Assembly. He’s not a member of the government staff and he is not a member of the Minister of Finance’s staff. The Minister of Finance has no authority, nor does any individual member of this House have any authority, to tell the Auditor General to do anything. It’s entirely up to the Auditor General to decide what powers he exercises within the confines of the powers granted to him by his Statute. He gets to decide who he audits, if it’s an auditable entity. All of those powers are there to maintain his independence, which is something that we all agree upon, but the Minister of Finance has no powers at all to order the Auditor General to do anything or to think anything or to resolve any issue. That’s the active interpretation of the resolution.

If the passive interpretation of the resolution is what’s intended - that is to say, that the Minister of Finance should make useful and helpful suggestions to the Auditor General, then in fact the Minister of Finance has already done that. The Minister of Finance has stood in this House during Question Period and said several times that what should happen is that the CNSOPB and the Auditor General, in the public interest, should get together and resolve their differences on this point of access to information. He has said further that there are abundant powers inside the Auditor General Act that allow this matter to be resolved. He has urged the Auditor General to use those powers. Therefore, the Minister of Finance, on the passive interpretation of this resolution, has done exactly what it is that this resolution asks him to do. He has made useful suggestions.

Let’s remind ourselves of exactly what it is that has occurred to lead us to this point. The Auditor General has power to audit any auditable entities. The CNSOPB is certainly one of those entities. He tried to do a full audit of the CNSOPB, but he was not given full access to documents. The reason was that the CNSOPB decided that Freedom of

Information and Protection of Privacy legislation apparently applied. They referred to what they called third-party privileged information, and therefore they did not allow the Auditor General to have full access to the documents that the Auditor General was interested in seeing. As a result of this the Auditor General abandoned his audit and reported this in his interim November report - a very straightforward history. However, the question then becomes, what might be available to the Auditor General in these circumstances when he finds himself to be frustrated in his access to documents?

This dilemma has been anticipated by the specific terms of the Auditor General Act and provisions have been very wisely made in the legislation that tell us what it is that can be done to resolve this issue. I recall specifically that in Question Period the Minister of Finance directed the attention of members of this House, and of the Auditor General, to the specifics of Section 14 of the Auditor General Act. What he said there was he quoted the section that said that:

“(6) Where the Auditor General and the auditable entity are unable to agree as to what records are privileged records, either party may make an application to the Supreme Court to determine the matter.”

That’s clear, but you know what, it turns out that that isn’t the only power that the Auditor General actually has in the Act to deal with access to information from an auditable entity.

If one goes back earlier in the Statute and looks at Section 11, Section 12 and Section 13, one will find that the Auditor General has the powers of a judge of the Supreme Court to require any staff of the auditable entity to bring documents to him. In other words, he basically can issue subpoenas on his own, something known as a *subpoena duces tecum*, come personally and bring your documents with you because we want to see it. That’s a plenary power, that’s an amazing kind of power, but the Auditor General has it because as I said this legislation anticipated the possibility that there might be difficulties on the part of an auditable entity.

Furthermore, he can “. . . require any person to provide evidence, testimony or information under oath or provide documents respecting the matter under question and may issue a notice requiring such attendance or evidence.” Again, it can go to court in order to commit the witness for contempt, if that in fact is a problem. There are abundant remedies available to the Auditor General when this kind of dispute is encountered. In fact, as I read the documents that the Auditor General supplied, he was frustrated in his opportunity to have access to the documents back in September and his report didn’t come out, as we know, until last week or so. There were two months there in which the Auditor General might well have exercised those powers: For whatever reason the Auditor General has chosen not to exercise those powers and the only indication that we have as to why that is, is that the Auditor General seems to think that it would be expensive and protracted to have a fight in court about his legal powers.

Well, I have to make the following observation, because the Auditor General has these powers - there are monies in his budget that would allow him to do this, and I should point out for all the members here and for the Auditor General, that such disputes don't have to be protracted. There are two kinds of litigation, broadly speaking, that go to court, one is what's called an action and one is what's called an application. An action is where the facts are in dispute and where there might be a long trial, and the veracity of witnesses has to be assessed by a judge, and there's back and forth, and there's discovery and it goes on and that can be long and protracted.

But that isn't this kind of issue; the kind of issue that the Auditor General is dealing with is what's called an application. In an application, the essence of the question is not a dispute about facts, but a dispute about a point of law, the facts are not generally questioned, and here that's exactly what we're looking at. People don't dispute what the facts are, the Auditor General wanted the documents, the CNSOPB said no and the issue revolves around, just as I said at the beginning, a point of law that's good for discussion by the lawyers, but should be resolved by the judges. This is exactly what should happen, there should be affidavits filed in court and the judge will decide the point of law. It's a very simple and straightforward process, not expensive, not protracted. It's exactly the kind of thing that the legislation anticipated and it's exactly the kind of thing that the remedies of the Statute have addressed.

What I think can be said about tonight's motion is that it is simply misconceived. If it is based on the idea that the Minister of Finance has authority over the Auditor General, it is simply mistaken. If it seeks the Minister of Finance giving good advice to the Auditor General, that has happened.

Thank you very much, Madam Speaker.

MADAM SPEAKER: The honourable member for Preston.

HON. KEITH COLWELL: Madam Speaker, it's quite an interesting topic and I appreciate the two previous speakers and their views on this. It's one that I've witnessed before when this government was in Opposition, actually, by the Finance Minister. I remember in one committee where I was Chairman, the Economic Development Committee, there was a big issue with whether the Deputy Minister of Finance should provide information to the committee. Indeed, we went through a long, protracted system to try to come up with a solution for that and, at the end of the day, we didn't get it. The now-Minister of Finance was very upset about that, and rightfully so. I was also very upset about it.

Since then the Auditor General was also refused the right to acquire certain information that he required for doing audits in the process. So when this government came to be, they decided, as I'm sure that anybody else who might have been elected would have amended the Auditor General Act to allow the Auditor General to have more power to

actually audit the books of the province, just to absolutely ensure that the information that the departments or staff or the minister's office were providing, whatever it might be - or a Crown Corporation might be providing - is accurate, and indeed, that the money they are allotted by the budget here in the province and the money they have to operate is well spent. Not only that, but also that the departments are well managed and the safety of Nova Scotians is not at risk.

I believe our Auditor General does a good job of that. There is always some debate when the time comes, whether a department believes the Auditor General or agrees with what the Auditor General has done or is saying about their department and what is going on.

Fortunately, we have an audit system, and unfortunately, in this case, the same Finance Minister who was so adamant about having full disclosure to the Auditor General didn't have enough faith in the Minister of Natural Resources, also the Minister of Energy, to answer questions in this House. He didn't have enough faith in one of his own ministers, who this Canada-Nova Scotia Offshore Petroleum Board is under. That's the person who should answer the questions on this.

Indeed, it appeared from here, from where I'm sitting across the floor, that the Finance Minister basically said to him, I'll handle these questions; I can capably handle these questions. He made it look like he didn't feel that the Minister of Natural Resources had the ability to answer the questions.

Now, I would assume that the minister did, it's his responsibility to do this. Indeed, the people in his department, in response to the Auditor General, indicated that indeed this could be resolved without going to court.

My honourable colleague from the NDP who just spoke indicated that this wouldn't be too expensive. Probably not - maybe it would be, maybe very, very expensive. You are dealing with oil companies here that have, as compared to Nova Scotia, unlimited resources. We don't have resources. It would be better if we spent our money on job creation and to help the serious problem we have of the 12,500 people who have lost their jobs in Nova Scotia since this NDP Government made this "better deal" for today's families.

It would be better if the government would come back and make an amendment to the Act, if indeed that's what they do - and we would agree with that, I'm sure, and I'm sure that the Third Party would as well - to ensure that the Auditor General has the power that he needs to audit this particular board.

I can also understand some of the issues that the Canada-Nova Scotia Offshore Petroleum Board may have with sensitive information that is there, but I'm sure that with the right kind of an agreement with the Auditor General that could be addressed when it is

in the interest of the province to do that. But again, you know, the solution is to go to court - go to court. Well, hopefully, not everybody in this province has gone to court but, I can tell you, I've been to court a few times and it's extremely expensive. The outcome is never sure; you're never sure of the outcome. It doesn't matter what happens, you could have a rock-solid case it appears, and at the end of the day your case isn't that good, or the judge feels it isn't that good - that's really what the case is, the judge doesn't feel it's that good, and you lose. So you've lost all kinds of time, money, effort, and everything that goes with that.

We don't need to be going to court in this province if we can avoid it, because this is simply an amendment to the bill to give the Auditor General the responsibility and authority to do that and, if that's the case, that's what we should do. Now, we would have to seek advice from the legal counsel in the province to see if that can be done, but I'm sure it can be.

So the point comes down to we have a Minister of Finance who says go to court, go to court. That's his answer right away, go to court, and that sounds okay sometimes, but why spend taxpayers' money when the same Minister of Finance who, when he was in Opposition, was saying the Auditor General should have all these rights. There seems to be a paradox here, that things have changed from when that honourable member became Finance Minister than when he was in Opposition. This is a continuous trend. It made me realize, now that he's in government, there's a whole different reality being in government than there is in Opposition and you're promising everything under the sun and not being able to deliver it, and again, the same as the deal - a better deal for today's families that was promised by this government.

I don't know if it was a better deal or not, but it sure doesn't seem like it. As more and more people are unemployed in this province, I think they're starting to realize that it's not a better deal for them and, as time goes on, I think that situation is going to get worse as taxes increase and all the other costs increase. So, when you come back to this, and you look at the answer that this government has - go to the Supreme Court, fight it out in the Supreme Court - it sounds simple, it sounds easy, but who's paying the bill? The taxpayers of this province, we're already paying way too many taxes in this province, way too many. We're not competitive here anymore. We're not to a point in this province that we can attract business and it's showing in the numbers - it's actually showing in the numbers now.

When you look at it, we had the worst Gross Domestic Product improvement in this province in the whole country. Our taxes are the highest in Canada and that means they're the highest in North America - the highest in North America. Why would someone want to come here and set a business up and operate in Nova Scotia? I know it is a beautiful place to live. We've got really hard-working people; we've got very dedicated people, but all those people are getting smart and they're deciding not to live in Nova Scotia because of the high taxes. Then the minister comes along and says, well, let's go to court, spend more

money. We can spend more money; we've got all kinds of money. At the same time we don't have enough money to fix our roads; we don't have enough money to do all the things we need in Education; and we don't have the money to do anything that we really need to do.

Then if we spend a lot of money going to court, it could be \$5,000, it could be \$100,000, it could be \$0.5 million - who knows? When you go to court you're up against some pretty strong people when you take these oil companies on, and I can tell you they have the financial resources and they have the best lawyers in the world who can fight this and work on this if they figure it's a strong enough case. They would use every legal trick in the book to ensure that, indeed, this dragged on for a long, long time. If anyone says, oh, yes, it's really simple, it's not expensive, well, I think as this would unfold it would be very expensive and the Minister of Finance and this government might decide at that point they made a huge mistake and better put legislation in place.

I'm not sure if the legislation would overrule a court case or not - it probably wouldn't, once it's agreed on. Who knows? We would have to check with people in the legal field to see if that's, indeed, the case.

Anyway, no matter how this is done, the Auditor General should have the right to audit any organization that the province puts money into. It's that simple. There's no other way to describe it. It's just simply that important that happens. If that doesn't happen and the answer we get from the Minister of Finance, who doesn't have any faith at all in his Minister of Natural Resources, also the Minister of Energy, to answer questions - none - how can we expect to have any kind of a process in place that will be fair to Nova Scotians? I don't think there is.

Unfortunately, we're in a deadlock that we should not be in. The Auditor General should have the right to do this automatically and, indeed, if we need to change the law, we need to change it and we need to do it now. Thank you very much.

MADAM SPEAKER: The time allotted for late debate has elapsed. I want to thank all members for participating in tonight's debate.

We stand adjourned until tomorrow at 2:00 p.m.

[The House rose at 6:20 p.m.]



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**NOTICES OF MOTION UNDER RULE 32(3)****RESOLUTION NO. 2435**

By: Hon. Karen Casey (Colchester North)

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

Whereas the Good Neighbours Seniors Club in Truro has members from various areas of Colchester County; and

Whereas members are volunteers who knit, bake, set tables, fundraise, belong to church groups, make quilts, and do everything they can to help keep their communities alive and better places to live; and

Whereas in September 2011, 14 members of the Good Neighbours Seniors Club were presented with appreciation awards for their long-standing commitments;

Therefore be it resolved that all members of this House of Assembly congratulate appreciation award recipient Mildred Mingo, of Tatamagouche, Colchester North.

**RESOLUTION NO. 2436**

By: Hon. Karen Casey (Colchester North)

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

Whereas the Good Neighbours Seniors Club in Truro has members from various areas of Colchester County; and

Whereas members are volunteers who knit, bake, set tables, fundraise, belong to church groups, make quilts, and do everything they can to help keep their communities alive and better places to live; and

Whereas in September 2011, 14 members of the Good Neighbours Seniors Club were presented with appreciation awards for their long-standing commitments;

Therefore be it resolved that all members of this House of Assembly congratulate appreciation award recipient Verna Cameron, of Tatamagouche, Colchester North.

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**RESOLUTION NO. 2437**

By: Hon. Karen Casey (Colchester North)

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

Whereas the Good Neighbours Seniors Club in Truro has members from various areas of Colchester County; and

Whereas members are volunteers who knit, bake, set tables, fundraise, belong to church groups, make quilts and do everything they can to help keep their communities alive and better places to live; and

Whereas in September 2011, 14 members of the Good Neighbours Seniors Club were presented with appreciation awards for their long-standing commitments;

Therefore be it resolved that all members of this House of Assembly congratulate appreciation award recipient Arthur Chisholm, of Great Village, Colchester North.