



## DEBATES AND PROCEEDINGS

Speaker: Honourable Gordon Gosse

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**HALIFAX, THURSDAY, APRIL 5, 2012**

**Sixty-first General Assembly**

**Fourth Session**

**9:00 A.M.**

**SPEAKER**

Hon. Gordon Gosse

**DEPUTY SPEAKERS**

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

MR. SPEAKER: Order, please. Before we begin today's business, I want to provide some information to the House.

Section 8(2) of the House of Assembly Management Commission Act provides as follows:

“In the second week of every session of the House of Assembly and as the need arises, the Chair shall inform the House of Assembly of the appointments made to the Commission.”

Accordingly, I am informing the House that the commission comprises the following persons: myself, as Speaker; the member for Cole Harbour-Eastern Passage, as Deputy Speaker; the member for Cape Breton Centre, as Government House Leader; the members for Lunenburg and Antigonish, who are members of the government caucus; the member for Richmond, as House Leader of the Official Opposition; the member for Dartmouth East, who is a caucus member of the Official Opposition; the member for Argyle, who is a member from the Progressive Conservative caucus; and the Chief Clerk, as a non-voting member. Thank you.

The honourable member for Colchester-Musquodoboit Valley.

MR. GARY BURRILL: Mr. Speaker, could I be permitted a word of introduction before presenting a petition?

MR. SPEAKER: Most certainly.

MR. BURRILL: We are joined this morning for the presentation of a petition on the subject of fracking by Gretchen Fitzgerald, the Sierra Club's executive director; Heidi Verheul, the elementary environmental education coordinator for Sierra; Suzanne LeBlanc of the Environmental Health Association of Nova Scotia; Jennifer West, groundwater coordinator at the Ecology Action Centre; and Christine Atwood, librarian and head of the Environmental Club at Cole Harbour High.

In particular, I would like to introduce to the House this morning four Grade 11 and Grade 12 students from Cole Harbour High, through whom approximately 500 of the signatures of this petition have been gathered. I would ask if you would please stand: Alana Corea, Kelsey Hayes, Chris Dufour, and Nicole Lee. These four students have been very diligently gathering signatures for this petition, and it's an act of civic engagement I am sure the House would like to acknowledge and appreciate. (Applause)

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

### **PRESENTING AND READING PETITIONS**

MR. SPEAKER: The honourable member for Colchester-Musquodoboit Valley.

MR. GARY BURRILL: Mr. Speaker, I beg leave to present a petition bearing 2,503 signatures, gathered under the auspices of the Sierra Club. The petition is in support of a legislated ban on fracking and its operative clause is as follows:

“Therefore we the undersigned call upon the government to enact a legislated ban on hydraulic fracturing for natural gas.”

Mr. Speaker, I also have signed the petition. Thank you.

MR. SPEAKER: The petition is tabled.

### **PRESENTING REPORTS OF COMMITTEES**

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

MR. SPEAKER: As Speaker, pursuant to Section 11(1)(f) of the House of Assembly Management Commission Act, I am tabling the annual report of the House of Assembly Management Commission.

### **STATEMENTS BY MINISTERS**

### **GOVERNMENT NOTICES OF MOTION**

### **INTRODUCTION OF BILLS**

### **NOTICES OF MOTION**

MR. SPEAKER: The honourable member for Hants West.

### **RESOLUTION NO. 111**

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

Whereas the mission of the West Hants Seniors' Safety Program is to raise public awareness and improve the quality of life for seniors by ensuring that seniors are able to feel safe in their homes and community; and

Whereas Seniors' Safety Program coordinator Tracy Gregory organized and helped prepare and serve breakfast to seniors at the Royal Canadian Legion in December, at the program's annual Christmas Breakfast; and

Whereas more than 200 guests attended the annual event, where free flu shots were available, as well as breakfast;

Therefore be it resolved that all members of this House of Assembly thank Tracy Gregory for her efforts to keep our seniors safe and engaged in local events.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Colchester North.

### **RESOLUTION NO. 112**

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 NDP Government has not identified public education as a priority; and

Whereas students, parents, and teachers are asking the NDP Government to reverse their short-sighted decision to slash funding to public education; and

Whereas the Nova Scotia Teachers Union and other education partners have initiated an on-line petition to allow Nova Scotians the opportunity to publicly show their support for students;

Therefore be it resolved that all members of this House of Assembly show that support for public education in this province by signing the on-line petition, Kids Not Cuts.

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.

### **ORDERS OF THE DAY**

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

MR. SPEAKER: The time is now 9:11 a.m. on the Speaker's clock.

The honourable Leader of the Official Opposition.

**PREM.: GAS PRICES - RELIEF**

HON. STEPHEN MCNEIL: Mr. Speaker, when the Premier took office in June 2009, people were paying \$1.05 per litre to fill up their car. Today people are paying \$1.43 per litre in Halifax, and more in the rest of the province. That's an increase of 38 cents per litre, and people are bracing for even higher prices in the coming days and weeks.

So my question to the Premier is, why is the Premier not taking any steps to provide Nova Scotians with relief at the pumps?

HON. DARRELL DEXTER (The Premier): Mr. Speaker, as the Leader of the Official Opposition knows, the price of gasoline is tied to the world price of oil; that is continuing to go up. He's no doubt aware that in Montreal, for example, the price is \$1.47. He knows full well that one of the reasons why we have the gas pricing regime that we have is because when the Liberals were in power they put the HST on top of the motive fuel taxes - they brought in the single largest increase in gas taxes in the history of the province. (Interruptions)

MR. MCNEIL: Mr. Speaker, the Premier knows that there are measures that he can take to provide Nova Scotians with relief at the pumps. He could remove the tax on tax as he promised to do when he was in Opposition, and he could immediately deregulate the gas market - these two measures combined would give Nova Scotians approximately 5 cents per litre savings, and they're in the hands of the Premier.

My question to the Premier is, we are all braced for higher gas prices tonight at midnight, Mr. Speaker, what is the Premier going to do to give Nova Scotians some relief?

THE PREMIER: Mr. Speaker, the Leader of the Official Opposition continues to attack the regime of regulation of gas in the province, which has led to lower prices for our province. If he had his way, if the Leader of the Official Opposition had his way, he would like to have the big oil companies setting the price of gas.

MR. MCNEIL: Mr. Speaker, you mean like the Premier did last week, writing a cheque to big oil in Dartmouth. (Interruptions)

Mr. Speaker, if the Leader of the Official Opposition had his way, he would let the market set the price and not inflate it like this government is doing.

Let's be clear, the Premier said that the tax on tax was an immoral tax. He also knows that Nova Scotians are paying artificially high prices because of regulation; he also knows that since taking office he has hiked the HST - meaning people are paying more for gas because of the actions he has taken. If the Premier can make gas more expensive for Nova Scotians, he can also make gas a little more affordable for Nova Scotians.

So my question to the Premier is, when will the Premier give Nova Scotians a break, when will he finally remove the tax on tax, and scrap gas regulation in the province?

THE PREMIER: As I pointed out, Mr. Speaker, what this Leader of the Official Opposition would like to do is he would like to place in the hands of big oil the right to dictate the prices to the people of Nova Scotia - and, on top of that, he would like to close the refinery in Dartmouth.

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

### **COM. SERV. - CHILD ABUSE: ALLEGATIONS - MIN. PROTECTION**

HON. JAMIE BAILLIE: Mr. Speaker, my question is for the Minister of Community Services. When it comes to potential child abuse, the protection of our children should be priority number one. When serious allegations are made, it's important that steps be taken, instantly, to protect our youngest and most vulnerable children.

My question to the minister is, does the minister agree that when she is made aware of something as serious as potential child abuse, or a potential child abuser working at a daycare, that it is her responsibility to take steps to protect those children?

HON. DENISE PETERSON-RAFUSE: Mr. Speaker, certainly and that's exactly what we did.

MR. BAILLIE: Mr. Speaker, regarding East Preston Day Care, just such allegations have been made and an alleged child abuser has been found to be working there. It appears that the minister's department knew of this situation well in advance of when that alleged abuser was removed. My question to the minister is, what steps did the minister take to notify the daycare that there was an alleged child abuser working there and what other steps did she take to protect those children?

MS. PETERSON-RAFUSE: Mr. Speaker, any situation like this is of grave concern to us and we took the exact steps that are available to us and that is to contact the RCMP who investigated the situation. That is the legal route you take in this province and in this nation.

MR. BAILLIE: Mr. Speaker, that's all well and good but my question is, what steps did the minister take to ensure that the children at East Preston Day Care were safe, not what steps did she take to inform the RCMP about the fact there was an alleged abuser continuing to work at the East Preston Day Care. I will ask again, what steps did the minister take when she became aware of the alleged abuser at East Preston Day Care and when did she take them?



MS. PETERSON-RAFUSE: Mr. Speaker, is the honourable member questioning the role of the RCMP in our province, that they don't have the capability to investigate? I would also remind the honourable member that there's a word here called "allege" and I guess he's questioning our constitution that you are considered innocent until proven guilty. Shame on him for questioning that and I do hope nobody ever alleges him of anything.

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

**PREM. - QUEBEC POWER: IMPORTING - EXAMINE**

HON. STEPHEN MCNEIL: Mr. Speaker, power rates continue to rise. In January we saw our seventh rate increase in a decade. There are no signs of it stopping. The Lower Churchill agreement could potentially be good for Nova Scotia but it is five years away. Meanwhile, Hydro Quebec has surplus power available at reduced prices that would help Nova Scotia reduce its reliance on coal-fired generation sooner. My question to the Premier, is the Premier examining the possibility of importing power from Quebec to reduce our dependency on coal and lower power bills for Nova Scotians.

THE PREMIER: Mr. Speaker, I'm sure the Leader of the Liberal Party would be aware that we signed a memorandum of understanding with the former Liberal government in New Brunswick for the upgrades to the transmission line that would make it possible for us to take a greater amount of power out of Quebec if it were available at a price that would be cheaper than it is here.

He should also know that currently Emera already does that. When there is a need for surplus power in the province, they go out into the market, they find out where the cheapest power is. Sometimes that comes from Quebec and is used in order to do exactly that, underwrite the prices in the province.

MR. MCNEIL: Mr. Speaker, I am well aware of the investments that are taking place in infrastructure, not only in this province but all across the Atlantic seaboard. There are jurisdictions not only in this country but in the United States that are taking advantage of cheap power out of Quebec.

We've heard this Premier talk an awful lot about the Lower Churchill project going on in Newfoundland and Labrador and all of us in this House hope that will bring stability to pricing in Atlantic Canada. My question through you to the Premier was, what has he done to make sure we are getting access to stable energy prices out of Quebec that will lower power bills now, not five years from now?

THE PREMIER: Mr. Speaker, I'll repeat what I just said. Part of the problem with trying to take more power out of Quebec is that we simply don't have the transmission capacity to be able to do that. But where it is to the economic advantage of the province, we

do it. Emera negotiates for the best price on the market in order to be able to keep the prices in Nova Scotia as low as is possible. He would be aware that there are other issues associated with bringing in Quebec power which includes shutting down facilities in Nova Scotia, which would strain costs, which then go back into the rate base and up the actual price of the power out of Quebec.

Now I realize those things are somewhat technical in nature but I want him to be assured that the Department of Energy is very aware that a regional energy system ultimately will benefit Nova Scotians; in fact, it will benefit all Nova Scotians. The Lower Churchill allows us to have options that otherwise will not be available.

MR. MCNEIL: Mr. Speaker I would agree with the Premier on the fact that the Lower Churchill will provide us with options into the future. What we're asking about is how are we going to respond to the power crisis Nova Scotia families are finding themselves in now.

Mr. Speaker, as the Premier is well aware - he should be well aware as he mentioned it in one of the statements - there are upgrades already happening in transmission. There is extra capacity in the Province of New Brunswick coming into the Province of Nova Scotia. He should also be well aware that right now there are two generators in Lingan that are shut down. There is absolutely no reason, quite frankly, those generators could not remain closed and we could import power from Quebec at a lower rate that would impact directly on power bills today. Give Nova Scotians a break on their power bills by engaging Quebec to bring in cheap hydro power.

THE PREMIER: Mr. Speaker, I'll just repeat again - this already takes place. Emera goes out into the market place. Where they have a need for excess power they bring that into the province at the rate that is established on the open market. One of the great things about the fact that we are developing not only the transmission system but the sources of power is that Nova Scotians will finally get off of what has been essentially a pipeline for cash out of Nova Scotia to flow to Venezuela. That's what we were left with by 20 years of inaction by the other parties.

MR. SPEAKER: The honourable Leader of the Official Opposition on a new question.

**PREM. - DART. GEN. HOSP.: OVERCROWDING - MIN. EVALUATE**

HON. STEPHEN MCNEIL: Last evening, Mr. Speaker, Capital District Health Authority reported, once again, dealing with severe overcrowding at the Dartmouth General. Nineteen patients were admitted to the hospital for which there were no beds. Patients were transferred from the facility throughout the district. Operating at 120 per cent capacity is not possible but sadly that occurrence is becoming more and more frequent in Dartmouth.

My question to the Premier is, has the Premier asked the Minister of Health and Wellness to evaluate - not monitor - but evaluate the impact on the entire system of these more-and-more-frequent occurrences at the Dartmouth General Hospital?

THE PREMIER: Mr. Speaker of course the Department of Health and Wellness is always doing an analysis of the resources that they have and the way that they supply them. It's one of the reasons why we announced last year that we were completing studies so that we could move forward with using space that is already available at the Dartmouth General. This has been something that we have - people in Dartmouth, in fact - been asking for for quite some time.

MR. MCNEIL: Mr. Speaker, last night was a double whammy for wait times. Not only did patients have to wait for beds, only to be transferred throughout the district - surgeries were cancelled, not only impacting on those that were being prepared to surgeries there but continuing to back up the wait list for surgeries in Dartmouth.

When the announcement was made by this government, the CEO of the Capital District Health Authority said, we're not increasing capacity; all we're actually doing is shuffling the chairs on the deck. Mr. Speaker, in allNovaScotia.com today the Deputy Minister of Health delivered a slightly different message though, somehow indicating that capacity could be added, but said, sometime into the future.

Will the Premier admit that given the ongoing challenges at the Dartmouth General, now is the time to start planning for extra capacity, not sometime into the future?

THE PREMIER: Mr. Speaker, as I just pointed out all that work is done on an ongoing basis. In fact one of the reasons we're looking forward to having the opening of the existing floor in the Dartmouth General is to provide those resources that are necessary for the hospital.

MR. MCNEIL: Mr. Speaker, the Deputy Minister said it would be five years-plus before we see any difference. The CEO of the Capital District Health Authority said they're not opening new beds. It's shuffling the chairs on the deck. So my question to the Premier is, can the Premier assure this House that when they open beds at the Dartmouth General, they will not be closing other beds in the Capital District Health Authority?

THE PREMIER: Mr. Speaker, in the mid 1990s I had the privilege of serving on the board of the Dartmouth General Hospital. At that time the Liberal Government took so much money out of the system that we had to use money that was designated for capital, like opening the resources of the fifth floor, in order to support the operating budget. Those are decisions made by the former Liberal Government that we are still living with today.

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

**COM. SERV. - EAST PRESTON DAY CARE:  
ALLEGED ABUSER - MIN. NOTIFICATION**

HON. JAMIE BAILLIE: Mr. Speaker, my question is for the Minister of Community Services. The minister has a duty to protect children - it is their innocence that matters here, not the innocence of an alleged abuser. Immediately informing the daycare when she became aware of these allegations would have been the right thing to do, so that the daycare could remove that person from the scene and protect those children while the case was ongoing.

That is what the law says, Mr. Speaker, so my question to the minister is, when exactly did the minister become aware that there was an alleged abuser employed at the East Preston Day Care and when, after that, did she take steps to tell the daycare?

HON. DENISE PETERSON-RAFUSE: Mr. Speaker, as I indicated earlier, we took the appropriate steps, we took the process that is the process here in Nova Scotia and in Canada and that was, going to the RCMP who therefore went forward and did an investigation. There was nothing on record to give them the ability to go forward to the daycare centre. Thank you.

MR. BAILLIE: Mr. Speaker, it has become apparent that the parents whose children attend the East Preston Day Care, found out through the media that an employee there was named in a lawsuit as an alleged abuser. I will table the memo that was sent to parents from the board of directors of the East Preston Day Care, which says, "We became aware of these allegations in June 2011 when news media contacted the Day Care . . ." Not the minister, not her department, but the news media. I will table that memo for the benefit of the minister and the House.

My question to the minister is this, when did she become aware that a potential child abuser was working at East Preston Day Care and why did she not take steps to tell the daycare?

MS. PETERSON-RAFUSE: Mr. Speaker, as I have said before, as soon as the department was aware of the allegations, we immediately went to the RCMP. The RCMP did their job. Thank you.

MR. BAILLIE: Mr. Speaker, the RCMP may be doing their job but clearly this minister is not doing her job because she has a duty to inform the daycare when she becomes aware that they may have an alleged abuser working at the daycare. So my question to the minister is, why did she fail to do her job and protect those kids?

MS. PETERSON-RAFUSE: Mr. Speaker, once again, it's our role in the Department of Community Services, we look after children. I'm a mother myself, I do understand the seriousness of this situation and that's why I took the appropriate route and

went to the RCMP because that is their job and they have the capacity and the ability and the legal right to investigate. So we took the exact steps that were the appropriate steps. Thank you.

MR. SPEAKER: The honourable member for Richmond.

**FISH. & AQUACULTURE:  
EMPLOYMENT INSURANCE CHANGES - EFFECTS**

HON. MICHEL SAMSON: Mr. Speaker, last week's federal budget from the Harper Conservatives mean significant changes to the employment insurance benefits in the future. Our fisheries are comprised of mainly seasonal workers so employment insurance benefits are critical to seeing them through the off-season.

My question to the Minister of Fisheries and Aquaculture is, what discussions has the minister had with his federal counterparts about this issue and its potential negative impact to our fishing sectors?

HON. STERLING BELLIVEAU: Thank you very much to the member opposite, I appreciate the question. I assure you that any particular topic that is related to our fisheries that I had great discussions with our federal minister and not only on this particular topic but the topic of owner/operator and fleet separation policy, something that we're bringing forward and strongly to our federal minister and I encourage the members opposite to do the same.

MR. SAMSON: Mr. Speaker, it has been made very clear from the Harper Conservatives, the changes planned for the employment insurance program will see benefits reduced for seasonal workers who attempt to stay in communities where work opportunities are slim. Nova Scotians in coastal communities are already hurting from the NDP regime and now the federal Conservative Government seeks to hurt them further. My question again to the minister is, what specifically is the minister doing to provide representation for workers in our fishing industries and fish processing sectors to stop the negative impact this will have on coastal communities?

MR. BELLIVEAU: Again, thank you very much and to the member opposite, I want to first of all recognize the importance of this question - not only on employment insurance, but also the issue that we have been very strong and firm on, the owner/operator fleet separation policy. I encourage the member opposite to be that vocal on this particular issue because if there's one thing that is the cornerstone of a policy that protects coastal communities across Nova Scotia it's that. I encourage the member opposite and also the Third Party who have been very silent on this issue, to stand up to the microphone and protect coastal communities in Nova Scotia.

MR. SAMSON: Mr. Speaker, there's no question that we all support the owner/operator principle, but the minister should be aware that if these EI changes take effect, they are going to have a significant impact on the industry today not into the future.

Our fishing industries are critical to the economy of Nova Scotia. We need to be helping people working in these industries not hampering them. Workers in the industry are upset and alarmed and we're not hearing anything from the minister on this specific matter. My question again to the minister is, what is the NDP Government's plan to address this problem when the federal government implements these changes to the EI system?

MR. BELLIVEAU: Mr. Speaker, to the member opposite, I really am pleased to talk about the fishery here today. This is an important issue that we'll be bringing loud and clear to our federal counterpart, which we have and I also just want to reset this and say that the owner/operator fleet separation policy is the cornerstone of this industry from Cape Breton, to the Grand Banks, to Georges Bank. This is something we have stood up for, the independent fishermen, and I encourage the member opposite to do the same. Thank you.

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

#### **COM. SERV. - DAY CARE: ALLEGED ABUSER - DEPT. AWARENESS**

MR. KEITH BAIN: Mr. Speaker, the safety of our children is paramount. If a situation arises that in any way threatens the safety of a child, all members of this House would agree that it must be dealt with immediately and responsibly. My question, through you, to the Minister of Community Services is, when did her department know that an alleged child abuser worked at a daycare and what, if anything, did they do about it?

HON. DENISE PETERSON-RAFUSE: Mr. Speaker, as you know, I've already answered this. I said that as soon as we were informed we immediately took action; we went through the process that is the right process and that was to go to our RCMP. That is what they are there for; they have the capacity, skill, and the know-how to do investigations and that's exactly what we did. Thank you.

MR. BAIN: Mr. Speaker, these allegations are an alarm bell. If this minister can't hear that and find a way to separate an alleged child abuser from kids and to investigate, then she's not up to the responsibility. Calling the allegations unproven is no excuse for leaving an alleged child abuser in close contact with children while lawsuits take years to go through the courts.

The Children and Family Services Act states that children are entitled to protection from abuse and neglect. Despite the Act, parents at the East Preston Day Care may feel their children were put in jeopardy. My question to the minister is, when it comes to the

situation at the East Preston Day Care, did the minister fail to act appropriately or was the Act not sufficient to safeguard the children?

MS. PETERSON-RAFUSE: Mr. Speaker, as soon as we were informed of the alleged accusations we took the appropriate route to go to the RCMP. It is a shame they are questioning RCMP's capacity and capability, but we went to the RCMP and they handled the situation based on the information and the investigation that they did. Thank you.

MR. BAIN: Mr. Speaker, in the case of the East Preston Day Care, something went wrong. Preschoolers were put at an unnecessary risk. My question to the minister is, in the time that has passed, what changes has the minister made to ensure all kids are protected from alleged abusers?

MS. PETERSON-RAFUSE: Mr. Speaker, that proves my point. It is very critical to get the RCMP involved as soon as we are aware of a situation, and that's exactly what we did.

MR. SPEAKER: The honourable member for Colchester North. (Interruptions)

Order, please. Remove him. Remove him. (Interruptions)

I think we'll take a five-minute break and we'll resume very shortly. Thank you. We will now adjourn for five minutes.

[9:36 a.m. The House recessed.]

[9:46 a.m. The House reconvened.]

MR. SPEAKER: Order, please.

The honourable member for Colchester North.

### **EDUC.: BUDGET CUTS - DEFINITION**

HON. KAREN CASEY: Mr. Speaker, my question is about fracking. (Laughter)

Mr. Speaker, students and families are worried about the funding or the lack of funding for education in this province. The Premier recently told Nova Scotians that it was "flat wrong" to say his government was cutting education, despite gouging education funding by \$65 million over the last two years. This government, this Premier, and this Minister of Education seem to be out of touch with Nova Scotians. People are worried about their children's education, and this government is flat wrong if it thinks they're not. So my question to the Minister of Education is this, is slashing public education by \$65 million a cut?

HON. RAMONA JENNEX: Mr. Speaker, I just would like to make it very clear that we're dealing with declining enrolment in this province and we are investing in our children. Funding per student has gone up in this province. We are making sure that we're investing in our students' education.

MS. CASEY: Mr. Speaker, I'm pleased to see that funding per student is going up. I would prefer it be spent in the classroom and not the minister's office.

School boards, Mr. Speaker, are being forced to cut programs, services, and staff. As recently as last night, one school board received a recommendation to cut 130 FTEs. Some of those were education assistants. The mood in that room last night was sombre but it was also filled with anger - anger at this minister and anger at this government. Yet the minister continues to say that cuts will not affect the classrooms.

So my question to the minister is, what will the minister say to those parents whose children will lose their education assistant support due to the don't-care attitude toward students?

MS. JENNEX: Mr. Speaker, we recognize that school boards work for the best interest of their children, and we trust them to make decisions based on their information on the children and their jurisdiction.

MS. CASEY: Mr. Speaker, school boards do make good decisions, but they make tough decisions when they don't have the money to support the programs they need.

Mr. Speaker, the recent Speech from the Throne made no mention - not one mention - of students with special needs. This was a 20-page document with a little over one page devoted to education, and nothing devoted to special-needs kids. Children who are autistic can't be autistic half the time. They can't have learning disabilities half the time, but thanks to this government, if they are lucky, they might get an EA half time. Many EAs will be cut and students will not have those supports.

The minister is an educator, she should know the value of support for students with learning disabilities, so my question to the minister is this, why has she allowed the Minister of Finance to balance the books of the province on the backs of students instead of fighting for them?

MS. JENNEX: Mr. Speaker, we are investing in our students and we are investing in making sure that our students with special needs have the services they need. We have increased our funding this year and protected the funding for students with special needs. Thank you.

MR. SPEAKER: The honourable member for Preston.



**SNSMR: GAS TAX SCHEME - CONTINUATION EXPLAIN**

HON. KEITH COLWELL: Mr. Speaker, gas prices are at near record levels. People are getting gouged each time they stop at the gas pumps. Gas prices are driving up the cost of living in Nova Scotia. Nova Scotians are struggling and this government continues to do nothing, this government is clearly out of touch.

The decision made by this government to continue to inflate the cost of gasoline by nearly five cents per litre, savings that would help all families and also help our businesses to be much more competitive. My question is to the Minister of Service Nova Scotia and Municipal Relations, why does this government continue to be reluctant and continue this tax scheme that artificially inflates the price of gasoline?

HON. JOHN MACDONELL: Mr. Speaker, the pricing structure that we have was put in place by the Party opposite. They obviously had (Interruptions)

MR. COLWELL: Mr. Speaker, the NDP were once heavily opposed to this tax on tax on gasoline. The Finance Minister called this a sneaky tax, and I will quote, "It's something the government could choose to de-couple. It's just something they choose not to because it's an easy way to grab a few million dollars in extra revenues."

My question to the minister is, why does the NDP government continue to collect tax that his Finance Minister called sneaky?

MR. MACDONELL: I suppose the answer could be similar to, why is the former minister asking the question for the regime that they put in place when he was minister?

MR. COLWELL: The minister quickly forgets that it was the Progressive Conservative Government, supported by the NDP Government, that supported gas regulation, which artificially pumps the price of gas up.

Mr. Speaker, the Premier agreed with the past statements of the Finance Minister. In a 2005 Daily News story the current Premier said, "[The tax on tax] was always an immoral application of taxation powers." That same Premier has had three years now to correct this but he has done nothing.

The Premier went on to say, "[The tax on tax] is something I have been committed to changing since I was first elected." I'll repeat that: "[The tax on tax] is something I have been committed to changing since I was first elected." That is the Premier - three years ago he became Premier.

My question to the minister is, the NDP has been in power for nearly three years - why has this government not removed the tax on tax that the Premier committed to doing when he was in Opposition?

MR. MACDONELL: Mr. Speaker, look, I wouldn't say that at some point in the future we couldn't look at that tax on tax. My question would be to the member opposite, (Interruptions)

MR. SPEAKER: Are we finished? Are we all finished for the morning or are we going to keep it up all morning? (Interruptions) Well I see the gallery was emptied out earlier - the same thing could happen in the Chamber also.

The honourable Minister of Service Nova Scotia and Municipal Relations.

MR. MACDONELL: Mr. Speaker, I'm not sure why they're so opposed to me asking a question, it is Question Period. The question I asked the member opposite is, what services to Nova Scotians would he like to see cut in order to change that tax?

MR. SPEAKER: The honourable member for Argyle.

**COM. SERV. - EAST PRESTON DAY CARE:  
ALLEGED ABUSER - NOTIFICATION**

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, I watched the Minister of Community Services not answer questions in this House to the previous questions about the alleged child abuser at East Preston Day Care. The government apparently knew about this, according to media reports, since the Fall of 2010. I'm trying to understand what the process was. Apparently they went to the RCMP but why wasn't East Preston Day Care made aware of this so that they could take some action on this as well?

Is it that the legislation is not good enough? If the legislation is not good enough, then why didn't the minister bring forward some changes to that Act to make sure they protect the things we keep so dear, which of course are our children?

HON. DENISE PETERSON-RAFUSE: Mr. Speaker, as I indicated, we followed the same protocol procedure as the honourable member would have followed when he was the Minister of Community Services and that would be to take action immediately by going to the RCMP. That was the appropriate action.

MR. D'ENTREMONT: Mr. Speaker, I know the minister said that she's a parent and I think most of us here are parents. I think all of us here would understand the gravity of exactly what happened here at East Preston Day Care. I think all of us would believe and understand that should an alleged abuser be found at an organization, that person would be temporarily removed even while an investigation is happening. I want to know why the minister didn't alert East Preston Day Care or anyone in that community to this fact or why didn't she change the Act to make sure that children would be protected in Nova Scotia?

MS. PETERSON-RAFUSE: Mr. Speaker, once again, we took the route that was the appropriate route. Any of these issues that are alleged are very concerning to us and to the department and to this government. The appropriate protocol is to go to the RCMP. That's the RCMP's job, they have the capacity, they have the means to investigate and then they make the decision of where you go in the next step, if there is any evidence to do that. We took the exact appropriate process.

MR. D'ENTREMONT: Mr. Speaker, the minister is sticking very closely to her script to make sure she doesn't say anything more than she needs to. I think this government let an alleged abuser work at a daycare without taking any true action to protect the children in their care. They're hesitating about acting on information that they apparently received in the Fall of 2010. This minister's inaction, I think, is disgraceful. Will the minister make immediate application under the Children and Family Services Act to have it determined in court whether the alleged child abuser should be added to the Child Abuse Registry?

MS. PETERSON-RAFUSE: Mr. Speaker, as I said, everyone loves and cares for children and it's what we do in Community Services, we protect hundreds of children each and every day. We followed the best process by going to the RCMP. It is an appropriate process because of the fact that the RCMP have the means to investigate and they're the ones who are under the law. They know the law and we took the appropriate steps to go to the RCMP which is exactly what they would have done in this position.

MR. SPEAKER: The honourable member for Richmond.

#### **FISH. & AQUACULTURE: OWNER/OPERATOR INIT. - MIN. RESPONSE**

HON. MICHEL SAMSON: Mr. Speaker, recently a review paper on modernization was released by the Department of Fisheries and Oceans. The paper did not consider or discuss policies with respect to owner/operator or fleet separation, which has caused great concern for the Liberal caucus. This omission has alarmed many independent operators in Nova Scotia, and apprehension continues to grow over the federal government's intentions toward these policies.

The Liberal caucus asked for an emergency meeting of the Resources Committee on this very issue, and unfortunately, Department of Fisheries and Oceans officials have refused our invitation to appear. My question for the Minister of Fisheries and Aquaculture is, what is the government doing to address the concerns fishermen have with the federal government's plan on owner/operator initiatives?

HON. STERLING BELLIVEAU: Thank you very much, and I really appreciate the question. I don't think there could be any better timing on this. In fact, I think that the record proves - we'll want to go out and check it - that we were the first elected officials to come up forcefully and firmly with the minister on this, that this particular policy, the

owner/operator and fleet separation policy, is a cornerstone of the Atlantic fisheries. We understand this, Mr. Speaker, and we took this very forcefully to the Minister of Fisheries and Oceans. We've asked for more time for consultation, and we're here to protect the communities and make life better for Nova Scotians. Thank you very much.

MR. SAMSON: Mr. Speaker, fishermen are concerned about the changes to employment insurance, which could have a devastating impact not only on licence holders but on their crew that they rely upon, as well as on those who work in fish processing facilities. Any potential alterations to our lucrative, important fishing industries are alarming. Independent operators in our province are concerned that large corporations may overwhelm our fishing sectors, which could reduce economic development and completely change the way of life for many Nova Scotians.

So my question to the minister is, since becoming minister, what steps has he taken to support new entrants in buying licences and fishing enterprises?

MR. BELLIVEAU: It looks like the member opposite is tossing me some lob balls here. I appreciate this, because since being elected in 2006, I can assure the member opposite that the independent fishermen in Nova Scotia did not have access to capital. That has changed under this government.

Also, in his reference to the owner/operator and fleet separation policy, there's somewhat of a paper trail on our activity on this, and I just want to table a few documents, if I could. The first is from our neighbours to the north, the Maritime Fishermen's Union, who give great praise to this minister and this government for taking a lead on this particular issue. I'll table that.

I'll also table, Mr. Speaker, our federal friends, our NDP friends in Ottawa, who have also brought this issue to the floor of the House of Commons. I'll table that for the member to read. Also, coming from a community where the economic engine is the fishery - my own hometown, the Municipality of the District of Barrington, is in strong favour of that and encourages the support that I have done. I will table that, and I thank the member for the question.

MR. SAMSON: Mr. Speaker, with all due respect, the minister would be aware that it was actually the previous government that made changes to the Fisheries Loan Board to allow independent operators to access capital to buy fishing licences and fishing enterprises.

There's no question that all members of this House support the owner/operator principle, but it's one thing to say it and it's another thing to put actions behind it. At the end of the day we need to ensure that deckhands and others who wish to buy out owners have access to capital and to the supports necessary to be able to do that. Changes were made by the previous government, but there is still more that can be done.

So my question again to the Minister of Fisheries and Aquaculture is, what new initiatives has he brought in since becoming minister that would help Nova Scotians purchase licences and fishing enterprises here in Nova Scotia?

MR. BELLIVEAU: I ask the member to listen closely to my answer, Mr. Speaker. I entered politics at the provincial level in 2006. I campaigned on the issue of making sure that independent fishermen have access to capital. That got the attention of the previous Third Party right now, and we have achieved that. We will stand up for each community around Nova Scotia whether you're from Cape Breton or Yarmouth. I will assure you we stand up for the owner/operator policy and we are going to be there because we're going to make life better for Nova Scotians.

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

### **COM. SERV. - DAY CARE: ABUSE-REPORTING POLICY**

HON. JAMIE BAILLIE: Mr. Speaker, under repeated questioning the Minister of Community Services said that she took the appropriate steps to inform the RCMP when her department became aware of a case of alleged child abuse, but that doesn't square with a letter from her own adviser on this matter.

Mr. Speaker, I have with me - and I will table this - a letter that was sent to Mr. Ray Wagner, a lawyer representing the victims of this alleged abuser, and the letter states as follows:

"I am a child protection lawyer advising and acting for the Minister of Community Services . . . child protection agencies are not legally mandated to conduct the investigation you have requested . . . and no further steps will be taken in this regard."

The letter further goes on to say that "you or your clients" should contact the RCMP if you believe a crime has been committed.

That is the letter from Mr. Peter McVey, the adviser to the Minister of Community Services, clearly putting the onus on someone else to contact the RCMP. So my question to the minister is a simple one: who is wrong, the minister or her adviser, Mr. McVey?

HON. DENISE PETERSON-RAFUSE: Mr. Speaker, neither was wrong because what the lawyer was explaining was the fact that under the Children and Family Services Act, a complaint with respect to child abuse would be investigated by the Department of Community Services. That wasn't the case here and so, therefore, it's an RCMP matter. As I said, our department did also contact the RCMP and what the lawyer was expressing was the fact that if they had any further information, to provide that to the RCMP.

MR. BAILLIE: Mr. Speaker, the RCMP will do their job, which is to conduct a criminal investigation. The East Preston Day Care, which found out through the news media in June 2011, immediately removed the alleged abuser from the daycare. They are doing their job. The problem is that the Minister of Community Services did not do her job, which is to protect those children from abuse the moment she knew it was occurring.

My question to the minister is simply, when, the moment that she knew - to be fair, Mr. Speaker, to be fair - the moment she knew an alleged abuser was employed at the East Preston Day Care - my question is simple - on what date did the minister or her department know an alleged abuser was working at the East Preston Day Care? Was it before June 2011 when the daycare finally found out?

MS. PETERSON-RAFUSE: Mr. Speaker, as I said, as soon as I became aware, and the department became aware, we took the action that was appropriate. We went to the RCMP and we informed the RCMP of our concerns. They did their work objectively. They do their investigation because they have the means to do that and that's the appropriate route.

MR. BAILLIE: Mr. Speaker, we accept that the RCMP will do a criminal investigation; that is their job. We accept that when the East Preston Day Care found out there was an alleged abuser in their midst, from the media, they removed that person from the scene. What we do not accept is that that minister let days or weeks, or months, go by when she knew there was an alleged abuser at the East Preston Day care, and didn't tell them. So my question is, why did she let all that time go by and not tell the daycare the risk that they were running?

MS. PETERSON-RAFUSE: As I have said many times this morning, Mr. Speaker, we immediately went to the RCMP. They did their investigation, and as we have said before, when they did their investigation they did not find anything on the record. They made their decision based on that, because at that time there wasn't anything on the record. Thank you.

MR. SPEAKER: The honourable member for Dartmouth East.

**HEALTH & WELLNESS - TRENTON AREA RESIDENTS:  
MIN. MEETING - CONFIRM**

MR. ANDREW YOUNGER: Mr. Speaker, my question is for the Minister of Health and Wellness. In June 2010 the Minister of Environment promised concerned citizens in the Hillside-Trenton area that a health study would be conducted on fly ash emissions from the Trenton power station. On March 24<sup>th</sup> he wrote a letter and said, well, really it wasn't his responsibility, but that the Minister of Health and Wellness already had such a study underway.

One year ago today I asked the Minister of Health and Wellness about this, and she said, "I haven't had an opportunity to meet with the residents from the Trenton area. If they request a meeting with me, I certainly would be prepared to meet with them." I'll table that from Hansard of last year.

Mr. Speaker, can the Minister of Health and Wellness please tell us whether that group has requested a meeting with her since one year ago today, and if so, whether that meeting has taken place?

HON. MAUREEN MACDONALD: Mr. Speaker, I have had correspondence with that group, and I indicated to them that if I was in the New Glasgow area and there was time in my schedule permitting a meeting, that I would be prepared to schedule something.

I have not had an opportunity to do that. However, the Chief Medical Officer in the Pictou County District Health Authority has been active on this particular issue and has provided me with the best medical advice, from a public health perspective, that's available to me. Thank you.

MR. YOUNGER: Mr. Speaker, as the minister knows, the group has repeatedly, since that year, requested a meeting. While it is fine that the minister suggested that if she was in the New Glasgow area she might meet with them, in fact, she was in the New Glasgow area on March 20<sup>th</sup> and was specifically asked by this group to meet during that time, after committing repeatedly that she would meet with them and they offered to come to Halifax to meet with the minister.

Mr. Speaker, why is the minister avoiding this group from Trenton, after she promised in this House that she would meet with them?

MS. MAUREEN MACDONALD: Mr. Speaker, as the honourable member probably would be aware, I am asked to meet with many, many groups and individuals. Unfortunately, my schedule does not permit me to meet with everybody who asks for a meeting. I do my best to accommodate people. I do set priorities in terms of what needs to be addressed in making those decisions. Unfortunately, I have not been able to schedule time with this particular group, but I will continue to look at my schedule and see if anything is available. Thank you.

MR. YOUNGER: Well, Mr. Speaker, like the fact that the NDP might reduce the HST after a future election, maybe the Minister of Health and Wellness will meet with this group after some future election.

The fact is, the minister stood in this House one year ago today and committed to meet with that group. That group has made themselves available repeatedly to come to Halifax to meet with the minister, and the minister has admitted just moments ago that she said if she was in New Glasgow and had the time she would meet with them. She was in

New Glasgow on March 20<sup>th</sup>, and knew about their request for a year before the time that she was in. If the minister could not schedule a meeting with someone with a year's notice, there's a real problem in that department.

This is a very serious issue, and I'm sure the minister is aware of this. They want to know the status of the study. Will the Minister of Health and Wellness commit to meet with this group within the next month?

MS. MAUREEN MACDONALD: Mr. Speaker, my answer remains the same. I schedule meetings according to the time that is available in my schedule. I get requests from many groups. Regrettably, I cannot accommodate every request that I have. Certainly in the next month it will be very difficult to schedule a meeting - we have the Health Estimates and we have a number of things underway. I think I'm booked at least six weeks in advance and I know my secretary has a long list of organizations and individuals looking for an opportunity to meet; however, I will continue to encourage that group to participate with the district health authority and the public health officials at the district level.

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

**PREM. - COM. SERV.: ABUSE REPORTING POLICY - STANCE**

HON. JAMIE BAILLIE: Mr. Speaker, my question is for the Premier. The Minister of the Department of Community Services is confusing an RCMP investigation, a criminal investigation, with her duty to protect the kids at the East Preston Day Care the moment she became aware that an alleged child abuser was working in their midst. The Department of Community Services knew for months that an alleged child abuser was working at the East Preston Day Care and did not inform the daycare.

My question to the Premier is, does he agree that it's okay for the department to know for months of this situation and fail to inform the daycare so they could protect those kids?

THE PREMIER: Mr. Speaker, the department took exactly the right action. Once they were informed of the allegations they went to the RCMP, who are the proper investigatory authority for the Province of Nova Scotia. They have the means and the resources to do the kind of investigation that I think every Nova Scotian would expect to be done.

MR. BAILLIE: Mr. Speaker, the department knew for months that an alleged abuser was working with kids at the East Preston Day Care and didn't bother to tell the daycare.

My question to the Premier is, what could possibly prevent the department from doing the right thing and instructing the daycare that they had an at-risk situation, so they



could take the right steps and remove that person from the scene until the investigation was completed?

THE PREMIER: Mr. Speaker, when an allegation comes forward to the department, what they do with that allegation is take it to the RCMP. That is the appropriate protocol - in fact, that is the protocol that was in place when the Progressive Conservatives were in government.

MR. BAILLIE: Mr. Speaker, if the Premier is hiding behind that legislation in order to leave a potential abuser or an alleged abuser in place at a daycare, then that is a real shame.

My question, after three years in office, if that is the problem, why not give yourself the appropriate legislative tools so that daycares can be told the moment that someone finds out they're at risk? If his government won't bring in a bill like that, we will.

THE PREMIER: Mr. Speaker, they didn't for 10 years when they were in government. That's the truth. There is a process (Interruptions)

MR. SPEAKER: Order. Order.

THE PREMIER: Mr. Speaker, as I said, they didn't do it for the 10 years they were in government. What we did is exactly what the protocol called for in the Department of Community Services - we went directly to the RCMP to allow them to conduct an appropriate investigation. Of course, one of the reasons why we have a Public Prosecution Service in the province is to remove the politicization of these issues from government and to ensure there is a fair public authority that investigates allegations.

MR. SPEAKER: The honourable member for Dartmouth East.

#### **NAT. RES.: WHOLE TREE HARVESTING - GOV'T. POLICY**

MR. ANDREW YOUNGER: Mr. Speaker, my question is for the Minister of Natural Resources.

We've learned the department is putting together a nutrient map of Nova Scotia's soils, with the potential to open up areas for whole-tree harvesting. Would the minister please explain why the NDP Government is planning to allow whole-tree harvesting to continue in Nova Scotia, after two members said it wouldn't happen?

HON. CHARLIE PARKER: Mr. Speaker, I thank the honourable member for the question. Yes, it's true, through our Natural Resources Strategy we're looking at a new ecosystem management system for forestry in our province, including looking at the type of soils, the type of land that trees can best grow upon. Some lands are better suited for

growing softwood, some are better suited for growing hardwood, some are too rocky, and some are too windy. Every type of landscape is different and it's important that we get this right.

The rules around whole-tree harvesting and the rules around clear-cutting are part of our ecosystem management and it's important that we consult with Nova Scotians, which we're doing with pulp mills and sawmills and woodlot owners and non-government offices and all Nova Scotians. So yes, ecosystem management is the basis of a good forestry policy in this province.

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

Before I go to the Government House Leader to call business, I will recognize the honourable member for Halifax Citadel-Sable Island on an introduction.

MR. LEONARD PREYRA: Mr. Speaker, I have the pleasure to draw your attention and the attention of all members of the House to the presence in the east gallery of Mr. Ian Johnson and members of the NSGEU Political Action Committee. They are: Mr. Thane Paris from Halifax; Dawn Ferris from Cole Harbour; Norman Doucet from Halifax; Kim Henderson from Cherry Brook; Johnena Kennedy from Sydney; Bill Patterson from Centreville; Mike Thompson from Trenton; Debra Wilkinson from Amherst; and Bill Zebedee from Dartmouth.

They are here, Mr. Speaker, to better understand the Legislature and to meet with some of us. I would ask all members to give our usual warm welcome to these distinguished visitors. (Applause)

MR. SPEAKER: We welcome all members to the gallery and hope that they enjoyed this morning's proceedings.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, that concludes government's business for today. I ask that we do now rise, to meet Tuesday from the hours of 2:00 p.m. to 10:00 p.m. After the orders of the day and Question Period, we will be resuming debate on the budget. Then, time permitting, we will go into Budget Estimates and, if time is really generous, we will go into second reading of Bill No. 5, the Municipal Government Act and Bill No. 9, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act.

I move that we do now rise.

MR. SPEAKER: The motion for adjournment has been made.

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

The motion is carried.

We will now adjourn, to sit on Tuesday between the hours of 2:00 p.m. and 10:p.m.

Enjoy your Easter weekend with your families.

[The House rose at 10:24 a.m.]