



House of Assembly  
Nova Scotia

DEBATES AND PROCEEDINGS

Speaker: Honourable Gordon Gosse

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Third Session

THURSDAY, DECEMBER 1, 2011

TABLE OF CONTENTS	PAGE
<b>SPEAKER'S RULING:</b>	
Gov't. Curtailment of Debate at Law Amendments Committee (Point of Privilege by Hon. Manning MacDonald [Hansard p.4616, 11/30/11]) Situation underpinning the Point of privilege did not come to pass; no prima facie case of breach of privilege .....	4649
<b>GOVERNMENT NOTICES OF MOTION:</b>	
Res. 2658, HIV/AIDS Awareness Wk. (11/24 - 11/30/11)/ World AIDS Day (12/01/11) - Recognize, Hon. Maureen MacDonald .....	4651
Vote - Affirmative.....	4652
Res. 2659, Duke of Edinburgh's Award: Vols. - Thank, Hon. R. Jennex.....	4652
Vote - Affirmative.....	4653
Res. 2660, N.S. Int'l. Student Prog.: Students - Welcome, Hon. R. Jennex.....	4654
Vote - Affirmative.....	4654

INTRODUCTION OF BILLS:

No. 123, Correctional Services Act,  
Hon. R. Landry .....4654  
No. 124, Arts Nova Scotia Act,  
Hon. D. Wilson .....4655  
No. 125, Creative Nova Scotia Leadership Council Act,  
Hon. D. Wilson .....4655

NOTICES OF MOTION:

Res. 2661, Order of Nova Scotia (2011): Recipients - Congrats.,  
Hon. S. McNeil .....4656  
Vote - Affirmative.....4656  
Res. 2662, Order of Nova Scotia (2011): Inductees - Congrats.,  
Hon. J. Baillie .....4656  
Vote - Affirmative.....4657  
Res. 2663, NDP Gov't.: Promises Kept - Acknowledge,  
Mr. C. MacKinnon .....4657  
Res. 2664, World AIDS Day (12/01/11) - Acknowledge,  
Mr. S. McNeil .....4658  
Vote - Affirmative.....4659  
Res. 2665, World AIDS Day (12/01/11): Significance - Recognize,  
Hon. C. d'Entremont.....4659  
Vote - Affirmative.....4659  
Res. 2666, NDP Gov't. - Promises: Commitment - Acknowledge,  
Mr. B. Skabar .....4659  
Res. 2667, LeBlanc, Paul-Emile: Commun. Contribution - Congrats.,  
Hon. W. Gaudet .....4660  
Vote - Affirmative.....4661  
Res. 2668, Bentley, Avard & Jean: Int'l. Maple Syrup Instit. Award  
- Congrats., Hon. J. Baillie.....4662  
Vote - Affirmative.....4662  
Res. 2669, Roots of Empathy Prog.: Participants - Commend,  
Hon. K. Casey .....4662  
Vote - Affirmative.....4663  
Res. 2670, MacLeod, Beulah: Birthday (102<sup>nd</sup>) - Congrats.,  
Mr. A. MacLeod .....4666  
Vote - Affirmative.....4664  
Res. 2671, Zima, Supt. Brenda: Woman of Excellence Award  
- Congrats., Ms. K. Regan.....4664  
Vote - Affirmative.....4665  
Res. 2672, EMO - HazMat Team (South Shore): Lack - Address,  
Mr. K. Bain .....4665

Res. 2673, Gidney, Paul: Powerlifting Achievement - Congrats., Mr. H. Theriault .....	4666
Vote - Affirmative.....	4666
Res. 2674, Eddie Cummings Band: CD Release - Congrats., Mr. A. MacMaster.....	4666
Vote - Affirmative.....	4667
Res. 2675, Stream Contract Ctr.: Commun. Commitment - Congrats., Mr. G. MacLellan .....	4667
Vote - Affirmative.....	4668
Res. 2676, Young, George/Basil - Northside Commun. Guest Home: Volunteering - Congrats., Mr. E. Orrell.....	4668
Vote - Affirmative.....	4668
Res. 2677, d'Eon, Vernon/Vernon d'Eon Lobster Plugs Ltd.: Yar. & Area C of C Award - Congrats., Mr. Z. Churchill.....	4669
Vote - Affirmative.....	4669
Res. 2678, Prem.: Word Play - Apologize, Hon. C. d'Entremont.....	4669
Res. 2679, Strait Richmond Minor Hockey Assoc.: RBC Play Hockey Grant - Congrats., Hon. M. Samson.....	4670
Vote - Affirmative.....	4671
Res. 2680, Pedersen, Dane: Commun. Contribution - Congrats., Mr. K. Bain .....	4671
Vote - Affirmative.....	4672
Res. 2681, Burke, Eric: St. Anne Commun. & Nursing Care Ctr.: Administrator (14 Yrs.) - Congrats., Hon. M. Samson.....	4672
Vote - Affirmative.....	4672
Res. 2682, Mauger, Kristin: Accomplishments - Congrats., Mr. A. MacLeod .....	4673
Vote - Affirmative.....	4673
Res. 2683, Comeau, Marcel: Commun. Contribution - Congrats., Hon. W. Gaudet .....	4674
Vote - Affirmative.....	4675
Res. 2684, Gillis, John: Nat'l. Great Teaching Award - Congrats., Mr. A. MacMaster.....	4675
Vote - Affirmative.....	4675
Res. 2685, MacIntosh, Peter: Educ. Dedication (34 Yrs.) - Congrats., Hon. K. Casey .....	4676
Vote - Affirmative.....	4676
Res. 2686, Fossil Ctr. (Sydney Mines): Successful Yr. - Congrats., Mr. E. Orrell.....	4676
Vote - Affirmative.....	4677
Res. 2687, Arenburg, David: Yar. & Area C of C Award - Congrats., Mr. Z. Churchill .....	4677
Vote - Affirmative.....	4678

ORAL QUESTIONS PUT BY MEMBERS:

No. 516, Prem.: Michelin - FCA Position, Hon. S. McNeil .....	4678
No. 517, Prem.: Michelin Meeting - Details, Hon. J. Baillie .....	4680
No. 518, Prem. - FCA: Manitoba Model - Superiority Explain, Hon. S. McNeil .....	4681
No. 519, Prem. - Power Rates: Effects - Reaction, Mr. A. Younger .....	4683
No. 520, Prem. - FCA: Advice - Heed, Hon. J. Baillie .....	4685
No. 521, ERDT - Job Creation Commitment: Job Losses - Explain, Mr. G. MacLellan .....	4686
No. 522, Prem.: Commitment - Define, Hon. C. d'Entremont .....	4688
No. 523, Prem. - 2009 Campaign: Tax Promise - Deny, Ms. D. Whalen .....	4689
No. 524, Fish. & Aquaculture - FCA Consultation: Fisheries Industry - Inclusion, Mr. A. MacLeod .....	4691
No. 525, Nat. Res. - Tree Specialists: Job Cuts - Explain, Mr. A. Younger .....	4693
No. 526, Prem. - Power Bill Increases: Richmond Co. - Justify, Hon. M. Samson .....	4695

GOVERNMENT BUSINESS:

PUBLIC BILLS FOR SECOND READING:

No. 122, Environment Act	
Hon. S. Belliveau .....	4697
Mr. A. Younger .....	4698
Mr. C. Porter .....	4700
Hon. S. Belliveau .....	4701
Vote - Affirmative .....	4701
No. 118, Motor Vehicle Act	
Hon. J. MacDonell .....	4702
Hon. W. Gaudet .....	4703
Hon. K. Colwell .....	4704
Hon. J. MacDonell .....	4705
Vote - Affirmative .....	4705
No. 120, Liquor Control Act	
Hon. G. Steele .....	4706
Ms. D. Whalen .....	4706
Hon. K. Colwell .....	4715
Hon. G. Steele .....	4721
Vote - Affirmative .....	4721

No. 121, Education Act	
Hon. R. Jennex .....	4722
Hon. K. Casey .....	4723
Mr. E. Orrell.....	4725
Hon. R. Jennex .....	4726
Vote - Affirmative.....	4726
HOUSE RESOLVED INTO CWH ON BILLS AT 3:36 P.M. ....	4726
HOUSE RECONVENED AT 3:44 P.M. ....	4726
CWH ON BILLS REPORTS.....	4727
ADJOURNMENT:	
MOTION UNDER RULE 5(5):	
Prem. - Public Concerns: Gov't. Inaction - Responsibility Assume,	
Hon. K. Colwell .....	4728
Mr. J. Morton .....	4731
Mr. E. Orrell.....	4734
ADJOURNMENT, House rose to meet again on Fri., Dec. 2 <sup>nd</sup> at 9:00 a.m. ....	4737
NOTICES OF MOTION UNDER RULE 32(3):	
Res. 2688, Wesley, Gloria Ann - <i>Chasing Freedom</i> :	
Publication - Congrats., Hon. P. Paris .....	4738
Res. 2689, Cdn. Wine Championships: N.S. Winners	
- Congrats., Ms. K. Regan.....	4738
Res. 2690, Oulton Fam. Farm: Environmental Farm	
Stewards of Yr. - Congrats., Mr. C. Porter .....	4739
Res. 2691, Ernst, Trinda, et al: Leadership - Commend,	
Mr. C. Porter .....	4739
Res. 2692, Boyd, Elisha: West Hants Educ. Ctr.	
Student of Yr. - Congrats., Mr. C. Porter.....	4740
Res. 2693, West Hants Ground Search & Rescue:	
Dedication/Commitment - Thank, Mr. C. Porter.....	4740
Res. 2694, MacDermid, Ian/Cast/Crew - <i>Cabaret</i> :	
Production - Congrats., Mr. A. Younger .....	4741



House of Assembly  
*Nova Scotia*

**HALIFAX, THURSDAY, DECEMBER 1, 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, please. I would like to make a Speaker's Ruling before we start today's proceedings.

**SPEAKER'S RULING: Gov't Curtailment of debate at Law Amendments Committee. (Point of privilege by Hon. Manning MacDonald [Hansard p. 4616, 11/30/11]) Situation underpinning the point of privilege did not come to pass; no prima facie case of breach of privilege.**

Yesterday the honourable House Leader of the Official Opposition rose on a point of privilege arising from what he described as the government's move to curtail debate at the Law Amendments Committee. This was based on the same situation that had been raised earlier yesterday as a point of order.

In my ruling yesterday on the point of order, I pointed out that I was being asked to rule on something that might not happen. That is, it might turn out that the presentations to the committee were not cut off yesterday, as the honourable member feared, and that the presenters would be allowed to appear today. As it turns out, that is exactly what has taken place. Accordingly, the fact situation underpinning the point of privilege did not come to pass and the facts therefore do not support a finding of a prima facie breach of privilege.

While I understand the member's concern about the way things appeared to be occurring, I feel that I should caution all members about the timing of points of order and points of privilege. In the cases of points raised yesterday, both were related to a meeting of a committee that had not yet happened at the time they were raised. As I said yesterday, the Speaker should not be asked to rule on situations that have not yet occurred.

As it turned out, the anticipated situation did not unfold as predicted, and presenters on the bill in question will be heard today. This was the point I made in my ruling on the point of order, and I ask that the members exercise caution before raising points of order or points of privilege before they have either actually breached the rules or an actual breach of a privilege. Thank you.

The honourable Opposition House Leader.

HON. MANNING MACDONALD: Thank you, Mr. Speaker, I appreciate your ruling on that matter. Actually what happened there was the move to change the rules was done without the committee approving it, and the move to change back the rules was also done without the committee approving it. So I would have had to do one of two things, either do what I did yesterday or wait until today and to it. So, anyway, your ruling is okay and I appreciate the large amount of time you must have taken to come to that conclusion. Thank you.

MR. SPEAKER: The honourable Progressive Conservative House Leader.

HON. CHRISTOPHER D'ENTREMONT: Thank you very much, Mr. Speaker. Quite simply, we do accept your ruling on this one, but I think for the future we would like to be able to see a reasonable amount of time, a reasonable amount of notice, when it comes to some changes to committees as they go along. So if, in your Chair, you could make sure that committee chairmen are aware of making sure that decent notice is given to all members, including the people who will be presenting at them, I think everything will be fine.

MR. SPEAKER: Thank you. Point well taken.

Before I go any further, I got thrown off my schedule - I must also have the topic for late debate read. It has been chosen and I will now read the topic:

Therefore be it resolved that the Premier stop misleading Nova Scotians when he says that all NDP campaign promises were met and take responsibility for his government's inaction on matters of public concern since June 2009.

It was submitted by the honourable member for Dartmouth East.

**PRESENTING AND READING PETITIONS**

**PRESENTING REPORTS OF COMMITTEES**

**TABLING REPORTS, REGULATIONS AND OTHER PAPERS**

**STATEMENTS BY MINISTERS**

**GOVERNMENT NOTICES OF MOTION**

The honourable member Minister of Health and Wellness.

**RESOLUTION NO. 2658**

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

Whereas an estimated 65,000 Canadians are living with HIV and thousands of new HIV infections occur every year, having a significant impact on the lives of those who are infected, their families, and our communities; and

Whereas marginalization and the stigma attached to HIV continue to create serious barriers for HIV/AIDS prevention, care, treatment, and support; and

Whereas reducing HIV infections and helping Nova Scotians living with HIV and AIDS have the best possible quality of life remains a priority of the government and its many community partners through Nova Scotia's Strategy on HIV/AIDS;

Therefore be it resolved that all members of this House recognize November 24<sup>th</sup> - 30<sup>th</sup> as HIV/AIDS Awareness Week and December 1, 2011, as World AIDS Day in the Province of Nova Scotia.

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

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

Is it agreed?



It is agreed.

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

The motion is carried.

The honourable Minister of Education.

HON. RAMONA JENNEX: Mr. Speaker, before I begin my resolution, may I please make an introduction?

MR. SPEAKER: Most certainly.

MS. JENNEX: Joining us in the gallery today are people who help with opportunities for Nova Scotian youth to be involved in their communities through the Duke of Edinburgh's Award Program. We have in our gallery - and if you don't mind standing when I say your name, I would appreciate that - Connie Miller, the executive director; Carole Thompson, president; Karen L'Oiseau, the award officer; and Don Todd, member of the board of regents and past president. Rick Powell is the honorary counsel, but I don't think he's here. Hopefully he'll show up later. I think I have all the people who are here representing the Duke of Edinburgh's Award Program, and I do ask the House to give them a warm welcome. (Applause)

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

The honourable Minister of Education.

### **RESOLUTION NO. 2659**

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 Duke of Edinburgh's Award Program is helping students from across the province to get involved in their communities and develop self-reliance, discipline, and social responsibility; and

Whereas more than 2,300 young Nova Scotians between the ages of 14 to 25 participate in Duke programs each year to promote community and country development while teaching the life skills that lead to personal growth and achievement; and

Whereas the Duke of Edinburgh's Award Program has had a profound and positive influence on the lives of thousands of young Nova Scotians;

Therefore be it resolved that the members of the House of Assembly thank the hundreds of adult volunteers who give freely of their time and talents to encourage in young people a spirit of adventure, fitness of mind and body, initiative, creativity, and service to others.

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.

HON. RAMONA JENNEX: Mr. Speaker, I see that we've again been joined in the gallery by the people involved in my resolution. May I make an introduction?

MR. SPEAKER: Most certainly.

MS. JENNEX: Joining us in the gallery today are students from 10 countries who are visiting and studying in our province as part of the Nova Scotia International Student Program. This year about 90 schools across the province are hosting international students, and I'm pleased that they have the opportunity to learn alongside our youth. If you wouldn't mind standing when I say your name, and before I call your names out I apologize if I don't have the correct pronunciation but I will try my best. I know how important it is to have a name said properly.

We have Soshie Miyazaki from Japan, Xenia Ampornchatchawal from Thailand, Edoardo Boeri from Italy, Anna Remiszewska from Poland - and I really need lessons in this - Utku Civie from Turkey, Ireny Benitez Vela from Mexico, Josef Vesely from the Czech Republic, Alice Grippa from Belgium, Carmen Blanco from Spain, and we have Jee Su Hur from Korea.

I would also like to welcome here today Dan Walsh, program manager of International Services, Halifax Regional School Board, and HRSB homestay coordinators Jane Delorey, Melissa Alexander, and Kelly Chisholm. Along with myself I'm asking everyone to join us in giving our guests here a very warm welcome. (Applause)

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

The honourable Minister of Education.

### **RESOLUTION NO. 2660**

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 Nova Scotia International Student Program welcomed 717 students from 28 countries in September 2011, making it one of the largest international student programs in Canada; and

Whereas for 14 years the international student program has provided more than 6,000 students the opportunity to learn and grow in Nova Scotia; and

Whereas the Nova Scotia International Student Program makes a positive impact on Nova Scotian students by welcoming international students to join them in their classrooms;

Therefore be it resolved that the members of the House of Assembly welcome the students from around the world, and wish them all the best for their learning and for their Nova Scotia experience.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

### **INTRODUCTION OF BILLS**

**Bill No. 123 - Entitled an Act to Amend Chapter 103 of the Revised Statutes of 1989. The Corrections Act. (Hon. Ross Landry)**

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

The honourable Minister of Communities, Culture and Heritage.

HON. DAVID WILSON: May I be permitted to do an introduction, Mr. Speaker?

MR. SPEAKER: Most certainly.

MR. WILSON: Thank you, Mr. Speaker. In the east gallery, joining us today, are several people who make an important contribution to the arts and culture sector here in Nova Scotia, so I'd like to introduce them and have them stand.

Mr. Speaker, we have Paul Caskey, who is the artistic director of Live Art Dance Production and has a long history of involvement with Canada's professional dance community. We also have Leah Hamilton, an arts consultant with Genesis Consulting, whose work included planning and organizational development in the arts, culture, heritage, and tourism field. Also we have Christopher Shore who is the executive director of Theatre Nova Scotia and has a career that has spanned radio, stage, film, and television as an actor, playwright, and arts administrator. They have been part of a transition team who have been working with the member from Lunenburg on arts in Nova Scotia.

Also in the gallery today we have Ron Bourgeois - sorry, Ron, I've said your name a million times over the last while - the current chair of the Creative Nova Scotia Leadership Council, who has more than 30 years work to develop arts and culture and also with him are Jim Morrow and Susan Took, who are also with the Creative Leadership Council. We also have staff, Marcel McKeough who is acting director of Culture Division and Michael Noonan and Peter Kirby. I'd like the members to give them a warm welcome. (Applause)

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

**Bill No. 124 - Entitled an Act to Establish Arts Nova Scotia - Arts Nouvelle-Écosse. (Hon. David Wilson)**

**Bill No. 125 - Entitled an Act to Establish the Creative Nova Scotia Leadership Council - Conseil de leadership pour la création en Nouvelle-Écosse. (Hon. David Wilson)**

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

#### **NOTICES OF MOTION**

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

**RESOLUTION NO. 2661**

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

Whereas yesterday I had the privilege to celebrate with Nova Scotians who were presented with the highest honour bestowed by this province, the Order of Nova Scotia; and

Whereas the award, which was established in 2001, is intended to honour individuals who have demonstrated a high level of excellence and achievement, having brought honour and prestige to themselves and to our province; and

Whereas the dedication and many outstanding accomplishments of this year's honourees make them truly deserving recipients;

Therefore be it resolved that the members of the House of Assembly congratulate the Honourable Wayne Adams, Sir Graham Day, Bruce MacKinnon, Joseph Benjamin Marshall, and Budge Wilson on receipt of this prestigious award and thank them for making an incredible difference in our province.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Leader of the Progressive Conservative Party.

**RESOLUTION NO. 2662**

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

Whereas yesterday's Order of Nova Scotia ceremony gave much-deserved recognition to five exceptional Nova Scotians, as the highest honour in our province; and

Whereas Mi'kmaq rights activist Joseph Benjamin Marshall, business titan Sir Graham Day, author Budge Wilson, political cartoonist Bruce MacKinnon, and our first African Nova Scotian MLA, Wayne Adams, were honoured for their outstanding contributions to the people of this province; and

Whereas the Order of Nova Scotia was established 10 years ago to commemorate those who have brought honour and prestige to our province, and this year's recipients couldn't be more deserving of the award;

Therefore be it resolved that all members of this House congratulate those five Nova Scotians on their induction into the Order and thank them for their remarkable contribution to this province.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Pictou East.

### **RESOLUTION NO. 2663**

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

Whereas during the 2009 provincial election, this NDP Government made a promise to make life more affordable for all Nova Scotians and to roll back the previous government's 8 per cent tax on home electricity; and

Whereas on October 1, 2009, this NDP Government followed through on that promise and removed the provincial portion of the HST from basic home electricity bills for all Nova Scotians; and

Whereas this government has been, and will continue to be, committed to making the necessities of life more affordable for all Nova Scotian families;

Therefore be it resolved that this House of Assembly thereby acknowledge that this NDP Government has repeatedly kept our promises to all Nova Scotians.

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 Leader of the Official Opposition.

#### **RESOLUTION NO. 2664**

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

Whereas December 1<sup>st</sup> is World AIDS Day, a day which provides an opportunity for Nova Scotians and Canadians to unite in the fight against HIV, show support for those living with HIV, and remember those who have succumbed to the disease; and

Whereas this year's theme, Getting to Zero, focuses on eliminating new HIV infections and AIDS-related deaths, as well as discrimination against people with the disease; and

Whereas five people under the age of 30 reported they were HIV positive to Nova Scotia Public Health in 2010, signalling a trend change in infection rates among the younger demographic, which will require vigilance and attention at the provincial level;

Therefore be it resolved that all members of the House acknowledge today, December 1<sup>st</sup>, as World AIDS Day and be ever mindful of the importance of prevention, education, and creating a more supportive environment for those infected with HIV or AIDS.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Argyle.

### **RESOLUTION NO. 2665**

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

Whereas today is World AIDS Day, an opportunity for people worldwide to unite in the fight against HIV, show support for those living with HIV, and to honour and remember those who have passed away; and

Whereas there are roughly 73,000 Canadians who are HIV positive or have been diagnosed with AIDS and 35 million people across the world living with this disease; and

Whereas today we acknowledge the strides made to prevent the spread of HIV/AIDS, but most importantly, we should let today serve as a reminder that there is still progress to be made;

Therefore be it resolved that all members of this House of Assembly recognize the significance of this day and pledge to raise awareness about HIV/AIDS in honour of those affected in Nova Scotia and around the world.

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 Cumberland North.

### **RESOLUTION NO. 2666**

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



Whereas the NDP committed during the 2009 provincial election to ensuring that more young people stay and build a life here in Nova Scotia, and to creating 250 new community college seats to provide young people with more opportunities here at home; and

Whereas our NDP Government announced the creation of 250 new community college seats across the province, targeted to high-demand trades and professions as part of the 2010-11 budget; and

Whereas demand for skilled trades professionals is growing, especially in the wake of the announcement on the National Shipbuilding Strategy on October 19, 2011, and the increased capacity of the community college to train our young people is a crucial part of preparing Nova Scotia's youth for good jobs in Nova Scotia;

Therefore be it resolved that all members of this House acknowledge this NDP Government's commitment to keeping its promises to Nova Scotians and making life better for our 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?

I hear several Noes.

The notice is tabled.

The honourable member for Clare.

#### **RESOLUTION NO. 2667**

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

Attendu que le Certificat Léger Comeau est remis à une personne qui a contribué de façon spéciale au développement d'une communauté acadienne néo-écossaise; et

Attendu que monsieur Paul-Émile LeBlanc est engagé dans la communauté de Clare comme bénévole depuis plusieurs années; et

Attendu que M. LeBlanc a reçu le Certificat Léger Comeau pour l'année 2011;

Qu'il soit résolu que tous les membres à cette assemblée législative offrent toutes leurs félicitations à M. Paul-Émile LeBlanc et l'encouragent à continuer le beau travail dans la région de la Baie Sainte-Marie.

M. le Président, je propose l'adoption de cette résolution sans préavis et sans débats.

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

Whereas the Léger Comeau Certificate is given to special people who have contributed to the development of Acadian communities in Nova Scotia; and

Whereas Mr. Paul-Émile LeBlanc is actively involved as a volunteer in the Clare community; and

Whereas Mr. LeBlanc has recently received the Léger Comeau Certificate for 2011;

Therefore be it resolved that the members of this House of Assembly congratulate Mr. Paul-Émile LeBlanc and encourage him to continue his good work within the 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 Leader of the Progressive Conservative Party.

HON. JAMIE BAILLIE: Mr. Speaker, I wonder if I might begin with an introduction before I proceed.

MR. SPEAKER: Most certainly.

MR. BAILLIE: Thank you, sir. I would like to draw the attention of all members, Mr. Speaker, to the west gallery where visiting us today is Order of Nova Scotia recipient

Ms. Eva Landry and her husband, Doug. I would like you to invite all members to give them a warm welcome to today's proceedings. (Applause)

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

The honourable Leader of the Progressive Conservative Party.

### **RESOLUTION NO. 2668**

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

Whereas Avard Bentley is a Cumberland County maple producer who is well known in the community for the high standard of his products; and

Whereas Mr. Bentley received an award from the International Maple Syrup Institute for his ongoing contributions to the industry; and

Whereas Avard and his wife, Jean, received the honour during the North American Maple Syrup Council annual meeting in Frankenmuth, Maine;

Therefore be it resolved that all members of this House congratulate Avard and Jean Bentley on receiving this outstanding award and wish them 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 Colchester North.

### **RESOLUTION NO. 2669**

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 Roots of Empathy Program in Chignecto-Central Regional School Board has increased to five schools in Colchester County - Harmony Heights Elementary, Valley Elementary, Tatamagouche Elementary, Bible Hill East Court Road and Bible Hill Central; and

Whereas this program teaches empathy by having a baby and a parent visit students in their classrooms; and

Whereas the Colchester East Hants District Health Authority provided funding for two women to become instructors this year;

Therefore be it resolved that all members of this House of Assembly commend the schools, teachers, students, parents, and babies for their participation in this worthwhile program that instills such qualities in the students as respect, sharing, understanding, and caring.

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. 2670**

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

Whereas Beulah MacLeod, formerly from Louisbourg, celebrated her 102<sup>nd</sup> birthday on November 23<sup>rd</sup>; and

Whereas Beulah MacLeod raised her family and dedicated her life to her family and town for all these years; and

Whereas Beulah currently resides at the Cove Guest Home in Sydney and looks forward to her many visits from her family and friends;

Therefore be it resolved that all members of this House of Assembly congratulate Beulah MacLeod and her family on this wonderful milestone in her life, and wish her many more years of health and happiness.

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. 2671**

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

Whereas Brenda Zima of Bedford has been a police officer for more than 22 years, beginning her career in 1988 with the Toronto Police Department before joining the Halifax Police Department in 1991; and

Whereas Brenda Zima was the first woman to be named Watch Commander for the Halifax Police Department, and is now the superintendent responsible for operational policing in East Division; and

Whereas Superintendent Zima is a recognized incident commander and has been awarded the chief's commendation and the Chief's Meritorious Service Award;

Therefore be it resolved that the members of this House of Assembly congratulate Superintendent Brenda Zima on her career progress and on her latest award - being named a Woman of Excellence by the Canadian Progress Club, Halifax Cornwallis - and thank her for being a role model for the young women and men of today.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Victoria-The Lakes.

### **RESOLUTION NO. 2672**

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

Whereas the Minister of Emergency Management said in this House of Assembly on November 9<sup>th</sup> that he “wanted to reassure this House that each Nova Scotian’s safety and the safety of the communities they live in is of the utmost importance”; and

Whereas the minister also said on November 9<sup>th</sup> “the safety and security to all citizens of Nova Scotia is of primary importance”; and

Whereas the minister also promised to get back to me about the lack of a Hazardous Materials Emergency Response Team on the South Shore but, as of today, no information has come forth;

Therefore be it resolved that if the minister sincerely believes his own words, he will immediately address the lack of a Hazmat team on the South Shore and begin the implementation process of proper resources, so residents in areas like Shelburne County will not feel threatened when tragic incidents, such as the one in late June, take place.

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

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

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Digby-Annapolis.

**RESOLUTION NO. 2673**

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

Whereas Digby powerlifter Paul Gidney placed third in the Master 1 category in the 93-kilogram weight class at the Canadians in Charlottetown last April; and

Whereas this placement has earned Paul a spot to compete in England this month in the Commonwealth Powerlifting Championships; and

Whereas Paul's hard work and dedication to powerlifting has currently ranked him second in his class;

Therefore be it resolved that the members of this House of Assembly congratulate Paul Gidney on his achievement, and wish him the best of luck in the upcoming powerlifting competition.

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. 2674**

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 Eddie Cummings Band, comprised of Eddie Cummings, Vern MacDougall, Stephen Gillis, and Neil Campbell, all of Inverness County, released their debut CD, entitled *Perfect 10*, at Mabou Ceilidh Days; and

Whereas the name of the CD refers to the release of 10 new original songs which have been a collaborative effort by all band members, as well as a lyric in one of their songs; and

Whereas opportunities have been arising for The Eddie Cummings Band to open for well-known artists like Gordie Sampson and Matt Anderson;

Therefore be it resolved that all members of this House of Assembly congratulate members of The Eddie Cummings Band on the release of their debut CD, and wish them success.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Glace Bay.

#### **RESOLUTION NO. 2675**

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

Whereas 2011 marks the 10<sup>th</sup> year of operation for the Stream contact centre in Glace Bay; and

Whereas Stream Glace Bay has garnered a reputation for first-class contact services to the major clients they represent, as well as being a quality corporate citizen in our community over the last decade; and

Whereas Glace Bay would be in peril without the thousand-plus direct jobs that Stream provides, in addition to the many small businesses it supports on Union and Commercial Streets, and it is simply the foundation of our local economy;

Therefore be it resolved that the members of this House of Assembly join me in wishing Stream a happy 10<sup>th</sup> Anniversary and thank them for 10 years of commitment to the people of Glace Bay, and we will work together to protect the local business environment so that Stream is able to continue operations in our thankful community.

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



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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Cape Breton North.

### **RESOLUTION NO. 2676**

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

Whereas Basil, a therapy dog with Therapeutic Paws of Canada, and his owner, George Young, have been welcome visitors to the Northside Community Guest Home for the past eight months; and

Whereas Therapeutic Paws of Canada offers a volunteer-based therapy dog and cat visitation program for senior facilities, nursing homes, daycare centres, and anywhere else there is a need; and

Whereas Basil has developed an amazing relationship with the residents and offers unconditional love to improve the quality of their daily lives;

Therefore be it resolved that all members of this House of Assembly congratulate George Young and Basil for the difference they're making in the lives of the residents of the Northside Community Guest Home, and thank them for their dedication to their community.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Yarmouth.

**RESOLUTION NO. 2677**

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

Whereas in 1975 Vernon d'Eon of Vernon d'Eon Lobster Plugs Ltd. sold his fishing boat to manufacture wooden lobster plugs, in 1978 over 75 million lobster plugs were made and sold, in 1981 the business expanded and began selling fishing supplies, and today Vernon d'Eon Lobster Plugs employs over 40 people and ships products throughout the world; and

Whereas on November 23, 2011, the Yarmouth and Area Chamber of Commerce held its annual business awards banquet; and

Whereas Vernon d'Eon of Vernon d'Eon Lobster Plugs Ltd. received the Business Person of the Year Award;

Therefore be it resolved that the members of this House of Assembly congratulate Vernon d'Eon of Vernon d'Eon Lobster Plugs Ltd. on receiving the Yarmouth and Area Chamber of Commerce's business award for Business Person of the Year, and thank him for his contributions to the fishing industry and to his community.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Argyle.

**RESOLUTION NO. 2678**

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

Whereas most Nova Scotians understand that a promise and a commitment are the same thing; and

Whereas Webster's English Dictionary defines a commitment as "an agreement or pledge to do something in the future" and a promise as "a declaration that one will do or refrain from doing something specified"; and

Whereas the Oxford English Dictionary defines a commitment as "an engagement or obligation that restricts freedom of action" and a promise as "a declaration or assurance that one will do something or that a particular thing will happen";

Therefore be it resolved that all members of the Legislature urge the Premier to brush up on his synonyms and apologize to Nova Scotians for playing with words instead of doing what he said he was going to do.

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 Richmond.

### **RESOLUTION NO. 2679**

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

Whereas RBC Play Hockey is a wide-ranging, multi-year commitment to grow the game of hockey from the grassroots level in communities across North America; and

Whereas Strait Richmond Minor Hockey Association volunteer and RBC employee Joan Burke submitted an application to RBC Play Hockey indicating that they would try to keep costs low for hockey so more people could participate, along with initiatives to impact boys' and girls' hockey and goaltender training, as well as fostering involvement from the Aboriginal community; and

Whereas the Strait Richmond Minor Hockey Association was awarded a \$25,000 grant as part of the 2011 RBC Play Hockey Grant Program, following a review of applications from a panel of hockey experts;

Therefore be it resolved that members of the House of Assembly congratulate the Strait Richmond Minor Hockey Association on receiving a \$25,000 RBC Play Hockey grant and thank the RBC Regional Vice-President for Cape Breton and Eastern Nova Scotia, Steve Wadden, along with Port Hawkesbury RBC Branch Manager Peter Clow for their continued support of youth hockey programs.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Victoria-The Lakes.

#### **RESOLUTION NO. 2680**

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

Whereas 10-year-old Dane Pedersen is a student at Boularderie Elementary School, who every year donates his birthday money to a charity; and

Whereas this Christmas the generosity of this young man will touch the hearts of not only needy families but everyone in the small, rural community of Boularderie; and

Whereas Dane, son of Andrew and Charlene Pedersen, presented his 2011 birthday money, as well as five bags of groceries, to the Boularderie Food Bank;

Therefore be it resolved that all members of this House of Assembly recognize and thank Dane for his heartfelt contribution to his community, and wish he and his family the best this holiday 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 member for Richmond.

### **RESOLUTION NO. 2681**

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

Whereas residents of Isle Madame and Louisdale gathered this summer to celebrate the retirement of long-time St. Anne Community and Nursing Care Centre administrator Eric Burke; and

Whereas prior to arriving at St. Anne's, Eric Burke was a regional nurse educator for Health Canada, director of nursing at hospitals in Alberta and the Northwest Territories, along with serving with the Department of Justice, Northwest Territories, and the office of the coroner; and

Whereas while he initially planned to be the administrator of St. Anne's for five years, Eric Burke left after 14 years with the facility, where he oversaw national accreditation as well as helping the board plot a direction for St. Anne's for years to come;

Therefore be it resolved that members of the House of Assembly thank Eric Burke for his 14 years as administrator of St. Anne Community and Nursing Care Centre, and wish him well in his retirement.

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 on an introduction.

MR. JIM MORTON: Mr. Speaker, I'd like to draw the members' attention to the east gallery. There are two friends of mine sitting up in the corner, Garry Randall and Donna Tidd from Kentville, who have strong connections to Digby as well. They are certainly active in my community and in other parts of Nova Scotia. Welcome to the House, I hope you'll give them your warm welcome. (Applause)

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

The honourable member for Cape Breton West.

### **RESOLUTION NO. 2682**

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

Whereas Kristen Mauger of Donkin has received recognition for her hard work in junior high; and

Whereas Kristen was the winner of the Paul Gardiner Memorial Award for exceptional school spirit over the past three years; and

Whereas Kristen recently completed Grade 9 at the Donkin-Gowrie Complex in Donkin, Cape Breton;

Therefore be it resolved that all members of this House of Assembly congratulate Kristen Mauger on her outstanding accomplishments and wish her continued success in her high school years.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Clare.

**RESOLUTION NO. 2683**

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

Attendu que Celebrating Communities Conference and Awards a eu lieu à Yarmouth les 28-30 septembre; et

Attendu que cette année on a voulu souligner le développement communautaire la création d'emplois et des initiatives innovatrices dans les communautés Acadiennes de Clare, Yarmouth et Argyle; et

Attendu que Comeau Seafoods est reconnue dans la région comme étant un moteur économique de première importance dans le sud-ouest de la Nouvelle-Écosse et s'est mérité les honneurs pour sa contribution à long terme au développement économique de la région;

Qu'il soit résolu que tous les députés à cette assemblée reconnaissent la contribution de Comeau Seafoods au développement économique de Clare et de la province et félicitent les propriétaires et leurs employés.

M. le Président, je propose l'adoption de cette résolution sans préavis et sans débats.

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

Whereas the 2011 Celebrating Communities Conference and Awards was held in Yarmouth from September 28<sup>th</sup> to September 30<sup>th</sup>; and

Whereas this year's event focused on community development, job creation, and innovation in the Acadian communities of Clare, Argyle, and Yarmouth; and

Whereas a lifetime achievement award was presented to recognize their long-term contribution to the economy of the communities in southwestern Nova Scotia;

Therefore be it resolved that the members of this House of Assembly congratulate Marcel Comeau, president of Comeau Seafoods Limited, and extend their appreciation for the leadership he has shown in our area.

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. 2684**

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

Whereas Dalbrae teacher John Gillis was awarded a Canadian Family magazine National Great Teaching Award; and

Whereas the award recognizes excellence in Canadian teachers, and includes a \$1,500 cash prize that is available to the school in the form of bursaries for the next three years; and

Whereas Mr. Gillis has been active in organizing the annual career fair at the academy, and believes in assisting students to connect with employers to help them in gaining work experience for their future careers;

Therefore be it resolved that all members of this House of Assembly congratulate John Gillis on receiving the National Great Teaching Award, and commend his efforts in preparing our youth for their future in the workplace.

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. 2685**

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

Whereas Peter MacIntosh has been principal of North River Elementary School in Colchester North for 11 years; and

Whereas previously he held teaching positions in Truro and Enfield, and then principal positions in three Colchester North schools - Masstown, Great Village, and Debert; and

Whereas MacIntosh retired in June 2010, with 34 years as a dedicated educator and administrator;

Therefore be it resolved that all members of this House of Assembly express our thanks to Peter for his 34 years of dedication to the education of our students, and wish him a healthy and happy retirement.

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. 2686**

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 Sydney Mines Cape Breton Fossil Centre has completed another successful year and has seen an increase in visitors over the last year, including more visits from local schools; and

Whereas under the direction of curator Dr. Stuart Critchley, the centre now has fossils from around the world and provided 12 field trips to the actual fossil site; and

Whereas Dr. Critchley and support staff have provided tourists to Cape Breton, Canada's number-one island, with a unique tourist experience;

Therefore be it resolved that all members of the House join me in congratulating the Fossil Centre and staff on another stellar year, and wish them continued success.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Yarmouth.

#### **RESOLUTION NO. 2687**

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

Whereas David Arenburg of Adcor Marketing Ltd., along with his wife, Elizabeth, owns five restaurants which employ 140 staff members, and David Arenburg is a past recipient of the RRFB annual Mobius Environmental Award in the category of Individual Excellence in Waste Management and Initiatives in Recycling - an award which recognizes the achievements of innovative Nova Scotians who have helped make our province a leader in waste reduction; and

Whereas on November 23, 2011, the Yarmouth and Area Chamber of Commerce held its annual business awards banquet; and

Whereas David Arenburg of Adcor Marketing Ltd. received the Environmental Service Award;

Therefore be it resolved that the members of this House of Assembly congratulate David Arenburg of Adcor Marketing Ltd. on receiving the Yarmouth and Area Chamber of Commerce's Business Award for Environmental Service, and thank him for his contributions to preserving our community's environment.

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.

## **ORDERS OF THE DAY**

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

MR. SPEAKER: Question Period will begin at 12:55 p.m. and end at 1:55 p.m.

The honourable Leader of the Official Opposition.

### **PREM.: MICHELIN - FCA POSITION**

HON. STEPHEN MCNEIL: On November 3<sup>rd</sup>, I asked the Premier to reconsider first contract arbitration. When I said that Michelin warned the Premier that the introduction of FCA in Nova Scotia would affect future investment in the province, the Premier laughed it off and said no such thing was ever said. Mr. Speaker, we know that that's not true. The president of Michelin Canada clearly stated that introduction of first contract arbitration would affect future investment in Nova Scotia. When asked if this position was made clear to the Premier, the president of Michelin clearly said yes.

My question to the Premier is, will the Premier apologize to this House and to all Nova Scotians for misleading them on Michelin's view of first contract arbitration?

HON. DARRELL DEXTER (The Premier): Mr. Speaker, I'm not going to apologize and, in fact, I stand by what I said at the time. Furthermore, the member opposite would know that Mr. LeBlanc came in last night; I think I have a good relationship with him and I have a good relationship with George Sutherland. Mr. LeBlanc did not meet with me; in fact, I met with George Sutherland, and Mr. LeBlanc pointed out that those meetings and the things that they came to convey to us are done to ensure that we are fully aware of the positions that Michelin takes with respect to various factors in investment, but also in other matters that they have that are of concern to them.

MR. MCNEIL: Mr. Speaker, Mr. LeBlanc made it very clear that when the Premier went down to visit the Michelin headquarters in the United States he did not bring up first contract arbitration. Mr. LeBlanc also made it very clear that when Michelin heard tell that

first contract arbitration was being introduced in this province, they told our Premier that it would affect future investment in Nova Scotia.

Michelin employs 3,500 Nova Scotians in three plants. These plants compete with other Michelin plants in the United States and in Mexico for future investment. Last night we heard from the president of Michelin say that the introduction of first contract arbitration would hurt Michelin Canada's opportunity for future investment, making Nova Scotia a harder sell for future investment. On November 3<sup>rd</sup> the Premier said that's simply not true.

We knew that he broke his promises about taxes, balanced budgets, and ER closures but we now know that he misrepresents the views of one of Nova Scotia's largest employers. So my question to the Premier is, why did the Premier misrepresent the views of Michelin in this House?

THE PREMIER: Well, Mr. Speaker, again, I did no such thing. Mr. LeBlanc was here last night at the Law Amendments Committee and he made his view clear for everyone to hear. We encourage people who have views to share to come to the Law Amendments Committee. The reality is that Michelin has been a good corporate citizen in this province, we've worked with them. They've been here for many, many years and, of course, we will continue to do that.

MR. MCNEIL: Mr. Speaker, Michelin has been a corporate citizen in this province and at the very least the Premier of this province should respect them enough not to misrepresent their views in public.

Mr. Speaker, the Premier tells us first contract arbitration will not affect business investment, but Michelin says something different. The Premier says it's not payback for unions; unions say something different. The Premier says it will improve labour relations; business after business has said that is not true. The Premier has also told us that Michelin had no complaints about first contract arbitration, and blamed the press for misrepresenting the facts, but we now know that it was the Premier who misled Nova Scotians about Michelin's comments. So my question to the Premier is, why would any global employer come to a province where the Premier publicly misrepresents their company leaders?

THE PREMIER: Well, Mr. Speaker, I don't know why they would come to a province that has a Leader of the Official Opposition who publicly misrepresents what's being said. (Interruptions)

I have to tell you, Mr. Speaker, as I've said before, the issues associated with Michelin are ones that we of course work very hard on and, you know, I don't minimize at all the representations that are made by employers in this province. I know, and maybe this will enlighten the Leader of the Official Opposition, but companies when they're making

decisions with respect to investments, they consider a lot of factors; they consider wage levels, they consider the access to labour. They consider labour (Interruptions)

MR. SPEAKER: Order, please. Here we go. Order, please. I would like to hear the Premier.

The honourable Premier.

THE PREMIER: As I was saying, Mr. Speaker, they consider the access to the labour pool, they consider the access to skilled workers. They look at tax policy. They look at the question associated with currency exchange. There are a lot of things that they consider as factors in whether or not they're going to make a decision - one of which, of course, is labour stability.

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

### **PREM.: MICHELIN MEETING - DETAILS**

HON. JAMIE BAILLIE: Mr. Speaker, let's continue down this fact-finding exercise that we so sadly find ourselves engaging in today. On November 3<sup>rd</sup>, I asked the Premier about his meeting with Michelin and whether they told him that first contract arbitration would put a chill on the investment climate in this province and that they would consider holding back on future investment if he went forward with his plan. The Premier replied, and Hansard records, “. . . no such thing was said.”

But yesterday Dana LeBlanc, Michelin Canada's president, said at the Law Amendments Committee, laws like first contract arbitration “does not help Michelin Canada present Nova Scotia as a better place to invest.” He repeated those comments to the media so that all Nova Scotians could hear them and so I will ask the Premier, will he take this opportunity to tell Nova Scotians the truth about what Michelin told him in their meeting before he brought this law forward?

THE PREMIER: I will, Mr. Speaker. The answer that I gave the Leader of the Progressive Conservative Party at the time was the truth.

MR. BAILLIE: Well, Mr. Speaker, I guess that the people of Nova Scotia are going to have to decide between what Michelin says was said and what the Premier says was said, and I'll put my money with the Michelin Canada who hired 3,000 Nova Scotians that have real jobs - that's where we're going to go.

Mr. Speaker, on November 3<sup>rd</sup> the Premier said in this House, “Of course, we look forward to any future investments . . .” by Michelin in Nova Scotia. Then he went out and misrepresented their views about what they told him in their meeting with him, not once but at least twice, that they're telling us about. So my question to the Premier is, why put

future jobs and investment at risk by misrepresenting the words of such an important employer in this province?

THE PREMIER: Well, Mr. Speaker, I didn't do that. In fact, I have always said that we have a great deal of respect for the major employers in our province, all of them. In fact, we have respect for all of our employers and we work hard with them to encourage the appropriate business environment for them. But we also understand the need for good legislation that builds stable, productive environments for both employers and employees, and that's what we intend to do.

MR. BAILLIE: Mr. Speaker, respect for employers starts by truthfully representing what they told him in meetings. Respect for employers means listening to what they have to say, particularly when they employ so many thousands of Nova Scotians, when they express concerns about what the direction of this government is.

However, Mr. Speaker, let me ask the Premier this. Last night Rick Clarke, whom the Premier obviously does listen to, said that first contract arbitration is good for our economy and that employers like Michelin are fear-mongering about uninformed pronouncements of doom and gloom. So I'll ask the Premier who professes to have such respect for Michelin, who does he agree with, Rick Clarke or Michelin? Is he right that Michelin is a fear-monger of doom and gloom or is Michelin right that first contract arbitration is a bad idea?

THE PREMIER: Mr. Speaker, what I agree with is that I always listen carefully to the legitimate concerns of any employer in the province. I also listen to the legitimate concerns that are put forward by members of the labour movement. I listen to the legitimate concerns put forward by my constituents, as all of those people would expect.

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

**PREM. - FCA: MANITOBA MODEL - SUPERIORITY EXPLAIN**

HON. STEPHEN MCNEIL: We've heard employers around the province speak out. They shared their concerns about the Manitoba model of first contract arbitration. We know this government is intent on ramming the Manitoba model through, but we are not sure why.

So my question to the Premier is, why is the Manitoba model of first contract arbitration better than all the others?

THE PREMIER: Well, Mr. Speaker, as I understand it, that's a question on the bill. What I will say is that we obviously want to have a working mechanism in order to resolve unnecessary disputes. So as the member opposite would know, last night we introduced amendments to the committee for their consideration, which will provide some flexibility

and address some of the concerns that were articulated. I hope that the member opposite will have an opportunity to review those, and hopefully he'll agree that this is the best model for the province.

MR. MCNEIL: Mr. Speaker, the Manitoba model of FCA is not superior to other models and that's why no other province in Canada has that sort of FCA. British Columbia, Newfoundland and Labrador, Quebec, Ontario, and the federal government have less aggressive forms of FCA.

We've heard businesses say that if government is intent on ramming through first contract arbitration, please accept some of their amendments. Businesses like Sobeys and Clearwater have offered amendments and we've listened. Mr. Speaker, my question to the Premier is, will the government accept the changes on first contract legislation that were presented to his government by the business community?

THE PREMIER: Mr. Speaker, as I indicated just a little bit earlier, we have circulated for the consideration of the committee amendments that address some of the issues that we have heard over the committee hearings. Those committee hearings are ongoing; there will be additional submissions made today. We keep an open mind, and the member opposite says that they have some amendments they want to bring forward to the committee. They'll be considered by the committee and reported back to the House. The reason why we are here is to debate those ideas, and when they come forward we'll have an opportunity to debate them.

MR. MCNEIL: The Premier could go a long way to improving the relationship between his government and the people who create the jobs in this province. First of all, he misrepresents what the President of Michelin says in a meeting in public. The very least he could do is acknowledge he has listened to business leaders and accept some of their amendments to first contract arbitration before we continue to go down this road.

Documents used by the Canadian Centre for Policy Alternatives list a host of first contract models. There's a fault model, a no-fault model, the mediation support model, and of course, the automatic or Manitoba model. This report used by the Canadian Centre for Policy Alternatives - and CUPE, I might add, Mr. Speaker - supports the claims of Sobeys and Clearwater when they say there are other forms of FCA that would serve the government's purposes just as well.

My question to the Premier is, given that the report used by the Canadian Centre for Policy Alternatives and CUPE offers support for forms of FCA other than the Manitoba model, why does the government refuse to accept changes that were presented to his government?

THE PREMIER: Well, we're an open, inclusive government. We like to bring in the opinions of all the stakeholders. That's why we set up the Labour Management Review

Committee and that's why we had a study day. This is an opportunity for people to actually consult with government. I know it is something at odds with the philosophy of former governments, but our view is that we look at all of those things and we'll consider the views of the Canadian Centre for Policy Alternatives; I thought they appeared before the committee already. But I will go back to one thing I did not - and I would ask the Leader of the Official Opposition to stop misrepresenting this - I did not meet with the president of Michelin Canada, that, as I say (Interruptions)

MR. SPEAKER: Order, please. The honourable Premier has the floor.

THE PREMIER: Thank you, Mr. Speaker, I was just making the point that I'm sure he understands that was not the case and I think Mr. LeBlanc indicated that as well. He did not meet with me in relation to this matter. I was just making that point because I don't want him to inadvertently misrepresent the facts.

MR. SPEAKER: The honourable member for Dartmouth East.

#### **PREM. - POWER RATES: EFFECTS - REACTION**

MR. ANDREW YOUNGER: Mr. Speaker, I would like to quote the member for Cole Harbour from May 28, 2008 as reported in the Cape Breton Post:

Now with power bills going up they are rightfully worried about freezing in the dark next winter. These increases will make life less affordable for every family in the province and these increases will affect jobs as Nova Scotian industries struggle to remain competitive.

That was about a power rate increase less than what we're going to be dealing with on January 1<sup>st</sup>.

Mr. Speaker, with a combined double-digit power rate increase coming January 1<sup>st</sup>, and many other increases since he said that in 2008, how does the Premier feel about people freezing in the dark this winter because they won't be able to pay for their power bills, and how does he feel about jobs being impacted and industries struggling due to higher power rates?

THE PREMIER: First of all I think it's terrible but the reality is, because past governments refused to make the choices that needed to be made to get us off of fossil fuels, we end up having to deal with the escalating cost of fossil fuels. We are making the right decisions to get us off of that rollercoaster so that we can have fair, stable rates for Nova Scotians.

MR. YOUNGER: The Premier mentioned the right decisions and it's interesting how the right decisions change from when the NDP were in the election and when they



became government a few months ago. I would like to quote a letter, written on behalf of the Premier, by Mr. Dan O'Connor, dated June 3, 2009 references the fact that we're in the election regarding the demand side management fee. It says:

“It should, rather, be based on the notion that the utility will bear the costs for making DSM-related investments in order to stabilize its long-term position in the market . . .”

Further he says that the proposal, which was then by the Tory Government to the URB, “. . . places the burden of DSM-related improvements too heavily on residential users . . .”

Yet we all know in the first session of this House, the NDP introduced legislation that added that tax to residential power bills and I'll table that letter. Mr. Speaker, would the Premier like to explain why his position changed on who should pay for efficiency costs and why he put the burden on ratepayers instead of shareholders?

THE PREMIER: As he knows this was a decision that was made by the Utility and Review Board. I guess the question would be whether or not we would replace the opinion of the government with the considered opinion of the Utility and Review Board that has received all the evidence of the experts.

Once more, Mr. Speaker, it is the question of whether or not one of the best ways to actually cut the power bills of consumers is by ensuring that there is an energy efficiency program. So I guess the question for the member opposite is, is he suggesting either that the general taxpayers of Nova Scotia should support energy efficiency, or is he suggesting that there should be no energy efficiency program?

MR. YOUNGER: I'm sure the Premier is aware that we believe that shareholders of Nova Scotia Power should pick up those costs, just like the NDP believed during the election, not ratepayers like they thought afterwards.

You know, Mr. Speaker, the Premier's answer is amusing because the Utility and Review Board hadn't made that decision. In fact, the former Minister of Energy had an announcement with the report downstairs, and they passed the legislation that then allowed the URB to look at that rate. The decision was made by this Premier to put a new tax on the electrical bill of every single Nova Scotian.

The Premier, when he was in Opposition, also said that people are looking down the road to winter and they know electricity bills are going to take a big bite out of their family budgets. The fact is the Premier now uses excuses that are all about things that will happen in the future and has no actions for today.

The Premier has to stand up for Nova Scotians. Now that Nova Scotian ratepayers are facing even higher increases, why does the Premier sit by and say it's always up to the Utility and Review Board, when that was not a good enough answer for him when he was in Opposition?

THE PREMIER: Well, Mr. Speaker, we don't, and, in fact, it is this government that took the 8 per cent tax increase that the Progressive Conservative Government put on home energy. (Interruptions) That's why we took it off - it was because we understand the responsibility of government not to tax a necessity of life.

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

**PREM. - FCA: ADVICE - HEED**

HON. JAMIE BAILLIE: Mr. Speaker, my question is for the Premier of Manitoba - I mean the Premier of Nova Scotia. (Interruptions)

Mr. Speaker, Nova Scotia needs investment to create jobs. Nova Scotia needs investment to take advantage of the shipyard contract, or the government will blow it; we need investment for NewPage, or the government will blow it; for Bowater, before they blow it; and for Michelin, before they blow it.

My question to the Premier is, will he finally listen to all of those who are telling him that first contract arbitration will - and I quote - ". . . make it difficult to sell Nova Scotia as a place to invest." or continue down his ruinous path?

THE PREMIER: I'll just point out to the member opposite that Manitoba has one of the most robust economies in our country, under the leadership of Premier Selinger. (Interruptions)

The reality is that Nova Scotia has a very good reputation in the international community. Everywhere I've gone, I've talked to companies who are looking to invest. They cite Nova Scotia as one of those that is always on their list when they're considering investment, and that will continue to be the case.

MR. BAILLIE: There is only one way to create jobs, particularly jobs in rural Nova Scotia, and that is to attract investment that leads to those jobs - it's as simple as that. There is only one way to give hope to all of those who are going to graduate from school and hope that there is a job there for them when they do; there is only one solution to the social problems we have, to the funding for health and education, and that is to attract investment, create jobs, and build the wealth that we need to fund those programs that all Nova Scotians hold dear. It is as simple as that, and yet we have a Premier who does not get it.

I will ask him again, will he please finally listen to the unanimous views of those who make investments and create jobs in our province, and stop his current plan on first contract arbitration before any real damage is done?

THE PREMIER: Mr. Speaker, we listen daily to those people who are looking to make investments in Nova Scotia. They continue, of course, to tell us that this is a great jurisdiction in which to do business.

MR. BAILLIE: I understand that we have a Premier who has no background in creating jobs or attracting investment, and now we have a government that has no background in creating jobs and attracting investment. In fact, they are losing jobs monthly, as Statistics Canada tells us. At least we would hope they would listen to those that do, but instead he insists on listening to backroom advisers like Rick Clarke, his right-hand man on the economy who, again, has no idea how to create a job or make investments in our province.

I'll ask the Premier this. Will he at least concede that he needs to listen to someone else besides Rick Clarke, someone who does know about creating jobs and creating investment, listen to what they have to say and then take the right action, which is to stop this bad bill, first contract arbitration, before we really do damage in this province - before he does?

THE PREMIER: Mr. Speaker, I'd invite him to have a look at the list of people who are included in the Premier's Council on the Economy and then tell me that those people don't know about creating investment in this province. That's simply not true. The plan for government, whether it's jobsHere or the Workforce Strategy - all those came about as a result of the hard work of people who are making investments in this province every day, who are creating jobs - unlike the members opposite, who had the worst economic development results in the country for 20 years. (Applause)

MR. SPEAKER: The honourable member for Glace Bay.

#### **ERDT - JOB CREATION COMMITMENT: JOB LOSSES - EXPLAIN**

MR. GEOFF MACLELLAN: Mr. Speaker, yesterday the Premier stood in this House and said he has kept every single commitment that they made during the last election. We'll certainly put that to the test. Apart from saying that they wouldn't raise taxes and then hiking the HST, this government committed to creating 2,200 new jobs per year in their brochure during the election. Between October 2009 and October 2011, there was a net job loss of 5,200 jobs in this province. In the last year alone, rural Nova Scotia has lost 6,600 jobs.

My question is, will the Minister of Economic and Rural Development and Tourism explain to this House how losing thousands of jobs is keeping his commitment to create 2,200 jobs per year?

HON. PERCY PARIS: Mr. Speaker, I'm very proud to stand in my place and say that between June 2009 and June 2011 we've created and supported 3,000 jobs in the Province of Nova Scotia.

That's 3,000 jobs. I stand here in my place, and I've said repeatedly that one job loss in the Province of Nova Scotia is sad. However, as my colleagues and I are very aware, times have changed in the world. There are things that are simply out of the control of Nova Scotians.

We have a strategy for the first time - and I mean this sincerely - for the first time in at least 20 years, we have a vision to move this province forward in every region of the Province of Nova Scotia: jobsHere.

MR. MACLELLAN: Mr. Speaker, the Premier suggested that I wouldn't come to him with that question, and the reason why I wouldn't come to him with that question is because I would think that the Minister of Economic and Rural Development and Tourism should be able to answer the questions on the economy and job losses - but they will come to the Premier.

As we learned yesterday, it is not only 6,600 jobs lost which is causing this crisis in rural Nova Scotia. Close to 10,000 people in the past year have exited the workforce outside of Halifax - 9,800 people who are no longer looking for work. They have simply given up. Not only did this minister fail to keep his commitment to create 2,200 jobs per year, but almost 10,000 left the workforce entirely, to get out of here because they don't have jobs in Nova Scotia.

Mr. Speaker, will the Minister of Economic and Rural Development and Tourism admit to Nova Scotians that, by every measure possible, he has failed to keep his campaign commitment to create 2,200 jobs per year in Nova Scotia?

MR. PARIS: Mr. Speaker, what this minister has committed to do is to create as many jobs in the Province of Nova Scotia as possible. We have a strategy. It's a good strategy. We are going to stay the course because we believe in that strategy, and again, it is called jobsHere.

MR. MACLELLAN: Mr. Speaker, 2,200 jobs per year is what the NDP promised, and we're nowhere near that. What did Nova Scotians get instead? A plan with no job targets - "as many jobs as possible" is not a target where there are hundreds of millions of taxpayers' dollars involved; the IEF2, which will be controlled by Cabinet, not business experts; numbers that can't be celebrated by this minister, the Minister of Finance, or any

of the government, no matter which one you choose, like 5,200 net jobs lost between October 2009 and October 2011, 6,600 jobs lost in rural Nova Scotia, 9,800 people in rural Nova Scotia exiting the workforce; and finally, the lowest economic growth of any province in this country.

Mr. Speaker, will the Minister of Economic and Rural Development and Tourism admit that the Premier misled the House yesterday when he said the NDP have kept every single election commitment that they made in the last election?

MR. PARIS: Mr. Speaker, no.

MR. SPEAKER: The honourable member for Argyle.

### **PREM.: COMMITMENT - DEFINE**

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, yesterday the Premier said in response to my question that, “. . . this government has kept every single commitment it made during the last election.” He repeated the statement not once, not twice, but three times. As I quoted before, in the words of this Premier, that's simply not true.

One example is during the CBC TV Leaders' debate where the Premier said, “We are not going to raise taxes” and I will table that. Less than a year into the government's mandate he raised the HST by 2 per cent. Now, anyone would call that a commitment, Mr. Speaker. Today I ask the Premier, through you, to define exactly what he meant by, commitments, and just how that differs from a commitment like the one he made in the Leaders' debate.

THE PREMIER: Well, Mr. Speaker, the commitments were made in our platform document. I'm sure the member has an opportunity to have a look at it and had a chance, maybe, to check off each one of the commitments that have been kept.

MR. D'ENTREMONT: So I guess, Mr. Speaker, that means Nova Scotians need to get it in writing. If asked questions about promises, the Premier plays a silly game with Nova Scotians and pretends there is a difference between a promise and a commitment. He's trying to take Nova Scotians for fools, which they are not. If the Premier still claims he has kept all of his commitments, and he is careful to use only that word, will he concede that he has broken many of his promises, pledges, agreements, or other similar expressions where he told Nova Scotians to accept on faith what he had to say?

THE PREMIER: Mr. Speaker, unfortunately many of the people in Nova Scotia, myself included, were forced to accept what was an egregious misrepresentation of the financial situation of the province by the previous government. They told us the budget was balanced. They told us that there wouldn't be any deficits and yet the independent

assessment proved that the previous government had put us on track for a \$1.6 billion deficit and it is unfortunate that a responsible government has to undertake the measures that are required to bring the province back to balance. Surely no one likes to raise taxes but the reality is, because of the awful financial situation that they left us in, we had very little choice in the matter.

MR. D'ENTREMONT: Wow, I've seen a lot of spinning in this House but definitely that's one of the worst ones I've ever seen.

Don't forget, Mr. Speaker, a message from the minister, the Public Accounts for the year ended March 31, 2009 reported a surplus of \$19.7 million and that same report that he's quoting from also said - oh, it's signed by Graham Steele, sorry, the Minister of Finance, I retract that - so as much as he continues to say that this wasn't a balanced budget, time and time again organizations came and said that it was. So we can debate that one all day here in the Legislature.

Mr. Speaker, if the Premier can make such outrageously inaccurate statements before this House, how can any Nova Scotian trust him to manage their future? He broke commitments not to raise taxes, to keep ERs open 24/7, to balance the budget in the first year and to keep "politics" out of politics - just to name a few.

Mr. Speaker, my question to this Premier is will he retract his statement knowing full well that Nova Scotians will see his outrageous, deliberately inaccurate statements as unacceptable behaviour for a Premier?

MR. SPEAKER: I'm just going to remind members that it is improper to refer to another member by their name in any way during any proceedings in the House and that includes notices of motion while reading documents such as newspapers - just to remind all members.

The honourable Premier.

THE PREMIER: Mr. Speaker, I would remind the member opposite that in the first full year of this government, not only did we balance the budget, we ran a surplus. We paid every single capital expense over revenue, and we paid down debt. That's what we did.

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

### **PREM. - 2009 CAMPAIGN: TAX PROMISE - DENY**

MS. DIANA WHALEN: Mr. Speaker, on May 20, 2009 on the front page of The ChronicleHerald, the Premier is quoted as stating, "We're not going to raise taxes." I'd like to table that article as well. That's not in a pamphlet; it's in The ChronicleHerald. This was said in response to a question at the Leaders' debate where he was asked under what

circumstances an NDP Government would raise taxes. His answer was definitive - it says, "We're not going to raise taxes." My question to the Premier is, does the Premier deny that he made that promise in the May, 2009 campaign?

THE PREMIER: What we did do is we took the tax off of home energy; we took the tax off of several necessities of life. We amended the income tax provision so that we ensured that seniors no longer pay income tax if they're receiving the GIS. Those are the kinds of tax measures that we undertook.

It is, in fact, the case that the now Leader of the Official Opposition couldn't put forward a costed platform. In fact, I think they said his dog ate the page that had the costing on it, wasn't it, Mr. Speaker? We made the commitments that we made in our platform and we're keeping them.

MS. WHALEN: My question today wasn't about all the other things that the government has deluded themselves with, but it's the fact that they have raised the HST in this province. That's the question. That's the action that we're looking for. That's what we've seen and that's what Nova Scotians are feeling every day. In addition to that, we know that the promise or commitment was made, and at the same time, in the 2010-11 provincial budget, there was a tax hike. I'll be happy to table, as well, the budget bulletin for that year. It shows a two percentage-point increase in the HST.

A tax hike is a tax hike and that definitely was exactly what the Premier promised not to do. My question to the Premier is does the Premier deny that he raised the provincial portion of the HST by two percentage points in the 2010 budget?

THE PREMIER: Mr. Speaker, what we did was we undertook the necessary measures to make sure that the province gets back to balance. Unfortunately, because of what can only be thought of as misrepresentations as to the financial health of the province, what we found when we came to office, as was accurately portrayed in the Deloitte Report, is a substantial structural deficit. There are choices, of course, and I've never heard the Leader of the Official Opposition or any Opposition members saying that what they would have liked to have seen is much deeper cuts to the Department of Health, much deeper cuts to education, higher debt loaded onto the backs of Nova Scotians. So, which is it, Mr. Speaker?

MS. WHALEN: It's interesting that the Premier of this province says that he didn't know, during the election, what the state of the provincial budget was all about, what our finances looked like. It's interesting to note that because during that election and during the very same debate, the Leader of the Liberal Party said we couldn't say because we knew it was bad. We didn't promise not to raise taxes. That was cheap. (Interruptions) We knew that and you could have asked your own Minister of Finance - pardon me, the Premier should have asked his own Minister of Finance who, at the time, was the critic, and that

critic knew full well that the province's budget was in trouble (Interruption). It was a very inappropriate and opportunistic response to say that you would never raise taxes.

Mr. Speaker, my question to the Premier is, why didn't you consult with your Finance Critic at the time, to get the true story?

THE PREMIER: Mr. Speaker, what I will point out to the member opposite is that not just what I said, but of course when you look at what the economic panel said is that not only could I not have known, but there were economists who did not predict the results because we were not privy to the same information that the previous government was privy to.

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

**FISH. & AQUACULTURE - FCA CONSULTATION:  
FISHERIES INDUSTRY - INCLUSION**

MR. ALFIE MACLEOD: Mr. Speaker, yesterday Colin MacDonald, the president of Clearwater Fine Foods, spoke to the Law Amendments Committee, and when asked about the government's anti-business labour legislation, Mr. Macdonald warned that first contract arbitration would do: serious damage to Nova Scotia's reputation as a place to work and do business. Clearly, the fisheries industry has some serious concerns about the government's extreme anti-business agenda.

My question through you, Mr. Speaker, is for the Minister of Fisheries and Aquaculture. Given the importance of companies like Clearwater and the overall importance of the fishery industry here in Nova Scotia, what steps did the minister take to ensure that the fisheries industry was invited to take part in a fair and open consultation on this new labour legislation?

HON. STERLING BELLIVEAU: Thank you very much, Mr. Speaker, for the question. I'll divert this question to the Premier. (Interruptions)

THE PREMIER: Well, Mr. Speaker, of course we take the advice from all the sectors seriously, but what I can tell you is that I hear almost daily about the great reputation that Nova Scotia has, and about the great way in which this government has brought forward things like the manufacturing and processing credits, things like the workforce strategy, things like the jobsHere plan that clearly identifies what it is that businesses want in order to be able to invest in the province. We're very proud of those strategies and they can be assured that we will continue with them.

MR. MACLEOD: Well, when you saw the response from the Premier when he was looking to find out who he should consult with, it's interesting. They're consulting now, but they didn't have time to do that when they were putting this legislation forward.



Mr. Speaker, Mr. MacDonald told the committee that a higher HST, higher power rates, and demographic issues were already providing businesses like his with enough challenges. Simply put: “We do not need to invent more reasons why companies shouldn’t come here to Nova Scotia.”

Mr. MacDonald continued to say:

“We are being actively pursued by other jurisdictions where we do business, to locate some of our activities there. They provide us with guaranteed funding, guarantees of labour fees, and additional incentives such as tax benefits. Now I mention this because I know other companies looking to come to Nova Scotia and expand in Nova Scotia are being offered the same thing.”

Mr. MacDonald’s comments, Mr. Speaker, are proof - other jurisdictions are looking to take advantage of Nova Scotia’s anti-business climate.

Now my question for the Minister of Fisheries and Aquaculture - and hopefully he can speak on an industry he has been part of all of his life - is, does he understand the risk his government’s extreme labour agenda poses to the fisheries industry here in Nova Scotia, and when will he stand up for those in the fisheries industry by going to the Cabinet Table and telling the Premier and the Minister of Labour and Advanced Education that it’s time the government ended its crusade against business and look out for the best interests of the fishery here in Nova Scotia?

MR. BELLIVEAU: Mr. Speaker, I refer this question to the Minister of Labour and Advanced Education.

HON. MARILYN MORE: Mr. Speaker, I’m not sure which business associations the fishers belong to, but certainly the Canadian Manufacturers and Exporters were involved in the consultation. I just want to remind people that we are fully convinced, based on experience across Canada - 85 per cent of Canadian workers are already covered under first contract - that this proposed legislation is something that’s going to help stabilize the economy. It is only meant - and everyone recognizes that - for the very few circumstances when the two parties cannot sit down around a negotiating table and reach a satisfactory conclusion. We have provided the checks and balances to protect both the workers and the businesses, and this should be reassuring to business in Nova Scotia.

MR. MACLEOD: Mr. Speaker, it’s obvious that the minister just doesn’t get it. (Interruptions) One of the most important jobs as minister is to make sure that the fisheries industry here in Nova Scotia is represented and adequately consulted on new legislation that will affect their business, and he has failed. The minister refuses to stand up for the industry at the Cabinet Table, as we’ve seen twice already, and instead answers to the beck

and call of the Premier and the Minister of Labour and Advanced Education, continuing to support legislation that the president of Clearwater called “draconian.”

My question to the Minister of Fisheries and Aquaculture is - and hopefully this time he will try to answer - whose side is the Minister of Fisheries and Aquaculture on? Is he standing with the fishers industry and the many people employed in it, or is he like the rest of the Cabinet and standing with the NDP’s big labour friends?

MR. BELLIVEAU: Mr. Speaker, to the member opposite, I respect Colin’s comments. I know him very well. I also know the industry, and I can tell you that this minister, this government, is standing up for the inshore fisheries and the fishers of Nova Scotia. I can take you back to roughly 100 years ago when our famous Bluenose schooner was the leader in all competitions in the international fishing industry. We were a winner then and we are a winner now. We’ll continue to represent the fishing industry, which is the strongest in Atlantic Canada. (Interruptions)

MR. SPEAKER: The honourable member for Dartmouth East.

#### **NAT. RES. - TREE SPECIALISTS: JOB CUTS - EXPLAIN**

MR. ANDREW YOUNGER: Mr. Speaker, my question is for the Minister of Natural Resources. Today Boston will light up their Christmas tree from Nova Scotia. It’s an important gift that recognizes not only thanks - after the Halifax Explosion - but also is supposed to celebrate the strength and importance of our Christmas tree export market. Unfortunately, the NDP doesn’t seem to understand the industry is important, because in June the Department of Natural Resources announced that it had terminated two tree specialist positions.

Mr. Speaker, this has left a huge service gap in the industry and the Christmas Tree Council. Its associations have been working to try to address this shortfall and are still struggling. So why did the minister cut these two positions?

HON. CHARLIE PARKER: Mr. Speaker, I guess we’ve moved into December now and it is the season of Christmas. I want to thank the honourable member for his Christmas card that he sent me very recently. It was very nice and good to support a local project in his own constituency.

The Boston Christmas tree, as you mentioned, was recently harvested this year in Yarmouth County. I had the honour of being there with the member for Argyle while we cut that tree, and I think the Deputy Premier is this very day attending and that tree is being erected in Boston.

Our Christmas tree industry is very important to the economy of Nova Scotia. I think about 1.5 million trees are cut on an annual basis and exported as far away as Dubai

in the Middle East. We have changed our focus in the department on how we support the industry, but we recognize that it is a very important industry. We will continue to work with the industry and the growers and try to expand our industry in Nova Scotia.

MR. YOUNGER: Mr. Speaker, I'm not really sure what to say about that answer. I wanted to know why he cut the two positions and it's worth noting the two positions are still noted on the minister's Website as being active when he has fired those two people. Furthermore, the minister just talked about, or I think he talked about, how important he thinks the Christmas tree industry is and yet he didn't even consult with the council before the positions were eliminated. They were shocked, and I'm sure the minister has seen their statements on the issue; they feel like they were side-swiped. The minister cut the two positions and didn't even tell the Christmas tree association in advance, so why he would think that they believe that he thinks the Christmas tree industry is important is beyond me. So, why did the department not provide any indication to the Christmas Tree Council of Nova Scotia, and the employees that the NDP caused to be fired, that these cuts were happening?

MR. PARKER: Those two individuals that were our Christmas tree specialists are still employed by the Department of Natural Resources. They have moved to take on extra responsibilities; they still have expertise in Christmas trees, but they're looking after woodlot expansion and other duties within the department. Also, other outreach people within the department are also now providing education and outreach on Christmas trees. Really we've gained more people to help advise the industry.

We also have put a strong emphasis on research and working with the research partners at the Nova Scotia Agricultural College in Truro. That's another way to try - mainly on the needle retention - to allow our balsam fir, known around the world as one of the best trees for Christmas trees in the world. We continue to market and put an emphasis on good quality research.

MR. YOUNGER: Mr. Speaker, the minister knows it's about the two positions. He knows that the outreach people were helping the Christmas industry before that, that isn't new support. He has eliminated support and he did it without consulting the industry. Those are the facts.

Mr. Speaker, there are roughly 1,200 families involved in the cultivation of Christmas trees in this province. It's an industry that generates \$30 million in business, employs 400 full-time workers, creates 2,000 seasonal jobs, and maybe the minister didn't know that. But the link to the two Christmas tree specialists is still on his Web site today, even though he eliminated the positions in June, so it's obviously not that important to him.

Mr. Speaker, the NDP likes to talk about investments and retaining jobs but here are two that they eliminated, directly. Will the minister agree to restore those two specialist positions to help ensure two dedicated individuals for the Christmas tree industry?

MR. PARKER: Those two specialists are still employed within the department in a different role. Additional people are now providing service, as well, to our Christmas tree growers. We also have a strong emphasis on the SMART Christmas tree balsam project, as I mentioned, at the research station at Bible Hill. We are also funding now a new coordinator for the industry, and again, working very closely with the Christmas Tree Council and they are very much on side with that project. I would hope the honourable member would look at buying a real Christmas tree this year, as I would encourage all members in our House to support our local industry. Thank you.

MR. SPEAKER: The honourable member for Richmond.

**PREM. - POWER BILL INCREASES: RICHMOND CO. - JUSTIFY**

MR. MICHEL SAMSON: Mr. Speaker, residents in Richmond County in the Strait area are looking for answers after five separate power outages took place yesterday. Schools were cancelled, meals were ruined and everyone was left frustrated. Power outages also took place earlier in the week, all at a time when the weather was favourable for this time of the year. Yet this week, residents in Richmond County, and all Nova Scotians, learn that they are expected to pay an additional 6.1 per cent on their power bills as of January 1<sup>st</sup>, 2012. So my question is, will the Premier explain to the residents of Richmond County why they should pay an additional 6.1 per cent to Nova Scotia Power in the face of such poor service?

THE PREMIER: Well, Mr. Speaker, I would hope that, on behalf of his constituents, he has raised these issues directly with Nova Scotia Power. They have a maintenance facility and they have a maintenance budget which they use to try and strengthen the grid. That's the only suggestion I can make to the member.

What I can say is that he should tell his constituents that the government is working hard to get off the roller coaster of unpredictable rate increases by reducing our reliance on fossil fuel and ensuring that we have stable long-term energy rates that will be good both for residents and for businesses.

MR. SAMSON: Mr. Speaker, power is an essential service and a basic necessity. While Nova Scotians understand that power outages may occur in storms, it's hard to justify the repeated power outages that took place yesterday and earlier this week in Richmond County. Residents are rightfully asking, if repeated outages are taking place in mild weather, what are they to expect once winter fully sets in? The response from this NDP Government is to hide behind the Utility and Review Board while Nova Scotians are asked to pay an additional 6.1 per cent for such poor, unreliable service.

Again, my question to the Premier is, when will the government demand that Nova Scotia Power make upgrades and investments to their infrastructure in order to maintain a secure power system for all Nova Scotians?

THE PREMIER: Mr. Speaker, it's a private company. It's not a department of government. Yesterday the power was out in Cole Harbour. When that happens I want to know the reasons why, and if it is going to continue to be a systemic thing, I make representations to the company and ask them to ensure that the appropriate upgrades are made. I would recommend that to the member opposite.

MR. SAMSON: Mr. Speaker, this is a government that continues to allow Nova Scotia Power to have a monopoly in this province. In doing so - they know it's a basic necessity for Nova Scotians. They've had two long years now to break the monopoly, had they wanted to. They have chosen not to do so. When we see kids being sent home because of power outages in mild weather, this government should be paying attention and should take notice, not tell the people of Richmond County to call Nova Scotia Power.

Mr. Speaker, if Nova Scotians are to continue to see rate increases, this government has a responsibility to demand to the Utility and Review Board that Nova Scotia Power upgrade its infrastructure and make the necessary investment.

Again, my question to the Premier is, in light of five power outages in one day, school cancellations, and the misery that that caused yesterday, will the Premier finally demand to the Utility and Review Board that Nova Scotia Power make the necessary investments to their infrastructure?

THE PREMIER: Well, Mr. Speaker, I'm not really sure where the member opposite was going with that question. The reality is that in most provinces the utilities are monopolies. In this province, there's a slight difference because we have municipal utilities that do provide service to some of the municipalities.

Mr. Speaker, he would know that the way the rate base is decided is by investments that go into the rate base. I assume what he is saying is increase the investment in the grid, which I'm sure Nova Scotia Power would be happy to do because that's how they make their case for higher rates. I don't think the member really wants higher rates, although I do know that he voted against taking the HST off of home electricity.

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

MR. EDDIE ORRELL: Mr. Speaker, during the election campaign the NDP promised to create 2,200 new jobs per year through the manufacturers' tax credit. After two and a half years of the NDP, there should be 5,500 new jobs somewhere - anywhere.

Statistics Canada clearly shows that there are 5,300 fewer full-time jobs in Nova Scotia from October 2009 to October 2011, not the extra 5,500 this government promised.

Mr. Speaker, whenever the Premier gets asked about promises . . .

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

### **GOVERNMENT BUSINESS**

MR. SPEAKER: The honourable Deputy Government House Leader.

MR. 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 Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please call Bill No. 122.

#### **Bill No. 122 - Environment Act.**

MR. SPEAKER: The honourable Minister of Environment.

HON. STERLING BELLIVEAU: Mr. Speaker, I'm certainly happy to say a few words about Bill No. 122, amendments to the Environment Act. The Environment Act is the foundation of our work at the Department of Environment. It guides how we protect the environment and human health and how we respond when our environment is threatened.

The Environment Act requires that the legislation be reviewed every five years. The Act was reviewed in 2000 and the broad public and stakeholders' consultation was conducted and changes were tabled in 2006. This year, we completed another legislative review of the Environment Act. The advisory committee, made up of municipal, industry and environment organization members provided feedback on our work.

Our department also conducted stakeholder and public consultation and I want to thank the members of the advisory committee for their hard work and dedication to protect the environment. I also want to thank our stakeholders and members of the public who provided comments. We received 60 submissions during our consultations. Nova Scotians told us that the Act certainly is working well, however, we are taking this opportunity to make the environment even stronger. The work of the advisory committee and the comments that we received are certainly reflected in this bill.

This legislation will enhance our ability to protect the environment and human health. The most substantial change will allow us certainly to build more flexibility in how we protect the environment. Currently, the Act requires an approval process for all activities, regardless of their potential impact on the environment. This legislation will allow us to make changes to create and enforce clear rules for low-risk activities.

These changes will give our staff more time in the field during their important work dealing with issues that affect our environment. The changes to the definition of “adverse effects” will focus staff’s attention where certainly the authority is on the Act, rather than answering complaints that don’t impact the environment. It will put our people and resources where they are needed the most.

We’re also changing the time frame of the legislation review to every 10 years from every five years. We’ve heard that the Environment Act is working well for Nova Scotians so we think this time frame is reasonable. Other jurisdictions don’t even have a legislative review in their environmental legislation, so Nova Scotia is a leader in this area, Madam Speaker.

Madam Speaker, I want to take a moment to speak on something that is not in the legislation. During our consultation, we asked Nova Scotians what they think about the administrative penalties or monetary penalties imposed on a person or company that breaks the law. Nova Scotians said that they want more discussions, more information before we even consider administrative penalties. They spoke and we listened, and that is why we’re not moving forward with administrative penalties at this time. In the coming months, staff will be reviewing our process to see how we can best protect the environment and human health.

I want to thank my colleagues in the House and all Nova Scotians for their interest, their comments and their support. I certainly look forward to comments from the members opposite. I move Bill No. 122 for second reading. Thank you.

MADAM SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Madam Speaker, I’m pleased to rise on the amendments to the Environment Act, and let me start by saying that I’m pleased that the minister chose not to include the administrative penalty section in these amendments of the bill. While there’s clearly a need for an enforcement mechanism and a fine mechanism, I’m glad that the minister has chosen to leave that method of doing it out of this bill at this time because, of course, we know that the administrative penalties can be seen as sort of a conviction before being proven guilty of something, and there has to be some sort of balance. So I would like to thank the minister for doing that.

I guess, from a personal perspective, I would almost rather see a completely new Environment Act written - and I recognize that’s something that takes time and, obviously, the minister is trying to address some short-term issues, but I think we’ve come to the point where the Environment Act is old, it’s outdated, and we’re always tweaking things and finding things that don’t work. So I hope that at some point, given the realities of environmental concerns and environmental health concerns, we will be moving towards having a completely rewritten Environment Act at some point in the future.

Specific to the changes the minister makes here, I would like to comment on a few of them. Moving the review from five to 10 years, from a practical point of view, makes sense because by the time things work through the system you're already at the five-year point again and starting over. So I think the 10 years, while at first glance some people may look at that and ask why are we lengthening the time, I think there is probably a practical reason for doing that, and I certainly support the minister on that - although, again, I would say I hope that when we come to the 10-year review, we actually probably end up with a completely new Act or a complete overhaul of the existing Act at the very least.

The adverse effect situation is interesting. I see the merit in wanting to remove the barbeque calls, and I know they exist - I mean I get them in my office and I'm sure other members get them in their office. But I'm not sure that this is going to stop the calls to the Department of Environment. It was actually one of the reasons why, earlier this session, I introduced the Environmental Ombudsperson Act and the whole point was actually to - because we know even with these changes the department is still going to get those calls and then the resident will be turned down and they'll feel like the government should deal with it, and this may not be an issue that the government should deal with.

There has to be a mechanism for people to have that final say, to say, listen, this is a provincial responsibility or it's not - or it's a municipal responsibility, or a local one. That isn't addressed anywhere, and I think that that's something that we need to come to terms with, how we address that.

I would like to use an example from Cape Breton, where I know a number of members get called - and actually Stellarton as well - they're getting a number of calls about coal dust. I think probably all members have been copied on some of the e-mails showing, you know, coal dust covering school yards after some of the explosions in some of the strip mines. Well, of course, in a number of those cases the dust levels have been within the allowable realm of the permit. So the question is does that become something that the Department of Environment would look at, or doesn't it, because sometimes it won't and sometimes it doesn't meet the - or I would assume that sometimes it doesn't meet the regulations. So that is something that sort of becomes a grey area that we need to figure out how to deal with, because people have reasonable concerns and they certainly deserve answers to that.

In terms of having to go through the approval process for getting a culvert under your driveway and addressing that, anything we can do to clear up the red tape on that side of things makes sense. In all honesty, the simplest solution I think is probably what has been suggested here, which is, you say here are what the rules are and as long as you follow them it's fine, but I think what we need to do is make sure through the department somehow that it's abundantly clear that if you don't follow the rules, you're going to be told to take that out. I know we've all seen cases where somebody put something in incorrectly and then sometimes they're not asked to remove it.



If you're not going to require people to get a permit to make some of these alterations or put some of these things in - which makes sense for 99 per cent of people - you have to make sure that when they do it wrong and they cause an adverse effect or an effect on other people, that there is a mechanism to actually make sure that it gets fixed. That's where the devil is in the details on that. So while removing that red tape and making it easier, so somebody doesn't have to sit there and wait for a permit for something that is fairly routine and makes sense, we do have to make sure that it is still addressed.

The spill issue is something that we've actually talked about as a caucus for a number of years. I know the member for Preston had talked about it, and I know the member for Halifax Clayton Park had, especially around oil spills and whose duty it is to report these things and to make sure that it's not just the person causing the spill - whoever really finds it, at the end of the day, is responsible for it. That also makes some sense.

Generally speaking, I don't have any problem personally with any of the things that are suggested in the amendments to the Act. A lot of them clear up issues and I'm happy to support it going forward. What I would say is that I think there are a lot of larger changes and a lot of bigger issues which still need to be addressed in the Environment Act, and I hope that in the not-too-distant future we'll see some of the bigger issues that currently exist with the Environment Act addressed.

Let me leave you with just one of those, which is the definition around what is required to have an environmental assessment and what is not required to have an environmental assessment. Part of it is around the size of a designated watercourse or a wetland area. I know that there have been a number of cases across the province lately where, because they were discontinuous wetlands, there was no need for an environmental assessment when, in fact, there probably should have been an environmental assessment. There appeared to be little to no power for the minister to actually use his discretion to order an environmental assessment. So there are things like that.

We've seen it where you have a highway interchange that doesn't go through one, even though the watercourse is there, because it's about one metre below the length of what is required in the Act. Those are things that I think need to be addressed. I'm not saying that they all need to have an environmental assessment, because that certainly isn't the case, but we either need to address the loopholes that exist in some of those bigger issues around environmental assessments and wetlands or we need to add some sort of discretion on the part of the minister to be able to order those things outside of it. That isn't covered in these amendments and I hope that issue, which I know comes up repeatedly, will see some way of being addressed in the future. Thank you very much, Madam Speaker.

MADAM SPEAKER: The honourable member for Hants West.

MR. CHUCK PORTER: Thank you, Madam Speaker. I'm just going to take a couple of minutes here to speak to Bill No. 122 as well. I don't want to repeat all the things

that member who just spoke did comment on; we agree with a lot of that. There was one point that I had a chance yesterday to speak to the minister after the bill was introduced, and it was with regard to the committee and the board, as it currently sits today, and what the idea is moving forward. I just expressed concerns that I think would be quite relevant with regard to ad hoc committees, that they were balanced. That's what he assured me would take place, with experts in the field and coming from a variety of different backgrounds - that is at least our hope - that would be relevant to the particular case before them. That does make quite a bit of sense.

More importantly, the other member spoke about the five years and 10 years. I think the ways things have been in recent years - I don't see any change at any time in the near future, the environment being what it is, and one of the number one things in order of priority and importance for all governments across the country and around the world. I would think that this bill and the environment in general would be looked at regularly for necessary changes that make sense, things that need to be brought up to date, and I would think that would be very much a living document with something like the environment.

So we would look forward to changes that made sense, to meet the needs of Nova Scotians and Canadians and all people. With those few comments, Madam Speaker, I will take my chair.

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

The honourable Minister of Environment.

HON. STERLING BELLIVEAU: Madam Speaker, I want to thank the members opposite for their thoughtful comments. I would like to move second reading of Bill No. 122.

MADAM SPEAKER: The motion is for second reading of Bill No. 122. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

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

The honourable Acting Government House Leader.

HON. DAVID WILSON: Madam Speaker, would you please call Bill No. 118.

**Bill No. 118 - Motor Vehicle Act (amended).**

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

HON. JOHN MACDONELL: Madam Speaker, I move that Bill No. 118 - entitled an Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act - be now read a second time.

Today I am pleased to speak to the proposed amendments to the Motor Vehicle Act. We want our roads to be safe for all Nova Scotians. These changes to the Motor Vehicle Act will provide the province with updated tools to deal with incompetent or unfit drivers. The proposed changes are intended to establish a higher standard and more impartial condition for the exercise of discretionary power. The current provisions of the existing Act were written many years ago, and it's important that the Act reflects the current environment. These changes will make the process more predictable and objective for Nova Scotia drivers and will provide individuals with access to an independent appeal.

We are proposing three changes to the Act. The first change elevates the standard applied to discretionary suspensions from the "Registrar must have reason to believe" to "the Registrar is satisfied". The Registrar continues to have the ability to request a re-examination or medical examination where there is a reason to believe there is an issue with a driver.

Suspending a person's licence is a serious consequence and I want to ensure that sufficient information is present. Police will still have the ability to suspend the driver at roadside for things like impaired driving or stunting and drivers will still lose their licence when they accumulate 10 demerit points. The wording change reflects my desire that a higher level of evidence indicating incompetence or unfitness to drive be present before a person's driver's licence is suspended.

The second change deals with the circumstances in which the Registrar may issue a discretionary suspension. Specifically, the changes will limit such suspensions to situations where a person has failed a competency test or a physician has recommended the removal of the licence.

The final change establishes an additional avenue of appeal for individuals affected by certain decisions issued by the Registrar. The appeal board may be used by drivers to dispute certain decisions of the Registrar with respect to suspensions and impoundments. It is a good administrative practice for the appeal to be heard by people who are independent of the situation. A number of other provinces have in place a motor vehicle appeal board or similar body. The proposed legislation allows the administrative process associated with appeals, including any fees, to be set by regulation. In other provinces, the fee for an appeal ranges from \$125 to \$250.

The changes to this legislation are designed to improve the current process. These proposed amendments will ensure the Motor Vehicle Act is more up-to-date, fair and protects the interests of all Nova Scotians. Thank you, Madam Speaker.

MADAM SPEAKER: The honourable member for Clare.

HON. WAYNE GAUDET: Madam Speaker, I'm pleased to rise and say a few words on Bill No. 118 - an Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act.

These amendments that are being proposed here today will allow the Registry of Motor Vehicles in our province to suspend a driver from driving if they fail an examination required by the Act, or the medical examination, in the case that the driver in question is not able to safely operate a motor vehicle.

Madam Speaker, the Registrar under the Motor Vehicle Act is ultimately the person responsible for all the drivers in our province. I would say that's a mighty big responsibility that our Registrar has. This bill will give the Registrar of Motor Vehicles the authority, if so required, to suspend a driver from driving if the driver in question has failed an examination or a re-examination, as required. Sometimes drivers are asked to go for a driver's test, of course, we have to recognize at times drivers do fail these re-examination tests, and at the same time we have to also recognize sometimes drivers, after a medical examination, are found not able to safely operate a vehicle.

Overall, Madam Speaker, these are positive amendments that we can support in helping our Registrar of Motor Vehicles do his job. Our Registrar, Mr. Paul Arsenault, has a big responsibility and this bill will certainly allow him to do his job. I'm sure I'm not the only MLA who sometimes receives calls from constituents who have been suspended from driving. Of course, in trying to help these individuals I sometimes give Mr. Paul Arsenault a call for help, and I'm sure, as I've said, I'm not the only MLA that does get some of these calls, and I want to take this opportunity to publicly thank Paul Arsenault for all the help that he has provided me over the years.

Madam Speaker, I found out from my experience that these calls are not the same to deal with, and with Paul's help I'm able to provide additional information to these drivers and help them understand why they have received a letter from the Registry of Motor Vehicles and what actions are possible. So again, if Mr. Arsenault is listening, I want to publicly thank him for all the assistance that he has provided me and to all members, to my colleagues here in the House because I know at times, as I pointed out, with these calls, naturally, you have to get into specifics and quite often these calls, no two calls are the same. With Mr. Arsenault's assistance sometimes we're able to provide that explanation, that support that is needed.

Again, Madam Speaker, this bill also will establish a Medical Advisory Committee and a Motor Vehicle Appeal Board. This Medical Advisory Committee will be composed of specialists, of doctors, of optometrists, psychologists, and other licensed health care professionals appointed by the minister, to provide information, to provide recommendations, to provide, sometimes, that medical opinion to the Registrar. The

Registrar, again, needs this medical advice, needs medical professionals to help him, at times I'm sure, in order to carry out his responsibilities. I certainly have no problem where this bill establishes a Medical Advisory Committee to support the Registrar in order to carry out his duties.

This bill also will provide the minister to appoint a Motor Vehicle Appeal Board. This will allow drivers to appeal decisions made by the Registrar. Unfortunately, when I look at the Act, the regulations respecting appeals are not known at this time. I look at Clause 11, for example, there are some questions about when filing an appeal; it mentions the fees. Well, of course, we don't know how expensive it's going to be for a driver in our province to file an appeal with the Motor Vehicle Appeal Board.

Again, as far as some of the details that are not provided here under the bill, it raises questions. How much will it cost to file an appeal? It talks about the requirements for evidence provided for an appeal, and there are other points raised under Clause 11. So without knowing exactly what the regulations will say, I still believe this is definitely a step in the right direction. I believe this is the right way to go in case some drivers wish to appeal a decision.

Again, I certainly support the minister with providing a system to allow drivers in our province to appeal, if they so wish. Of course we know, according to the bill, these appeals will not be free, but yet we have no way of knowing at this stage how much drivers will have to cough up in order to be provided with the opportunity to appeal a decision made by the Registrar. Of course, another question that comes to mind is how the minister will select the members of this appeal board, this is not identified under the bill.

So, overall, our caucus has no problem in supporting the minister to allow this bill to go through second reading and to allow this bill to go to the Law Amendments Committee. And I certainly would encourage, especially people who are watching this afternoon's debate, Mr. Speaker, to invite Nova Scotians to come to the Law Amendments Committee and if they have questions with regard to the appeal board, with regard to this bill, it's certainly an opportunity that our Legislature provides the general public to come in and express those concerns and raise questions at the same time to government with regard to the bill that is being debated here.

In closing, the proposed amendments, the minister pointed out, are quite similar to those that are in place in the Provinces of New Brunswick and Quebec. Our Liberal caucus will be supporting this bill through second reading, in order to allow the general public the opportunity to come and express their views on this bill. Thank you.

MR. SPEAKER: The honourable member for Preston.

HON. KEITH COLWELL: Mr. Speaker, I'm going to be very brief on Bill No. 118, the Motor Vehicle Act, which the minister has introduced. It appears there are some

very positive things in this, but the one thing that I see that is most positive is the appeal process for a decision made by the Registrar. The minister knows of one case that I've worked on and he's worked on that, indeed, that would have probably solved the problem, or at least solved the issue. I'm pleased to see that the minister has brought this amendment forward.

Over time, and in my role as Service Nova Scotia and Municipal Relations Critic, it has been clear that it's very difficult to get information back for a driver's licence that has been suspended and, indeed, to find out if it has been suspended properly. I know the Registrar doesn't take these things lightly - he takes his job very seriously and, indeed, tries to ensure that he is fair and unbiased when these things are in place. It seems sometimes that not having all the information, of course, the Registrar would have, it appears sometimes that there may be some discrepancies in the way that the licences are suspended.

I'm pleased that the minister has decided to move forward with this bill. We will support this, as my honourable colleague has said, through to second reading so we can get it into Law Amendments Committee and have some people come in and talk about the issue and, hopefully, shed some more light on it and, indeed, improve the safety on the roads for our drivers in this province. Thank you, Mr. Speaker.

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

The honourable Minister of Service Nova Scotia and Municipal Relations.

HON. JOHN MACDONELL: Mr. Speaker, I want to thank the members opposite for their comments. It has been a bit of an education, being the minister in this department and certainly with issues, I think, coming across all of our desks related to the Registry of Motor Vehicles. Anyway, with that, I rise to close debate on second reading of Bill No. 118 and again move second reading.

MR. SPEAKER: The motion is for second reading of Bill No. 118. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

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

The honourable Acting Government House Leader.

HON. DAVID WILSON: Mr. Speaker, would you please call Bill No. 120.

**Bill No. 120 - Liquor Control Act.**

MR. SPEAKER: The honourable Minister responsible for the Liquor Control Act.

HON. GRAHAM STEELE: Mr. Speaker, I move that Bill No. 120, an Act to Amend Chapter 260 of the Revised Statutes of 1989, the Liquor Control Act, be now read a second time.

Mr. Speaker, this bill adds another procedural option, namely the possibility of a civil injunction, in the event that there is an anticipated or continuing violation of the Liquor Control Act or the regulations. It is a procedural change, not a substantive change. In other words, anything that was legal before is still legal and anything that was illegal before is still illegal. This will help to ensure that there is consistency across the province, as well as quicker action in the event of an actual or anticipated violation. The wording is similar to wording in the Technical Safety Act and other provincial regulatory Statutes. The purpose is also the same; namely, to ensure that the public is protected as effectively and efficiently as possible.

Mr. Speaker, the regulation of intoxicating liquor is a long-standing public policy objective. In the Liquor Control Act, the first objective laid out for the Liquor Corporation is promotion of social objectives regarding responsible drinking. Members of the House will have heard our public health officials speaking recently about issues associated with alcohol consumption. In this regard, it is important that those charged with upholding the existing law should have the tools necessary for effective enforcement. That is the purpose of this bill.

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

MS. DIANA WHALEN: Mr. Speaker, you know, we have before us here this bill from the government that really is empowering the NSLC with, you know - and let's remember that the NSLC is a retailer. That's its primary purpose. It's a retailer and if their primary purpose is to ensure that there is safe and responsible drinking, I don't think their concern would be with small-business people who allow you to brew your own wine and beer on premise.

I noticed the minister has been very careful to stay away from any specific examples of the kind of legalities that he's referring to. It would be helpful if he had been more clear because we know there must be some particular thorn in their side, something that's bothering them, something that's an irritant and they're bringing in a law now, to change all the rules, so that the NSLC, which is one monopoly retailer, can go after other retailers. I think this is really, you know, a terrible idea of public policy or action here in the Legislature.

Mr. Speaker, you know, I have a bill that's before the House, it's not the first time it's been on the order paper, Bill No. 39, and it calls for the government to make it clear and change the law so that it would be absolutely legal for a business to allow you to buy a kit, a wine or beer kit, and actually mix it up on the premises and leave it there to ferment. If the minister is suggesting that this is somehow going to promote irresponsible drinking, I

completely disagree. If you're talking about underage drinking or binge drinking, this is not something that young people are going to wait 30 days to get their wine or their beer. That's just not the way it works. The people who use these stores - and I can speak from the experience I have seen in my riding - are people who live in apartments and don't have a lot of space to leave it to brew in their own premise. If they take the kits home and mix them up, they have to have space to let sit and it takes up a lot of room. I have over 9,000 families that live in apartments in my riding; there are more than 9,000 apartment units. They don't have space so they would love to have the opportunity to go to a store where they could mix it up and leave it on the premises to brew.

That has been something that has been unclear in our laws here in Nova Scotia and something that the minister clearly has the power and the ability to change and to clarify. But instead he has chosen a law which gives undue powers to a retail organization, the NSLC, which we give a monopoly to. They can now have quasi-police powers because what this bill says in the explanatory note "This bill adds authority for the Nova Scotia Liquor Corporation to obtain an injunction against a person with respect to an anticipated. . . ." - so it doesn't even have had to have happened - ". . . or continuing violation of the Act or regulations." So they can go straight to the courts and get an injunction and not bother with the police as the intermediary. The reason they are doing this is because there is ambiguity in the law on this and the police haven't been cracking down on the u-vints and the brew-on-premises stores, or perhaps not uniformly doing so, and the minister wants to clarify that and make sure that the NSLC, without any bother to the police forces, can circumvent them and go in and get an injunction.

I'm not a lawyer but I call that quasi-police rights to a retail organization; I think it's wrong. I think that in the time that this has been fought in Nova Scotia, I've had bills before the House for a number of years, perhaps four or five years, and I've kept that bill current each time we've had a change of government or a new Speech From the Throne. I bring that back because I believe it's an unnecessary threat to small business to do this. To make my point, in our very area of this part of Canada, in the time that this has been being discussed and letters have been going back and forth to the Department of Finance and back and forth to the owners of these stores, PEI and New Brunswick have both brought in legislation and approved this activity; it's allowed, it's fully legal; there's nothing wrong with it in those two provinces.

Previously, we know that there were people here in Nova Scotia travelling to New Brunswick to do just that, to mix up their wine, leave it there for 30 days - this would be great news for all of those members who live close to the New Brunswick border, one more reason to go to New Brunswick because that's allowed there and they can go back and they can bottle it themselves and bring it home. They don't want to do that. They'd like to be able to do it in their own communities, supporting our own business. Those businesses provide jobs right here, small business, yes, but jobs.



I was just speaking to the store owner in my area who has his store right below my office. It is the Wine Kitz store in Clayton Park West, and it's owned by Ross Harrington, who had actually been the subject of a police operation a couple of years ago where police came in plain clothes, mixed up a batch of the wine, set it on the shelf to brew and then charged him with bootlegging, or something that meant bootlegging. He went to court and the court found him not guilty of manufacturing and not guilty of the use of premises for storage. So those two things are clear, and perhaps that - now the Minister of Finance seems a little bit upset about this, but the minister had his opportunity, Mr. Speaker, the minister could have explained it. The minister could have said what's in his craw right now, what's bothering him, but he didn't.

MR. SPEAKER: Order, please. The honourable member for Halifax Clayton Park has the floor. There will be ample opportunity for others to speak if they wish.

MS. WHALEN: That's right. Hopefully the minister will speak when he closes because he has avoided the issue; he is speaking in circles about any illegal activity can now be acted on faster and more efficiently. Well, I see that as a very punitive measure that he's talking about to crack down on a legitimate small business, and not just one but one that's in many of our ridings. I know there's a Wine Kitz store in the valley, I believe in New Minas, so maybe the member that represents New Minas will be interested in that. There's one in New Glasgow that has been offering this service, to let people come in and brew their product in the store. It's your product, you own it; you simply leave it in their store because they have space. You handle it, you come back yourself and bottle it, it's your batch of wine or beer. That's how the process works, and it's perfectly legal in New Brunswick, in Prince Edward Island, in British Columbia. For more than 20 years it's been legal in Ontario and it has done nothing to hurt the bottom line of the Ontario Liquor Commission.

I think this is nothing more than a turf war, essentially, with a great big giant company - the NSLC - which is funded by the Government of Nova Scotia and ultimately puts their profits back into the government coffers - taking on a kind of David and Goliath thing. They are already taking on the little guy with undue powers, and now we're going to give them the power of injunction to go and take, as I said, very punitive measures, to essentially become a policing organization.

I strongly oppose this move. I think it is so regressive. I think that the members of the governing Party, the NDP, might do well to remember where they were a few years ago when this issue came up and it was realized how ridiculous it was that our police would be taking their time to dress up in plainclothes and go and charge a small-business person for allowing you to mix up your wine kit on the spot and not take it home to your apartment and mix it up. That's foolish, and the Minister of Transportation and Infrastructure Renewal at the time, the member for Timberlea-Prospect, said very clearly that he was sympathetic to what that business was doing and what others could be doing by adding more employees and increasing their profitability, paying more taxes back to the

Government of Nova Scotia. That's exactly what they'll do. They'll hire more people and they'll pay more taxes.

I'm sure the minister is well aware that there are a number of these Wine Kitz stores - and I'm not sure they all have that name - but the stores, there may be others as well that are doing this brew-on-premise and they've actually been doing it in different parts of Nova Scotia for the last number of months. In speaking to the owner of the small business in my district, I heard that he began to do this again in July of this year. I knew I had seen some signs out saying that you are welcome to come in and you have the opportunity to brew your wine on the spot. I know that has been very popular with, as I said, the people who live in an urban area with no big storage places in their apartments to store and keep this product. This is a perfect thing for them.

I should also mention that it's a perfect thing for seniors, and I have a lot of seniors who live in my area. They can't handle the great big vats that you have to move, those great big glass jars that you have to move if you fill them. I know I would have trouble to lift and move those. It's really convenient for them to be able to put them into a nice storage room where they sit on a shelf in some other place and they can go back to it 30 days later, when it's time. So we're talking about a convenience for seniors, for women, for people who live in apartments and don't have a lot of space.

The marketing of that for these small businesses is great. They can invite you in; you can do it there. It's perfectly responsible. They're absolutely not going to be doing anything irresponsible in terms of encouraging any kind of binge drinking or inappropriate drinking.

The customer profile for a store like that, a store that allows you to test and try different wines at a reasonable price - because you can make a batch and it's reasonable - those people tend to be people who are beginning to try different wines and are sort of interested in getting to know more about wines. It's really something that's more of a hobby than anything. I'm sure many of us have friends who have made homemade wine and it is a hobby. They try different grapes and they try different types. As they get more familiar with them, they actually increase the sales at the Nova Scotia Liquor Corporation, because then they want to try what they made and try what the Liquor Corporation is selling and see how those grapes taste if they get it from Chile or from South Africa or somewhere else. So it's actually a good thing for the Liquor Corporation as well.

The Liquor Corporation has had this bee in its bonnet for a number of years. I've been told it was 10 years that letters have been going back and forth with the government. We've heard the most ridiculous reasons why this should not be allowed, and today we heard another one: that these small-business owners, who are operating clearly in the malls and shopping areas of the province, are somehow going to be irresponsible and encouraging irresponsible drinking. That's the last thing they want.

I think the minister in his opening comments said that this bill before us - Bill No. 120, the bill that says it's an Act to amend the Liquor Control Act - is supposed to somehow make responsible drinking better, that it's going to make sure that there isn't irresponsible drinking by stamping out illegal activities.

I think the minister should be very careful in telling the House why this is so necessary. His comments were very carefully worded - veiled, in fact, I believe - in terms of what illegal activities he is going after. The only thing I can say - oh yes, he smiles; it's that sort of smug smile that says I know something you don't know. Well, he does because he's not sharing it with the rest of the House.

I really think that the members of the House should consider what is the major illegality that they're going after, and why is it the NSLC's job to go after this - if there's bootlegging, if there's an illegal sale of alcohol, an illegal manufacture of alcohol, shouldn't that be a police matter? That's a serious matter. I'd like to see the police move in on that. I don't want to see the NSLC take all the action and be the policing body in this matter.

I think the NSLC wanted this power because they have a few businesses that are irritating them. In their giant monopoly, they have something they want to stamp out and that is the activity of the small businesses that are allowing brewing on premise. This very bill before us today is a clear threat; it's a clear signal to those businesses - stop what you're doing right now because there's a new game now, you don't need to wait . . .

AN HON. MEMBER: Go to New Brunswick.

MS. WHALEN: Go to New Brunswick; tell the customers to go there; tell your employees that, yes, I've got you on full time now, but we're going to have to cut you back to part time, or maybe lose that job, because we won't have that revenue anymore.

Again, I can only point to the one business I've had the opportunity to speak to this afternoon, and in that business they said this year, allowing the extra service that they could provide through the brewing and leaving it on their premises, they had three of their worst months of the year - that are usually the worst months, I should say - June, July and August, when people are away and there are less sales of wine in general, primarily because people are travelling, those three months this year were three profitable months for that company.

That little business made a profit in all three months. Normally those are three months they just try to weather, so that they can stay in business, but this year it was a profitable three-month period. They were able to take a staff member who had been part time and offer full time - now that will obviously have to be reversed if this comes through. They've been able to actually see a real opportunity to be innovative; to offer more service to people, and that's exactly what they want.

Members of the House might remember that there was a petition brought here that had - I can't remember the exact number, but over several hundred signatures, saying, we want this service; we depend on it; we want it to be available. And these are not lawbreakers. These are elderly people who want the opportunity to be part of this hobby. As I say, it's an interest and a hobby that's fun, and it allows them to be involved and to make wine; to talk about it with their families and test it. It's a lot of fun. All we have to do is look at all the wine clubs that there are. Go to the Italian Club - they have all kinds of wine clubs. This is a hobby for a lot of people, and it's meaning that you can no longer do that.

Again, I have to point out that the Minister of Transportation and Infrastructure Renewal was very well familiar with this issue and had spoken to the owner of the Wine Kitz store - I might remind the minister, it's the Wine Kitz store in Clayton Park that we're referring to now. But it's an activity that is taking place across the province and the Minister of Finance doesn't like it. The Minister of Finance has decided to find another way to circumvent the current laws that require a complaint to be laid before the police will even investigate this. The police have said they don't want to waste their time on frivolous things like this; they know there is no harm being done and they know that this is legal in many other provinces and has not caused any harm to the public.

I'd be the first to step up if I thought that this was going to be irresponsible and it was going to harm young people or create chaos or just be damaging in any way, but this is not. The damage - if we're talking about binge drinking - is coming from people who are buying it at the liquor store. The NSLC has a lot to speak up for and be responsible for here - this is just something that irritates them. I think they believe it's going to cut into their bottom line and it's ridiculous, because the NSLC has a huge monopoly and these stores are very small. Even if there was one in every neighbourhood it wouldn't really make a dent in the income of the NSLC.

I really think the minister should be upfront and should spell out exactly what illegal activities are being aimed at or squashed with this new power that is being proposed in this bill, Bill No. 120. As I say, I think it really is astounding that as a relatively new government, the concern for the little guy has evaporated. A few years ago, there were members of the NDP caucus in Opposition who had an understanding, a concern, an empathy for the situation of these little guys who are just trying to make a living in a small business, trying to offer the same kind of services as their counterpart - sometimes these are chain stores, some of them are franchises. They wanted to be able to offer the same thing on a level playing field, even with our nearest neighbours, New Brunswick.

Now, clearly here's a new government with the power of a majority. You've got the numbers in the House to do what you like. Instead of correcting an anomaly, correcting a mistake that could have been simply set aside and made legal with an easy change to the Act - because it isn't clearly illegal right now. There's ambiguity. That's why there hasn't been a big crackdown.

There was somebody with enough courage to take it to court to try to show that he has the right licensing and permitting, that he was doing everything above-board, that he was paying taxes to the Nova Scotia Government. Everything was above-board, and he had to go there and fight that at his own expense for lawyers and so on. Since then things have been relatively quiet, but now, with this new bill, that's an end run. That's a way to shut them down and intimidate them.

I'm really shocked at the change in attitude from understanding and looking and trying to help small business or to help eliminate some red tape or unnecessary regulation. The government has done a complete U-turn, and what's really interesting is that they are spouting the exact same line that we got from the Progressive Conservative Government when the minister was Mr. Goucher from the Progressive Conservative Party, and prior to that, Carolyn Bolivar-Getson. Am I allowed to say past members' names? I believe so. She was the minister. I have seen letters that came back with her signature, with Mr. Goucher's signature, or Minister Goucher's signature, and now we'll see the same thing coming from the current Minister of Finance.

It's really astounding, because we would have expected a different attitude, a different approach. It makes you wonder, who's running the show? Is it the bureaucracy that's running the show? The policy, the official line, coming from government has not changed. It's the same. They see a potential threat to the wine industry, our little wine industry that's starting to flourish in Nova Scotia, but when I've spoken to the Wine Industry Association, they haven't been aware of it at all. We're creating a wine tourism approach and so on and everything is going really well. They're not the least bit concerned with companies that are selling concentrate and allowing you to mix it up yourself. That's a very different market, and again, as I said, if you get people who start to try different wines and learn more about wines, they'll be interested in visiting our wineries. They'll be buying our local product as well, because they'll become wine people.

AN HON. MEMBER: Like the rest of us.

MS. WHALEN: Yes, that's right, and they're going to buy more of that wine from the NSLC as well. It's really just part of that continuum of learning about wine, because people don't usually start drinking wines until they get to a certain age or they have a little bit more money. So it's not something that's threatening. It does not threaten the industry, and again, who is NSLC to tell us that this is a threat to the wineries of the province? Wouldn't that be Economic and Rural Development and Tourism's job? Perhaps the Minister of Economic and Rural Development and Tourism, if he felt there was a threat, would write a letter or let us know if this has some impact on the economic development (Interruptions)

We would like to see that, but in the meantime this is clearly - we've talked about the big Bill No. 102 and whether that kills jobs, but no question, in small businesses in this province, in the wine brewing and brew-on-premise for beer, this will kill jobs - absolutely.

The minister hasn't shown us any jobs that have been created. Every time we ask him, he talks about money that they've poured into different industries. Here's some tangible proof that there's a way you can create jobs by actually meeting the demand that Nova Scotians have.

I've said why it's important to have this. I'm just astounded that the NDP Government has turned its back on the very people that they previously said had a strong case. They previously totally agreed that the government was off base, off track, and doing the wrong thing when they wrote back letters saying that this little retail operation could threaten our wine industries or somehow threaten the NSLC. We all thought that was absolutely ridiculous, and so did members of the NDP.

But now, all of a sudden, the NSLC is dictating the policy here, through the Minister of Finance, to see before us undue policing powers being given to the NSLC, and they are now going to determine what they think is illegal.

Remember, Mr. Speaker, when I read the explanatory note, it says that they can get an injunction against a person with respect to an anticipated violation. Now what is that? How have you broken the law that is an anticipated violation of the Liquor Control Act? I mean that's really interesting. I don't know if that's legal in itself.

I think there are some real questions in this bill that need to be addressed. I would like to call on the minister to go back and look at Bill No. 39, which is on the order paper right now, which is simple and it's a very simple change and it says, let's simply allow and make legal the activity of the brew-on-premise stores, which is legal in P.E.I. In fact, that was brought in and passed regulations written within one year. It was just done lickety-split. They said that's silly, we're going to correct that, but not in Nova Scotia because no, we're dictated by some other rule and our rules are unduly cautious, in this case and, in fact, have no bearing on the health or safety or maintenance of good government.

It's really, I think, very much a territory war; it's the NSLC not wanting any competition whatsoever, even if it's not direct competition. I think the minister really should be clearer, if he thinks there are other activities that this is aimed at, then I think it would be great if the minister could go forward, pass Bill No. 39, or your own version - the government's own version, sorry, Mr. Speaker - make it clear. Let's get rid of the ambiguity. Let's make it clear that that's legal, just as it is in our neighbouring provinces.

MR. SPEAKER: Order, please. The chatter is getting a little loud. If there are conversations that need to take place, please feel free to take them outside the Chamber.

The honourable member for Halifax Clayton Park has the floor.

MS. WHALEN: Thank you, Mr. Speaker. I'm sure that we will hear from a number of people at the Law Amendments Committee when this does come to that process. I think it's right that people have the opportunity to come and speak and let us know when they see a government that has done an about-face and has tried to actually harm small business, not only bringing in more regulation and more difficulty in running a business but actually stopping something that is not harmful, that is supported by the public as we can see from one small store coming up with hundreds of signatures. We can see that for the member for Halifax Clayton Park, myself, saying that in my riding I know so many people who like that service because they don't have the room to take those kits home, because they don't have the strength to mix them up and handle the heavy product themselves.

Now is that wrong? Should they be denied the opportunity to make their own wine and to have that opportunity?

AN HON. MEMBER: Send them to New Brunswick.

MS. WHALEN: But they will, they will go to New Brunswick and I'm sure that the members from Cumberland, and that area in particular, will see it even more and all of us, even from Halifax Clayton Park, they're going to New Brunswick and having to travel back with their product. Now that is just silly.

This whole introduction of this bill is a great disappointment to me because I really did think - silly me - I really thought the NDP were going to act on some of the obvious problems, like small problems that are easy to correct in this province, things that have been kind of ludicrous in the past - the police officers taking their time to go in and charge somebody for brewing on premise and considering that to be something else, something illegal, something like bootlegging. That has been proven, it's not bootlegging. You own the product if you've purchased it, it's yours sitting on the shelf. It's not bootlegging, it's innovation. (Applause)

Mr. Speaker, you can tell that this is a subject that I have spent time looking at over the years. I felt strongly enough about bringing in a Private Member's Bill in the past, I've continued to bring it in because it's one of those small things that could make a better business climate in Nova Scotia, just small things that don't really - no skin off anyone's nose, just a small change that would help our province to be a little bit more competitive, to give our business people a little bit of a hand up. In the province with the highest HST in the country, the highest value added tax in North America, in a province that has high business taxes, high property taxes, as we know, high power rates, high transportation costs, all of those things go against a small business in this province.

When they try to be innovative and they try to do something better, something that's going to create a little employment, which has been shown that it actually has in that one business, and I know we can hear from others who have also had that experience. No, what does the government do? They follow the line of the NSLC. Instead of using their

own sense and their own judgment, they're following the same line that was given to the members that were in the Progressive Conservative Government a few years ago. They're writing the same letters and they're saying the same arguments.

So where's the innovative thinking on that side of the House, Mr. Speaker? I'm really astounded and this is an example of that narrow-minded thinking that seems to have invaded the NDP's psyche. With that, I'm looking forward to hearing from the people who do come to the Law Amendments Committee.

MR. SPEAKER: The honourable member for Preston.

HON. KEITH COLWELL: Mr. Speaker, I didn't intend on speaking on this bill today but after some of the comments received from across the way, I just simply had to stand up and talk about it. You know, as we talk about this bill, Bill No. 120 - and my honourable colleague who just sat down made some very, very good points. We have a situation in the province today that people have less money to spend. Now, she didn't go there and she didn't talk about that but that's one thing I want to talk about.

You know, when this government got elected, shortly after that they put the price of alcohol up in this province. Now, for a lot of people, you know, most of the people in this province socially drink and they enjoy that and, indeed, if you're trying to battle with paying your grocery bill and your light bill, your rent, your insurance, your water bill, all these bills and all these increases that have come up on the electric bill, all these things, all of a sudden you can't afford the bottle of wine that maybe you bought once a month, or whatever the case may be. The only alternative to that is to maybe brew your own at home and, indeed, if people live in apartments like my colleague has been talking about, it's impossible to do it there, or if it's a senior who can't handle these big containers. They've taken that away from them.

I know the Minister of Finance with his income and his family's income can afford to buy a \$500 or \$600 bottle of wine anytime he wants. Most Nova Scotians cannot afford that. So if they can get a bottle of wine for \$2 or \$3, a good-quality wine, then indeed it's a benefit to them. It goes back to all these taxes that have been raised by this government, the government that said they're not going to raise taxes. They put taxes up on everything pretty well in this whole province - almost on everything. It has cut the disposable income down of the average family substantially, substantially cut it down, and yet they sit there and say that it's a good deal for today's families. Well, I don't know what the good deal is, we're still waiting for it. If it gets any worse, there's going to be no deal and a lot of families aren't going to make it.

You know, I had totally forgotten about the fact that they put the price of alcohol up in this province and I totally forgot that they increased the price of tobacco. When you look at tobacco and the cost of tobacco - and I'm a non-smoker, an avid non-smoker, but I don't say anything or I don't interfere with anybody who does smoke because that's their right to



do so if they so wish, but it's another tax that the no-tax regime of this government - before they got into power they said, we're not going to tax anybody. So here we are taxing again and they're going to give the Liquor Corporation the ability to enforce, something that might happen - might happen. That's pretty interesting. Maybe somebody is going to do something wrong and they can charge them. That sounds like a good deal. I wonder how they're going to defend that in court.

It's unbelievable, just unbelievable that this government has got this arrogance to bring this forward, but it doesn't surprise me any, you know, it's the same, the Premier gets up here and says we didn't increase taxes. Well, they increased. Let's see what they increased now: alcohol, tobacco, the HST, every service, every fee in this province, and some of them twice - some of them twice - over 1,400 of them. Income tax has gone up continuously under this government. We've seen power rates go up continuously and then the Premier says, well, we took the HST, the provincial share of it, off the power bills. Then they put another tax on to replace it. What's the difference? People are still paying the bills and it's getting so expensive to operate in this province, it's not worth it. It's simply not worth it.

As we see more and more and more of this happen, we wonder why we've got 12,500 fewer jobs in this province and no targets from Economic and Rural Development and Tourism of where they're going to develop any new jobs and they wonder why the jobs are disappearing. I can tell you why because this government's got no plan for economic growth in this province, absolutely none, they don't have a clue how to do it, not a clue. No targets, they got no real plan. They write lots of checks and boast about the checks they write but I would rather them seen talking about checks that are written by employers to employees for doing a job in this province, that they have to pay income tax on and put something back into our province. That is beginning to fall apart in this province.

When the better deal for today's families was spouted for a couple of elections, with great big four-by-eight signs - I got to remember signs again here in a second. But these great big four-by-eight signs, better deals for today's families - nobody in this province had an idea that what the better deal was higher taxes, tax people to death, fee them to death, cut services but don't cut any employees, you don't do anything else. I can tell you, the government has grown and grown and grown and grown. I talked before about the inability in this province to support what this government's doing because after a while, there is a time that comes when you tax things so much, you'll have a negative growth in your income from the tax you have on. That's a fact, there's been studies done on that, and I think we're just about to that point right now.

As this government claims that they're not increasing taxes, although they've put all these taxes up, and claims that they're creating jobs when we're losing jobs every day in this province - how are they going to make all this happen? Well they're not making it happen. Now they put this bill in place and are probably going to wipe out these u brews, the one thing that a senior can enjoy on a fixed income and I can tell you I've got a lot of

seniors in my riding that don't have very much disposal income, unlike the Minister of Finance who again can afford these \$500 or \$600 bottles of wine and not even think about it. Then you got some senior out there at a very difficult time, probably affording a bottle of wine once a month.

Indeed, are they going to take everything away from people, absolutely every little pleasure that they may have in life? Well that's what it appears to be, I guess that's part of the better deal for today's families. Better deal for today's families - that was the NDP's slogan, this government's slogan before they came to power. I guess the deal is getting better and better - more and more taxes, and fewer jobs.

Then when they talk about jobs, they spout this huge shipbuilding contract, which is great, it's wonderful that is anticipated, and I stress "anticipated". Mr. Irving himself said there'd be only 1,200 new jobs - 1,200 not 11,000 - at the shipyard at the peak and then it will drop to 900 jobs a couple years later when the construction of the new facility is completed. We'll have several elections between now and then, the time that this contract is actually awarded because it hasn't been awarded yet. The government is basing their whole - I don't know what they call it, their goals and objectives for employment, even though the Minister of Economic and Rural Development and Tourism says they have no goals. There's no targets, there's nothing there for employment in the province. I guess it's easy not to have targets because if you don't have targets you don't have anything to achieve. This government is achieving lots of things - fewer jobs for Nova Scotians, higher taxes and the list goes on and on.

This sort of bill is regressive as time goes on. As you see this unfold and as people in the community realize what will happen, first thing you know they're going to be assuming that the wine stores are going to brew wine in their facilities and they'll shut them down, just in case they might. That bill says that could possibly happen. What's going to really happen with this whole process, as you go through and you look and see the devastating effect that this government has had on the people of Nova Scotia and see exactly what's going to happen down the road.

I'm not saying this because it's political. (Interruption) I'm saying this . . .

AN HON. MEMBER: That's a good one.

MR. COLWELL: You can laugh over there if you want - the government is laughing about this - but you explain that to the people in my riding, and in your ridings, who come in and say, we can't make it anymore, we cannot make it anymore. Do you know why they can't make it anymore? Two per cent of their total income is now gone in HST, gone. Add to the increase in income tax with bracket creep, that this government has not eliminated, and that's more money gone out of your cheque, more money gone. If you buy any kind of alcohol, beer, wine or anything at all, that has gone up in price, so that reduces your disposable income.

If you decide that you have to register your vehicle or get a driver's licence or anything else you might have to do - 1,400 fees in this province have gone up, that reduces your disposable income. The incomes of people in this province have not gone up but the taxes have gone up disproportionately. Also, this government does absolutely nothing, or makes any effort at all, on trying to get the power rates down in this province. That reduces your disposable income.

You add all these things together and all of a sudden people are having severe difficulty in buying and paying for essentials such as food, shelter, electricity and all the other things a family needs. If you have children in a family, it may mean that your child cannot join organized sports and as we all know, as all members of this House know, if you get a child into organized sports they are less likely to be involved in other activities that you don't want to see children involved in. It teaches them sportsmanship, it teaches them teamwork and all those important things. If that child is not given that opportunity because this government taxed them to death on everything else and the families can't afford to pay for it, then what happens? Then we see the crime rate go up. All the things are interconnected.

As we go through this process and see what this government is doing to the people of this province under the better deal for today's families, you wonder where this is all going to end up. I can tell you, there are going to be a lot of families bankrupt. There will be a lot of families that will lose their homes. I've already seen it in my area, going up for property taxes because people can't afford to pay their property tax or insurance. I've had issues with people not being able to buy insurance on their properties and fires destroy their properties. They have nothing left, absolutely nothing left. At least they had a home before that happened. If you are paying this all in taxes, you can't afford to pay for your insurance, so where do people turn? Luckily in our community there are fundraisers but that never replaces all the things that have gone.

So as we see this government go on and pat themselves on the back for the wonderful job they're doing for today's families, it makes you wonder how they can ever possibly conceive that they're doing a better job for people in this province. They're not, they're absolutely not.

When you see someone come in almost in tears, talking to you, who has worked their whole life, and saying I cannot make it anymore. I am considering bankruptcy. What do you tell someone like that? What do you tell them? How do you help them? I wish that these members over here who are setting all these things in place and all the members sitting in the back who aren't allowed to say anything, all the ministers who aren't allowed to answer questions because the Finance Minister and the Premier answer them for them - ask them, what do you tell these people?

I can tell you one thing, they're very upset with this government. They realize - they're starting to realize I should say - why that dollar they had two years ago that could

buy a dollar's worth of goods and today it is worth nowhere near a dollar. Think about that. How do you expect people to survive? How do you expect people to do things they should? It just makes you wonder.

You know you look at the Yarmouth ferry which has devastated that end of the province and they said, well, it only hurt Yarmouth and the area. Well I can tell you it is hurting my area, too, because tourism numbers are down because a lot of people used to take the ferry from New England to Nova Scotia and stay here in Nova Scotia and spend money here. Those are real dollars into the community, not just money back into government and re-circulated. That doesn't help our economy at all. Those services are important, very important, but it does not help our economy, it does not make our economy grow, it doesn't put businesses in place.

Now they're talking about more legislation that's going to make it almost impossible for Nova Scotian businesses to operate. Well, I can tell you that those businesses are upset, very, very upset, and indeed over time I think that they will make their voice very clear as time moves forward. It's unfortunate that that has to be the case. This is a wonderful place to live; it's a wonderful place, and it has wonderful people, hard-working people in Nova Scotia, but people will only take so much.

When you talk to people who are retired, talk to people who have retired, ask them, if they move to Ontario, how much less tax they would pay, I can tell you they're looking at it. I have several friends who have moved to Ontario after they retired and, you know, they save a substantial amount on income tax, and they save a substantial amount on other taxes. So why would the people with a disposable income stay in Nova Scotia?

It's important that the people who retire stay here because they will get the local carpenter to come to fix their home; they'll get a gardener or someone to maintain their lawn; they'll do all kinds of things to spend money here - but if they go the money goes with them. And when the money goes, the gentleman who was mowing lawns for the summer may not have enough work next summer and he'll be in trouble and his family will be in trouble because he won't be able to look after his family.

So this has a chain reaction through the whole system and it takes quite awhile for that chain reaction to sort of work its way through, but it's well in progress now and you talk to any family today and ask them how they're doing financially and every one of them will tell you, every one of them, it's more difficult today than it was two years ago when this government took office.

I almost forgot about the pothole sign that this government puts up, you know, congratulating them on every pothole they've fixed - they put a four-by-eight sign up, it must cost, I don't know, \$2,000 or \$3,000 to set these signs up, to fix a couple potholes - and there's the Premier's name and the name of the Minister of Transportation and Infrastructure Renewal on it. That's pretty neat, you know - political campaigning and the

taxpayers are paying for it. Well, let's put the money into fixing the roads - the minister will say we put in more money than anyone else, and that's fine - why don't you put this money into it as well.

As this goes on and we see this kind of regressive bill like Bill No. 120, it makes me wonder what the real intention of this is because this government always seems to have a hidden agenda somewhere hiding there in the background. Is it to eliminate the u-brews at home? Maybe it is. That would be interesting. Maybe if you have more than one carboy at home brewing some wine, maybe it's interpreted that you're maybe going to sell that, and then they'll come in and charge you that you might sell it - I don't know anyone who brews wine that ever sells it. It's just inconceivable, but that could happen.

They could come and say, look, you've got two jugs here, that you're brewing wine, we're going to charge you with that because you might be going to sell that down the road sometime - you might sell a bottle, we're going to charge you - then you've got a big battle on your hands to go forward. That could happen. I would hope that the liquor inspectors would have more common sense than that, and I'm sure they do, but it's possible by this law that could happen. It could happen.

You can't say what's going to happen. There could be a big crisis somewhere and somebody will be all upset, well, you know, we didn't mean to do that, it wasn't really what we meant but indeed it's in the Act. So it makes you wonder why they would put this seemingly, you know, innocuous amendment to the Liquor Control Act. Well, as we go through and see all the things that this government has done, there must be some kind of reason why they've decided to go with this bill and change it.

The bill says in Section 107A(1): "In the event of an anticipated or continuing violation" - an anticipated, anticipated. I'm no lawyer, but anticipated to me usually means that somebody might have in their mind that they might be going to do something or someone might have perception that someone's going to do something, and maybe that's anticipated. I would be interested in seeing what the minister says about "anticipated" when he gets up to close the remarks on this - but it just shows how far off some of this legislation is.

It is unfortunate that Nova Scotians have to put up with this, very unfortunate. It is unfortunate that the government doesn't care about families and the small pleasures that families get in different ways in this province. By the time they are done all the taxation they've put on - and I did forget about this alcohol increase and I will remind the government about that again, the taxes on that when they were elected early on. But, again, the Premier says we didn't increase any taxes - well anyway, the people of Nova Scotia will judge that in the next few years and realize that they don't have as much money to spend on the essentials of life.

Mr. Speaker, I would talk about this for a very long time, but I'm so discouraged in Nova Scotia and so discouraged to see where Nova Scotia is going, where job prospects in this province are going, all the jobs that are being lost, more to come I'm sure, more to come, which is not good - how are we going to survive here and make a really good place for our children to stay and work and grow our economy?

Thank you, Mr. Speaker.

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

The honourable Minister of Finance.

HON. GRAHAM STEELE: Thank you very much, Mr. Speaker. I did want to note one thing before I close. The member for Halifax Clayton Park started her discourse by saying the Liquor Corporation is just a retailer. I did want to remind the House that since its creation 80 years ago, the Liquor Corporation, or its predecessor the Liquor Commission, has had a substantial regulatory function. The retail operation is the part of the Liquor Corporation with which the general public is most familiar, but it is not in any way the only thing that the Liquor Corporation does.

Just for the information of the House, if I could read or refer to a few sections of the Liquor Control Act enumerating the duties of the Liquor Corporation. It does say in Section 12, Mr. Speaker, “. . . the duty of the Corporation . . . to (b) control the possession, sale, transportation and delivery of liquor in accordance with this Act and the regulations;” Another example, (j) “appoint officials to issue and grant licenses and permits under this Act.” Another example, (l) “control and supervise the advertising, promotion and marketing methods and procedures of manufacturers, distributors, agents and their representatives;” and so on, and so on. The Liquor Corporation has always had, and still has, a substantial regulatory role.

I would also like to remind the House that the bill that is before the House is a procedural measure, it is not a substantive change in the law. In other words, Mr. Speaker, anything that was legal before this bill is passed, is still legal. Anything that was illegal before this bill is passed, will still be illegal. This bill does not change anything from one category to another, it simply provides the regulatory authority in Nova Scotia with an additional tool to enforce the law in the public interest.

Thank you, Mr. Speaker.

MR. SPEAKER: The motion is for second reading of Bill No. 120. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

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

The honourable Acting Government House Leader.

HON. DAVID WILSON: Mr. Speaker, would you please call Bill No. 121.

**Bill No. 121 - Education Act.**

MR. SPEAKER: The honourable Minister of Education.

HON. RAMONA JENNEX: Mr. Speaker, I move that Bill No. 121, an Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act, be now read a second time.

I am pleased to speak in favour of the amendment to the Education Act. This legislation aims to improve and strengthen the management and governance of our hard-working school boards. I value the work that our elected school boards do for the students of Nova Scotia. School boards and their staff are dedicated to the learning success of the young people in our province and they are an important partner working to ensure our students get the best education possible.

Mr. Speaker, it is in the interests of students, their families, and communities that boards work effectively. A board that is well managed and focused on the education of children is an effective board. But, as we have seen, most recently in the case of the South Shore Regional School Board, a board can lose its focus and fail to live up to the standards we demand of them, as well as the standards required under legislation and by their own bylaws and codes of conduct.

Mr. Speaker, school boards are accountable to the Minister of Education. As such, most Nova Scotians I think would agree that the Education Minister should have the authority and the ability to act if there are concerns about board management or conduct. School boards must be open and accountable to the people they serve; they must always act in the best interests of students; abide by their bylaws and codes of ethics; and treat each other and their staff with respect.

If there is a problem, Mr. Speaker, there are few clear legislative mechanisms for the province to review a board, unless the board requests a review of its governance practices. That is exactly what occurred in the case of the South Shore board. Concerns were raised publicly, but my authority to review the situation was limited. It was only by a motion of the board, requesting the performance review, which allowed me, as minister, to appoint an outside person to look deeper into the concerns that had been raised.

Mr. Speaker, there is no clear statutory provision which would give me, or any future minister, the authority to undertake an investigation related to board governance, the results of which might provide vital information or important evidence needed to

determine if there was, indeed, a problem and, if there is an issue, to use that information to inform corrective action.

Mr. Speaker, the Deloitte report into the South Shore Regional School Board identified that this gap existed in our legislation. Under the Act, I have the authority to issue directives to a board to take corrective action if there are problems, yet I did not have, and do not have, clear authority to gather or collect information to inform that directive.

The legislation I am proposing today, Mr. Speaker, will provide the minister with the authority to appoint one or more persons to investigate matters related to board governance - that includes the ability to review a board's financial condition, its administration function, the quality of education services, management and operations.

Mr. Speaker, Nova Scotia is one of the few provinces where the minister does not have clearly outlined legislative authority in place to ensure boards are complying with the Act or its regulations. Seven of the ten provinces, currently, do have legislation similar to what I am proposing today - only Nova Scotia, Newfoundland and Labrador, and Manitoba do not.

Mr. Speaker, I want to make it clear, very clear, that I view this amendment not as a mechanism to find fault or wrongdoing, but as an accountability mechanism that will be helpful to both boards and the department, to improve governance, monitor performance, and to ensure sound management. This legislation would allow me to order an investigation when a board is in trouble and, just as importantly, it will also give me, working closely with boards, the clear authority to act before there is trouble.

The amendment will give us the authority to conduct regular reviews that could identify ways we can work with boards earlier, to improve performance before a situation becomes dire and extreme action is required.

I want to make boards stronger and to support them better, so that we can better support students and learning, and I believe this bill will help achieve that. I hope that never again does an Education Minister have to dismiss a board. This legislation will give us the powers to be proactive and work with boards.

Thank you, Mr. Speaker, and I do look forward to the debate.

MR. SPEAKER: The honourable member for Colchester North.

HON. KAREN CASEY: Mr. Speaker, I am pleased to rise today and speak to Bill No. 121 - an Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act. I stand here with some disappointment; in fact, a lot of disappointment. This is the fourth education bill that has been put forward in this sitting of the House, and it is in line with all



of the others. That is, there is not one thing in these education bills that have been presented that will do anything to improve teaching and learning in the classroom.

As the Minister of Education, it's a wonderful opportunity for the minister to bring forward legislation that does focus on teaching and learning and students; unfortunately, the minister has chosen not to do that. This falls in line with Bill No. 93, Bill No. 94, and Bill No. 95 - housekeeping kinds of bills, or speaking to something that already exists.

It's true that the minister currently does have both the authority and the responsibility to ensure that elected boards are efficient, that they are effective, and that they are working in the best interests of students. The minister already has that authority, and the minister certainly should be aware of everything that is going on in those boards, and if some concern comes to the minister, there are mechanisms in place where the minister can respond to that. So the minister has the authority and the responsibility to ensure that boards are functioning effectively.

With a bill that is needless and that is meaningless and does nothing to support teaching and learning, one must question the intent. The minister spoke about the most recent decision to engage Deloitte to do a review. I read with interest the language in this bill, and reflect on what has just happened this past week. This bill will allow the minister to appoint one or more persons to do the work that the minister should do, and it will also allow the minister to fix the fee that is paid to that particular consultant or one or more persons.

If we look at the most recent South Shore situation, when the minister did engage Deloitte to go in and do a review - at the request of the board, and I understand that - I know it's not many taxpayer dollars, but we have to think about that. Deloitte came in and the information was that it would cost \$50,000 to do this review. Well, somehow that went up and the final bill was \$80,000. But if there's nothing here that speaks to what can we afford to do, to pay somebody to come in and do what the minister and staff already can do - so we're going to give the minister the authority to appoint one or more persons, they can go in and do a review at any time, without being asked or without provocation, and they can pay that person or persons whatever.

When we talk about being disappointed, it is disappointing to think that this is the best legislation that this minister and this government can come up with when we have so many things that we could be doing to improve teaching and learning in our schools.

So, with those few comments, I hope that my disappointment has been expressed. Thank you.

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

MR. EDDIE ORRELL: Mr. Speaker, it's my pleasure to rise to speak to Bill No. 121 this afternoon. This bill broadens the minister's ability to audit the performance of school boards and increase their accountability. According to most, the proposed changes are all to do with running the school boards' finances and operations, but it also gives the minister the ability to, in Clause (2) "... from time to time, appoint one or more persons to . . . (b) inquire into or investigate any school board matter related to . . . (ii) the school board's administrative affairs, (iii) the health, safety or educational welfare of the students at a school, or (iv) any other matter connected with the organization, management, administration or operation of the school board."

The minister also has the power to take the other actions, as authorized by the Act, the minister considers appropriate. In her release she states: "Boards are valued partners. But as minister, I am ultimately accountable for students and should have the tools necessary to ensure boards are governing themselves properly and working in the best interests of the students and their families."

We understand that from time to time there are situations that arise that come to an impasse at the board level. They are very difficult to come to a conclusion and this affects the students, teachers or the operation of the school system and some drastic measures need to be taken. But school board members are elected officials, unlike health boards who are appointed. They were elected under a democratic process. Dismissing an elected official is something we should never do very lightly, there has to be some very, very serious concerns, problems or charges for this to take place, things that could not be resolved at this board level.

School boards are like you and I, Mr. Speaker, they are elected, we are elected and if a conflict arises, it is up to people to decide if we stay or go, unless it is a very, very serious matter, as we said. Matters such as poor governance, putting teachers or students at risk, putting school property at risk, are very serious issues. If the board is dysfunctional and cannot fix the issues internally, then the minister must step in but dismissing a member or a whole board should not be taken lightly, we must be very careful. We must be careful not to tarnish all the people involved in the board, if it was one or two people who we are having the problems with.

Again, this is something we should not take lightly and tinkering with this democratic process. We must use all the other avenues before we use dismissal. We don't want to make the process easier, we just want to see the right process in place to protect our students, their ability to learn and prosper, in the educational system as a whole. We hope provisions of this bill will be in place to deal with these issues, so the students' teachers should be our number one priority, and we hope this bill will bring this into consideration, thank you.

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

The honourable Minister of Education.

HON. RAMONA JENNEX: Thank you Mr. Speaker. If a board is wrestling with governance concerns, I don't believe a minister should have to wait to be invited to investigate. The power should be there for the minister to act and to be able to order a review of that board to ensure it's being accountable to the community it serves. As I made clear in the debate, I see this legislation essentially as a diagnostic mechanism. It will help and support boards to regularly monitor and improve governance practices and prevent issues from festering and going unattended.

Mr. Speaker, a board that is well governed is an effective board, a board that is effective is always working in the best interest of our students. This legislation is another example of how this government is putting children and learning first.

Mr. Speaker, I move we close debate on Bill No. 121.

MR. SPEAKER: The motion is for second reading of Bill No. 121. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

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

The honourable Acting Government House Leader.

HON. DAVID WILSON: Mr. Speaker, I move that you do now leave the Chair and the House resolve itself into a Committee of the Whole House on Bills.

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

The motion is carried.

We'll take a short recess while we go into the Committee of the Whole House on Bills.

[3:33 p.m. The House recessed.]

[3:36 p.m. The House resolved itself into a CWH on Bills with Deputy Speaker Alfie MacLeod in the Chair.]

[3:44 p.m. CWH on Bills rose and the House reconvened with Deputy Speaker Alfie MacLeod in the Chair.]

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

THE CLERK: That the committee has met and considered the following bills:

**Bill No. 72 - Timely Medical Certificates Act**

**Bill No. 81 - Change of Name Act**

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

**Bill No. 93 - Education Act**

**Bill No. 94 - Atlantic Provinces Special Education Authority Act**

**Bill No. 98 - Fish Harvester Organizations Support Act**

**Bill No. 104 - Gaming Control Act**

**Bill No. 108 - Perpetuities Act**

**Bill No. 111 - Equity Tax Credit Act**

**Bill No. 112 - Community Spirit Act**

and the chairman has been instructed to recommend these bills to the favourable consideration of the House, each without amendment.

Further, Mr. Speaker, that the committee has met and considered the following bill:

**Bill No. 95 - Education Act**

which was reported with certain amendments by the Committee on Law Amendments to the Committee of the Whole House on Bills, without further amendments, and the Chairman has been instructed to recommend this bill to the favourable consideration of the House.

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

The honourable Acting Government House Leader.

HON. DAVID WILSON: Mr. Speaker, that concludes the government's business for the day. I move that the House do now rise to meet again tomorrow at the hour of 9:00 a.m. The House will sit until 3:00 p.m. or until the conclusion of business. After the daily

routine we'll call the order of business, Public Bills for Second Reading, Bill Nos. 123, 124 and 125.

Mr. Speaker, I move that the House do now rise.

MR. SPEAKER: The motion is to adjourn.

Is it agreed?

It is agreed.

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

The motion is carried.

The Adjournment motion was submitted by the honourable member for Dartmouth East:

“Therefore be it resolved that the Premier stop misleading Nova Scotians when he says all NDP campaign promises were met and take responsibility for his government's inaction on matters of public concern since June 2009.”

## **ADJOURNMENT**

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

MR. SPEAKER: The honourable member for Preston.

### **PREM. - PUBLIC CONCERNS: GOV'T. INACTION - RESPONSIBILITY ASSUME**

HON. KEITH COLWELL: Mr. Speaker, how much time do we have?

MR. SPEAKER: Ten minutes.

MR. COLWELL: Mr. Speaker, it's a pleasure that I rise to talk about this very serious concern that we have in the province, and 10 minutes isn't really long enough to discuss it.

The Premier keeps insisting that he has kept the NDP campaign promises. We talked earlier today about the campaign promise they made for today's families, “a better deal for today's families,” and he very clearly stated many times, and today in Question Period documents were tabled that showed they promised, during the election campaign, no tax increases. So what did that translate into, in reality? In reality, it translated into a 2

per cent increase in the GST. That is 2 per cent of your after-tax money is gone. It translated into more fees on your power bill, another tax. It also included increased taxes on cigarettes - or tobacco, tobacco products. I guess that never happened either, but it did, where people are paying the bill, higher tax on alcohol, higher income taxes, higher taxes all around. And 1,400 user fees were increased.

When I asked the minister, during the budget debate last year, what they based the costs on the 1,400 user fees, he was very clear. It took a little while to get the answer from him, but he was very clear, it was a directive from the Minister of Finance and the Department of Finance to raise user fees - in other words a tax, pure and simple, a tax. So it's another tax. If you add all these taxes up that the government has put in place, all the negative things that they are doing to not stimulate the economy, to not get the economy going the way it should be going and employ Nova Scotians, we're seeing a loss of jobs in this province.

They indicated they would create - I believe today the number was used - 2,200 jobs a year. Well, how come we're down 12,500 jobs? That's the number and rural Nova Scotia is being hit very hard. If you look at the numbers, you'll see exactly what's happening. A large number of people have left the workforce. Now, what does that mean? It means that businesses aren't as competitive as they were two years ago, can't be, because of the tax burden that has been placed upon them. They talk about all this fantastic money that they've put into equipment upgrades. Well, unless your equipment - I believe under the program - is over \$100,000, it doesn't qualify. That doesn't do anything for small business - a \$100,000 investment for a small business is pretty substantial, especially in the economic climate in this province today, this economic climate that has been created by this government, a very poor economic climate.

You look at all these promises that were made, and people believed them. They voted for this government and the "better deal for today's families." Well, guess what? A lot of these families are realizing that this "better deal" is higher taxes and fewer jobs, and it's really hurting Nova Scotians very badly.

Anyone who hasn't realized what the cause of this hurting is, just start realizing as you go through and you try to pay your insurance bills, try to pay your property taxes, try to buy fuel for your home - whether it is oil or electricity or propane or firewood, whatever the case may be - try to buy groceries, try to buy all the things you need to live and work every day. The costs of those have gone up, especially if there is GST on them, but your income hasn't gone up. Over time, this slowly erodes what you can buy.

The other thing that happens is some people have some minor, small amount of savings, so what they do is they dip into their savings and they do the necessary things they have to do. They pay their insurance bill, pay the property tax bill, whatever the bill may be. That's the case. That goes on okay for a year or so. In the meantime, they're not adding back into their savings, because they don't have the disposable income to do it. So the next

year, when that same bill comes - which would be next year - things will be tougher because they do not have that little cushion, the small amount of savings they had. They've already spent it to try to get through until the next year.

Basically what's happening through the policies that this government has implemented, and the tax increases - a substantial number of tax increases - is that it has taken away any discretionary funds people have. People have to remember that they are nickel-and-diming people to death. Just try an experiment, if you don't believe what I am saying. Take the change out of your pocket every day and put it in a piggy bank, all the change you have - none of the bills, just the silver and the copper pennies and all the nickels and dimes and loonies and toonies and everything you have in your pocket - and put it in a bottle for a month. Take the bottle out at the end of the month and count the amount of money you have, and you'll see what nickels and dimes and pennies add up to very, very quickly.

That's what this government has done to Nova Scotians. It has taken away that tiny bit of extra money that they had to do things and pay their bills. I don't know how a family of four now - maybe both working parents, if they are lucky to have jobs that are over minimum wage - can afford to feed their children, clothe their children, and make sure they have a good, solid home to live in and transportation - because in this province you need transportation to move around with - and all the things you need just to live every day.

If you have an apartment, do you have insurance on the contents of your apartment? Maybe you can't afford that. If you have a fire or a theft, you can't replace those things if you don't have the income to do it. This government has taken that away from people in this province. So as the savings erode, as the taxes continue to increase, and this government does nothing to stimulate the economy, there's no plan. There's really no plan. They talk about this jobsHere now - that's a slogan, but the slogan doesn't mean a thing if you don't have a job. It absolutely doesn't mean a darn thing. That's what is happening to Nova Scotians.

You ask somebody who is unemployed how difficult it is to get a job in this province. I talk to people every day with that problem - every day. It makes you wonder how this government can honestly stand here and say they've kept their election promises. Well, they promised an awful lot to all the people in this province, and quite honestly, it's been a dismal failure, quite a significant disappointment.

During the election campaign I was going around and people were saying, well, they can't be any worse than anyone else was. Well, they are finding out that they are a whole lot worse. This taxation is really killing the economy. The Premier promised us that there would be no tax increases, and look at the long, long list of tax increases. How many more have they got planned? How long before the people are taxed so badly - and we're very close to that, if we're not there now - that the more they increase taxes, the less

revenue they get? It's going to be very interesting as time goes on and we see exactly how negative that's going to be for Nova Scotians and the economy in Nova Scotia.

We have Pages here today that are in university, trying to get a good education, to try to keep those young people here, people that will make our economy grow and prosper, new ideas, new approaches to things, and the vigour that they need to go into companies and work and ensure that this province has the strong economy that it needs, the strong economy that's eroding.

We've seen that the Premier said here the other day that everything is under control with Michelin; we got a good arrangement with Michelin, not a problem at all. Michelin comes in here yesterday and says, we do not have a good relationship here and, indeed, the things that the Premier has been saying aren't true, they're not true. That's one of the biggest employers in this province and if that employer is saying that, what's going on here? That, in a word, is not appropriate for this place, and we have other employers saying the same thing. They cannot be wrong, these are the people that generate real wealth in this province, real employment, and real money back into the economy - that really make the economy go. What's going to happen if these companies decide it's so difficult to do business in Nova Scotia, we're not going to be here any longer, we're leaving? Our 12,500 job losses are going to seem insignificant in comparison; it's going to be a lot worse.

Mr. Speaker, I know my time has elapsed. I wish I had a lot more time to talk about this. This is a serious issue for Nova Scotians, and as Nova Scotians realize what this government has done to them, they're going to be very upset and I'm sure next election they'll remember it. Thank you.

MR. SPEAKER: The honourable member for Kings North.

MR. JIM MORTON: I'm pleased to stand to speak to the resolution that was put forward this evening by the member for Dartmouth East. Although I don't think I'll dignify the resolution by reading it, however, it uses words like "misleading" and "inaction". When I read the resolution it made me think again of the expression used by my colleague, the member for Colchester-Musquodoboit Valley, the other day, more of that fog of negativity.

Of course, when I think about it, the members opposite do know something about inactivity. When we formed government in 2009, Nova Scotians had lived through 20 years of economic stagnation, we lagged behind every other part of Canada. When we entered office in 2009, inattention, or short-sightedness, and reckless spending had put us on a course for a deficit that could have amounted to \$1.4 billion if we hadn't taken charge of things. We had been saddled with a debt of \$12 billion, which is still growing, and we were left with debt service costs approaching almost \$1 billion per year. When we formed government in 2009, there had been decades of failure to grasp the reality of rising fossil



fuel costs, costs to Nova Scotia households and businesses, costs to the environment that had us mired in the past.

Nothing matters more to Nova Scotians than the health of our health care system and those members opposite, for years, had turned their backs on innovative approaches to health care, wringing their hands in the face of the merry-go-round of emergency room closures. When it comes to inactivity or not caring, one or the other, when this Government came into office, it inherited decades of crumbling infrastructure and hundreds of kilometres of broken roads.

Mr. Speaker, those members opposite closed their eyes and their minds and their hearts to the poor, perhaps because the issue wasn't very popular. So in my view, the members opposite, in both Parties, have some things to answer for when it comes to inactivity, not caring, inattention and broken promises. They got an answer to those things in June 2009, Nova Scotians elected 31 of us to this side of the House, to the government side. Leading up to that June 2009 election this government did, in fact, make some commitments to Nova Scotians. We used care in setting those commitments, we understood how important keeping those commitments would be, because Nova Scotians had long since given up on trusting politicians, on trusting the messages they've been given by people who had knocked on their doors and asked for their support in the past. We came into government resolving to keep those commitments, making life better for Nova Scotian families, doing what we said we would do, and doing that in the face and in spite of a troubled world economy - the growing debt in the United States, their commitments to a war and escalating costs, a stalled economy, job losses.

If we look across the Atlantic to Greece or to Italy or to Ireland - to the whole European Union, in fact - we can see that we're living in a troubled economic world. We've watched those developments carefully. We've kept our eye on the commitments that we made while we've been doing that, and we've made plans in the face of those worldwide difficulties. We've been putting the plans that we've made into action in every region of the province, in every sector of Nova Scotian life. We've taken our decisions in close consultation with Nova Scotians, whether they're individuals or whether they're part of organizations or whether they run businesses. We've been guided by one overarching principle: will it make life better for Nova Scotian families?

Let me talk for a few moments, Mr. Speaker, about some of the commitments that we made. We talked about perhaps seven things in total that I want to mention, if I have time. We talked about keeping commitments in the areas of creating secure jobs for the Nova Scotian economy and building the economy. Just let me give you a couple of examples. Over the past two years we've invested in more than 175 businesses that are making productivity improvements and becoming more competitive through investments in new equipment or training for their employees, with financial assistance from the jobsHere Productivity Investment Program.

We have also made significant investments throughout the province, including a \$10 million investment in LED Roadway Lighting, supporting 210 jobs in Amherst. We've invested \$8.8 million in Shelburne Ship Repair, supporting 60 jobs, and \$1.5 million in Ledwidge Lumber, supporting 50 jobs in Enfield. In my own area of the Annapolis Valley, we've made investments in Weavexx, which provides papermaking products and machinery to companies around the world. We've invested in Crown Fibre Tube and in Scotian Gold, which packs and ships many of the apples grown in the Annapolis Valley. We've invested in Great Valley Juices, which actually processes 50 per cent of the apple crop in Nova Scotia - all of those things working to both keep and grow jobs in the Annapolis Valley.

We've made commitments to keep emergency rooms open and reduce health care waits. One of the ways that we've done that is through developing Collaborative Emergency Centres in various parts of Nova Scotia, and just two weeks ago we announced the opening of the fifth Collaborative Emergency Centre in the Annapolis region, in Annapolis Royal. We promised to do things to improve emergency room service overall, and we engaged Dr. John Ross and his study and report to that end. We've added, as we promised to do, four nurse practitioner positions to nursing homes, and we've also made plans to help cover the cost of out-of-province treatment.

We made commitments to ensure that young people would stay and build a life here in Nova Scotia. As part of that commitment, we announced the Graduate Retention Rebate in the 2010-11 budget, shortly after we were elected. We've created 250 new seats at the Nova Scotia Community College, giving young people a way to get trained and educated here in Nova Scotia. We made a commitment to take the HST off home energy and we did that. At the same time we made a plan on making sure that Nova Scotians conserve more of their energy. We did that through creating institutions, and we have been working very hard to move toward creating more renewable energy.

Mr. Speaker, we made commitments to keep rural roads repaired and communities strong; we've developed the five-year paving plan, as we said we would and we've invested more in women's services, to use an example.

I know I'm running out of time but we also agreed to give seniors more options to live in their own homes. To respond to that, we've created the self-managed care allowances and home adaptation funds and, as I've already been saying, we've made commitments to live within our means and I think everything that we have been doing during our time in government, has been geared toward not only making life better but, as well, to living within our means.

I'm not going to say too much more about what we've done to help make life more affordable. I've had chances to speak to that issue here before, Mr. Speaker, but in wrapping up, I would like to say that since 2009, we've been putting the province's financial house in order. We've been carefully investing in a collaborative way with Nova

Scotian businesses, to grow the economy and to create more jobs and better jobs. We've been guiding health care treatment toward more collaborative, increased innovation. We've taken significant steps to make life more affordable in a variety of ways. That's what we committed to do in 2009, that's what we're doing now and that's what we will continue to do as we move forward with our agenda in this government. Thank you, Mr. Speaker.

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

MR. EDDIE ORRELL: Mr. Speaker, the honourable member opposite talked about electing 31 members in this Legislature in the last general election. Well, they elected those members on promises not to raise taxes, keep the ERs open and numerous other promises that they haven't kept.

They are talking about balancing the budget and they're going to balance it on the backs of Nova Scotians by trying to tax them to death too, Mr. Speaker. Those promises, promises that weren't kept - what does a promise mean to the NDP? Three times in this House yesterday, the Premier said, very proudly, this government has kept every single commitment it made during the last election. That is the truth, the Premier said, every single commitment.

Well, Mr. Speaker, we need to get out a dictionary. Let's start with truth. Truth is defined as a verified or indisputable fact. I know I have only a few minutes so I'll start with the television debates from the election campaign. The verified indisputable fact is that Darrell Dexter told Nova Scotians one thing and now, as Premier, he is doing just the opposite.

MR. SPEAKER: Excuse me, honourable member, but you are not to name a member. I'd ask you to rephrase that.

MR. ORRELL: On CBC, he said, we will balance the budget in the first full year of government. On CTV, next he said, next year we will balance the books. Well, we will see the NDP's fourth budget this Spring and it won't be balanced.

The honourable member for Cole Harbour, before he was Premier, promised that the NDP wouldn't raise taxes. On CBC he said, we are not going to raise taxes. In the May 20, 2009, Halifax ChronicleHerald he repeated, we are not going to raise taxes.

Mr. Speaker, today in the House, the Premier tried to balance off that broken promise. He said that the NDP kept their promise to take the provincial portion of the HST off electricity. They kept that promise at a cost of \$28 million per year to the provincial Treasury but don't worry, that was only a drop in the bucket to the extra \$290 million the NDP raised by hiking the HST by an extra two points. That's right, 10 times as much. So they kept the little tax promise but broke a big one, at a tremendous cost to Nova Scotians.

In fact, in the most recent Public Accounts, it was learned the NDP has collected more than \$650 more in taxes for every man, woman and child in Nova Scotia. That's \$650, Mr. Speaker, and if it's a household of four, that's over \$2,500.

So where are we so far? They haven't yet balanced the budget and they raised taxes under the auspices of getting a balanced budget. But what the higher taxes brought was higher spending. Public Accounts show \$0.5 billion more in spending. The NDP Government is estimating that departmental spending will increase by \$471 million in 2011-12, a six per cent increase over the previous year. The NDP, not surprisingly, promised an expenditure review to rein in that runaway spending, well the spending numbers say it all.

So now we have the worst of both, a large deficit and higher taxes. The higher HST has led to job losses, in fact, Nova Scotia's job losses are piling up by the thousands. This is in stark contrast to the 2,200 jobs per year promised in the NDP election pamphlet. During that election campaign they promised to create 2,200 new jobs per year through the manufacturers' tax credit. After two and a half years of the NDP there should be 5,500 new jobs somewhere, but Statistics Canada clearly shows there are 5,300 fewer jobs in Nova Scotia from October 2009 to October 2011, not the extra 5,500 jobs this government promised. Where are those 10,800 jobs?

Nova Scotia is recording job losses in every region except Halifax. Cape Breton is down 2,100 jobs; North Shore is down 1,400 jobs; Annapolis Valley, down 600; and southwestern Nova Scotia is down 2,500 jobs, for a grand total of 6,600 job losses. Cape Breton, North Shore, Annapolis, southern Nova Scotia all have double digit unemployment rates. The Premier and his Economic and Rural Development and Tourism Minister repeatedly claim that Nova Scotia gained 3,000 jobs. This is factually incorrect. As reported by "allnovascotia.com", from October 2009 to October 2011 unemployment throughout the province is down by 5,000. Areas of the province outside Halifax lost 7,900 jobs between the April/June period in 2009, and the same period in 2011. Mr. Speaker, on the job creation front the government has a long way to make it to the 2,200 jobs a year promise.

Where shall we look next? How about health care? For some reason the promise to keep ERs open 24 hours a day, seven days a week, also seemed reasonable to the superheroes of the NDP. It was hard to believe, so the media asked the Premier, then in Opposition, on the campaign trail, if it's accurate to say that every ER will be open 24/7 under the NDP Government. He replied, it will be accurate to say that I accept the responsibility to make sure all ERs are open.

Well, Mr. Speaker, the Premier won't even take responsibility for all those broken promises. In Cape Breton, in my riding, the hospital in 2010, the ER was closed 2,100 hours. That's two and a half solid months, Mr. Speaker, two and a half months. The people,

sick, on the Northside would have to travel an extra 20 to 25 minutes to get emergency health care.

One particular ER was so special to the NDP that they listed it specifically in their election pamphlet. They said, open Cobequid Community Health Centre 24/7 - in one year I might add. Well, the story wasn't that at the end of the day. The centre's new hours, announced with misplaced pride by the government, are 7 a.m. till midnight. Mr. Speaker, that's a far cry from 24 hours. I do say though it's better than many other ERs in the province, and counting on health care the NDP in Opposition had a plan for seniors waiting for care. What happened since is nothing to be proud of. They cancelled the construction of 200 beds, a commitment they had promised to fulfill and have announced no new facilities or beds. In two and a half years no new long-term care beds were announced. It's hard to believe, but it's true. We have seniors waiting for long-term care beds, where are they waiting? They are waiting in our acute care hospitals. They're waiting at home. They're having families take care of their needs, not necessarily the best way to have it done.

It's hard to believe, but it's true - the NDP, the Party that said over and over again that they would make life better for seniors, is making them wait more than 400 days for a long-term care bed in Cape Breton. That's 13 months, Mr. Speaker, 13 months.

Their election pamphlet talked about these seniors. It said, too many seniors are forced to travel hundreds of kilometres for care or left to languish in hospital beds, or waiting for more appropriate care. Four hundred days is a long time to languish, Mr. Speaker and the wait list grows longer than it was before this government was elected.

What other promise do we have on our list? Mr. Speaker, the NDP promised to reduce the Cabinet to 12. That one only lasted a year. The NDP's review of auto insurance rates was promised to ensure the lowest, fairest rates. Well, the latest news is that auto premiums will go up under this new NDP plan.

Mr. Speaker, there's one big promise the NDP are breaking every day, it's the biggest promise of all, they still say it, they are making life better for today's families.

AN HON. MEMBER: Bitter? Did you say bitter?

MR. ORRELL: No, I said better, should have said bitter. But with job losses in the thousands, higher taxes, higher power rates and the fastest rising cost of living in Canada, life is not better for today's families.

How are they making life better for today's families, when they asked Nova Scotians to bite the bullet and pay more for power? How are they making life better for seniors waiting for beds or families struggling to get by? Mr. Speaker, that's some of the broken promises. Thank you.

MR. SPEAKER: I want to thank all members for their participation in the debate tonight.

The House now stands adjourned until 9:00 a.m. tomorrow morning.

[The House rose at 4:17 p.m.]

**NOTICES OF MOTION UNDER RULE 32(3)****RESOLUTION NO. 2688**

By: Hon. Percy Paris (African Nova Scotian Affairs)

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

Whereas Gloria Ann Wesley is an African Nova Scotian writer whose first collection of poetry *To My Someday Child* was published in 1975; and

Whereas in September Roseway/Fernwood Publishing released Gloria's latest novel *Chasing Freedom*, which tells the story of a family of Black Loyalists who settled in Shelburne and Birchtown following the American Revolutionary War in the 1780s; and

Whereas *Chasing Freedom* has received glowing reviews, including a starred review in *Quill & Quire* magazine, for capturing this important yet often overlooked chapter of Canadian history in such an innovative way;

Therefore be it resolved that all members of this House join me in congratulating Gloria Ann Wesley on the publication of *Chasing Freedom*, and wishing her much success with this book and others to come.

**RESOLUTION NO. 2689**

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

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

Whereas Nova Scotia wineries won 26 awards at the recent All Canadian Wine Championships in Windsor, Ontario; and

Whereas the winners include Jost Wineries of Malagash which claimed a total of 10 medals, including three double golds, and Gaspereau Vineyards which took one double gold, as well as Annapolis Highland Vineyards, L'Acadie Vineyards, and Blomidon Estate Winery; and

Whereas Nova Scotia's medals show that our industry has an impressive concentration of professional winemakers;

Therefore be it resolved that the members of this House of Assembly acknowledge the skill and professionalism of all of our winemakers, congratulate the winners, and wish them an abundance of medals in future competitions.

**RESOLUTION NO. 2690**

By: Mr. Chuck Porter (Hants West)

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

Whereas we learned at the Nova Scotia Federation of Agriculture's annual meeting last week that, for the second consecutive year, the 2011 Environmental Farm Stewardship Award was won by a farming family from Hants West; and

Whereas the award for 2011 went to the W.G. Oulton Family Farm of Martock, after the Manning Family Farm of Falmouth captured the 2010 award; and

Whereas the award is presented to a farm in Nova Scotia which elevates the public awareness of sustainable farming practices, while instituting environmentally friendly practices such as livestock watering systems for pastures and using intensive rotational grazing for beef cattle;

Therefore be it resolved that all members of this House of Assembly extend our hearty congratulations to the W.G. Oulton Family Farm and more specifically to Wayne, Victor, and Mike Oulton, and their families, who employ 16 full-time and 10 seasonal workers while operating a sustainable environmentally friendly agriculture operation.

**RESOLUTION NO. 2691**

By: Mr. Chuck Porter (Hants West)

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

Whereas Kings County is recognized for agricultural production in Nova Scotia; and

Whereas Kings County and the Annapolis Valley are also held in high esteem for seven Canadian leaders presently serving the interests of thousands of Canadians on a wide array of boards and organizations; and

Whereas these prominent leaders include: Trinda Ernst, president of the Canadian Bar Association; Gary Morse, who presently heads the Canadian Real Estate Association;



Ruth Blenkhorn, president of the Federated Womens Institute of Canada; and David Hovell, president of the Canadian 4-H Foundation; while David Fuller is currently chairman of the Chicken Farmers of Canada; Peter Clarke oversees the Egg Farmers of Canada; and Mark Davies is the chairman of Turkey Farmers of Canada;

Therefore be it resolved that all members of this House of Assembly commend the vibrant leadership being shown by these community and national volunteers, and wish them every future success.

### **RESOLUTION NO. 2692**

By: Mr. Chuck Porter (Hants West)

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

Whereas sometimes youth find themselves on the wrong path of skipping classes, avoiding school work, or having a negative attitude towards life; and

Whereas when presented with the option to take part in an experiential high school program through the West Hants Education Centre in Windsor, 16-year-old Elisha Boyd embraced the opportunity to get on the right path with his education; and

Whereas not only did Mr. Boyd finish the school year with honours, he also won the subject awards for Science 10, English 10, Career Development 11, and Co-op 11, and was named West Hants Education Centre's Student of the Year;

Therefore be it resolved that all members of this House of Assembly applaud Elisha Boyd on his perseverance, and congratulate him on his outstanding achievements and wish him all the best with the remainder of his education.

### **RESOLUTION NO. 2693**

By: Mr. Chuck Porter (Hants West)

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

Whereas the West Hants Ground Search and Rescue, based in Mount Denson, held their first meeting in September 1976 and conducted their first search in November 1977; and

Whereas the 35-member West Hants Ground Search and Rescue team is marking their 35<sup>th</sup> Anniversary in 2011; and

Whereas while their focus is on searching for people who have gone missing in wooded areas or along our coastlines, the ground search and rescue team also assists with searches for plane crash debris, and evidence searches with local police and community evacuations when necessary;

Therefore be it resolved that all members of the House of Assembly thank the members of the West Hants Ground Search and Rescue for their dedication and commitment, and wish them success with all future rescue efforts.

#### **RESOLUTION NO. 2694**

By: Mr. Andrew Younger (Dartmouth East)

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

Whereas the Dartmouth Players is the only community theatre in Dartmouth; and

Whereas September 2011 marks 24 years for the Dartmouth Players, having produced well over 60 plays during that time, and grown their audience continually to reach well over 5,000 people a season; and

Whereas the Dartmouth Players have just completed a highly successful “sold out” run of the world-renowned 1966 musical *Cabaret*;

Therefore be it resolved that all members of this House of Assembly join me in congratulating Director Ian MacDermid, as well as the entire cast and crew on their efforts, and wish them much success with their next production, the comic thriller, *The 39 Steps*.