



DEBATES AND PROCEEDINGS

Speaker: Honourable Gordon Gosse

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HALIFAX, MONDAY, APRIL 30, 2012

Sixty-first General Assembly

Fourth Session

2:00 P.M.

SPEAKER

Hon. Gordon Gosse

DEPUTY SPEAKERS

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

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

PRESENTING AND READING PETITIONS

PRESENTING REPORTS OF COMMITTEES

TABLING REPORTS, REGULATIONS AND OTHER PAPERS

STATEMENTS BY MINISTERS

GOVERNMENT NOTICES OF MOTION

MR. SPEAKER: The honourable Premier.

RESOLUTION NO. 623

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

Whereas Margaret Shears was a stellar example of public service at its very best, most recently serving as vice-chairman of the Nova Scotia Utility and Review Board; and

Whereas in the role of vice-chairman she was known for her thoughtful deliberation, incisive decision making, and absolute clarity with respect to the responsibility and accountability of appellant and respondent alike to the people of Nova Scotia whom she represented; and

Whereas Margaret Shears' most important role, the one in which she clearly excelled, was a loving and caring wife of Barry Shears and devoted mother of Alison and Siobhan;

Therefore be it resolved that this House of Assembly recognize the important contributions of Margaret Shears to our province, and send sincere condolences to her family and friends on her passing on April 27, 2012.

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 Justice.

HON. ROSS LANDRY: Mr. Speaker, I beg leave to make an introduction, if I may?

MR. SPEAKER: Most certainly.

MR. LANDRY: Mr. Speaker, I would like to draw your attention to the gallery across from me where we have with us today some of our highly dedicated, professional Correctional Services staff: Bill Smith, executive director of Correctional Services; and, as well, we have staff representing the areas of the Nova Scotia Youth Facility, Central Nova Scotia Correctional Facility, Policy and Programming, Training and Development, Community Corrections, and probation and correctional officers. I would ask the Correctional Services staff members to rise and receive the warm welcome of this House, please. (Applause)

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

The honourable Minister of Justice.

RESOLUTION NO. 624

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

Whereas it is important to recognize the hard work of hundreds of Nova Scotians who work in the field of corrections to help maintain a just, peaceful and safe society; and

Whereas Correctional Services probation officers, youth workers, correctional officers, support and management staff, community partners, and volunteers administer and operate community and custody-based programs and services for adult offenders and young persons; and

Whereas those who work in this challenging field are highly trained and skilled in working with some of our most troubled citizens;

Therefore be it resolved that all members of this House support the proclamation of May 6-12, 2012, as Correctional Services Week in the province and recognize all of those who work in this important field.

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 Economic and Rural Development and Tourism.

RESOLUTION NO. 625

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

Whereas Bill Oland has been an exemplary public servant with Economic and Rural Development and Tourism for the past 41 years; and

Whereas Bill's dedicated service to the people of Nova Scotia has been selfless, caring and exceptional; and

Whereas for four decades Bill's work has had an unmatched economic impact on the province, creating jobs and growing the economy in every region, and Bill starts his retirement today;

Therefore be it resolved that all members of the House of Assembly congratulate Bill on his 41 years of service and wish him all the best in his well-earned 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.

Before I go to Introduction of Bills, I was waiting for the honourable member for Dartmouth East to arrive.

SPEAKER'S RULING: Scope of Questions for Finance Minister in Question Period (Pt. of order by Mr. A. Younger) [Hansard p.1134, 04/26/12]) Point of order not sustained.

On point of order, on Thursday, April 26th, the member for Dartmouth East rose on a point of order with respect to questions asked during Question Period by the member for Halifax Clayton Park. The member for Halifax Clayton Park had asked the Minister of

Finance several questions and I had intervened on several occasions with respect to the subject matter, which seemed to be related to the portfolio of the Minister of Education.

The member for Dartmouth East suggested that because the Department of Finance “. . . sets the estimates for all other departments . . .”, in his words, questions can be asked of the Minister of Finance in Question Period with respect to all departments of government.

I have had research carried out by the Clerk’s Office and I am advised that nothing could be found to support such a proposition. In fact, the precedents and authorities suggest that questions to any minister should be related to the portfolios under their administration, not to matters that clearly fall first and foremost under other ministers. Before I say anything further on that, however, I’d like to revisit the questions that prompted my intervention on Thursday.

He began to ask the Minister of Finance to tell something to visitors in the gallery - it is out of order for any member to talk to persons in the gallery, so I reminded the member of that. The question was rephrased to ask the Minister of Finance how many of his colleagues had addressed protesters at rallies outside their constituency offices protesting cuts to education. The question appeared to be related to education, so I suggested that the member could redirect it to the Minister of Education.

The member for Halifax Clayton Park continued to ask questions respecting schools and concerns about education and asked the minister to explain why he was not in his constituency office on the previous Friday.

One of the fundamental rules governing questions asked of ministers in Question Period is that they are to ask about matters that are within the administrative responsibility of the government or of the individual minister addressed. This is clearly stated in both Beauchesne, at Page 122, and O’Brien and Bosc, at Page 502.

Related to that is the idea that the best use of the time of the House is made by addressing the questions directly to the most appropriate minister. Campion specifically states, at Page 152, that it is out of order to put a question to a minister for which another minister is more directly responsible - a question about education would therefore be best posed to the Minister of Education.

A question asking a minister why the minister was not in his constituency office on a particular Friday is not a question about the administrative responsibility of government. Questions about constituency offices of individual members of this House do not fall under the administrative responsibility of the government.

At this point I would like to caution all members that while I am generally not inclined to intervene on the subject matter of questions asked by members, I think there

have been some cases lately of questions that have begun to cross the line into becoming unparliamentary. Asking a minister or the Premier in this House when was the last time they bathed only twice a week and ate three-day-old macaroni, for example - that was another question asked last Thursday. This is extremely personal and entirely inappropriate. I ask all members to keep in mind parliamentary decorum in both questions and answers in this Chamber.

Returning to the questions asked on Thursday, the last one posed by the honourable member for Halifax Clayton Park was framed with something of reference to the portfolio of the Minister of Finance but, as it was a question about education, the Minister of Finance exercised his right to refer it to the Minister of Education. The member was permitted to ask her question and it was redirected to the appropriate minister.

In conclusion, it is my ruling that while the Minister of Finance is responsible for a significant number of estimates approved by the House in the Supply procedure, in Nova Scotia this does not translate into him being responsible to answer any and all questions falling under the responsibility of other ministers. While there may be financial aspects of some matters that may make a particular question to the Minister of Finance acceptable, that was clearly not the case with the questions that were being posed on Thursday.

Accordingly, the point of order is not sustained.

The honourable Opposition House Leader.

HON. MICHEL SAMSON: Thank you, Mr. Speaker, for providing that clarification.

One of the challenges which you may have the opportunity to provide us with a bit more clarification is that the subject matter for which the member for Halifax Clayton Park was asking questions was primarily based on correspondence that the Minister of Finance had sent directly to some of his constituents, and the questions were based on those comments.

So I understand that you're saying the subject matter was education, but since it was the Minister of Finance, as a Minister of the Crown, who had directly sent this correspondence it might be useful if you could advise us in the future as to how we are to pose questions when correspondence is coming directly from a minister, even if the subject matter might be more directly related to another Minister of the Crown.

I think you understand that what I am saying here is can we ask specifically based, when they send correspondence under their own name - or does the same rule apply, that whatever the subject matter is that's who the question should go to, which technically, I guess, the question could have been to the Minister of Education to answer for comments made by the Minister of Finance. I think that kind of raises some parliamentary issues there

as well because how is she in a position to answer for statements made by another Minister of the Crown? I think that area remains a bit grey.

May I suggest that the Clerk work on possibly providing some clarification for the House as to how, in the future, the Opposition should be posing questions under those circumstances?

MR. SPEAKER: Thank you. I will take that under advisement, but I'd also remind the honourable member that the administrative duties of individual members of this House are not the responsibility of the government and constituency office. That was a part of the question that was asked to the minister, and that's the point that I was trying to make there, that it doesn't fall under the administrative responsibility of government. It falls under the constituency offices, not part of government. Thank you.

INTRODUCTION OF BILLS

NOTICES OF MOTION

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

RESOLUTION NO. 626

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

Whereas it was 100 years ago this month that the RMS Titanic sank in the waters of the icy North Atlantic, taking with it 1,514 souls who did not survive, including 125 Lebanese emigrants; and

Whereas on April 15, 1912, Gerios Youssef, a 45-year-old shoemaker from Hardin, Lebanon, pushed his cousin Shawneene George Whabee toward the second-last lifeboat lowered into the ocean, an act that saved his cousin and sealed his own fate; and

Whereas Gerios Youssef was only one of three Lebanese Titanic victims to be identified and is buried here in Halifax alongside his fellow countryman Mansour Hanna, while his cousin Shawneene survived along with 28 other Lebanese immigrants and went on to become a mother and had 11 grandchildren and 31 great-grandchildren when she died 35 years later;

Therefore be it resolved the members of this House of Assembly congratulate the Canadian Lebanon Society of Halifax for recognizing the forgotten pioneers of Lebanon, like Gerios Youssef and Mansour Hanna, who sailed toward opportunity in the New World, never to achieve it - although some of their friends, neighbours, and families one day would.

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. 627

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

Whereas this morning, Halifax and Dartmouth church bells rang out across the city to mark the day 100 years ago that the cable ship Mackay-Bennett returned the bodies of many who were lost on the Titanic to shore; and

Whereas on April 30, 1912, church bells tolled until the ship that recovered the majority of those lost in the tragedy docked in Halifax; and

Whereas the tribute is the last of a series of Titanic 100th Anniversary commemorations held to remember the sinking of the ocean liner and the 1,500 who lost their lives in that tragedy;

Therefore be it resolved that all members of this House commend Dan Conlin, curator of marine history for the Maritime Museum of the Atlantic, and Garry Shutlak of the Nova Scotia Archives for organizing this moving tribute to those lost on the Titanic.

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 Premier.

RESOLUTION NO. 628

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

Whereas every year for the past four years the Cole Harbour Lions Club has hosted Speak Out, a four-part competition where students in Grades 9 through 12 give short speeches on a variety of controversial issues such as body image, euthanasia, same-sex marriage, and violence in their community; and

Whereas this year Joannie Collett, Connor and Blake Tannahill, Kyle Rideout, Jordane Poulin, Mairin Hogan, Rachael Peters, and Holly Inglis, all students from Astral Drive Junior High School in Cole Harbour, took part in the contest; and

Whereas Mairin Hogan won the first round of Speak Out and will now advance to the Zone Level competition, and if successful will move on to District N2 and finally the Multiple District Level;

Therefore be it resolved that all members commend these brave students for speaking out about these sensitive subjects, congratulate Mairin Hogan on her first-round success, and wish her the best of luck as she continues to compete in the Speak Out contest.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Kings West.

RESOLUTION NO. 629

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

Whereas one in five Canadians will experience a mental health issue this year, 18 per cent of adolescents aged 15 to 24 report having a mental illness or substance abuse problem and about 26 per cent of employees suffer from depression; and

Whereas the Partners for Mental Health, a national organization dedicated to supercharging a social movement in order to transform the way Canadians look at mental health, launched the Not Myself Today campaign on April 2, 2012; and

Whereas April 30th marks the last day of the Not Myself Today campaign, a day of action where events have been scheduled in schools and workplaces across the country to educate everyone on the importance of mental health and the serious gaps that currently exist in treatment, support, funding, and understanding, and how these can be addressed;

Therefore be it resolved that all members of this Legislature acknowledge that mental health can no longer be ignored, and extend our appreciation to the Partners for Mental Health for their organization of the Not Myself Today campaign and all of their efforts in improving mental health in our country.

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. 630

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

Attendu que le seul journal francophone en Nouvelle-Écosse, Le Courrier de la Nouvelle-Écosse, a marqué son 75^e anniversaire en février 2012; et

Attendu que la première édition du Courrier a été publiée le mercredi 10 février 1937 par le fondateur et directeur Désiré d'Eon; et

Attendu que au cours des 75 dernières années Le Courrier a été un outil indispensable pour les Acadiens et les francophones de la province en favorisant et en améliorant leur langue, leur culture et la patrimoine à travers ses pages;

Par conséquent, qu'il soit résolu que tous les membres de cette Assemblée me joignent pour féliciter Le Courrier de la Nouvelle-Écosse sur leur 75^e anniversaire et nous leur souhaitons de nombreuses années de succès.

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

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

Whereas Le Courrier de la Nouvelle-Écosse, the only French-language newspaper in Nova Scotia, marked its 75th Anniversary in February 2012; and

Whereas the very first edition of the Courrier was launched on Wednesday, February 10, 1937, by founder and director Désiré d'Eon; and

Whereas over the past 75 years, Le Courrier has been an indispensable resource to the Acadians and francophones of the province by promoting and enhancing the language, culture, and heritage throughout its pages;

Therefore be it resolved that all members of this House of Assembly congratulate Le Courrier de la Nouvelle-Écosse on their 75th Anniversary, and wish them many more years of 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 Queens.

RESOLUTION NO. 631

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

Whereas every day, Nova Scotian educators guide students to develop to their fullest potential and establish positive relationships; and

Whereas Education Week 2012 celebrated April 22nd to April 28th, recognizes outstanding Nova Scotian educators who go above and beyond to focus on their students' mental, physical, and social well-being; and

Whereas Warren Dobson of South Queens Junior High School, whose patience and soft nature is cherished by his students, received an Education Week Award for his unique and innovative use of music and technology to form an iPad band with a group of students who have autism or cerebral palsy, promoting self-confidence and creative interaction;

Therefore be it resolved that this House of Assembly congratulate Warren Dobson of South Queens Junior High School for receiving an Education Week Award recognizing his exceptional understanding of the role music plays in the mental, physical, and social health of all students.

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. 632

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

Whereas 28-year-old Matthew Tucker, a former resident of Valley, Colchester North, joined the Canadian military in 2003 and the RCMP in 2005, carrying on the tradition started by his father, Gerry, who served with the RCMP for 39 years; and

Whereas Matthew is now a member of the force's Musical Ride with which he will be performing before Queen Elizabeth in May as part of her Diamond Jubilee ceremonies; and

Whereas Matthew is one of a small contingent of RCMP members who will serve as a special mounted honour guard for the Queen at Buckingham Palace while they are in London;

Therefore be it resolved that all members of this House of Assembly congratulate Constable Matthew Tucker for these exceptional opportunities, especially being selected as a member of the honour guard for the Queen, as this will be only the third time in history that this has ever been done other than by her own military.

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. 633

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

Whereas Danielle MacPherson from Howie Centre participated in the 2012 Atlantic Classic Bodybuilding and Figure Championships recently; and

Whereas Danielle took top spot in the women's physique division; and

Whereas this win came a week after Danielle finished second in the women's physique category at the 2012 Nova Scotia Amateur Bodybuilding Association provincial championships at the Rebecca Cohn in Halifax;

Therefore be it resolved that all members of this House of Assembly wish Danielle MacPherson the best of luck as she now prepares for her next competition in August.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Digby-Annapolis.

RESOLUTION NO. 634

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

Whereas over the past weekend the Nova Scotia Liberal Party held our annual general meeting in Halifax; and

Whereas over 500 Liberals came together to strengthen and celebrate our Party; and

Whereas Liberals across the province are committed to strengthening education, modernizing health care, reinvesting in rural communities, and breaking the Nova Scotia Power monopoly;

Therefore be it resolved that all members of this House of Assembly congratulate the Liberal Party for their hard work and dedication in making this weekend a 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 Victoria-The Lakes.

RESOLUTION NO. 635

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

Whereas since October 2011, students in Primary to Grade 12 at Rankin School of the Narrows in Iona have been participating in a project to promote active living, initiated by physical education teacher Gaye Dixon; and

Whereas the goal of this program was to walk the distance of 3,857 kilometres, which is equal to a trip across the Atlantic Ocean to Iona, Scotland; and

Whereas each morning students and staff walked 10 minutes, recording the distance, and on March 30th students and staff of Rankin School of the Narrows successfully reached their projected goal of 3,857 kilometres;

Therefore be it resolved that all members of this House of Assembly applaud physical education teacher Gaye Dixon for initiating this project, and congratulate students and staff for successfully completing their project.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Halifax Clayton Park.

RESOLUTION NO. 636

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

Whereas entrepreneur Doug Boudreau opened the office of Halinova Trading Inc. in Clayton Park West in September 2011; and

Whereas under Doug's leadership this investment trading company has increased its staff and currently employs 10 Nova Scotians; and

Whereas Doug has demonstrated his business and financial acumen in acquiring Halinova Trading Inc., and is growing the company in a focused and strategic manner;

Therefore be it resolved that members of this House of Assembly join me in congratulating Doug Boudreau on his exciting new venture, applaud his entrepreneurial spirit and wish him every 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 Cape Breton North.

RESOLUTION NO. 637

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

Whereas students of Robin Foote Elementary and their teacher, Carol Ann MacDougall, presented their annual Valentine's Day concert for the residents of the Veterans Wing and participants in the seniors day program at Harbour View Hospital in Sydney Mines; and

Whereas this concert was started by the late Leslie Coleman and carried on by her mother, Zelda McPhail, and the members of Branch 126 Westside Royal Canadian Legion, for more than two decades; and

Whereas the students bring much joy to the lives of the veterans and seniors but it couldn't be done without the support and co-operation of Harbour View Hospital, the Cape Breton Regional School Board, the students and staff of Robin Foote Elementary, and Branch 126 Legion;

Therefore be it resolved that all members of this House of Assembly join me in thanking those responsible for this concert and wish them many more years of music making.

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. 638

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

Whereas firefighters contribute hard work, skills and time, often risk their lives, have taken on the role of first-responders, and deal with incidents of great emotional stress; and

Whereas firefighters seldom receive the accolades which they deserve, most fire brigades hold a banquet each year to thank the members and to present special honours; and

Whereas the ladies fire auxiliary members work diligently at fundraising to help provide the necessities to ensure the safety and efficiency of the local fire brigade;

Therefore be it resolved that all members of the House of Assembly congratulate and thank the Great Village and District Fire Auxiliary who presented the Great Village Fire Commission with a cheque for \$2,000 to assist with payment on their new fire truck.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Hants West.

RESOLUTION NO. 639

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 Duke of Edinburgh's Award was founded in 1956 by His Royal Highness Prince Philip, Duke of Edinburgh, and the award came to Canada in 1963; and

Whereas Mackenzie Seagram of Windsor was recently recognized as a Silver Award Achiever, after completing the required activities for the silver level; and

Whereas the goal of the Duke of Edinburgh's Award is to encourage young people to be active, to participate in new activities, and to pursue current interests in the areas of community service, personal skill development, physical recreation, and an advantageous journey;

Therefore be it resolved that all members of this House of Assembly congratulate Mackenzie Seagram on being a Silver Award Achiever of the Duke of Edinburgh's Award and wish her all the best.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Bedford-Birch Cove.

RESOLUTION NO. 640

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

Whereas the Bedford Volunteer Recognition Reception pays tribute to the extraordinary volunteers of Bedford; and

Whereas Sarah Kuehn has been a member of the Guiding movement for 13 years and is now a Rangers and Junior Leader, displaying excellent leadership and organizational skills as she plans weekly meetings, teaches girls Guiding skills, and organizes events out in the wider community and, as well, Sarah has earned her Lady Baden Powell Award in Guides, her Canada Cord in Pathfinders, and will soon earn her gold Chief Commissioner's Award in Rangers - these are all the highest awards in Guiding for the girl members; and

Whereas Sarah has also been heavily involved in activities at Halifax West High School where she is a member of the Environmental Committee, the Community Involvement Committee, the World Involvement Committee, the Knitting Club and the Prom Committee, and she has earned the Duke of Edinburgh's Bronze and Silver Awards, is working on the Duke of Edinburgh's Gold Award, and Sarah has been a Sunday school teacher for five years at St. Benedict's Catholic Church where she has also been an audio-visual helper for two years as well;

Therefore be it resolved that members of this House of Assembly thank Sarah Kuehn for her exceptional volunteerism and congratulate her on being named Bedford's Youth Volunteer of the Year for 2012.

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. 641

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

Whereas Tamarac Education Centre teacher Sharon Ryan is an exceptionally caring teacher who devotes a component of her class time to teaching her students about how individual choices impact the global community; and

Whereas Sharon has incorporated the importance of rainforests in her classroom instruction for more than 15 years, and Sharon's dedication to teaching strong global citizenship has inspired her colleagues to promote these worthy causes; and

Whereas the Tamarac Education Centre teacher is actively involved in volunteer work in her community, assisting with the ROC Society of Port Hawkesbury as well as the Leaside Transition House, and was named one of 23 educators to receive a Nova Scotia Education Week Award of 2012;

Therefore be it resolved that all members of this House of Assembly extend warmest appreciation to Sharon Ryan for showing so many of her students her warm and caring ways.

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. 642

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

Whereas Pauline Wadden from Catalone was recently honoured at Club 55 in Sydney; and

Whereas Pauline was honoured for her long-time contributions to Club 55, and was presented with a plaque and stained glass angels; and

Whereas Pauline has always been involved with her community and pitches in wherever she is needed;

Therefore be it resolved that all members of this House of Assembly congratulate and thank Pauline Wadden for all the work she has done so freely for so many 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 Victoria-The Lakes.

RESOLUTION NO. 643

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

Whereas in April 2012, the Cabot Trail Lions Club celebrated 35 years of serving their community; and

Whereas the Cabot Trail Lions Club members, past and present, have been providing support to a variety of organizations and families that make up the North of Smokey community; and

Whereas major fundraisers have been accomplished over the past 35 years to support significant projects such as North of Smokey playground equipment, Ski in School Program, bursaries for Cabot Graduates, Cabot High sport field, Safe Grad, volunteering at Highland Manor and much more;

Therefore be it resolved that all members of this House of Assembly congratulate and thank all Lions Club members, both past and present, for the significant contribution to their community and wish them success in all future project endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Cape Breton North.

RESOLUTION NO. 644

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

Whereas North Sydney native Michael MacGillivray, who graduated with his master's in biology from Mount Allison University this May, discovered three new species of diatom, a type of single-celled marine plant, while researching his thesis last year; and

Whereas the Paralia diatoms Michael was studying were previously thought to be a single species but he was able to identify three separate diatoms, one was called Paralia allisoni, after Mount Allison University; and

Whereas diatoms are extremely important because they form the basis of most marine foods and produce nearly 25 per cent of the oxygen we breathe;

Therefore be it resolved that all members of this House of Assembly congratulate Michael MacGillivray on his recent discovery and wish him the very best in his future educational quests.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Hants West.

RESOLUTION NO. 645

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 Purebred Sheep Breeders Association of Nova Scotia was established in 1980; and

Whereas the constituency of Hants West has seven of the top breeders in Nova Scotia, including Association Vice-President Wade Sanford and his wife Printhie, who have operated Oak River Farm at Union Corner for the past 11 years; and

Whereas other Hants West breeders include Bill McNeil, Ian and Kathy Spence, David and Pam Collier, Peter and Christine McClare, Rupert Jannasch and Heather Johnson, and Margarete Zillig;

Therefore be it resolved that all members of this House of Assembly acknowledge the dedication and hard work put forth by these sheep breeders in Hants West 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 Kings West.

RESOLUTION NO. 646

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

Whereas on Friday, April 27th, the 11th annual Prostate Cancer Canada's Wake Up Call Breakfast was held in Halifax; and

Whereas the Halifax breakfast, which was yet again Canada's largest Wake Up Call Breakfast, is part of the only country-wide, business-focused breakfast series dedicated to the fight against prostate cancer; and

Whereas the Halifax Wake Up Call Breakfast featured a powerful survivor's story from Sgt. Peter Grabosky and honoured Valerie Corkum as Halifax's Local Hero for her extraordinary contribution in the fight against prostate cancer through courage, inspiration and dedication;

Therefore be it resolved that members of the Legislature extend our congratulations to Valerie Corkum and Sgt. Peter Grabosky for their support, passion and courage they exhibit every day to the cause of prostate cancer and extend our appreciation to Jim Copeland, chair of the Halifax Wake Up Call Breakfast, along with committee members Doug Lockerby, Paul Pettipas, Sherry Donovan and Sarah Colburne for yet another successful event.

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

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. 17,

Bill No. 17 - Financial Measures (2012) Act.

MR. SPEAKER: The honourable Minister of Finance.

HON. GRAHAM STEELE: Mr. Speaker, I move second reading of Bill No. 17, the Financial Measures (2012) Act. On April 3, 2012, I introduced Budget 2012 and Bill No. 17 is, in essence, a part of that budget. As members will know, a Financial Measures Bill is introduced every year to implement any legislative changes made necessary by the government's financial plan. That is the principle of the bill but there are three distinct pieces to the bill. The first piece of this year's Financial Measures (2012) Bill concerns a reduction in the HST.

When we came into office, Nova Scotia was on an unsustainable financial path. If nothing changed, our province was on its way to a \$1.4 billion deficit and \$17 billion of debt within three years. Everyone knew that was not acceptable. After the single largest public consultation process on finance in our province's history, we put a plan in place to put Nova Scotia back on the right path and that plan is working. When I was meeting with Nova Scotians, they told me they understood that revenues would have to increase and expenses would have to be restrained for our province to get back on a sustainable path. They understood the importance of the government living within its means.

Each year of our plan to get back to balance, the growth in provincial debt is avoided or moderated because Nova Scotians accepted the necessity to restore the HST to 15 per cent. It was a necessary measure to ensure the financial strength of our province and the protection of important public services. Most people told me then and tell me now that they expected us to keep the HST at 15 per cent only as long it was a reasonable and necessary choice. As the Premier has said, it was an unwritten contract with Nova Scotia taxpayers.

The four-year fiscal outlook for Nova Scotia now shows it is getting back to balance next year and then being in a financial position to reduce the HST by 1 percentage point in 2014 and another percentage point in 2015. As the Premier promised, the Financial Measures (2012) Bill puts into law these HST reductions. These changes will come into effect on July 1st of each year or such earlier date fixed by the Governor in Council. So that is the first of three pieces in this year's Financial Measures (2012) Bill.

The second piece is another reduction in the small business tax rate. As everyone knows, one of this government's top priorities has been creating good jobs and growing the economy, and Nova Scotia is seeing positive trends. Employment has returned to pre-recession levels, unemployment continues to trend downwards, and our budget forecasts that this trend will continue for the next several years. Our government has already done a great deal to support small business. We recognize that small businesses are

at the heart of our communities and play a vital role in our economy, creating and maintaining good jobs in every community and every neighbourhood. Our government has reduced the corporate income tax rate for small businesses three years in a row.

Through the Financial Measures (2012) Bill, this tax rate - which hadn't changed for almost 20 years before we came into office, but which now stands at 4 per cent - will go down to 3.5 per cent effective January 1, 2013. The Financial Measures (2012) Bill will amend the Income Tax Act to put this reduction into law. The combined impact of these three consecutive reductions is estimated to save small businesses \$30 million in 2013, or to look at it another way, these reductions mean savings of up to \$6,000 per year per business. We knew that this was money small business owners could use to reinvest in their business, and their community and organizations like the Canadian Federation of Independent Business have recognized the value of these reductions. We're pleased to put this money back into the hands of small businesses that will help us to create good jobs and grow the economy.

Mr. Speaker, the third piece of this year's Financial Measures (2012) Bill concerns reform to the governance of the Public Service Superannuation Plan. Two years ago we committed to modernizing and improving the Public Service Superannuation Plan. That included a move to joint trusteeship, and this Financial Measures (2012) Bill includes the measures necessary to effect the transition to joint trusteeship.

At the present time I, as the Finance Minister, am the sole trustee of the plan. This model of sole trusteeship is an anachronism and it's not in keeping with today's best practices concerning governance of such a major pension plan. I'm not aware of a single plan of this size and importance anywhere in Canada that still relies on the governance model of a sole trustee.

The government, through the Nova Scotia Pension Agency, has conducted two years of careful research and stakeholder consultation to prepare for the move to joint trusteeship. We believe that the governance improvements in the Financial Measures (2012) Bill embody the best practices from leading public pension plans across Canada. We recognize the importance of this plan to tens of thousands of Nova Scotia families - 12,928 retired Nova Scotians rely on this plan, and another 16,565 are contributing to the plan for their own retirement. I do want to stress that this legislation does not in any way reduce or change benefits for employees or retirees. This legislation is about better governance, which will ultimately make the plan more secure for the long term.

Under this legislation, a new body known as the Public Service Superannuation Plan Trustee Incorporated will assume fiduciary responsibility for the plan. The board of directors of the Public Service Superannuation Plan Trustee Incorporated will be made up of directors representing employers, employees, and retirees. An independent chair will be appointed by the board of directors. An incoming trustee board has been named, has

recently held its first meeting, and will assume its role after a transition period of approximately one year, assuming that all goes according to plan.

The legislation includes a detailed funding policy that builds on the principles of the changes made in 2010. The funding policy prescribes the actions available to the Trustee depending upon the funded health of the plan. On a five-year review cycle beginning in 2015, the Trustee will evaluate the funded health of the plan. This is an important step to ensure we avoid the type of situation this government inherited in regards to the health of the plan.

Assuming that the PSSP moves to joint trusteeship as planned, there would then no longer be a need for pension administration to be done by a unit of the government. That's why this Financial Measures (2012) Bill also includes a new Nova Scotia Pension Services Corporation Bill, which will devolve the Nova Scotia Pension Agency from the government by creating a non-profit, statutory corporation. The new corporation will be equally owned by the Trustees of the Teachers Pension Plan and the PSSP. This transition will also occur over the next year to align with the establishment of the Public Service Superannuation Plan Trustee Incorporated. This new, non-profit corporation will administer all plans currently served by the Nova Scotia Pension Agency.

With that, I move second reading of Bill No. 17. Thank you.

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

MS. DIANA WHALEN: Mr. Speaker, I really thought when we were having the Financial Measures (2012) Bill this year that there would be more in it, simply based on what we've seen in previous years. Generally speaking, the Financial Measures Bill is known as an omnibus bill and it contain a lot of changes in many different Acts and departments.

This year when I went to the presentation - the briefing that we were given for our staff - I was surprised to see only two areas changed and then the new legislation is there for the provincial changes to our superannuation plan and the management of all of our pension plans under one umbrella.

I guess we could start with the pension plan changes and this is something that, I think, is in line with what's happening in the rest of Canada. The minister mentioned that we may be the only one of this size that has been left untouched and the time has come to adjust it. It will help not only this government but future governments of this province as well in laying the groundwork for a pension plan that would be managed more by the pensioners themselves and by a board of directors representing all of the stakeholders. I think that is good financial management and has taken place, we understand, with a lot of consultation among the members who are involved.

The largest part of the bill - when you look at it, it is quite a thick bill - are the two sections relating to the pension Act and the formation of this new corporation. So as I say, Mr. Speaker, that part, I think, has been something we've seen coming. There has been a lot of discussion about a move toward joint trusteeship, which gives the members of the plan, as well, a lot more responsibility and a lot more say in everything from investments to the management of the plan, to the future of benefits and costs. I'm sure the members of that plan are watching with great care and I'm sure they're taking a big interest because it does have a huge impact on, perhaps, their future benefits and certainly their current costs. It is in line with good, private sector management and is, I think, ultimately going to be good for the bottom line of our province, which is important.

We do believe that those measures are in order and as I said, having read other people's thoughts on them, I believe they have been encouraged by other pension experts, including Bill Black, who I know wrote afterwards that these changes were a good move and we recognize him as someone who has done consultation and led reports on the pension plan here in Nova Scotia and other pension changes, so those things are good. But a lot of this bill then comes down to the first page, one page really, two points - a continuation of the reduction of the small business tax and a promise for two fiscal years out, in 2014, to make changes to the HST that were originally brought in by this NDP Government. Really, what the government is proposing is that sometime after the next election there will be a change in the HST regime that they had brought in shortly after their election in 2010 - the changes were in 2010, I should say, not their election. Within that year they went forward with an increase in the HST by 2 percentage points.

In terms of the HST and the move toward reducing it, the biggest concern I have is credibility, and the need to put this in legislation is really debatable. We know that the previous government, the Progressive Conservative Government under John Hamm, put in balanced budget legislation which was supported in the House and was certainly seen as the move that other provinces were doing it. It was the flavour of the day. Everybody knows we should be financially stable, that we should have balanced budgets, and it was put into legislation.

Again, if we go back to the 2009 election, I think all members of this House who would have been campaigning at that time would well remember that there was a Leaders' debate that was televised in which all the Leaders were asked what they were going to do financially. The Leader of the NDP at the time said that he would not raise taxes and that he would balance the budget - he was definitely going to balance the budget. That's a narrative that the NDP would like us to forget today, that the government would like us to forget, and hope that Nova Scotians have enough time between that debate and the current narrative that they're telling us, the current bedtime story that we hear over and over again about the path they're on.

We know the hope is that the more often it is told - the hope is that it will stick, and people will start to see this parable, this storyline, as the truth. I think that is exactly why

there is an Opposition: it's to remind the government that there was another narrative playing out in the election of 2009 - a completely different narrative.

At that time, the Leader of the NDP, the current Premier, said no new taxes and I will balance the budget; I'm committed to balancing the budget. I'd like to remind everyone here and those who listen at home that at that very time, in that same debate, the Leader of the Liberal Party honestly answered that we can't say. We can't yet because we haven't seen the books; we don't know the condition of the province's finances. He was saying with honesty and sincerity that that was premature, that you couldn't do that.

That is something that I like to remind others, because there was only one Leader who took that stance. It was not a popular stance. We know the electorate would much rather hear that there will be no new taxes, that there will be no hardship in the future, that you will maintain a balanced budget, which we had had prior to that.

That was exactly what the people of Nova Scotia would like to hear, that there's not going to be any instability, any harm; there will not be 1,400 new fees that have been increased, which is what happened last year; that these things would not be happening, because the Leader of the NDP said it's going to be a better deal, believe it or not, and also that there would be no new taxes and there would be a balanced budget, but that was very quickly swept under the carpet when the NDP took power, and a year later there was a 2 percentage point increase to the HST.

People have to remember where that 15 per cent came from, what the history was before it, and whether or not having this put in legislation today is really something that's credible. The balanced budget legislation that I began to speak about in the beginning, which we supported under Dr. Hamm, who was Premier at the time, who said we have to be fiscally conservative - that balanced budget legislation was repealed and thrown out. It was determined under the NDP that it wasn't necessary. We can't do it; therefore, we'll just repeal it. We'll get rid of it.

I've just been reminded that that was one of the items in a Financial Measures Bill, which is why normally, as members of the Opposition, we usually go through that Financial Measures Bill so carefully because there are so many different clauses and different Acts and little things that would be thrown in. We didn't have the fun of doing that this time, because it's pretty simple in this go-round. For members who have even served many years, they said this is the smallest Financial Measures Bill that they have ever seen in terms of the number of changes in it, the substantiveness of it.

The thing with the HST that we have to remember is there is no compelling reason to put this promise into legislation - because it's no more than a promise, the promise by the current government to lower the HST back to where it was before they promised not to raise it.

Now we have a promise that they're going to bring it back down, beginning in 2014 with one point, followed by another point, another cent, in 2015. The big point is that both of those dates will fall outside the four-year mandate of this government, and therefore they'll be beyond the next election. So this is really, I think, window-dressing. It's setting the stage for part of the narrative that leaves out the fact that the Premier promised not to raise taxes and leaves out the fact that the Premier, who was then the NDP Leader, sat and stared at the television cameras and told Nova Scotians that there would be nothing but balanced budgets under his government.

This year we have a \$220 million deficit. It could have been more but we believe it was a budget that was substantially padded the year before. Government came in in a more positive light and are boasting about coming in under budget - two, three years in a row. The big thing is the budgets are still significant deficits. So much depends on how you want to talk about these issues. Certainly the government is going to put the best spin on it that they can and say they came in under budget, which sounds great as long as we remember how much in the red it is, that it's still \$221 million in a deficit position. (Interruption) Oh, \$211 million - a little bit better, thank you. I do thank the Finance Minister because I know that he dreams about these numbers and he gets to speak about them more often than I do, but still over \$200 million. I think we can agree in a round figure it's still an awful lot of money and it's still negative.

So really, for me, it's a question of credibility and whether or not I can believe what the government is saying today in this piece of legislation, the Financial Measures (2012) Bill, which we're talking about today. We don't need to go into all of the promises that were broken. There have been many. I think we have a list of them and other members of the caucus may wish to speak to those. I know the Official Opposition certainly has paid attention to each and every one of the promises that have been broken. I mean we've had them in every department of the government. We've had so many. We had a promise that there would be no clear-cutting. We still don't know what the definition is of clear-cutting, three years into the mandate we don't know that definition. That's just one department we're waiting on. Where's the promise to stop that practice? In the meantime, it's going on all over the province, there has been no change; practices are the same as usual.

We're here to talk today, Mr. Speaker, about finance and about the Financial Measures (2012) Bill. I'm just saying that the concern I have is that this is not necessary to be in legislation. It's really straining the patience of Nova Scotians to believe that you'll put into legislation something for two years out and then just spin that story and expect them to believe that the same government that reneged on two serious financial promises made to Nova Scotians, not once but many times in the last campaign, will now be held to account for a new promise which, again, sounds rosy this time, again panders to what they believe people want to hear. But Nova Scotians and Canadian electorate - in fact, the Canadian public - all voters are smart, they are learning and they are very skeptical. They want to know that when things are done, that they're going to be done when it's possible,

when it's going to happen, not two years out, not under some guise of, really, what amounts to an election promise today, here in the Financial Measures (2012) Bill.

Mr. Speaker, as I say, it strains credibility, it really does. Why we should think that this is any more meaningful to put it in the Financial Measures (2012) Bill today than the previous balanced budget legislation was. When we put that in, we believed that would have stood the test of time. When the NDP Government tried to repeal it and take it off, we suggested, why don't you give yourself a holiday, give yourself two or three years to recover? Then you'll be able to go back to that legislation. Don't take it off the books. Don't remove it as a commitment or as something that we're all striving for.

I remember very much putting forth that amendment asking the government to, rather than just throwing it out, just getting rid of something that made good financial sense, why not keep it and in the light of the recession, in light of the financial turmoil in the world and the fact that it was hurting our economy, allow yourself a couple of years in which to recover and to go back to that principle of a balanced budget.

The government chose not to do that, they simply got rid of it. If it suits the government they can get rid of any legislation - they can amend it and change it because they have, I believe, 31 votes if everybody is in their seat; they have a majority of votes in this House. The truth of the matter is that no matter how compelling the arguments are from Opposition, the government will prevail because they will tell their backbenchers to vote a certain way and they will get the number of votes they need to pass whatever legislation they bring before us.

So as much as I want to believe that the government is sincere in what they're doing, I don't - and I think I have a good reason not to because I think that the history of this NDP Government, in the short three years that they've had to govern our province, has shown that they will say anything in an election . . .

MR. SPEAKER: Order, please. The chatter is getting a little loud, it's hard to hear the member.

MS. WHALEN: Mr. Speaker, thank you. That's very kind of you to stop the chatter.

I really believe that the people of Nova Scotia, and certainly those of us who sit in the Legislature, in Opposition, representing Nova Scotians, certainly recognize that anything can be said in legislation and then repealed. I don't believe it gives it any more strength than the balanced budget legislation that could have been amended.

I go back to the idea that - the Opposition understood that we were in some extraordinarily difficult times right across the country and that maybe the answer there would have been to amend it to allow for a number of years grace, really, a period of grace

to spend heavily on infrastructure which was to stimulate the economy and to do the other needed measures that were putting us into a deficit. But that should have been seen as an aberration, as a short period of time that that would happen.

When the Opposition Liberals asked that that happen, we were turned down flat and the majority votes, again, ensured that the balanced budget legislation was a thing of the past. Just as easily as the promise of the NDP Premier, at that time the NDP Leader in the 2009 election, promising that there would be no new taxes, promising that there would be balanced budgets every year under his management - and none of that has come to pass. Not only have there been new taxes like the HST, but there have been 1,400 user fees increased, some of them dramatically, and many other costs that are hitting Nova Scotians very hard.

We've talked often in the House about that and I think people at home know how difficult it is now when you get your power bill and you see how much it has gone up. Mine has gone up, everybody you talk to is speaking about how much this year's budget looks different than the year before. I pay on an even payment plan where you pay the same every month and have seen a dramatic increase in that payment plan. I know a lot of people in my riding heat their homes with electricity, a lot of the homes in the neighbourhood of Clayton Park West were built with electric heat and that has been a very, very big difficulty for people to pay for their heat, compared to years gone by - and that's only one fee we're talking about.

The additional energy fee that has been put on every single bill which is really pushed off - the part I object to - it pushed off a requirement that we do have as a government, the requirement is that we help Nova Scotians be more energy wise, that we help them to save energy and learn how to convert their homes and buy energy-smart appliances and so on, but that had been part of the Energy Department and that had been a cost - running Conserve Nova Scotia was a cost of government. So the government just hived that off, put it off into another arm's-length agency and put the cost on Nova Scotia ratepayers.

I don't see government shrinking in doing that - still the budgets are big in every department, the Energy Department is still big, but they were able to take out about 20 employees and put them somewhere else and put the money that they were responsible for on the backs of our ratepayers. And that has been part of the increase in Nova Scotia Power's bills to consumers and it is hurting every day - and when I talk about individuals, it's really an important part of their costs every month.

On top of that, what happens to our businesses? We know that they're reeling, as well, trying to pay the cost of heat, and the increased property taxes, and the increase in gas which is being seen in everything that we move from place to place, every item that they bring in to use in their business to sell or to keep themselves going. Again, we're seeing record high gas prices, I know they fell a little bit, about 6 cents last week, but a few weeks

ago it was up as high as \$1.45 in places in Nova Scotia - it was \$1.43 on April 3rd, here in Halifax. Those, again, are unbelievably high prices for gasoline, hurting our business community and hurting every Nova Scotian who needs to buy items and get to work and to just live their life here. So things have been a lot tougher in the last three years and whatever narrative that Finance Minister wants to spin, whatever story-telling that his script gives him, it doesn't make it real, it's not true.

They've run three, Mr. Speaker - three years in a row, significant deficits. Oh one year they put a little bit on because of double-paying the universities the year before so there has been a little bit of sleight of hand. We don't really put much store in that when you run a bigger deficit one year because you double paid something that was significant, but that's another story which has been left out of the Finance Minister's narrative as he brought in the budget and as he asked Nova Scotians to believe him today with a promise in the Financial Measures Bill for 2014-15, that if you trust us this is what we're going to do.

I just remind Nova Scotians, I remind the members of the government, that people will remember the promises that were broken, that were financial, that were serious, that people believed in all good faith. They honestly believed there was going to be something different in the answers and in the credibility. Unfortunately, we just didn't see anything here that you could hang your hat on and believe in in the future.

That is one of my major concerns with putting this in legislation because it is cynical, quite frankly. It's a cynical move to manipulate the public, to make a promise now for 2014 saying, if you just trust us this is what's going to happen. Honestly, we've seen so many instances where you've said one thing before an election and that the government says something completely different now when they are governing this province, the mantra is quite different.

There is every reason to feel that it's cynical on the part of the government to do this and that really, Nova Scotians should be skeptical and they should remember the history of the government and they should question whether or not this has got any meaning in fact, in point of fact, whether it will have any meaning whatsoever. My big concern is that it is actually misleading and playing on the hopes of Nova Scotians, and perhaps misleading and it may in fact disappoint.

With that, Mr. Speaker, there is very little in the Financial Measures (2012) Bill to discuss, unlike previous years where we might have 30 or 40 Acts that were amended that had a lot of impacts in many departments of government. This is not an omnibus bill; it has two simple items, really, in addition to the pension Acts, which I said I think have good basis and sound basis so I have no problem with that.

The promise to lower small business taxes is the second one, I've spoken at some length about the HST promise, which is made in this bill - a promise for two years away,

two more budgets and two more years of showing whether or not the government is recovering in terms of its financial health.

There is a lot of ifs in going forward on that HST but on the small business tax reduction that was a program promised and set out, I believe, in the past, even before the NDP were elected so this is carrying on in that small reduction year by year to bring us more into line with other parts of the country because our small business taxes were not being amended as other provinces were. We were falling out of step and we still are, we're still out of step with other places.

The Finance Minister mentioned a figure saying that this would equate to a certain number of dollars saved in every business but that's assuming that most businesses are showing a profit. You have to help them make a profit before they're going to get the benefit of reduced taxes. Quite frankly, in talking to many businesses around the province, which all of our members have been doing, we found that many people say it's a bit of a moot point to them about the small business tax because they are not paying very much of it. You can actually see that reflected when you look at the budget and at the Public Accounts to see how much of the tax that we take in comes from corporate or small business or personal tax. Personal tax by far is the major source of our revenue and it's much less when you go to corporate and small business tax.

Many, many of the small businesses are paying very little, if any, small business tax. It is nice to know you are in a lower tax bracket but you still have to make money in order to claim that. I would hope that we would see businesses, and perhaps it might help businesses expand or even settle here. There are so many other taxes they have to contend with that we have a long way to go if we want to make this province more competitive and more affordable for business to locate in.

Clearly that's what we want because those small businesses do have jobs, even if it's just one or two. They're hiring people who get paid and they pay into that personal income tax, which is a big share of our revenue in the province and certainly is what supports communities and particularly - well, any community - but when we think of small communities, they certainly need those businesses that are located there to keep people in the community so that they're not all commuting out to Halifax or Sydney or somewhere else to work because there aren't jobs in their own community.

Mr. Speaker, when we looked at other taxes across the country, we are still not competitive in so many other categories and these have not been amended in this year's budget, in the Financial Measures (2012) Bill. One is that Nova Scotia is one of only two provinces that has a fifth tax bracket. On the top end, our top income earners are at a 21 per cent income tax amount so their top dollars are being taxed at 21 per cent. The only other province with a fifth category at the top end is British Columbia and it is less than 15 per cent, so our fifth category is much higher. We were talking only today that if you earn \$45,000 in Ontario, you will pay \$1,500 less in taxes than if you earned \$45,000 here in

Nova Scotia. That hurts when you're trying to repatriate Nova Scotians, get them to come home, keep our young people at home, or get others to move here and to set up their businesses here.

We know that we're suffering in terms of competitiveness. We know that we're suffering in a lot of ways and the Liberal Party and the Liberal Leader has spoken a lot about a comprehensive tax review, that it's time we looked at the whole basket of taxes that businesses face and that individuals face and find out, really, what are the stresses and what might be the most beneficial taxes to change to either stimulate business to hire more people, or to stimulate more people to return to Nova Scotia and work. What would really make a difference? Because there has been a lot said, and not just in here but in books.

There was a recent book about a year or a bit more ago - Peter Moreira's book, *Backwater* - which actually outlined in one of the essays a true story of a young couple coming back to Nova Scotia and thinking that they would have an opportunity to re-establish themselves here. It itemizes all of the extra costs that they had not anticipated. They were able to buy a home cheaper but the heating of that home was more. Their taxes on the property were higher. Their jobs paid less. They had fewer benefits for the same experience that they had brought home with them.

So we know that we are not alone in saying this. A lot of people who are watching and writing about the condition of business and life in Nova Scotia are pointing out that we have a long way to go in being more competitive and more attractive. Although we love this province, we have to be able to honestly face where there are difficulties and where we can make changes that will make this province thrive, especially with the upcoming jobs that we hope will be the result of the ship contract, which we are all hopeful for. So those things are a concern to us and I know that members of the Legislature are certainly aware of the tax brackets but I think it's important that we look at it and ask why those have remained in the face of other choices that the government has made.

So really, Mr. Speaker, I know that there are other people who would like to speak on this bill today. The Financial Measures (2012) Bill, today, in this year, 2012, is very different than we have seen in previous years and I'm looking forward to hearing from the other speakers and in certainly going to the Law Amendments Committee and just following the process that we do here in the Chamber.

Again, I just feel that there's an element of cynicism in the bill, in this promise that has been for two years out, that we've never seen in any previous Financial Measures Bill. We've never seen a government feel compelled to put something in writing that we know they would easily repeal if things don't go their way and yet have the cynical position that they think that this will make it more believable to others. Really, anything that's promised that far out is bound to be taken with a grain of salt.

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

HON. JAMIE BAILLIE: Mr. Speaker, I would appreciate it if you would allow me to speak into the microphone and not cut me off so precipitously. I was just getting started. (Laughter)

MR. SPEAKER: I didn't cut you off, but if you keep that up, I will. (Laughter)

The honourable Leader of the Progressive Conservative Party.

MR. BAILLIE: Thank you, Mr. Speaker. It is my pleasure to rise and debate on the Financial Measures (2012) Bill this afternoon, both as the member for Cumberland South and as the Finance Critic and Leader for my Party. This is indeed a unique Financial Measures (2012) Bill - the previous speaker talked about how light it was - but it certainly did contain something unique, which is that it had a magic asterisk in it this year for all Nova Scotians. It contains yet another new pre-election HST promise from the same bunch that gave us the last pre-election HST promise.

Now in 2012, we have a Financial Measures (2012) Bill with a big asterisk in it, which means "but first you have to elect us and then cross your fingers and hope that this time we keep our promise when the election is over" - if the people give them the opportunity to do that.

I'm going to speak more about that magic asterisk in a few minutes, but I did think I would start with something very important that this Financial Measures (2012) Bill does not address besides that. That is that Nova Scotia has the highest taxes in all of Canada. It has the highest tax in all of Canada, and that will not change as a result of the Financial Measures (2012) Bill. I raise that because I know that the Minister of Finance likes to dispute that fact.

For example, he is quick to rise and indicate that . . .

MR. SPEAKER: Order, please. The chatter is getting quite high and it's very hard to hear the member.

MR. BAILLIE: I was making the point that Nova Scotia has the highest taxes in all of Canada in way too many categories. I know that the Minister of Finance refuses to acknowledge that. In fact, I've heard him say in this House that Nova Scotia is fifth in taxes paid in the country in dollar terms, but that ignores the fact that our incomes are lower than the national average in dollar terms. I think it is a great disservice to Nova Scotians to tell them that their tax burden is lighter than it is.

The only reason that's true in dollars is because their incomes and their ability to pay are lower than the national average. Therefore, that is not the correct measure of how heavy the tax burden is on Nova Scotians. The other thing that the Financial Measures (2012) Bill does not deal with is any measures that will create real jobs or actually boost the

incomes of Nova Scotians so that they can see their taxes paid as a percentage of their income, the most important measure, actually decline.

That is the difference between the plan of the NDP and the plan of those of us on this side. They're interested in grabbing as much of the provincial income as possible in taxes for their own purposes. We're interested in actually growing the provincial income in jobs and earnings so that that percentage can fall. If there is any doubt about the truthfulness of the statement that Nova Scotians pay the highest taxes in all of Canada, let me just quote the various tax rates that Nova Scotians pay in income tax, in corporate tax, and in the all-famous sales tax.

First of all, income tax. Our tax brackets start at 8.79 per cent and rise up to 21 per cent of income, depending on the bracket that you're in. No other province has a 21 per cent bracket, but Nova Scotia does. It's not just about brackets, as I know the Minister of Finance will be quick to point out, so we've done the calculation for a typical income in Nova Scotia of \$60,000 and calculated for a typical family what their income tax would be on \$60,000 of income.

Let me give you some comparators from some other provinces that Nova Scotians think of as high-tax provinces. If you make \$60,000 in the Province of Newfoundland and Labrador, your income tax is \$5,968. People think of Newfoundland as a high-tax province, but the Nova Scotia tax is much higher than that. If you live in the province of New Brunswick, our neighbour province, and you make \$60,000, your income tax is \$6,145. I can assure you that in Nova Scotia you pay much more than that in income tax. Ontario is considered to be a relatively low-tax province, so I throw that in just for comparison. In Ontario, where many Nova Scotians have gone to work, if you make \$60,000 a year your provincial income tax is \$3,941. Guess how much income tax you pay on \$60,000 in Nova Scotia? The answer is \$7,162. That is \$1,200 more than in Newfoundland and Labrador, that is \$1,000 more than in New Brunswick, and that is \$3,221 more than in the Province of Ontario.

Now I hear the Minister of Finance tell Nova Scotians that they should suck it up, that they should gladly pay that much tax because with high taxes you're going to get high services. Mr. Speaker, Nova Scotians will be smirking to hear that one because there's not a Nova Scotia taxpayer around who believes that the services they get in health, in education, in community services, in roads and so on, are better than in the Province of Ontario or even the Province of New Brunswick or the Province of Newfoundland and Labrador, yet we get stuck with the highest tax bill in the country, and that's just income tax.

The government brags about lowering the small business tax by 0.5 per cent in this Financial Measures (2012) Bill but the fact of the matter is that Nova Scotia not only pays the highest personal income tax in the whole country, Nova Scotia businesses pay the highest corporate tax in the whole country, at 16 per cent. No other province levies a 16 per

cent general corporate tax against their corporate income. The second highest actually is 14 per cent, in Newfoundland and Labrador. We're well ahead of every other province in the share of corporate income that is taxed away by this government.

I think Nova Scotians need to take that into account, Mr. Speaker, when they're comparing the 0.5 per cent reduction in small business tax, compared to the overwhelmingly large corporate tax that they all have to pay. And, of course, we also have the HST, the retail sales tax which, at 15 per cent, is the highest blended tax on sales in all of Canada. Now that makes us the highest in the three most important categories of tax: personal income tax, corporate income tax, and HST.

Now we all want Nova Scotia to be first in some things but those are not the things, yet that is the tax record of the NDP over the last three years. Mr. Speaker, I will table this for the benefit of the Minister of Finance and for all members of the House, so that when an Opposition member correctly and accurately points out that Nova Scotians pay the highest tax in all of Canada and someone on the government side gets up and says that's not true, that on the table of this Legislature will be the calculation of income tax, both personal and corporate, and of sales tax, for all members to see so that they can judge for themselves, so that Nova Scotians can know the truth about the tax burden they are being asked to pay.

Mr. Speaker, before I return to the latest pre-election gimmicky promise of the NDP around sales tax, I do want to point out that there are some things about the Financial Measures (2012) Bill - outside of the tax structure that it imposes - that are worth commenting on in a more positive way. For example, when it comes to the governance of the Public Service Superannuation Plan, the government pension plan, this bill actually brings forward some improvements to that governance and thank God it does because it does take another important step along the way to ensuring that that plan is jointly trusteeed between the employer, which is the Government of Nova Scotia, and the employees themselves, through their union representatives. It is a shared burden that those two parties should have and eventually will have, because of this bill, in dealing with any pension shortfall in the future.

Mr. Speaker, we've already seen what the Minister of Finance will do when he has all the power over that pension plan in his own hands. Two years ago at this time the Minister of Finance, in a backroom deal, dealt with the pension shortfall of that time by jacking up contributions, by bailing out the pension plan with taxpayers' money to the tune of \$536 million and, very importantly and not very well covered, by screwing the retirees who were not in the room at the time. (Interruptions)

MR. SPEAKER: I wonder if the member would like to reconsider that last statement.

MR. BAILLIE: By treating the retirees at the time in an unfavourable manner . . .

MR. SPEAKER: Much better, thank you.

MR. BAILLIE: . . . retirees who were not at the table, retirees who had their existing benefits, in real time, cut without any say. That is what the Minister of Finance did two years ago when he had the sole power over that plan.

Now we're a step in the right direction, which is to share responsibility for the plan, and hopefully provide some cost certainty to both the pension beneficiaries and to the taxpayers who fund that plan into the future, because if the bill sets in place the parameters to ensure that taxpayers will never pay more than their share of the plan under current income tax rules, matched dollar for dollar by the members of the pension plan themselves, the current working and contributing members themselves, then this bill is a step forward to protecting taxpayers and retirees from arbitrary and expensive solutions like the one that the Minister of Finance imposed on the current retirees and on the taxpayers of Nova Scotia just two years ago.

What this plan does in improving the governance of the pension plan is provide for a panel of 12 people, six who represent the employer, five who represent the members of the plan, and one retiree. Now, that one sole retiree, the one who was treated so unfavourably a few years ago, is at least one more than was in the room the last time the NDP dealt with a deficit in the pension plan.

As far as taxpayers are concerned, Mr. Speaker, I do want to point out that for the decades and decades and decades of history of this pension plan it was always funded under the 50/50 rule, that the employer, the government, and the employee would each pay half the cost of funding that plan - up until the current Minister of Finance came along and gave \$536 million of taxpayers' money to the plan unmatched.

Now, Mr. Speaker, we're about to fix that and, again, it may not sound like I'm praising it, but it is a step in the right direction, creating a joint trustee plan, and I hope that when the Minister of Finance wraps up discussion on this bill he will get up in his place as the person responsible for all the taxes collected in Nova Scotia and tell Nova Scotia taxpayers that if that plan is in deficit, before the plan is handed over to the new panel he will not bail it out again because we cannot afford it, because at a time when there are real cuts in our hospitals, in our schools, that we are not going to take - or he is not going to take - another \$100 million or multiple \$100 millions of taxpayers' money and bail out the plan. It is a joint responsibility of the plan members and the employer, and it is up to the Minister of Finance to make sure that any future problems are dealt with jointly and not in the arbitrary and expensive manner that he dealt with it last time.

Of course, Mr. Speaker, one of the ways to really protect taxpayers would be to have a panel that has employer representatives on it and has employee representatives on it, but might actually have an independent member or two who can represent all Nova Scotians, because the way the Minister of Finance has set this panel up, all 12 in one way or

another are beneficiaries of the government pension plan - there is no one there from the 940,000-some Nova Scotians who are not members of the plan and yet who pay for it to have the say in any future resolution around pension deficits.

Now, Mr. Speaker, I do point out that there are other pension plans, government pension plans in other provinces, in Ottawa, that have boards of directors set up, or trustees set up who bring in independent voices, someone who is not a beneficiary of the plan to also have a say, particularly if that person is representing those who pay for it, so that they can have a say in any expensive resolutions that are proposed. But that's for another day - that would be a further improvement, but I do want to point out that this particular Financial Measures (2012) Bill is at least a step in the right direction around planned governance.

The other element of the plan that bears some review, Mr. Speaker, when it comes to the government pension plan is the creation of a successor entity to the Nova Scotia Pension Agency that will receive the contributions and manage the assets of the pension plan. That is a step in the right direction, as well.

But wouldn't it have been a wonderful opportunity for the government, in setting up this new agency, to also mandate that a certain portion of those pension assets, which total in the billions of dollars collected from Nova Scotia employees and taxpayers, wouldn't it have been a great opportunity to direct that a certain percentage of those assets actually get invested right here in Nova Scotia, in Nova Scotia entrepreneurs, Nova Scotia business, Nova Scotia jobs, Nova Scotia creativity, Nova Scotia entrepreneurship? But the minister has failed to take advantage of this golden moment, to take even 1 per cent or 2 per cent or 10 per cent, whatever number we would have supported, to free up hundreds of millions of dollars of taxpayer-collected and employee-contributed cash to see that it is directed to growing Nova Scotia jobs and opportunity.

This isn't even a new idea. Forty years ago the Province of Quebec directed that all of the public sector pension plans of Quebec be grouped into one and be invested to the benefit of the economy of Quebec. Forty years ago they did that and they now, literally, have tens of billions of dollars invested in creating jobs in Quebec. The Minister of Finance knows this. The NDP Government knows this. It would be a cost-free way of creating real jobs and opportunity in our province and yet the government has chosen not to do that; yet again, they have chosen not to do that. All of those billions of dollars in pension money that is collected, every last cent, the Pension Agency is free to send anywhere around the world that they want without any limit. This has been proposed before and it is ironic that it is the government unions themselves that are the most resistant to having that money invested in Nova Scotia.

I've heard the argument that the return on that investment might be less than they can get in other places. I would place my bet with the entrepreneurs of Nova Scotia any day, as I think most Nova Scotians would expect their government to do. If you look at the

returns that pension funds and all investors are getting in the stock market today, on Bay Street, on Wall Street, and the risk that's being run there, I think that an astute investor would realize that taking some of those eggs that they've thrown into that Wall Street basket and placing those eggs in the nest of Nova Scotia would be a very good way of diversifying that pension portfolio, like Quebec has done, and at the same time create real jobs and opportunity in Nova Scotia.

The NDP are not interested in doing that because their whole reason for being is just to grab as much of the productive output of Nova Scotia business and people as possible in taxes, not to actually try to grow the wealth of the province or grow the economy of the province or increase the wealth and opportunity of all Nova Scotia, so that the tax burden can be less. That is another example of how we are very different over here from the government over there. But at least they are taking a small step in the right direction with the Nova Scotia Pension Agency. If only they had seen it for the opportunity it was, to create real jobs, but they didn't.

Just one last point on the pensions of government, I can't help but point out that the Minister of Finance's own budget contains \$420 million in pension adjustments in the next four years. That is money over and above the contributions that the Government of Nova Scotia makes to the various pensions plans, that the government is projecting it's going to have to put into those plans for other reasons like deficiencies, like the fact that they're not set up to be self-sustaining as they are - \$420 million.

They come forward with baby steps around the pension review board and around the Pension Agency, steps we support, but the time has come to put all of those pension plans on a sustainable footing so that \$420 million can be directed to other things that are more important to the future of our province, like job creation, like a real plan for education, like looking after our kids in schools and people in hospitals, and not setting aside \$420 million to further top up pension plans. While we have reviewed what the government has done with the Public Sector Superannuation Plan, the government pension plan, they continue to sit on a \$1.5 billion deficiency in the teacher's plan with no plan to deal with it - to let it grow, to leave it alone, to let it get worse.

There is a second magic asterisk in this Financial Measures (2012) Bill that's going to only grow bigger and bigger over time because of their inaction and the reason is they do not want to tell Nova Scotians what they're going to do about the \$1.5 billion deficiency in the teacher's plan until after the next election. Given what they did to the first plan after the last election, Nova Scotians would be right to be very worried about what that government has up its sleeve when they see a \$1.5 billion pension deficit that for whatever reason the NDP refuses to deal with until after the next election. They have given up on governing already when it comes to the Teachers' Pension Plan and we will only find out after the next election - God forbid if they are re-elected - what they are sitting on as a new sneaky surprise for all Nova Scotians when the election is over. Here they are dealing with pension

governance right now and yet leaving out this gaping \$1.5 billion hole for any adjustment whatsoever, from any commentary, from any plan in this Financial Measures (2012) Bill.

Mr. Speaker, let me move on, because I think we've covered that one in some detail, to some of the tax measures that the government is proposing, like the 0.5 per cent reduction in the tax for small business. Now we certainly support tax relief for small businesses - 0.5 per cent by the way will save the largest of our small businesses, under the most favourable calculations, a maximum of \$2,000 a year. That is if you're a small business that earns the maximum allowable as a small business, in this year and you were making nothing last year, you'll save up to \$2,000.

Obviously, most small businesses are not the largest small businesses. Obviously they're not making zero now, some of them are, but hopefully there are some profitable small businesses out there. The tax savings to them is a lot less even in that maximum of \$2,000. So that's not money to sniff at, Mr. Speaker. It's important, but it has to be put in comparison to something so that small businesses can judge it for what it is, so that all Nova Scotians can judge it for what it is.

The fact of the matter is that maximum savings of \$2,000 a year, if you are the largest of the small businesses of the province, pales dramatically in comparison to the \$4,000 in extra HST that each and every family that shops at that small business has had to pay since the NDP Government raised the HST a year and a half ago. So every time a customer comes into that small business, they've already paid an extra \$1,000 alone in extra HST. That \$1,000 came from somewhere.

We know that their incomes are not going up - monthly, Statistics Canada tells us that Nova Scotia incomes are flat or shrinking. They are certainly not finding more money at the end of the day because gas prices have been favourable because they've gone up, or electricity prices because they have gone up, or home heating fuel costs because they have gone up. That family is getting squeezed in too many different ways but one way that was in the direct control of the NDP Government was the amount of HST they pay on the important goods and services that they buy every day and for each and every Nova Scotian that is an \$1,000 right out their pockets, and for each and every typical family that's an extra \$4,000.

Mr. Speaker, you could ask any small business, any retailer, any restaurant, any small business whatsoever what they would prefer. Would they prefer that each family that shops in their shop have \$4,000 more in their pockets to spend, or would they prefer a 0.5 per cent reduction in their small business tax rate. I tell you without any doubt they would tell you it's both better for their customers and it's better for them, and it's better for their employees, and it's better for the creation of real long-term, meaningful, sustainable jobs to have left \$4,000 per family in their pockets where they can choose where to spend it. Where small businesses can compete based on the quality of their work and their ingenuity and their level of service to get their share of that money, rather than have it ripped away

from the people of Nova Scotia and get a 0.5 per cent reduction in the small business tax rate in return.

Mr. Speaker, that is the problem with a government that brags about its tiny reduction in the small business tax rate but tries to distract Nova Scotians from the massive tax haul that they have been taking in since the HST went up a year and a half ago.

I suppose, Mr. Speaker, the time has come that we now get to the magic asterisks around the HST that I started off my remarks with. It takes a certain amount of gall for a government that told Nova Scotians it would not raise their taxes before the last election and then came in and jacked their HST up to the highest in all of Canada afterward to now turn around in the run-up to the next election and try to make another HST promise. Nova Scotians know - just like Charlie Brown, where Lucy asks Charlie Brown to hold that football one more time, as that editorial cartoon showed - that they're being played again by this government when it comes to the HST.

The fact of the matter is, it is a cruel joke. It takes a lot of gall for this particular government to stand up in this House and for that minister to propose a bill that says two years from now, after the next election, if you re-elect us, we'll make another promise to take a second run at reducing the HST. I know that this most recent magic HST promise is being greeted with an enormous amount of appropriate skepticism throughout Nova Scotia.

They see it for what it is. They see it as a sham. They see it as another pre-election sham playing on their emotions, playing with their pocketbooks, making a political promise that is worth even less than the first one. They know that old saying, "Fool me once, shame on you. Fool me twice, shame on me." Nova Scotians are not going to be fooled a second time, and to have the gall to make their second promise again about the same thing, about the HST - that is where the gall really comes from.

The government says, we know you can't trust us, so we'll put it in law, because that will convince you that we're serious - the same government that also promised to keep the budget balanced, and then as soon as they got in used their majority to repeal the balanced budget law. Some protection the law is from that bunch when they make a pre-election promise.

Or as we review income tax rates, the highest in the country - the same bunch after the election got in and made sure that the law that was going to require the income tax brackets to be indexed to inflation was also reversed. This is a government that is very careful, very capable of changing the law after the election, compared to what they said before the election. That is the sham of this magic asterisk of an HST promise that the government is making.

Nova Scotians deserve some protection from this kind of cynicism. I don't know where else in Canada or around the world the government brings in a Financial Measures (2012) Bill this year that contains a provision of something that might happen two years from now. Clearly the government feels that they have to show that they mean it this time, even though this simple measure won't do that. Nova Scotians deserve better protection than that from another broken NDP promise on taxes.

Of course, the best protection of all is to replace a government that treats them so disrespectfully with one that actually believes in balanced budgets and lower taxes - one that actually stands up for Nova Scotians, like a Progressive Conservative Government would, and there may be some other Parties that would do the same. But we know the one that won't is the NDP, because they had that chance. They said that they believed those things before the last election but then as soon as they got in, they repealed the balanced budget law - they broke that promise - and then they raised the HST. They broke that promise, so no law as phony and goofy as this one is going to convince Nova Scotians that this time, they really, really mean it.

There have been many people wondering, how can we lock this in to protect Nova Scotians?

MR. SPEAKER: Order, please. The chatter is getting quite high on this side of the Chamber. I would ask that you take your conversations outside.

MR. BAILLIE: Some have suggested it should take a two-thirds vote of this House to undo the damage that government is about to do with this bill. You know what? If they're still there when the time comes to implement this and they want to break their promise again, it would still only take a majority vote to change the two-thirds law. The time has come to look around the country at what other taxpayer protections have been put in place in the face of a government that is so quick to break its promises after the election.

Here's what we found, which is so relevant to Nova Scotians today that we actually put it in our Modernizing Government Bill last week. In Ontario, they've done two things to protect the taxpayers of Ontario against the kind of cynical manipulation that we see here with the NDP: one is fixed date elections which seven out of 10 provinces have, and three of the four Atlantic Provinces, but more importantly and secondly, in Ontario where they have a fixed-date election it is the law that the Auditor General must provide an updated review of the books of the province 60 days before that election takes place. Do you why? It's so that no Party can ever again in Ontario say, when they're campaigning, that they didn't know the state of the books; they can't do that because as a matter of record the books are updated 60 days before the election.

That is why last week when we introduced our new Modernizing Government Bill, it contained two provisions: one for fixed-date elections to end that manipulation which is in the hands of the Premier, and secondly, to ensure that there is a public-audited

accounting of the true state of the books for all to see, 60 days before that fixed date election takes place so that no Party can make promises during the election they have no intention of keeping, like the NDP did, and then after the election say, oh, we didn't know, it's not our fault, we're going to have to break our promise, which by the way I'll just point out one more time has cost every Nova Scotia family 4,000 real, hard-earned dollars in extra HST since they broke that promise. That is the kind of important, taxpayer protected reform that the Progressive Conservative Party intends to bring to the people of Nova Scotia in the next election, so that they can know that that excuse once and for all, that expensive excuse, has been taken away.

What a shame that it has come to this, when we have a Leader of the NDP and his Minister of Finance, who before the election was the Critic for Finance, who sat right here in Official Opposition for seven years before they were elected, reviewed eight consecutive budgets, eight sets of estimates, eight Financial Measures Acts, eight Appropriations Acts, eight Budget Speeches, umpteen hours of review, 32 quarterly fiscal updates and poked and prodded, or should have, and then had the gall to tell Nova Scotians they didn't know the state of the books after they got in. It is because of that cynicism that it has become necessary to make the only true legislative change that will protect them from that kind of games-playing and that is a fixed-date election and a complete public review of the books 60 days before that election so that all Nova Scotians will know a sham when they see it.

I will point out, as one last point on the HST, that not only is it about taking more money out of the pockets of Nova Scotians after promising not to, but it has caused real jobs and real wealth to leave our province for neighbouring provinces like New Brunswick, where their taxes are lower. Nobody knows that better than my own constituents, the people of Cumberland County, who are right on the border, who day after day watch as Nova Scotians are forced - they don't want to - they are forced, to drive to New Brunswick for cheaper gas, for cheaper necessities of life, for a lower HST.

The Minister of Finance went to Amherst and told them not to worry because he knew that the new PC Government in New Brunswick was sooner or later going to raise their HST.

Well, Mr. Speaker, it's almost two years later now and here's the difference between the PC Government of New Brunswick and the NDP Government in Nova Scotia. The PC Government in New Brunswick promised, during the election, not to raise the HST. They got elected on that promise and do you know what, Mr. Speaker? They kept that promise. The difference is they kept their promise and in Nova Scotia the NDP, who made the same promise, broke it. That is the difference between the two.

In New Brunswick they inherited a true deficit problem, a gigantic deficit problem, unlike what the NDP here inherited. The Auditor General of New Brunswick and the Auditor General of Nova Scotia can get together and compare notes and we all know they inherited a true deficit problem in New Brunswick. Their deficit is coming down much

faster than ours and they're doing it without breaking their promise on the HST. The people of New Brunswick voted, based on that promise. It's a promise kept. The people of Nova Scotia voted, based on the same promise by the NDP here and it is a trust that was broken. That's why we need taxpayer protection, like a true review of the books 60 days prior to the election so that cannot happen again.

Mr. Speaker, setting aside all the discussion about pensions and governance and income tax and sales tax and corporate tax for just a moment, I do want to finish up by pointing out that a Financial Measures Bill that was truly worthy of support would actually look beyond the immediate ups and downs of tax rates and put in place a real plan to grow our economy, to create real jobs and real opportunity in all parts of Nova Scotia, but this Financial Measures (2012) Bill does not do that. In fact, it provides more duct tape on an ailing economy.

You know, Mr. Speaker, we found out last week that the economy of Nova Scotia grew by a whopping 0.3 per cent last year under the NDP, one of the worst performances in all of Canada. As the rest of the country comes out of recession, starts to see their economies ramp up, starts to see real jobs created, guess who, under the NDP, was flat - 0.3 per cent? Nova Scotia. That is for the province as a whole and for the year as a whole, so you can imagine what that 0.3 per cent breaks down into quarter, by quarter, by quarter. Clearly the economy was shrinking at some point during the last year. When you break that 0.3 per cent out by region, you can imagine what the number is for Halifax, so if you take Halifax out, you can see that outside Halifax our economy actually shrunk last year. No wonder: the highest taxes in all of Canada, skyrocketing power rates, more regulation, less jobs.

It's an economic rule as old as the hills. The NDP can grab more and more of that economy in taxes if they want to, when they have a majority, but they cannot break that fundamental rule, when we have the highest tax in all of Canada, skyrocketing power rates, when businesses are hurting, when wages are not growing, when families are squeezed, the economy will shrink and not grow.

With this budget the NDP had a chance to provide real relief to Nova Scotia families and businesses and chose not to, to put in place a real plan to grow our economy and chose not to, and not just for this year but to set this province up for all future years. We have been handed a federal shipyard contract, which is a great opportunity, but it's not a great opportunity if it's taxed to death, if all the subcontracting work is sent to provinces that have lower taxes and lower power rates and lower costs and less regulation, but more jobs. That is how they will screw it up and there is nothing in here that is going to make that any better.

In fact, Mr. Speaker, if the government was truly concerned about creating real jobs in the province, they'd have a jobs plan as part of this budget and they don't. If they were truly concerned about growing the incomes of Nova Scotians, providing Nova Scotians a

chance to move up the income ladder, to earn closer to the national average, this was a chance and they didn't take it.

You know, Mr. Speaker, I can't help but point out that the other truism about growing incomes is that the level of your income and the quality of your education are directly linked. There is a direct link, and so at a time when we need to help Nova Scotians earn more money, the government is actually kicking the legs out from the one system - our public education system - that can help get all of them there. Our gifted students will always find a way. We need every Nova Scotia student to get to Grade 12 and beyond if they're going to fulfill the meaningful, sustainable, high-income jobs of the future, but to have the incredible lack of foresight to target education cuts in the earliest years - as the government's report last week for Chignecto-Central said, go to the elementary years, cut some more elementary teachers, take the literacy assistance out of the early-year schools.

That's an alternative to the librarians, but the government has completely thrown that suggestion out, and the moment it was made is abhorrent to all those Nova Scotians who actually care about the quality of public education in our country, who want our most vulnerable students to get all the help they need and know that the most important dollar in our public education system is invested in the early years. But that's where their consultant has told them to go. If you have fewer teachers in the elementary schools, you obviously end up with class sizes that are bigger than they need to be.

So here we are with a budget and a Financial Measures (2012) Bill that keeps the highest tax in all of Canada; that watches as 1,600 jobs are lost outside of Halifax; that deals with the pension without telling Nova Scotians that they have cost certainty about pension contributions; that make a goofy, phony sham of a promise about the HST, even though their track record is so brutally poor at keeping HST promises.

Mr. Speaker, this is that magic moment where Nova Scotians get to see what the government truly cares about, which is only grabbing a greater share of their income for its own purposes, not in actually helping them with getting a job, getting an education, climbing up the income ladder, climbing up the education ladder, setting our province up for future growth and opportunity. That is what is wrong with the NDP Government and what is wrong with this bill.

With those few words, I will take my place and the debate can go on. (Applause)

MR. SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Mr. Speaker, there are a number of things that could have been in this bill as part of the Financial Measures (2012) Bill that I find quite disappointing not to be there, especially given previous statements by the member for Halifax Fairview, who is now the Finance Minister. All those things that he thought were

so important to appear in a budget, and here we are, three years on, and we don't see very many of those things.

For example, one of the things the member for Halifax Fairview used to talk about a lot was bracket creep, and we know that when we think about the competitiveness and the lack of our competitiveness in Nova Scotia in terms of taxes, one of the major issues is bracket creep. Despite the fact that the minister will stand up and say that he has not increased income tax rates, income tax payments from many people will increase this year. They'll increase because, while not everybody is having their income go up this year, they are having - if their income stays the same, it probably means that their effective income has gone down because their spending power has decreased and yet they're paying the same amount of taxes, or if they've managed to get a small increase with CPI or maybe they had - the civil service had their 1 per cent for this year; I think that's what the amount was for this year - and yet the brackets didn't keep up with any of that.

That means that they are paying more tax, and yet just a few years ago the Minister of Finance had this to say about that issue - and I'll table this, of course. This is about bracket creep, and the member for Halifax Fairview said, "That is as much of a tax grab as if the Minister of Finance reached into your pocket or into your wallet or into your purse and took out the money. Let's make no mistake about it, this is a tax increase measure, the government's continuing refusal or inability to index tax brackets." I'll table that.

So the Minister of Finance stands up and says there are no increases and yet he hasn't indexed tax brackets and he said on the record, in this Chamber, that if you don't index tax brackets that's a tax increase. Well then there's a tax increase for all brackets in this budget by the minister's own words. There's nobody else in the Legislature standing up and having some philosophical argument between the member for Halifax Fairview, the Minister of Finance, and somebody else, those are his own words, that if you don't index tax brackets it's a tax increase and there is no indexation in this.

I would understand, of course, if the minister didn't do it in the first budget, maybe you could understand if he didn't do it in the second budget, but here we are at the third budget and there is still no indication and it still hasn't happened. So three years on you can't blame previous governments for every action or inaction that occurs.

The minister is also fond of saying that his government has restored the HST but, of course, the provincial portion of the HST has never been 10 per cent in the history of this province. Since the HST was introduced the highest it was ever at was 8 per cent; it is now 10 per cent. He didn't restore the HST he increased the HST; the provincial portion of that HST has never once in the history of the HST been 10 per cent in this or any province in Canada. It's a tax increase. Now he wants to use the word "restore" again when he talks about some future hypothetical promise that maybe they'll reduce the HST in the future, or reverse the earlier restoration, which really wasn't a restoration after all.

You know, Mr. Speaker, the fact of the matter is, the Liberal Party - the Liberal caucus - is the only Party in this province that has ever reduced sales tax from the time it took office until the end. So here we have a government that wants to talk about restoring the HST when the fact of the matter is that the HST has never been 10 per cent. It's nothing more than a fairy tale to believe that any commitment that this government makes in the FMA or anything else is believable. The balanced budget legislation was legislation and the Minister of Finance and the Premier stood up in the first year and they said, point blank, that it didn't need to be in legislation because it didn't matter.

It was wrong and it has hurt people. We know now; we are sitting here and you look at the budget now and the budget appears so unbelievably padded in so many places, so many places. In estimates I asked one of the ministers whether their department was functioning appropriately without the extra \$1 million in staff that they're getting. Oh, yeah, no problem, it's working very efficiently and very well. Well then, why do you need the million dollars, it was not really a good answer of that. We've seen that in place after place, over \$100 million added to what used to be the IEF and is just the IEF under a new name. The budget is padded substantially so that the government can come to the end of the year and say, look we balanced the budget early, when the fact of the matter is that there is so much padding in that budget now we know full well that there are things that they could have done, whether it's on bracket creep or anywhere else.

It's a shame that the Tories don't understand the budget numbers either. The Leader of the Progressive Conservative Party just stood up and suggested that Nova Scotia was the only place in Canada with a 16 per cent corporate general rate, which of course is incorrect and I'll table the tax rates for the country - it's 16 per cent in Prince Edward Island and the federal one is 16.5 per cent.

So it's no wonder that the budgets get in a mess when the Tories are there. You know you've got to have some sympathy. Even the Minister of Finance the other day in estimates admitted the fact that Liberals had to deal with the Tory mess, and we appreciate the Minister of Finance saying that.

It still comes down to the fact that bringing in a Financial Measures (2012) Bill now, like this, that doesn't address the things that were promised and offers a simple fairytale for years out into the future makes no sense. The NDP have now joined all three Parties in increasing the debt of the province and, while there was a minor reduction from the height they took it to, which was the highest it has ever been, it was a smaller reduction than the largest reduction - which was, of course, under the Liberals in the 1990s.

The debt will soon be \$14 billion in this province and when you look at the comments that I tabled from the - well he wasn't the Minister of Finance, he was the member for Fairview, but when he was the member for Fairview, the Minister of Finance had comments about that and his concern over that. He was the Finance Critic, in fact, and

yet he was very deeply troubled by the increase of debt, and that was what he did in his first year - increased the debt substantially.

But there are things that are missing that could be dealt with in this Financial Measures (2012) Bill. We know there's enough padding in the budget to deal with things like bracket creep, which the NDP dealt with; we know there's enough padding to make choices around the tax on tax, which the Minister of Finance said was - it was either the Minister of Finance or the Premier who said, in Opposition, it was an immoral tax and yet now they defend it - an immoral tax and yet now he defends it.

All these things that the man who is now the Minister of Finance said were so wrong, so very wrong, when he was in Opposition, he hasn't even made moves to tackle yet. In fact, when you ask him about them, he says they aren't even really priorities anymore. How can it go from being immoral or - you know, he all but accused the previous Minister of Finance of stealing, saying that he was taking it from a wallet or a purse. Those are his comments, yet now that's okay. I don't understand that fundamental shift.

I will echo the previous speaker's comments and say that a lot of the pension changes make sense. They make sense to clearly lay out a lot of that information, but there are elements missing in that as well. I know that we will have an opportunity to discuss some of those opportunities to improve that over the next few days and through Law Amendments Committee. We hope that when the member for Bedford-Birch Cove and others propose those changes to try to make that a bit better and bring it in line with other provinces and the federal government, that that will be considered by the government as an important step forward.

The member for Halifax Clayton Park talked about the idea that this is a very thin FMA compared to previous years. I've seen only two previous FMAs, so I don't know how it compares to 10 years worth of these things. I do know that it seems strange that a budget implementation bill, the biggest thing in it would be dealing with something that is many budgets away. It doesn't seem to make a lot of sense, because it's something that seems more prepared to be an election bill rather than a bill that actually deals with the implementation of the current budget, which is generally what the FMA is. Certainly the last two that were up when I was in the House were certainly ones that dealt with the implementation of the existing budget.

This doesn't seem to be that case, and I'm not sure - something seems wrong with that, especially when it misses so many of the important things of today - like the tax on tax, which I say the Premier called an immoral tax and now seems to be okay with keeping it there, and it doesn't deal with things like bracket creep, all these things that were so important at one time and now have gone off the radar.

Mr. Speaker, this will move its way through, of course, to the Committee on Law Amendments. I don't know whether anybody signed up to speak to it. It's probably not

something that's on the radar screen of most people, they see the main budget, but it's an important debate. It's an important discussion and I think we really need to have answers at some point from the Minister of Finance as to why those things that were once so important are no longer important. Thank you.

MR. SPEAKER: The honourable member for Inverness.

MR. ALLAN MACMASTER: I am pleased to rise to make a few comments on this. I was listening to the minister deliver his remarks and he talked about when they came to government that they were on an unsustainable path. We've heard some of the members, including my colleague, the Leader of our Party, talk about how a Finance Minister, who when a critic, after - I think he mentioned there were 32 quarterly updates and after going through eight budgets - how he could miss the state of affairs between making a promise before the election to suggest that they were not going to raise taxes, to after the election, as we've seen, raising the HST.

I know from my time analyzing the numbers of the provincial books, I have a pretty good handle of what's going on and before and after an election, my position wouldn't change. I can tell you that. We often hear this number batted around, this \$1.4 billion structural deficit. (Interruption) One of the opposite members says it's true. (Interruption) There are many of them saying it's true. They believe their own you-know-what over there.

I guess what I'd like to raise is that it was all projected. Governments in the past have had to make decisions. I think it should be pointed out - I know I've pointed it out in this Legislature and I've tabled it here in the Legislature to the chagrin of the Finance Minister, when I showed that he voted against budgets where there were tough decisions made to balance them. It really should be no mystery to Nova Scotians that we have a tax-and-spend government here. They were not supportive of changes in the past to bring budgets back to balance. Now they tell Nova Scotians that, oh, what a mess we were left - and they say that's true - but yet if we talk to the Auditor General, the Auditor General says they were presented with eight balanced budgets.

The Minister of Finance even signed off on it, which actually kind of amused me, that our Leader had tabled that, the minister actually signed off on the last budget as being balanced. What I would put to Nova Scotians, and I don't blame them for becoming cynical about politics and the he said/she said, look to the Auditor General. The Auditor General is somebody who does not go around campaigning in elections but has a responsibility to look out to make sure that what's happening in government is a fair and honest recording of what's happening. Of course he has stated that there were eight budgets that were balanced.

That's what this government inherited. I think I must point this out too, I asked the Minister of Finance in budget estimates - he had made a remark at the start of his time frame for budget estimates and he said the debt servicing, which this year I think is \$881 million, is a legacy of the past and that he hates having to pay the interest on the debt, that

\$880-some million, but he said it was a legacy of the past. I asked the minister, you've added more debt per year than any other administration in the history of the province and I outlined the numbers behind that and I've tabled them in this Legislature. They've yet to be refuted. I said, Mr. Minister, if it's a legacy of the past, why are you adding to the debt in the present, with all these deficit budgets? We see another one here this year. Of course, he avoided the question. I told him that it was a legacy of the present and also his legacy. As Finance Minister, that's what he will be remembered by.

I do want to make the point that when the minister opened today and said that they were on an unsustainable path until the NDP took over, that we can quote the Premier in his often famous words, simply not true. Go to the Auditor General for that. Nova Scotians can go to the Auditor General and let the facts stand as they are.

I know there were tough times in the 2000s, when government was balancing the budget, but sometimes change needs to be made in government. We can't just keep everything going the same way it always has been forever. There are opportunities. Change, while it may be frowned upon at the time, can sometimes bring good things. It forces governments to prioritize how they spend their dollars.

I can think of an example in my own area, the Cabot Links golf course. That was a piece of land that was not remediated, so it was basically a piece of property with a beautiful location, overlooking the ocean along the coastline of Inverness; a beautiful piece of property that was of no use to anybody because in essence it was poisoned land. All of the mine tailings were sitting on the surface. During a time of austerity the government of the day had the vision to invest upward of \$4 million in the remediation of the land. This year there are going to be 150 people working there. There is an example of how government can change expenditure. They can cut back in areas, they can invest in others, and today, a few years later, we see the obvious benefits in the community of Inverness: transformational change.

I often hear the government now slagging the Progressive Conservatives for their fiscal record. Well, as I've said, we have a record of eight balanced budgets in the most recent administration, but I also want to point out the windfalls from oil and gas and how that money could have easily been spent on any number of things that Nova Scotians would want. Instead, that money was spent to reduce the debt, to reduce the interest that this government is paying today on the debt, because it reduced the total amount of debt. Of course, the cost to service that debt has decreased and this government is benefiting from that today. We will never hear them give credit to the Progressive Conservatives for that, and we would never expect them to, but that, again, is another fact.

I think of the \$830 million that Premier Hamm put down on it, and I also think of how there was a Crown share agreement of about \$600 million, and three-quarters of that was put down on the debt - significant one-time payments. So that needs to be put on the record.

One of the signature moves of the government for this sitting is the promise to reduce the HST, and we've heard a lot of discussion about it here today. I can only say that to now decrease it so soon after increasing it is proof that it never needed to be increased in the first place. I have to laugh - last year, before they tabled their budget, I think it was the day before that they all of a sudden produced a surplus budget for the year when it was supposed to be a deficit budget. I remember I had a laugh. I was looking at some of the media coverage of the story and the title, I believe, was referenced as an embarrassment of riches, because the government had been trying to paint itself in such a dark corner and that it was faced with all of these fiscal challenges left to it by the previous government, and all of a sudden, they had a big surplus.

Again, this adds to the cynicism Nova Scotians have. I don't want to add to it today, but I do want people to take away the facts from what I'm saying here. You can't hide from the numbers. When you project a deficit of over \$200 million and you end up with a surplus of over \$400 million, a net difference of well over \$600 million, that kind of (Interruptions) Yes, possibly the minister referred to it as a rounding error, but it's really ridiculous for an estimate to be that far out of whack.

The reduction of the HST that this Party now claims that they're going to do - there was really no need for the increase in the first place, and if they had any interest to control costs, and we've seen that in the past, they've never had interest. They certainly never had interest in supporting government trying to balance the budget in 2002-03, the first time in 40 years, and we just look at the voting record, that's something I've tabled in the Legislature.

I know the member for Dartmouth East, I believe, was commenting, and I'm not going to spend too much time on this, Mr. Speaker, because I don't want to be needlessly sparring but, you know, there was some talk about the taxes not being the highest here. I'm looking at these documents now but I can assure you that we have very high taxes in the province. I'm not going to start looking at these now but I do wish I had a chance to have seen them before I started my remarks.

I guess, you know, at the end of the day we have very high taxes here, Mr. Speaker, and I could give another little jab there but I think I'm going to avoid sparring because we need Nova Scotians to keep focused. We need Nova Scotians to keep focused on the problem at hand and that's this government's decision to run another deficit budget this year.

Mr. Speaker, let's put it in terms that Nova Scotians can understand. The 25 per cent increase in the HST rate, the provincial portion, has given the government an extra \$400 million a year. Now, to put that in percentage terms, that's pretty close to 4 per cent, maybe even a shade higher than that. If the budget is about \$10 billion, \$400 million is about 4 per cent. I know that seems like a small amount but it's a significant number and for families of four, by the end of this fiscal year they'll have paid an extra \$4,000 on

average out of their pocket. Are they getting \$4,000 worth of better government? I think not, but it does help to support the tax-and-spend ways of this government.

I think one of the biggest stories around this budget, you know, we ask ourselves where is the money going? We need only look at the FTE counts. During estimates I was asking pretty well all the departments that I was questioning about their FTE numbers and I had the Minister of Finance say about his own department - he refused to answer questions about all the other departments' FTE numbers - he explained his own department, how there was relocation of staff from one department to his and I said, well, that's fine, I won't dispute that, I trust you, at least on those numbers, but I said, surely, if there's a relocation of FTEs from another department to yours, there should be a corresponding reduction elsewhere in government. But if we look at the big-picture number, there's about 550 new FTEs over the number of people that worked last year versus what the government expects they're going to need this year.

Mr. Speaker, we couldn't ask the Public Service Commission those questions because we know the NDP members tied up the questioning during estimates so they could extend the debate in other departments, so we couldn't get to the Public Service Commission and that's true, that happened. It was deliberate and so I just put that on the record for the minister. You know, it's a shame that the members of the NDP - I guess it just proves they don't want to talk about the FTE numbers but I certainly will today.

I'm going to tell you there's a twofold benefit to what's going on here with the FTE numbers. The first is, if you look at the cost of an average wage for an FTE plus the benefits and the pension benefits, you're looking at about a 1 per cent to 3 per cent budget padding for every department in government. So right off the mark, Mr. Speaker, it makes it easier for the government to balance its budget but it makes it easier for the government to come within range of its departmental estimates, so then they can brag and say, well, we live within our means, but they've got that padding in there. Secondly, I still don't think it was enough padding for the embarrassment of riches last year, but there is another goal here that the government has committed to and that's to reducing the FTE count in government by 1,000, through attrition.

Mr. Speaker, I'm going to tell you that one day soon this government will claim they have reduced that 1,000 FTEs, but it won't be through attrition, it will be through the imaginary numbers that they keep putting in their budget estimates. I think the Auditor General should do an audit on how the FTE numbers are put together because I would be happy to have that number cleared up. I think Nova Scotians deserve to have that number cleared up and I would like to see something happen before the government can claim that they've reduced 1,000 positions which are really imaginary.

I guess, Mr. Speaker, for people who may be watching this, specifically what I'm talking about, the government comes out with an estimate every year for the number of people required to work in government to deliver the services we receive. This past year,

when the year ended, they had over-budgeted by about 600 people. So if they didn't need those 600 people last year, why would they need them this year? That seems like a fair question to me and if they don't need them this year, then why are they budgeting for them? Of course, as I've said, for two reasons, one to pad each department's budget and, two, so that they can claim that they've reduced the size of government at some future point in time which will likely happen before the next election.

So, Mr. Speaker, you know, I think this budget could be balanced with modest cost control and the government is simply letting things get away on them. One of the other matters that was raised that's part of this Financial Measures (2012) Bill is the Public Service Superannuation Act and changes made to essentially how the pension plan is governed. I have mixed feelings about this. I do think that representatives, whether it's a government pension plan or a private pension plan, people should look at it as something that is joint, something that is in everyone's interest to make sure that it's fair to those involved and to ensure that people who are going to get pensions someday get a decent pension and one that they expect.

Mr. Speaker, that is why I introduced a piece of legislation here last week to give defined benefit pension members better information every year on their pension. I know in the Strait area, the area that I represent, there are a lot of people upset right now about why their pensions are reduced 30 per cent and 40 per cent. That could happen to anybody and I guess what frustrated them the most is that their pension was, I think it was only 6 per cent underfunded in 2010 and you see the significant change since. There are decisions that are made and this is why it is good to have people from all relevant parties, pensioners who are already retired, active workers who are contributing to the pension, those who are with the organization that's employing those people - everybody should be involved.

The information should be free-flowing because I tell you right now, Mr. Speaker, there's a lot of frustration felt by the NewPage pensioners because they can't figure out why their pensions have decreased so much and there are a lot of rumours going around. The reason I introduced that bill was to give them better information every year so they know what happened in their plan the past year, what was the investment performance, were there decisions made. Many people think early retirements are always good. Well, they're certainly good for people who want to take early retirement, but what many people don't realize is that puts extra strain on the pension fund itself, for people who have yet to retire, and also should a company, in the case of NewPage, go under, it jeopardizes everybody's pension including those who are already retired.

So, Mr. Speaker, you know, when I look at this plan, as part of this piece of legislation we're speaking about today, the Public Service Superannuation Act, it talks about an independent chairman will be appointed by the board of directors and an appeal committee will be established to manage appeals raised by plan members, and there are going to be three directors designated by the employees union, one director designated by

the Canadian Union of Public Employees, one director representing non-union employees, one director representing retirees, and six directors designated by government.

Mr. Speaker, I guess what concerns me is this plan had essentially been under the sole control of the government, so I do think it's good that others who have a stake in it have control or at least have an ability to be part of the decision-making process. I do caution that if we are putting people in charge of their pension, there has to be an ability for the organization, in this case the government or the taxpayers, to be able to address the decisions that are going to be made by this new body.

I know one person has raised a concern to me - if this board is independent of government and I guess you could see a scenario where, if there's a surplus in the plan and benefits are increased by this new board, they'd be most likely to do that because they would benefit from it; however, if there's a downturn, you may see a situation where instead of this board recommending a reduction in benefits, they might recommend that the government pour more money into the plan.

Mr. Speaker, I think every Nova Scotian would love to have the government top up their plan - many people don't even have a pension; they might have an RRSP. If the markets go down, I'm sure they would love the government to step in and top up their pension plan in the form of their RRSP, but we know that's not practical. It's not reasonable to expect government to have to shoulder that responsibility, but likewise it should not be government's sole responsibility to shoulder that for somebody who has a pension from government.

Traditionally, and the way the pension is set up, people, the workers, contribute to a pension and so does the organization. So that is a caution that I would like to raise with those changes. I guess time will tell as to what happens in the years ahead with these changes, because as we know, Mr. Speaker, they are going to go through because we have a majority government.

Mr. Speaker, if we look at what people are dealing with in the province right now, the high gasoline prices, their power bills are high, we've just come through the wintertime, the question I would ask this government when it's putting this legislation before us is why aren't we trying to make government more affordable? That's something we can control.

The minister and I had a discussion during estimates around user fees and the government was patting itself on the back not long ago for not raising user fees this year. But, Mr. Speaker, I had asked the minister: Well how do we even know if it's a good deal for Nova Scotians because we don't know if the cost for user fees went up or down? And we don't know that because government has never undertaken a full examination of the costs behind user fees.

The minister felt that was too impractical; it was too hard to do. We see this all the time in the private sector, Mr. Speaker. I think Nova Scotians deserve that same respect and that same benefit - government should be doing everything it can to reduce its costs, because at the end of the day it's the Nova Scotian person who is paying for that. They deserve that, so I made the point that the government shouldn't be patting itself on the back for not increasing user fees this year - for all we know maybe the government should be decreasing user fees by 20 per cent because we don't even know how much they cost. When I say that, I mean a clear breakdown of each service, by the cost to deliver it.

Any business that is in business or wants to be in business for even the short term, has a full understanding of its costs, because if it's not charging enough for its product or service it goes out of business. And, conversely, a business that is charging too much for its services which, for all we know government may be doing, also goes out of business because somebody else comes along and prices their product or service at a more competitive rate that's more closely aligned with the cost to deliver that product or service.

I think if this government was serious about making life more affordable for Nova Scotians, it would start with its own government and it would look at user fees. It would give Nova Scotians the best value for their tax dollars and we might see a reduction in user fees because we may find there are ways to reduce the costs. There is an area this government can work towards instead of just refusing to look at it.

Instead of making government more affordable, we're seeing another deficit budget this year, this after an average of \$400 million more in HST revenue. By the end of this year this administration will have added more debt per year than any other administration in the history of the province, on average. That is nothing to be proud of.

I'm going to make a projection based on the actions of this government. Nova Scotians are soon going to have a choice whether or not to re-elect them. If Nova Scotians re-elect this government, they're going to be dealing with another \$1.4 billion in debt because as we've seen from this government, they're increasing the debt by about \$350 million a year. Nova Scotians need to think about that and they need to think about the future. If this is what they want for their children, more debt for them to pay off at a later date, which we've never shown a good record of paying off, save for the offshore royalty one-time payments the Progressive Conservatives received and put promptly on the debt.

If they want more debt for their children, if they want to be paying more interest costs every year, which now represents about \$1 out of every \$9.50 in government that goes to pay the interest on the debt. It's almost \$900 million a year we're paying in interest. If Nova Scotians want to see more of that, then go ahead and elect the NDP Government for another term, but if you want a change and if you want an alternative, look to a Party that is going to bring government back to balance and respect the need to make decisions to keep budgets in balance.

I will close by saying I'm disappointed that we see yet another deficit budget and more debt for our children to pay and I think it's a shame, after the sacrifices that Nova Scotians made to enjoy balanced budgets for that eight-year period beginning in 2002-03, that we're seeing a return to that old, tired, deficit-budget spending ways of the past. It's time for this government to start thinking more about the future and about the need to make decisions that are in the best interests of our province for the long term. Thank you.

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

The honourable Minister of Finance.

HON. GRAHAM STEELE: Thank you to members who've contributed to the debate. With that, I move second reading of Bill No. 17.

MR. SPEAKER: The motion is for second reading of Bill No. 17. 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 Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please call Bill No. 13

Bill No. 13 - Education Act.

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

MR. EDDIE ORRELL: Mr. Speaker, I'm pleased to rise here this evening to say a few words regarding Bill No. 13 - an Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act.

The purpose of this bill is to decrease the minimum number of school board members from a minimum of eight to five. We want to know now why that proposal is set forward, now that the South Shore Regional Board has applied to decrease its numbers from 10 to six - an actual act that we know is illegal, because now you can't have less than the minimum number of eight.

We know that that board was dismissed back in the Fall session and that there was one lady who was appointed by this government to run that board. We know board members work for the Department of Education, but they're elected by the people. They do valuable work for the school boards in their area and for the schools in their area, and they have to make a bunch of difficult decisions. We saw that just recently with the

Chignecto-Central board that made the decision to cut deeply into their system because of the budget that they were presented. These board members know the area they are dealing with and they know the challenges within their board. They are the front-line communicators to the Education Department. We know the numbers may need a change, but for flexibility, I don't think so. We know they may need a change, but the boards should decide that, not one unelected individual.

Under this bill, the school boards must review their boundaries and submit changes to the URB. The URB then sets the number of school board members and the boundaries within each district. As I've just said, we have an awkward situation here where the South Shore regional board has requested that they decrease their number from 10, plus two appointed members, to six plus two. As I've said, this board is now run by an appointed member of the government, not by an elected official. From what I've heard from members of the South Shore regional board, the submission is that they're looking for a nine-plus-two-member board, but this is not the appointed government's option.

The concern I have is the timing of this legislation. We hear that the board applied to decrease the number, but was refused because of current legislation. The URB declined the application because of legislation, but she was told that the change would be coming, that that change in the legislation was coming. She stated that this change was imminent. It seems strange that the legislation was proposed in this House after that request was put forward to the URB.

The purpose of the bill is to give the board more flexibility, but what about the workload? These new members get elected and there will be more workload for them. It seems like maybe this change could be brought forward to punish the board down there for their past problems. Maybe it is to see that the new board has less members, and maybe some of the old members won't get re-elected. The board wouldn't have the same makeup, and maybe not the same challenges. When that board was dissolved we heard there were challenges, and we understand that we should have the students' best interests at heart, but when you dissolve a board like that it paints all those board members with the same brush.

If we're going to allow for more flexibility we should have more consultation and allow the new board to add in this decision as a collective group, instead of just one appointed individual. I'm told that there wasn't a pile of public consultation. The URB did consult a little bit, but the meeting dates were put on the school board Web site and there was no public service announcement other than that. Maybe we should look at decreasing the maximum number of school board members and not the minimum number, to look at ways to save money and keep that money in the classroom to benefit our children.

Mr. Speaker, it is my hope that this consultation is taking place on the South Shore, but also with other boards across the province. I know that in Cape Breton they just had an increase in the number of their board members and it's secondary to the size of the board and it gets along the lines of Cape Breton council. Would this work in the South Shore? It's

hard to say because of the size. It seems like it would be difficult but they have over 40 elected municipal officials and four MLAs and they want to decrease the size of that school board to six members and now we're trying to change the legislation so that it can be five instead of eight.

As I said, through consultation with the people there, they feel like the board size would be more appropriate if it were around nine. I heard numbers of something like 75 per cent of the people there would prefer that option, but that option is not on the table.

It seems to me like this legislation is designed at this time for some other purpose and I would look forward to further consultation to see what the MLAs in that area have to say after the constituents have their say with them. If they bring their concerns to the MLAs' offices, I hope the MLAs will bring it back here to this floor and make the right decision for the right reasons, with all the information on the table. Thank you, Mr. Speaker.

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

The honourable Minister of Education.

HON. RAMONA JENNEX: Thank you very much, Mr. Speaker. Thank you to the members opposite for their comments and I now close debate on second reading of Bill No. 13.

MR. SPEAKER: The motion is for second reading of Bill No. 13. 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 Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please call Bill No. 11.

Bill No. 11 - Nova Scotia Tartan Act.

MR. SPEAKER: The honourable Minister of Communities, Culture and Heritage.

HON. DAVID WILSON: Mr. Speaker, I now move that Bill No. 11, the Nova Scotia Tartan Act, be read a second time.

Mr. Speaker, the Nova Scotia tartan first appeared in 1953 at the Agricultural Exhibition in Truro. Designed by the late Bessie Bailey Murray, the tartan was

commissioned by the Purebred Sheep Breeders Association of Nova Scotia as part of its efforts to demonstrate the many uses of local wool. From those humble beginnings, the Nova Scotia tartan has become recognized around the world as a proud symbol of our Nova Scotia heritage. Just two years after it first appeared, the tartan had been adopted by the province as an official symbol and was eventually registered in Scotland with Her Majesty's Register Office in Edinburgh.

Mr. Speaker, Nova Scotia was the first province to designate an official tartan, a practice that many other jurisdictions have since done and followed our initiative. In the past 60 years, the provincial tartan has become widely recognized as a symbol of our diverse heritage and culture. The Nova Scotia tartan ranks with the provincial flag, the Mayflower, and the Bluenose II, as images that are immediately linked to Nova Scotia's proud identity.

In 2013 we will mark the 60th Anniversary of the Nova Scotia tartan, so this is a fitting moment to draw more attention to one of our most important provincial symbols. By updating the Tartan Act, we will ensure future generations will continue to appreciate the contributions made by our Scottish immigrants to the culture and heritage of Nova Scotia.

Mr. Speaker, for the first time the official description of the Nova Scotia tartan will be included in the updated legislation. This is in keeping with the practice in other provinces and ensures the proper form of the tartan will be known for anybody seeking to reproduce it. Since 1987 Nova Scotia has proclaimed April 6th as Tartan Day. We were the first province to declare the day in response to a request from the Federation of the Scottish Culture in Nova Scotia. Two of their members, Bill Crowell, and Jean Watson - who actually is from Sackville-Cobequid - put forward that resolution and we were proud, I think, as a province to accept it and move forward with declaring Tartan Day on April 6th.

Mr. Speaker, once again, this province was the first in Canada to recognize the importance of the tartan as a cultural symbol through the observance of Tartan Day. The rest of the country followed that, and I think it shows how important the Scottish heritage is and the immigrants who came to our shores have been recognized across our country.

Mr. Speaker, for 25 years the province has declared Tartan Day through a proclamation on April 6th. With the changes I am introducing, the recognition will now be enshrined in legislation. Just the other day I joined members of the Federation of Scottish Culture in Nova Scotia and other members of the Scottish cultural community to declare Tartan Day for 2012. The federation was very impressed to learn about the changes being introduced to the Tartan Act, especially the recognition of Tartan Day.

Mr. Speaker, with the amendments being introduced today, we are ensuring that future generations of Nova Scotians will appreciate the contributions Scottish culture has made to our province's growth and development through the annual celebration of Tartan Day; a proud symbol of our province that is known worldwide will continue to reflect the

colourful and vibrant heritage and culture that makes life better for families in all parts of the province.

And with that, Mr. Speaker, I hope that all members of the House will support this piece of legislation, and I look forward to it going through the process.

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

MS. KELLY REGAN: Thank you, Mr. Speaker. Of course the Liberal caucus supports this legislation - anything we can do to promote the Scottish heritage and the traditions and cultural significance of the ancestral homeland for many Nova Scotians is a good thing. Although my last name is Regan, of course it wasn't that when I was born but, then again, Smith isn't exactly a Scottish name either.

We look forward to moving this bill along and seeing it pass.

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

MR. KEITH BAIN: Mr. Speaker, I am pleased to stand for just a few moments to speak on this bill, the amendments to the Tartan Act.

As is the Liberal Party, the Progressive Conservative Party will be supporting this bill as well. It's important - we have a Tartan Day anyway, but what this does is enshrine a certain day that will be designated. It's also fitting, Mr. Speaker, that the government is introducing the bill to take effect on the 60th Anniversary of the Nova Scotia tartan as well. So, as I said before, we will be supporting the bill.

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

The honourable Minister of Communities, Culture and Heritage.

HON. DAVID WILSON: Thank you, Mr. Speaker, and I appreciate the support from the Opposition Parties, so I close the debate on Bill No. 11.

MR. SPEAKER: The motion before the House is for second reading of Bill No. 11. 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 Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please call Bill No. 20, the Public Trustee Act.

Bill No. 20 - Public Trustee Act.

MR. SPEAKER: The honourable Minister of Justice.

HON. ROSS LANDRY: Mr. Speaker, I move that Bill No. 20 now be read a second time.

It is my pleasure to begin debate on Bill No. 20, an amendment to the Public Trustee Act. This amendment to the Public Trustee Act will improve the Act by making one of its key services more inclusive. That service enables the public trustee to elect and administer smaller estates more efficiently, without the complexity and cost of full administration and probate.

Mr. Speaker, the Public Trustee is independent of government. The office is set up as a corporation to protect the financial and personal well-being of its clients, and it offers a wide range of unique services. Its authority is set out in provincial laws. Among other responsibilities, the Public Trustee is committed to the proper administration of estates of certain deceased persons, including incompetent persons, children, and missing persons.

When the current Public Trustee Act was given Royal Assent in 1973, an estate had to be valued at less than \$2,500 to qualify for election to be administered by the Public Trustee. In 2002, this threshold was raised to \$10,000 or less. This amendment will raise that threshold to \$25,000, enabling far more estates to be administered more simply. An increase in the means of seniors is one factor in the need to increase the upper limit on the value of estates that can be administered by the trustee.

It is worth noting that the increase in value of the estates of Nova Scotians was influenced by the Department of Health seven years ago with a change in fees charged to seniors in nursing homes. Seven years ago the Department of Health started considering only a senior's income in determining his or her ability to pay nursing home fees, rather than his or her total assets. As a result, seniors have benefited by being able to retain more of their capital assets during their lives and to pass them on to family and loved ones.

The increased value of estates has been influenced by other factors as well, including inflation and the Canada Pension Death Benefit. Many Nova Scotians now leave estates in excess of \$10,000 but not more than \$25,000. Setting the ceiling on estates to \$25,000 will ensure that many more estates will be more simply administered. This is an administrative benefit to the Public Trustee and it means that heirs and beneficiaries will receive their inheritance sooner.

I won't get into the detailed steps involved with administering an estate more simply, as opposed to a full administration, but I will share a few examples that should help to clarify the benefits. Full administration requires the Public Trustee to apply for administration, advertise the estate for six months in the Royal Gazette, create an inventory of assets, and formally close the estate at the Court of Probate. Many hours of work by the Public Trustee's Office are required, and a fee of nearly \$200 is charged by the Probate Court for the estates valued at between \$10,000 and \$25,000. On the other hand, if the Public Trustee elects to administer the estate, he or she prepares a simple document which is sent to the Court of Probate. The filing fee is \$1 and no formal accounts closing is required, nor is full inventory, and a final statement is prepared with a copy of the account attached. The Public Trustee's election to administer an estate does not prevent a family member from doing a full administration of the estate if they wish to do so.

With these remarks, Mr. Speaker, I now take my place and look forward to comments by my colleagues.

MR. SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Mr. Speaker, we're pleased to support this bill. The one thing I will say is that, in light of many of the things that have come to light over recent months, it would certainly have been nice to see some additional amendments to the Probate Act, which would have given the trustees more teeth when it comes to addressing issues of timeliness and dealing with probates. Obviously, this bill in question deals with only the issue of \$10,000 to \$25,000, but a number of cases have come to light recently as a result of media reporting that show that it is a regular occurrence for probates of larger values to get delayed without the consent of the heirs and without timely notification of the heirs.

So, Mr. Speaker, we would hope the Minister of Justice might be willing to consider moving some amendments even before this comes back to the House for third reading to address the issue of putting some more teeth in the legislation and giving more teeth to the trustee so that all heirs of a probate, regardless of how large or small, can be assured of the proper treatment by the executor and can be assured of proper treatment in terms of timeliness and adequate notification. So we hope the minister will consider that.

MR. SPEAKER: The honourable member for Inverness.

MR. ALLAN MACMASTER: Mr. Speaker, this bill looks like something we would be supportive of. We would certainly be supportive of anything that would save consumers money and anything that would reduce paperwork for them. I would encourage the government to look at all services that are offered by government for ways that they can do more of this.

I just spoke recently about user fees and how it's important for us to understand the costs behind user fees to make sure we're charging a fair price for the services offered and to make sure we can find ways to - if there is needless paperwork or if there are processes that really aren't that necessary from a practical perspective, maybe they need a change, maybe we don't need to be doing them anymore.

This looks like something that is good and, Mr. Speaker, we look forward to hearing comments at the Law Amendments Committee from anybody who may come forward to speak about it.

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

The honourable Minister of Justice.

HON. ROSS LANDRY: Mr. Speaker, I wish to thank my colleague for his brief comments and debate on Bill No. 20. I believe members of the House will acknowledge that the changes being proposed by the Public Trustee Bill will create a more simple and efficient process that will benefit Nova Scotians going through a difficult time in their life. With those few remarks, I move second reading of Bill No. 20.

MR. SPEAKER: The motion is for second reading of Bill No. 20. 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 Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please call Bill No. 9.

Bill No. 9 - Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act.

MR. SPEAKER: The honourable Minister of Energy.

HON. CHARLIE PARKER: Mr. Speaker, I'm here in my role today as the Minister of Energy and I'm pleased to move second reading of Bill No. 9, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act.

Mr. Speaker, I rise to speak to an amendment to the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act with regard to the Crown share adjustment payments which I introduced to this House on April 3rd. These changes will ensure that we have the appropriate administrative tools for managing one of our key

revenue sources from our offshore. The amendment to the provincial Accord Act will provide regulation-making authority that mirrors provisions in the federal Accord Act. Future provincial regulations will require commercial operators and interest holders operating in the offshore to produce specified information to allow the province to calculate the Crown share adjustment payments owing from the federal government.

Now, it's not anticipated, Mr. Speaker, that the new regulations will entail additional regulatory burden for industry as the information requirements for Crown share will primarily be satisfied through the existing administrative regime for offshore petroleum royalties. The Federal and Provincial Accord Acts were enacted in 1988 as mirror legislation to implement the provisions of the 1986 Canada-Nova Scotia Offshore Petroleum Resources Accord. This legislation governs all petroleum activities that occur in the offshore area.

The Federal Accord Acts, Sections 246 to 248, outline the Crown share adjustment payment regime. Currently there are no equivalent provisions in the provincial Accord Acts. Crown share provisions compensate Nova Scotia for benefits derived from the National Energy Program that the province negotiated under the 1982 Canada-Nova Scotia agreement on offshore oil and gas resource management, which were lost when the National Energy Program was dismantled.

As you may recall, the Federal Accord Acts did not include a detailed methodology for calculating Crown share payments, which led to a long-term disagreement on the amounts that were owed. The Prime Minister and the Premier at the time announced in October 2007 that an independent arbitration panel would provide recommendations concerning the methodology for calculating Crown share adjustment payments and their projected value. All substantive issues were resolved and both governments accepted the panel's recommendations in July of 2008.

In 2009, the federal government amended the Federal Accord Acts to add provisions respecting the payment regime including various regulation-making authorities. Under the amended Federal Accord Acts, the federal government must enact regulations to articulate the methodology for calculating Crown share adjustment payments that are due to our province, require production of specified information from the operator and interest holders operating in the offshore, and prescribe administrative procedures for rectifying overpayments and underpayments to the province.

The federal Crown share adjustment payment regulations were developed in close consultation with the Province of Nova Scotia and contain the details for determining the amount of payments to be made to the province. As provincial minister, I notified the federal minister of his approval of the proposed federal regulations in a letter dated December 6, 2011. Since that time we've been acting under the terms of our agreement with the federal government on this matter, actually for a number of years now.

Crown share adjustment payments are paid to Nova Scotia on an annual basis and payments to date have totalled \$408 million; crown share revenue of \$33 million, \$26.7 million and \$20 million, respectively, are forecast for 2010-11, 2011-12 and 2012-13 fiscal years. Those payments will flow to the province once the federal regulations are released. Crown share adjustment payment obligations also will apply to future projects on our offshore, including the Deep Panuke project, and that's scheduled to come into production later this summer; any future finds stemming from the exploration work committed to recently by Shell; and also all forthcoming call for bids. As you know, today we had a call for bids for further parcels on our offshore.

This proposed amendment to the Provincial Accord Acts is an important step towards ensuring the province has the appropriate legal and administrative tools in place to properly manage our offshore petroleum interests to the benefit of all Nova Scotians. It draws the line under a long process of negotiation with the federal government and much hard work on the province's behalf. It secures another source of prosperity from our offshore, an industry that has already delivered billions of dollars to our provincial coffers resulting in thousands of good jobs and has a bright future ahead of it.

With those few remarks, I move second reading of Bill No. 9.

MR. SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Just very briefly, I would certainly support this bill. I think it should be recognized that this is mirror legislation to what the federal government has already passed. This bill meets the requirements of what was negotiated between the federal and provincial government. My understanding is the federal government has already passed the bill and enacted it and also published the regulations in the Royal Gazette.

My further understanding is that those regulations are supposed to be pretty well identical here in Nova Scotia. We hear a lot of people say - and I'm one of them - that we should see the regulations with the bill and, as the minister's staff pointed out to me, if you go on the federal Royal Gazette at the moment, you can see the regulations that will become part of this provincial bill.

With that, Mr. Speaker, certainly we support moving it forward, because there wouldn't be much point in having one-half of the amendment passed in Ottawa and not passing the other half down here.

MR. SPEAKER: The honourable member for Inverness.

MR. ALLAN MACMASTER: Mr. Speaker, I'd just like to make a few remarks on this piece of legislation. We lost Senator Fred Dickson this past year and he was the gentleman who did the original negotiating on the Offshore Accord. The goal at that time,

which remains today, was to ensure that our province is the principal beneficiary of those offshore royalty payments. At that time it was a statement of intent and it wanted to recognize Nova Scotia to ensure we get those revenues.

In the mid 1980s the Crown share was eliminated for Nova Scotia. That meant that once we earned royalties we started to lose out on our equalization payments. Equalization payments, I think they are our largest source of revenue for the province. It comes from the federal government, but they are the largest source of revenue in the budget. So when we started to lose those revenues, I guess it defeated the purpose of trying to earn the royalties.

In 2005, with the Atlantic Accord, Premier Hamm was able to negotiate and get for Nova Scotia \$830 million in past equalization deductions. Of course, Mr. Speaker, as I mentioned earlier today, that money was actually placed on the debt - a very prudent decision, saving Nova Scotians millions of dollars each year in money that does not have to be thrown out the window in interest payments on that debt. That is something we are all benefiting from in this province today. I know that in 2007, under my predecessor Rodney MacDonald, at that time the intent of the accord was restored and there was an amount of about \$600 million that came into the provincial coffers, three-quarters of which was put on the debt.

Mr. Speaker, as I understand, this legislation is about ensuring that when calculations are made that we have a good understanding of how they're made and to ensure that they are fair by our standards as well. So this is something that I would be supporting and look forward to further comment, whether it goes to Law Amendments and upon third reading.

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

The honourable Minister of Energy.

HON. CHARLIE PARKER: Mr. Speaker, just basically I thank the honourable members for their thoughts and their support on this particular bill, and look forward to seeing it move along to the next stage in the process.

MR. SPEAKER: The motion before the House is for second reading of Bill No. 9. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

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

The honourable Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please call Bill No. 22.

Bill No. 22 - Mortgage Regulation Act.

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

HON. JOHN MACDONELL: Mr. Speaker, it's my pleasure to begin debate on Bill No. 22, the Mortgage Regulation Act. This new bill replaces the 1996 Mortgage Brokers and Lenders Registration Act. The mortgage brokering and lending industry has evolved greatly since regulations were introduced in the 1960s; 46 years is a long time for regulations to stand without significant change . . .

MR. SPEAKER: If I could, you should start off by saying you'd like to move.

MR. MACDONELL: Thank you Mr. Speaker, I'd like to move second reading of Bill No. 22, Mortgage Regulation Act.

MR. SPEAKER: Thank you very much.

MR. MACDONELL: The current legislation, the Mortgage Brokers' and Lenders' Registration Act, is outdated. It has not kept up with industry standards, best practices, or the various mortgage products available to consumers. Under existing legislation mortgage brokers in the province are not required to be initially licensed, nor are they required to follow any kind of professional or industry standards. In the past several years, six other provinces - Quebec, Ontario, Manitoba, Saskatchewan, Alberta and British Columbia - have modernized legislation to enhance consumer protection and to facilitate regulation of the mortgage brokering industry, and that is what we are doing today.

We are proactively modernizing our mortgage brokering and lending regulations to make sure that they are up to date, reflect current industry practices, and are clear, fair and consistent throughout the province. We are also making sure that Nova Scotians who use mortgage brokering or lending services are dealing with trained mortgage brokers who are licensed and who can provide them with the best possible advice on what will likely be the biggest debt of their lives.

Historically the principal business of mortgage brokers was to find lenders, often private individuals suitable for their borrower clients. Today, institutional lenders like banks, trust companies and credit unions actively seek mortgage clients through mortgage brokers and a growing number of Canadians are going to mortgage brokers when shopping for a mortgage.

According to the Canadian Association of Accredited Mortgage Professionals, 30 per cent of Nova Scotian residential mortgage shoppers consult a mortgage broker. Between April 1, 2011 and March 31, 2012, there were 38,607 mortgages recorded in the Province of Nova Scotia. But Mr. Speaker, many consumers are not familiar with the

complexities of a mortgage or the range of mortgage options that are available to them. Consumers rely heavily on service providers to guide them when shopping for a mortgage. We have to ensure that guidance is the best possible. The ability to buy, sell and finance real estate is the biggest and most important economic driver in any market economy, and Nova Scotia is no exception. As a result, public confidence in all aspects of the real estate market, including mortgage brokering and lending, is essential to the health of Nova Scotia's economy.

An under-regulated market puts Nova Scotia home buyers and our economy at risk. Furthermore, the educational, licensing, compliance and disclosure standards that govern the mortgage brokering and lending industry had not kept up with changes either. So in 2008, Service Nova Scotia and Municipal Relations launched the Mortgage Brokers' and Lenders' Registration Act reform project. The goal of this project was to review the mortgage broker and lender industry in Nova Scotia and across Canada to identify best practices, emerging trends in areas requiring improved consumer protection.

In December 2008, the department hosted an industry round table. The industry demonstrated strong support for significant changes to the Mortgage Brokers' and Lenders' Registration Act with respect to licensing and education standards, disclosure and consumer protection. Following the round table the department developed a discussion paper that highlighted proposed reforms in 14 issue areas which included mortgage broker and lender accountability, proficiency and educational requirements, standards of practice, disclosure and fraud prevention, mortgage broker fees, errors and omission insurance to name a few. The discussion paper was released in April 2010.

In addition, Mr. Speaker, the department launched a consumer survey via the Internet inviting feedback on the proposals and questions outlined in the discussion document. Support from the industry and general public for the proposed amendments was and remains positive. Buying a house is the single biggest investment many of us are ever likely to make and we want to make sure that the rules around mortgage brokering and lending are fair and clear for the industry. We also want to be sure that consumers are protected and aware of their rights and that they are dealing with a trained mortgage broker who will provide the guidance they need to get the mortgage that is most appropriate for their individual situation. We also want to ensure that Nova Scotia's mortgage brokering and lending industry is up to date and aligned with other Canadian jurisdictions and that all of the appropriate checks and balances are in place.

The Mortgage Regulation Bill is another way we are making life a little better for Nova Scotian families. With these efforts we're not just helping families buy homes; we're helping them put down roots and become part of a caring, vibrant community.

Mr. Speaker, I'll take my place now. I look forward to further debate on this bill.

MR. SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Mr. Speaker, we are certainly happy to see that this would appear to have some broad support from the industry itself. I think that that's a nice step, and we look forward to it going through the Law Amendments Committee to hear their further comments on whether it reflects what they hoped it would.

MR. SPEAKER: The honourable member for Inverness.

MR. ALLAN MACMASTER: Mr. Speaker, we have similar thoughts here. Anything that helps to make things better for consumers and is more transparent is a good thing, I think. We would also look forward to the Law Amendments Committee to see from the industry if there's anybody out there who thinks good or bad of this legislation. It's going to affect them, of course, so we look forward to hearing more in the Law Amendments Committee. Thank you.

MR. SPEAKER: The honourable member for Halifax Atlantic.

MS. MICHELE RAYMOND: Mr. Speaker, I welcome the opportunity to rise to speak to this legislation, which is intended to modernize and to ensure that something which is an increasingly important sector of our economy is in fact something which so many people needing to rely on it can rely on. The government is committed to making life a little bit easier for all Nova Scotians, and transparency of rules and a clear understanding of just who is engaged in a transaction is one of the most important ways to make life easy for the citizens of any jurisdiction.

After this legislation, introduced April 16th, people buying mortgages through mortgage brokers are going to have a better idea of the relationships between the person who is finding them a mortgage, those who are lending them the money through that mortgage, and the purchasers. We have come to take it for granted over recent years that real estate agents are regulated, and we are very glad to know that there is a close eye kept on these transactions, which can be some of the most important transactions which take place in a person's financial lifetime.

It's interesting when you notice that at this point some 27 per cent of the Canadian economy is attributed to the building of houses and the sales of houses and the real estate industry. Very few people today actually purchase a house outright, which means that they are dependent on a mortgage. With the plethora of mortgage options available through banks, trust companies, and other agencies, it's very important that a purchaser be able to know that they are getting the best deal possible. Also, in an increasingly volatile economy and one in which we are reliant on the interest rates around us, it's very important to know that a thoughtful and knowledgeable person has looked for the best options for us when we are looking for a way in which to secure the roof over our heads.

The mortgage brokering legislation, or the legislation that regulates mortgage brokers, is nearly 50 years old. It goes back to 1966, and that's a long, long time ago.

Globalization was very much less of a feature in those days than it is today. When you look at the importance which is attached to prime lending rates in the federal government and in the central banks of most countries, they talk about what it's going to mean for mortgages. One of the great fears is what household debt looks like at any given time, and what that most likely has to do with - or most usually has to do with - is what has been paid for the home of any family. I'm not even sure of the percentage, but in the vast majority of cases in Canada and Nova Scotia today, that home purchase has been secured through a mortgage, and that mortgage will dictate the terms of that family's economic well-being for a long, long time to come. People have been told for a long time to invest in a house. It's better than putting your money into rent, but the colour of the mortgage around that investment is every bit as important as the lease which might control the apartment that one might be living in.

Our government has consulted extensively with the public in doing this and with the mortgage brokering and lending industry and they are very, very happy to know that, in fact, these regulations are going to be updated because the industry itself needs to know that there is a good, basic foundation of trust between their customers, purchasers and sellers alike and lenders, I'm sorry, all of those, that there is a good foundation of trust. One solid way to establish that is through up-to-date legislation.

Trained brokers - there are some 275 members of the Canadian Association of Accredited Mortgage Professionals and about 30 per cent of those who actually set out to buy a house in Nova Scotia do so through a mortgage broker. So coupled with the real estate agent, one of the most important actions which anybody can undertake is to look for the mortgages which can be found through a trained mortgage broker and this, Mr. Speaker, I think is legislation which stands to really improve the financial foundations of many households in this province and mortgage brokers and lenders look forward to going forward in partnership with government and with their clients to establish sound financial futures for the households of Nova Scotia. With that, thank you, and I take my seat.

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 thank all the members for their intervention and with that, I'm pleased to move second reading of Bill No. 22.

MR. SPEAKER: The motion is for second reading of Bill No. 22. 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 Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please Bill No. 24.

Bill No. 24 - Purchasing Management Association of Canada Act.

MR. SPEAKER: The honourable Minister of Justice.

HON. ROSS LANDRY: Mr. Speaker, I'm glad that my colleagues have trusted me on the other side, however there are some procedures that I must follow and I move that Bill No. 24 be now read a second time.

It is my pleasure today to talk about Bill No. 24, amendments to the Purchasing Management Association of Canada Act. The Purchasing Management Association of Canada Act was enacted in 1986. It restricts the use of the designation Certified Professional Purchaser and CPP to eligible members of the association in connection with those who practise as purchasers. The association uses the designation to identify those who have completed and are current with the association's training, education and ethics requirements. The association has now changed its professional designation to Supply Chain Management Professional or SCMP.

The association wishes to have the Act amended to reflect and incorporate this change. The PMAC National Board of Directors decided in January 2009 to replace the CPP designation. Members were to start using the new designation, Supply Chain Management Professional or SCMP, in June of 2010, taking into account the Statute of applicable legislation in their jurisdiction. The association will also preserve the previous designation of CPP.

With these remarks, I take my place and look forward to the comments of my colleagues, Mr. Speaker.

MR. SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Mr. Speaker, I'm pleased to rise on this bill and just say it's a very simple reason why we would have been very pleased to let this one go through with question: the minister's own words were longer than the entire bill, which really just changes - we have no problem with the bill. It just didn't seem to need a lengthy debate. So with that, I will take my seat.

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

The honourable Minister of Justice.

HON. ROSS LANDRY: Well, thank you, Mr. Speaker. There's just no pleasing some people. (Interruptions) I wish to thank my colleagues, though, for their insightful comments in the debate on Bill No. 24. I want to emphasize the importance of government moving forward with these proposed changes, as requested by the Purchasing Management Association of Canada.

Thank you, Mr. Speaker, and I do thank my colleagues - mostly.

MR. SPEAKER: The motion is for second reading of Bill No. 24. 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 Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please call Bill No. 30.

Bill No. 30 - Promotion of Respectful and Responsible Relationships Act.

MR. SPEAKER: The honourable Minister of Education.

HON. RAMONA JENNEX: Mr. Speaker, I move that Bill No. 30 be read a second time.

I am pleased to rise to speak to this bill called An Act to Address Bullying by Promoting Respectful and Responsible Relationships. These amendments to the Education Act will set the stage for working with our partners to address the recommendations of the Nova Scotia Task Force on Bullying and Cyberbullying.

Bullying and cyberbullying are societal problems that we must face together. Acting on these issues is an important part of the Kids and Learning First education plan, and this bill marks the beginning of that action. These amendments provide a foundation for developing the province's action plan. Everyone has a role in helping to keep our children safe. This will give us a framework for the work that government will undertake with partners to address bullying and cyberbullying in schools.

The proposed amendments will require school boards to collect, monitor, and report data on severely disruptive behaviour, which includes incidents of bullying and cyberbullying. This will help school boards and the province monitor the scope and consequences of bullying in schools. It will provide the data necessary to evaluate programs and intervention strategies.

The province will track incidents of bullying and cyberbullying by using iNSchool, the student information system. iNSchool is a \$14 million investment by government to manage student information electronically and ensure every student receives the supports they need to be successful. As the task force identified in its report, knowing the scope and prevalence of bullying and cyberbullying is critical as we develop appropriate strategies to deal with the problem.

Amending the Education Act now will ensure that school boards are aware of the department's data reporting expectations before the 2012-13 school year begins. This is in line with the task force recommendation for the province to work with our partners to increase data collection on bullying and cyberbullying. Data collection on this issue is a challenge that other jurisdictions face, and by making these legislative changes, Nova Scotia is being a leader in this regard.

Mr. Speaker, the amendments will also update the language in the Education Act, replacing references to a policy on student discipline with references to the Provincial School Code of Conduct policy. This needs to be updated to reflect the more current approach to ensuring students receive the proper supports. This will give the minister authority to direct school boards to address bullying and cyberbullying specifically as part of the regional code of conduct policies.

The proposed amendments include revising terminology to describe students' behaviours so it matches wording used in current practices. They also include revising the preamble of the Education Act to reflect our direction in promoting a school-wide approach to ensuring student safety and creating positive school environments.

The amendments would provide authority to define bullying and cyberbullying to make sure we have a consistent definition in the regulations in the Provincial School Code of Conduct policy and in school board and school policies. This will help school boards track bullying incidents in schools and connect these incidents to related factors such as racism, harassment, and homophobia.

The task force and working group worked very hard to develop the definition of bullying and cyberbullying and we will adopt their definition. It is well researched, evidence-based and aligned with definitions from other leading jurisdictions. I want to stress that this legislation is just the beginning of our approach to dealing with bullying. We are appointing an anti-bullying coordinator from within government or one of our school boards who will work with partners to coordinate our action plan.

We are also enlisting the most valuable voices in our efforts to combat bullying and cyberbullying and those are the people who are experiencing it - our young people. They know their lived reality. It is extremely important that we work with their ideas as we move forward with our action plan. We are calling on students to submit videos, music and other contributions that will form the public awareness campaign about the issue of bullying.

What better voices than those of our youth to be part of this campaign? Students live with the reality of bullying and their responses will most certainly resonate with Nova Scotians. Students from across the province participated in focus groups and in the on-line survey about bullying and we need to keep that momentum going. We will be announcing more details shortly about this campaign, which will be used during the 2012-13 school year.

We want the voice of our children to spread the message that bullying, as Professor Wayne MacKay put it, is not cool. Bullying and cyberbullying are serious problems that impact kids in extremely serious ways. This legislation is an important first step and will set the stage for government's action plan.

I would once again like to thank Professor MacKay, the members of the task force and working group, and all of the partners, for working hard to analyze the scope and prevalence of bullying and cyberbullying in Nova Scotia, and for offering possible strategies and approaches to keeping our children safe. I also want to thank the many Nova Scotians who participated in the meetings or provided input in other ways. I'm looking forward to having these amendments in place to allow us to take the next steps in addressing the problem of bullying and cyberbullying in our schools and communities. Thank you.

MR. SPEAKER: The honourable member for Colchester North.

HON. KAREN CASEY: I'm pleased to rise in my place today and speak to Bill No. 30, an Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act, to Address Bullying by Promoting Respectful and Responsible Relationships.

A couple of comments - I think everyone in Nova Scotia recognizes that we have a problem, we have a social problem, and it is the problem of bullying and cyberbullying, and we all recognize that we need to take some steps in order to try to monitor, control, and ultimately eliminate bullying and cyberbullying. We recognize the government had an opportunity to introduce legislation that would focus solely on bullying and cyberbullying.

This piece of legislation falls short of that. In fact, the leader of the task force, Dr. Wayne MacKay, had suggested he was disappointed with the response from government to the report that was submitted. If I could be specific, we are looking at a piece of legislation that includes cyberbullying and bullying with a lot of other behaviours, unacceptable behaviours, and to suggest for one minute that bullying and cyberbullying can be considered to be disruptive or severely disruptive behaviour shows a complete lack of understanding of what cyberbullying is all about.

Anyone who has been in a classroom who has tried to monitor cyberbullying will recognize that it's done in a very discreet, quiet way. It's not, to use the language here, "disruptive or severely disruptive behaviour." That's why for those who choose to use

cyberbullying as a way to send negative messages, that's why it's very difficult to monitor that, because it is, as I said, very discreet, it's not obvious - so to suggest that, disruptive and severely disruptive behaviour, including bullying and cyberbullying, is quite misleading.

What we need in this province, Mr. Speaker, is a piece of legislation that speaks solely to bullying and cyberbullying and not to include it in something that is called disruptive or severely disruptive. The definition of those two terms of behaviour, classroom teachers know the difference between the discreet, silent bullying over the Internet and the severely disruptive behaviour that everyone in the classroom sees - so it's quite misleading, it's unfortunate, it's an opportunity that the government had to address the real issue and they have failed to do that.

As I said, the change of language from disobedient or defiant to disruptive or severely disruptive does nothing and it will do nothing to curb that horrible behaviour that's going on with cyberbullying. It is a matter of semantics, Mr. Speaker, and to include that as part of the definition is really an acknowledgement that the government does not understand the difference between the silent behaviour of cyberbullying and the open, severely disruptive kind of behaviour that we see in the classroom. To suggest that they are one and the same, or to include cyberbullying in that category, is completely wrong.

The task force has suggested, as I said, that there be some immediate action, and this legislation does not address what they felt was needed. What this government needs to do is introduce stand-alone legislation that speaks to the very issue that we have talked about in this House, and that the task force identified. They spent hours and hours, weeks and months to come up with a recommendation because they recognized the research shows the seriousness of cyberbullying, and they are disappointed that this government has not taken an opportunity to put legislation forward.

It talks about defining disruptive behaviour; it talks about defining severely disruptive behaviour; and it talks about defining bullying and cyberbullying - and it's a disservice to the students who are the victims of cyberbullying to include that in this legislation along with what is described as severely disruptive behaviour.

Mr. Speaker, I'm looking forward to this going to Law Amendments Committee. It certainly is not legislation that can be supported in the manner in which it is presented.

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

MR. EDDIE ORRELL: Mr. Speaker, it's my pleasure to rise this afternoon and speak to this Bill No. 30, an Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act, to Address Bullying by Promoting Respectful and Responsible Relationships.

Mr. Speaker, our caucus has indicated from the beginning that we are open to supporting good pieces of legislation that will keep our children safe. As a matter of fact, we've proposed our own legislation that we think addresses just that. We don't feel that this bill goes far enough and/or fast enough. It calls for an anti-bullying coordinator, to be filled from within the department or within the school boards. Our question to that is, is that person going to do two jobs? Because they said they don't want to promote, or they don't want to include more bureaucracy in enforcing this bill. So if they're not going to do two jobs, then the one that gets filled for the bullying coordinator must have to be backfilled to the person who gets that job.

It talks a lot about collecting information and we know the tracking is useful but what do we do in the meantime while this information is being tracked? Victims and families of bullying have waited long enough. They've had over a year now that they've been waiting for this legislation. The study came in and even the group that studied that said it just isn't going far enough. They're disappointed in some parts of the legislation. Families and victims of bullying can't wait, they need action now.

It talks about bringing language up to date to current practices and, Mr. Speaker, our legislation has done that. There's no need to study it anymore. Our legislation is about recognizing that students and families all have a role to play in the protection of our children. Families are the very foundation and the strength of a safe community and they're a necessary piece to the puzzle for a child's good education. So we propose that families have a big part of this and not just students with their input, but family members and school members as well.

Again, Mr. Speaker, we're here to support any good pieces of legislation to protect our children. If you look at the proposed piece of legislation that we've put in, we think it does that, but we also look forward to this going to the Law Amendments Committee and further discussion of the matter.

MR. SPEAKER: The honourable member for Hammonds Plains-Upper Sackville.

MR. MAT WHYNOTT: Mr. Speaker, I'm glad to join in the debate tonight for this bill, the bill to address bullying by promoting respectful and responsible relationships. One of the important things to note in this amendment to the Education Act is let's just remember that we are simply setting the stage for working with the people who will continue to be partners in how we deliver education in this province, which is exactly what some of the pieces of the puzzle were when it came to the recommendations from the Cyberbullying Task Force.

Now, I had the honour and ability to be a little bit a part of that, you know, attending some of the public meetings, talking with some of the stakeholder groups, and it really became - we saw that it's not just one group of individuals in society that this is a problem for, or not just one group of people who will help fix the problem. It is every single person

who plays a role in how our kids in our schools have a positive experience within our education system. We know that that is such a key role in how this all rolls out and, again, it's just one piece of how we form the future for our kids.

So going out and speaking with kids, one of the things that I heard was that, you know, it's not just the children, it's not just the teachers, it's not just the staff in the schools, it's not just parents, it's not just the community, it's not just us as legislators, it's everyone who plays a role in how we fix this. It's not going to happen overnight. I know some members may suggest that we can do it just quickly. This is not something that we can do quickly. This is something that lays the groundwork to ensure that we do have a better education system, a 21st Century education system for our children. That's all within the context of our government's Kids and Learning First plan which, again, this is just the beginning of something that we're going to move forward.

As I mentioned, we have this framework that will allow us to move forward on this very important issue. One of the things that it does talk about in this legislation is a proposed amendment which will allow and require the school boards to collect the data that's necessary. Now, I know the Minister of Education, you know, our government has put a \$14 million investment into the iNSchool program which if you haven't had an opportunity to see yet, it's quite revolutionary, I think. Many other provinces, I believe, are using it. It's a great tool for administrators and students to follow marking, behaviour, as well as all of the other things that need to happen within our school system. I know that iNSchool - I was in fact there when the minister announced it at Sackville High, probably about a year ago or so she announced it at Sackville High. I believe that all of the schools across Nova Scotia will soon be using this tool.

What's going to be great about this is that now the department will be able to track the type of information that's needed. That was suggested within the Cyberbullying Task Force, to allow us to track those incidents that we see in our school system because they are there, those incidents exist. I know when I was down in Yarmouth, at Yarmouth High, I spoke with the principal down there, who is a great person - I think, actually, it was the vice-principal. One of the things that he mentioned was that because of the role that things like restorative justice has had in a school like Yarmouth, they have seen a positive turnaround not only within the school context with the students but as well with staff.

In fact, they've seen a decrease in teacher absences, staff absences - more than an 85 per cent decrease in absences. This is again a positive thing and with RJ - as they call it down in Yarmouth, and I think many schools that do have restorative justice call it RJ - they know that, again, it's a positive reinforcement. You just can't punish children all the time. It's about ensuring that we put it in a context that will allow kids to learn from each other. Again, we know it's such an important thing to collect that data and we need to ensure that this legislation goes forward to ensure we can track that.

We also know that in this legislation it updates the language in the Education Act, replacing references to a policy on student discipline with references to the Provincial School Code of Conduct policy. This needs to be updated to reflect the more current approach, to ensure students receive the proper supports. This will give the minister the authority to direct school boards to address bullying and cyberbullying, specifically in the regional codes of conducts. Right now, what we have is each school board has their own student code of conduct - now we will see a provincial wide one that will be enforced, which I think is a positive thing.

With that, Mr. Speaker, I thank the members of the Chamber for this opportunity to get up just for a few moments to discuss this very important concern. I know that I've heard from constituents of mine who have said that the province needs to work with everyone. That's what we're doing. I've also heard from constituents who have called in regard to this effort and they have said this is a good first step and I think this is exactly some of the things that we said. It's laying a foundation over the coming weeks and months ahead and we will see more steps forward in this regard. Thank you very much.

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

The honourable Minister of Education.

MS. RAMONA JENNEX: Thank you very much, Mr. Speaker, and I thank the members for their comments. I'd like to now close the second reading.

MR. SPEAKER: The motion is for second reading of Bill No. 30. 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 Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please call Bill No. 55.

Bill No. 55 - Community Easements Act.

MR. SPEAKER: The honourable Minister of Natural Resources.

HON. CHARLIE PARKER: Mr. Speaker, I'm pleased tonight to be able to rise on second reading of Bill No. 55, the Community Easements Act.

This bill fulfills a promise. We promised in 2009 to establish a mechanism to ensure that communities could preserve land that is important for their traditional

economic tourism and recreational uses. Legislation was intended to give rural communities a new tool to preserve traditional uses of lands that are valued by the community.

At that time the Irving forest lands were for sale in southwestern Nova Scotia, and this government promised to put in place tools to help communities reserve these types of land for the historic and traditional uses that they hold, such as hunting, fishing, recreation, tourism, and forestry. As part of this commitment, almost immediately after the election we allocated more than \$75 million toward the purchase of lands from large landowners such as the Irvings in southwestern Nova Scotia.

Through this process, we've been able to buy back significant parcels of land to be used as a future economic base. Now we are taking another step to follow through on our election promise. The new Community Easements Bill will make it possible for community groups to pay landowners for the right to limit future uses of the land, which would help to preserve such things as working forests, agricultural land, community access to places of interest, scenic views, wetlands, and woodlots.

Existing Nova Scotian legislation enables protection of land for ecological or heritage values. The Community Easements Bill will preserve land for traditional and economic uses. This bill creates a mechanism to allow community groups, municipalities, and the Mi'kmaq to contribute funds and have input into land purchases for community purposes. An easement on land, as most members would be familiar with, is similar to a building restriction which requires land developers to follow certain rules when proceeding with their developments.

The easements proposed in the Community Easements Act will allow community groups to retain interest they value in the land. The easements, you might say, run with the land and remain on the property in the future if it is sold. The buyer may not develop the land in a way that prevents the land use that is protected in the community easement.

There are several situations in which a community easement might be desired. A community easement may be used to ensure that land that is currently used for forestry purposes, for example, continues to be conserved for that purpose in the future. Similarly, a piece of agricultural land which a group or community wants preserved for agricultural purposes could have a community easement placed on it so that it is not lost to urban development in the future. Community easements could also be used in certain situations to establish community recreational access, such as continuing use of a traditional access way to a lake or a beach.

The Community Easements Bill will also be useful to preserve and restore or enhance lands that pertain to archaeology or palaeontology or historic values that we have here in our province. When privately-held landholdings of interest to the community are being sold, the Mi'kmaq or municipalities or other community groups may be interested in

conserving the current use of the land such as for agriculture or forestry. The Community Easements Bill will provide a mechanism through which the land use can be maintained.

At the same time as the government is introducing this new legislation, we are also amending the Conservation Easements Act, and we'll have more to say about that particular bill at a later time. But using this particular bill, the Community Easements Bill, the Mi'kmaq, non-profit organizations and communities in Nova Scotia that are interested in preserving certain land values or uses of land, can work with the landowners to buy an easement at a lower amount than it would cost them if they purchased the land outright. In that way, it's a more cost-effective way of preserving traditional uses of the land, such as forestry or agriculture or community access to that land. By using a community easement, the group that is interested in preserving the traditional uses of the parcel of land has a way to achieve that goal, and the landowner receives a financial benefit. At the same time, Nova Scotians will also benefit from the continued access to the land, so I think overall it's very much a win-win scenario.

Mr. Speaker, that is why government is delivering on this promised piece of legislation today. The legislation and accompanying legislative amendments were developed after public consultation sessions that were held in several communities around our province in 2010. Further focused consultation sessions with particular interested groups were held in early 2012 to gather more input on particular aspects of the legislation.

The Community Easements Bill is new legislation that is focused on groups of people who want to acquire community easements. Drafting this legislation was a cross-government effort. I want to acknowledge the valuable input received from our colleagues in other branches of government, namely the Department of Agriculture; the Department of Environment; the Department of Service Nova Scotia and Municipal Relations; the Department of Fisheries and Aquaculture; the Department of Communities, Culture and Heritage; and also the Office of Aboriginal Affairs.

Mr. Speaker, in closing, I am very pleased to be bringing forward this piece of legislation to help make life better for Nova Scotians, especially those who live in rural areas. With those few comments, I look forward to hearing the comments from other members on this particular bill. Thank you.

MR. SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Mr. Speaker, I certainly don't dispute the value in providing mechanisms for people to protect land and to protect the use of lands, whether that is agricultural or forestry. It might even be beach access, I guess, to some extent. There's probably any range of possibilities, or at least so it appears in this bill.

I do question how different this is from what is already available in law. I am by no means a lawyer, but the day that this was introduced and certainly in the days following, we

spoke to a number of people who are much more heavily involved in this type of thing, who indicate that everything proposed in this can already be done under existing provincial legislation.

This certainly creates a specific name for something, but I can go to the minister if he's got a woodlot or something - if I go to the minister and I say, listen, minister, I'll pay you an amount of money or give you some other kind of consideration so that you will leave that land available for forestry and will continue that use - as far as anybody I've been able to find, there's nothing that prohibits that now. In fact, I was shown a number of examples where that is already done in Nova Scotia, where the ownership is not changed, but an easement for use already exists. It's not called a community easement. I don't know whether it has a specific name or whether it doesn't.

The question becomes, what exactly is it that this bill does that you can't already do, other than taking a number of different elements of law and putting them into one bill, things that already exist? Frankly, in the minister's remarks I didn't hear any example of something you can't do now, in that respect. I'm willing to accept the fact that maybe there is an element to this bill that I am still unaware of, or some technicality, but certainly even in questioning his staff through the technical briefings they also said this is something that can be done now for the most part.

Other than the fact that it now becomes called a community easement, if I understand what the minister is saying correctly in his remarks just a few minutes ago, and certainly in his statement the other day, he said that this will allow somebody - he used the example of forestry but I assume it would apply to agriculture, where an organization can go and ask that lands remain in agricultural use or forestry use and basically they will get an easement. It will be called a community easement and be tied to the deed. I assume it would be under contract law at the moment, but there doesn't appear to be anything that prohibits that now.

As I said, I've spoken to a number of people who've negotiated exactly that very thing. We have a number of them, as a matter of fact, along the - I know members are probably tired of hearing about the Shubenacadie Canal, but we have a number of them along the Shubenacadie waterway where private owners have actually had easements purchased from them for this very purpose, to keep them from being developed and to keep them from having any access or prohibiting public access and for any other use.

As we go through the process I think that it is incumbent on the minister to try to make clear what is new because it's being proposed as something that's new, but those people that I've spoken to who are more intimately involved in these sort of activities than I am, they don't see what's new. They just see an assemblage of things that you could already do before put in one bill and given a fancy name. If that's the case, that doesn't solve the problem.

The minister also has not indicated during estimates, or any other time, a pool of funding to assist the community groups in achieving this. So even if it is new, just by virtue of having the ability to do something doesn't mean anybody can actually afford to do it. In that respect, the government has effectively downloaded that responsibility onto community groups by standing up and saying, we're going to give you the power to do something called the community easement but we're not going to give you any access to any money to be able to afford to do it. There is not really a whole lot of value in that.

What we appear to have is exactly what we have now, where a community group might go to a landowner, just as the Shubenacadie Canal Commission has done in the past, and just as some other - a group down the Eastern Shore did it a few years ago. They wanted to keep land in a certain use and they paid to have something tied to the deed requiring that. That would be similar to selling air rights, although it's not for agricultural or forestry lands. Although it is much more common in other cities, we've started to see it now in Halifax where people will pay for air rights. Somebody can go to the owner of a property and say, don't build above this height because I want to put an easement - I don't know what they call it, I don't think they call it an easement - but I want to tie something to the deed that basically prevents you from going above a certain height and they buy the air rights, which is tied to the deed.

Everybody that I've spoken to in the past few days, a number of lawyers who have negotiated these sorts of things over the past couple of years, they all tell me they do these things now and could not see in this bill, on a quick read, what the difference is in this bill, what different element this will provide. I hope it does provide something different, honestly, but I asked the other day and the staff told me there was nothing different. We stood up in the House and we did the Ministerial Statement and in my response, I asked that and nobody came back with anything different. We're going on almost a week and nobody has yet offered anything different that you can't do now.

I think that's important and I'll reiterate the fact that I also think it's important that you're offering community groups the ability to do something that they may not be able to afford and in many cases probably can't afford. Without tying it to a funding pool to support these groups in achieving this, what have you really achieved? Mr. Speaker, I will leave it as a hope that there is something that is being missed because the minister didn't say anything that's new in his statement. I'm hopeful that as the bill moves forward we hear what exactly is new, what is it that prohibits somebody or a community group or an organization negotiating that now?

Anybody I speak to regarding this seems to be able to present another example of this being done before, maybe not on a regular basis, but I think it's not on a regular basis because nobody has the money to do it and that gets to the second issue which is, what does the government plan to do, if anything, to help people afford it? Frankly, even the landowner, I know that in some cases somebody can go and appeal their assessment on the property thing, there's an easement on it - will that be an option here? If it's a restricted use,

then hopefully they will be able to appeal their assessment or have their assessment based on whatever that restricted use would be, even if it's one they agreed to and obviously, this is a bill which requires the two parties to agree.

Maybe the minister or somebody else can provide some clarification. It has gone on a week now and every bit of information that has come back has said it's exactly what's there now, it's just combined into one bill. The minister is suggesting it's keeping a promise which suggests maybe it's something more than that, but we haven't heard what that more is. Thank you, Mr. Speaker.

MR. SPEAKER: The honourable member for Halifax Chebucto.

MR. HOWARD EPSTEIN: Mr. Speaker, what an interesting and surprising afternoon it has been. I don't know if I can remember when we saw so many government bills go through so quickly in such a short time. I'm not sure if this is because the Opposition has decided that they want to set records and they thought they've found themselves in a race or whether, surprisingly, they have suddenly found themselves in agreement with the government's agenda (Interruptions)

Despite the fact that so many precedents have been set this afternoon . . .

MR. SPEAKER: Order, please. The honourable member for Halifax Chebucto has the floor and I'm sure he's going to speak on the bill.

MR. EPSTEIN: He certainly will, Mr. Speaker. Despite the fact that speed has characterized what we have seen so much of this afternoon, I hope members won't object if I take a least a little bit of a leisurely approach to Bill No. 55, because I do have a few things that I want to observe about it.

Perhaps I'll just jump immediately to the point that the honourable member for Dartmouth East raised a moment ago, since he seemed particularly focused on the issue of whether the legislation is necessary at all. He seemed to be under the impression that easements of exactly the kind that are being provided for in this bill are able to be established through the existing legal regime, essentially through contractual arrangements. I have to say that those kinds of detailed real estate transactions have not been my area of practice, but I certainly have been involved in it. Some members will know that I take a particular interest in land use and land use planning law since I teach it at the law school. I want to say to the member that he should really be aware that the problem of easements is a complex area of law.

The examples that he gave where he referred to air rights being negotiated over adjoining pieces of land or certain restrictions being negotiated through restrictive covenants on waterways, are somewhat different circumstances. What I think those circumstances would probably have involved would have been adjoining owners who

would have some kind of particular and direct interest in what it is that goes on in their neighbour's land. Therefore, they might have even been the original owner of land that had been subdivided, but in any event some of the technicalities of the law of easements might have been complied with because there are a lot of technicalities involved. There is often the problem of what's called a dominant and then a servient tenement. The issue there is that there have to be two pieces of land in close proximity that are mutually serviced by the existence of the easement and that isn't always the case here. This legislation deals with situations in which there may well not be adjoining owners of land or common interests that may have split off into other sets.

Also, the courts have raised problems about what they call positive and negative easements and this is another aspect of the technicalities of the laws of easements. It's very easy to put your foot amiss when it comes to the problem of who is entitled to a valid legal easement. That's why it is that it makes sense to have a clear statutory framework that engages with this issue. It's why it is that it makes sense that if we are interested in establishing community easements that we have a bill that resolves any of these legal questions. The whole point is to avoid the possibility of lawsuits. We don't want anyone to dispute the validity of one of these easements once negotiated and put in place. It's fairly clear that the issue of how people use their land is of great social importance.

Mr. Speaker, most people who go to lawyers for real estate transactions will usually pay a fee to have the lawyer assure them that when they pay the purchase price to the vendor they end up as the owners of the land, and I have to confess on behalf of the legal profession that in most real estate transactions this is not a complicated or difficult process, and that it's a fairly routine piece of business often handled perhaps by a paralegal in the office. It's not that great care should not be taken in basic real estate transactions. Of course great care has to be taken and indeed purchasers are entitled to rely upon the statement, the certificate that they get from the lawyer that indeed they are the owners of the land after they pay for it, but, do you know what? I think most purchasers of land are not really all that surprised to get a letter from the lawyer, after they purchase land, telling them they really are the owner along with the mortgage holder, the bank, or the credit union.

They're not surprised at all because that's, in fact, what they signed up for, and what owners are almost always much more interested in is not that they own the land but what can they do with it, what uses can they actually put in place on their land - and not only are they interested in what can go on their land, they want to know what can and cannot go on their neighbours' land and in the community.

That's where land use, as differentiated from pure property and ownership law, is distinct, and in my experience most people are much more interested in knowing, particularly for residential areas of course, about uses of land and they want to know if they're restricted in any way. They want to know if their neighbours are restricted in any way because they look for a certain stability and predictability, and yet at the same time

they also understand that land use can be essentially political in the sense that it can change.

I draw this to the members attention because looking at this Statute, you might well ask yourself - as the member for Dartmouth East did - why don't we just do it with easements, which we can do now? I think I've answered that point. We probably can't, without the possibility of setting a foot amiss fairly easily, do it with easements now, but the other thing that people would probably wonder is, well, if we want land to remain agricultural or we want land to remain forest land, why don't we just go to the municipal council and have them zone it? Well, that's part of an answer; that's a possibility. That's an alternative but, do you know what? The main thing about zoning at the municipal level is that it can change, and it does change with a fair bit of frequency.

There's something of the hope of stability, particularly in residential neighbourhoods one would hope. People often expect that their land will stay one zoning over a long period of time and particularly that their neighbours' land will stay more or less the same zoning over long periods of time - but the reality is that zoning, along with the flexibility of land use planning tools that we now have in the Municipal Government Act and the HRM Charter, allows for a variety of changes.

This idea of stability can easily be given up and that's why it is that conservation easements, particularly in the sense of a community conservation easement, make sense. Zoning is not an available alternative. It's not something where you can simply say, let's zone land in an agricultural category, let's zone land in a forestry category, and that will solve the problem. It won't, simply because it can be changed. This is part of the essence of what goes on at the municipal level, and it's why it is that there has to be a legal structure put in place through laws passed by the province.

There are other alternatives that people might think about when they think about the idea of easements. They may think there are common law easements, that there's a common law right of way that's been established because people have used land in a particular way even though they didn't own it. They may have crossed over the land for a long time. They may believe that somehow a community right over someone else's land has actually come into existence through long use.

I have to say again that this is not really an adequate alternative to what it is that the government is proposing here. The idea of common law easements arising is an area of law that is very restrictive and also very technical. The periods of time are quite long, depending on who the owner is - it could be 20 years, 40 years, 60 years. The conditions that are attached to establishing common law rights of way and easements are very difficult to establish in court, and of course the essence of the matter is that you have to go to court to establish them.

Again, this is something that's not desirable as a means of neighbours interacting with one another. If you're in court, it usually means that there's a fight. It usually means there hasn't been agreement; it usually means lots of expense for the parties; it means a long, drawn-out business, and of course, the community may win or the community may lose.

Even if you could imagine a set of circumstances in which the community members were able to win such a lawsuit and establish a right of way, the owner will not have been compensated. The owner won't have been paid anything. If a long-standing usage emerges and can be proven, the inhibition on the original owner's land arises and has been established through court action, but no payment is made.

What we've done here is fashion a piece of legislation that provides the opportunity for individuals and groups and communities to negotiate with each other a financial arrangement designed to achieve what the group sees as a desirable result and which becomes acceptable to the owner of the land. We need a legal framework in order to accomplish that.

It's a much better arrangement. It's an arrangement that allows for not just individuals but community groups to come forward and assert their interest in establishing certain restrictions on the use of land, and they can become permanent. If agreed to, they can become permanent along with the important fact there is compensation for the owners.

We already have in the laws of Nova Scotia certain statutory provisions that allow non-owners to use the lands of other people for certain limited purposes. For example, the hunting and fishing laws, the Angling Act - I forget the name of the other Act, but there are Statutes that provide that people can cross land that is not theirs in order to have access to rivers and streams and lakes for purposes of fishing. In many circumstances there is the opportunity for people to hunt on land that isn't posted.

Of course, there are restrictions on this. You can't do it on cultivated fields and so on, but there are already these kinds of grants through provincial legislation to community members at large that have the potential to impinge on what people sometimes think of as being their unfettered, private property rights. People sometimes think that as the private property owners, they have virtually unlimited rights to do whatever they want with their lands, including exclude others, and including use the land in ways they believe to be appropriate in their own personal judgment. But that has never been the law, it has just never been the law. Just at its most foundational, there is the law of nuisance.

The common law of nuisance has existed for hundreds of years and has established that private owners of land, no matter how clear their title to the land, cannot use their land in ways which cause nuisances for their neighbours. It has always been part of the common law that we recognize community, we recognize the idea of people living together in ways that respect the private ownership and enjoyment of land by others. That has always been

the case. That's the case for common law of nuisance and various statutory regimes have come into play, particularly over the last 100 years, that have put restrictions on private ownership.

The tool of easements is a well recognized one and before zoning became so common, easements, combined with the common law of nuisance, were the only tools available to try to influence how people in communities used their land. We're finding that now it's still a robust, modern tool that we can reinvent without the complexities of triggering possible lawsuits. That's what this bill does, that's what the minister outlined when he explained to us what the bill was designed to do.

We can think of other regimes that are in place. In the United Kingdom there are what are called "right to roam" laws. These have been in place for about five or six years now and essentially it allows non-owners to walk up and down, all over the coast of the United Kingdom and to walk across paths that go across the land of other people. They can't light fires and they can't interfere with crops and they can't come too close to the home of someone, but if there's open land, there's a legislated right to roam.

No Canadian province has that, except we do have in Nova Scotia the hunting and fishing laws, but there's no general right to roam, no general right to ramble, as it's often referred to in the U.K., but we are beginning to engage with what are community interests and one of the ways we are engaging with community interests is this bill. So I'm very proud to say that, after looking at it, we have found a way to follow through on a specific promise that was made by the government and to do so in a very innovative way. I look forward to the opportunity to vote for it. Thank you.

MR. SPEAKER: The honourable member for Argyle.

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker. I'm just going to do a quick, brief comment on this one. I just really want to thank the member opposite for an excellent explanation of this bill because we've been asking for a week, what does it really do? All we've gotten from the minister and the department is, it's a clarification. Yet here we have a fulsome, thoughtful explanation of a bill. (Applause)

MR. SPEAKER: The honourable member for Halifax Atlantic.

MS. MICHELE RAYMOND: Mr. Speaker, there's even more. I rise with great pleasure to speak on second reading of the Community Easements Bill and I've been waiting for this for a very long time. Sometimes I felt like a little bit of a spectator because I've been watching the pressures of increasingly intense land use around some of these areas.

When the member for Dartmouth East wonders whether this achieves anything new, I find it very important to be able to say that this really does achieve something new in

Nova Scotia. Nova Scotia has never properly asserted the community right to preserve the rights which communities do establish over time. Nova Scotia has been struggling for this a long time. It has the highest level of private land ownership of any province and this is a fact of history. It's a frontier province, as I've often said, and it's the first place that Europeans found when they were arriving on the eastern shores of the New World and it was easy to grant land and to grant it early. The same thing happened in other places along the coast, but Nova Scotia was one of those places which chose, as a form of government, one in which lands would be assigned, in fact, by the colonial governor, not by one in which lands would be assigned by the township or the community.

We have actually suffered for a long time with that and Nova Scotia is a place where that tension has existed, particularly strongly, and increasingly, as we have settlements and large governments which are profoundly committed to the idea of what we call densification.

We've been talking for quite some time about the goal of attaining 12 per cent protected lands, but the criteria here have been solely environmental up to this point. I've heard the scorn from the Opposition when they talk about the government purchasing dirt and I do take exception to that because of the profound disrespect which it does express for the land on which we all have to live. But I wonder, when the Opposition expresses that contempt, whether what they're really talking about is the fact that it's not only dirt that needs to be protected, but some of the other things which we value, maybe not outright ownership, in fact, at times.

We are looking at 12 per cent protection, but I think we need to look at some of the rationales for this. I'd like to tell you a little bit about my own background, perhaps that will help. My parents both came from places not unlike Nova Scotia, but which have been settled for longer than Nova Scotia and have become very, very densely packed. Bermuda, which is where my mother came from and coastal Massachusetts, which is where my father came from, both of those are places whose citizens have become exiles from their own land, but those are both places where the common rights are jealously, jealously defended.

I look at that when I go back to Gloucester, or to Rockport, specifically. There is a network of paths that lead through the town. There's a network, which is protected and which is never, ever contested, of so-called public footpaths and public grounds. Those places were laid out with commons, as was the City of Halifax, as was the Town of Lunenburg, as was Annapolis, as was Yarmouth. Not all of those commons were for what is described in the Halifax case, as a place for the poor widow to graze her cow, but around Annapolis it was a place for fishing, around Yarmouth it was a place for the gathering of sea grass. Commons take many, many forms and when development concentrates it becomes increasingly important to identify just what the common wealth is.

The reason I'm getting up to talk about this is because I find myself, as a provincial member of the Legislature, increasingly being appealed to by the citizens of a large

municipality who are facing what is called, as-of-right subdivision. They are told that large pieces of hereto unoccupied land, essentially unoccupied land in the back lands of this municipality are, in fact, subject to as-of-right development because they conformed to all the rules, because they conformed to zoning. Unfortunately, that's not true and what has been happening is that the citizens of the areas and, in fact, oftentimes the citizens of a much larger area are being told that if it conforms to the crude zoning regiment then there's absolutely nothing which they can say.

When the member for Halifax Chebucto says that zoning is one tool and that perhaps it is a tool which needs to be re-examined and we need to look at some of the more subtle shades of easements and the laws of nuisance, which are, unfortunately, that which come into play when a court has been invoked when there's trouble because communities have not been heard, I think he's right. I am so proud to know that this government is looking at the law of easement as a way in which communities, not just adjoining, abutting, private landowners, can protect interests.

I'm dealing at this point with - in fact, I have dealt over a number of years with a variety of interests which citizens have in a municipality, and they're confused because they know that these rights have existed. They have gone uncontested for a long time, and all of a sudden they are not being protected by their local government. So I'm very proud that the provincial government is taking this up.

These people who are looking at unoccupied land - and I describe it as unoccupied because it is obviously fit for subdivision, and I will tell you why this is important in a minute - on which there are intact wetland systems, on which there is drainage which will if obstructed end up in the flooding of lower-lying properties, properties which are looked at and which are valued for the view of nature - people look on it, the trees, cultural landscapes, shade, light. I am looking right now at a property which is being subdivided as of right, and there are people living in buildings who will never see the light of day again inside their homes. We know that there is no common-law right to light, but that could be created through these easements.

There are people who will be living in canyons and there are patches of grass which are marked "for residents only" between those apartment buildings and in those canyons, so you may walk on the paved street, but there are other rights, the rights to pass and repass, and there are the views of cultural landscapes and of built heritage, which are things which do contribute to the quality of life in our province. They have not been recognized as value when lands are simply sold off without inspection as to what has been enjoyed quite without harm to the landowner.

I believe these things give social context and they provide a real and a significant buffer between citizens. When I see a subdivision as of right and I see that citizens are not permitted to express any value whatsoever on what they - place any value or express any opinion on what is going to be lost when the property is densified to its utmost as is referred

to lot yield, then I am very, very sorry to know that there is essentially a tithe being paid. These properties - and when I say tithe, I think all of us know the word tithe, which means one-tenth - and perhaps it's no coincidence that the Municipal Government Act allows for land use bylaws which are quite common throughout this province, which permit a municipality to request up to 10 per cent on subdivision, what is called open space dedication.

Sometimes it's referred to as a parkland dedication, and it has become in some areas a (Interruption) Pardon me? In some places it has been referred to as a recreation allowance. I had the unfortunate experience the other day of listening to a group of citizens who are attempting to, as they would put it, protect an area of land which does give open space in a fairly densely-settled area. It is a wetland. It's much valued as the Peeper Pond, as they say. Children have walked here; old people walk here. It's interesting because coincidentally it happens to be used not only by the Primary school children of a local school as a place to investigate tadpoles but as a place which is visited by the oldest citizens of the area, who are living in a nursing home. They don't actually know each other except that they encounter each other in this small, undeveloped area with its paths. It has been known for 40 years or more, and that's only as long as I've known it.

So many people come and say, well, what has happened? Permission has been given for this to be infilled and that permission has been given as of right. Now, what happens is that compensation is given, but unfortunately, the municipality is taking this compensation and it's not using that compensation as open space. It has said this land is not useful and it's not useable. The residents of the area on all sides are begging for this land to be left - a piece of that land, not even the whole tenth of that land, but a scrap of land which is essentially unusable because it is a wetland, instead of cash in hand poured into a recreation facility, which may or may not be used by the 5-year-olds and is probably not going to be used by the 85-year-olds. It may or may not be in the same area, it may be on the other side of a jurisdiction as large as Prince Edward Island, which we know as the Halifax Regional Municipality.

This is really unfortunate. The Community Easements Bill, the community easement I see as a possible tool because the 5-year-olds don't have a property interest and the residents of a nursing home don't have a property interest, but there is a community and there can be a community which can hold that easement and the value of that easement can - in fact, could, in any case - I see that it could go to that neighbourhood or to another group representing that neighbourhood. That community easement which might be nothing more than the commitment that this piece of land will remain untouched in this subdivision is something of huge value and it is usable land, it is usable to this community.

More importantly, in some ways, is the sense that the members of this community have, in fact, been able to have a voice and that what has been valued in their area actually is something which their government has valued.

There are conservation easements which have been around for a long time, but they're not the same as community easements because community easements also talk about aesthetic values. We've got cultural landscapes and, Mr. Speaker, you may or may not be aware, but many members of this House will be aware that as development pressures intensify, sometimes older landscapes which do form a part of the cultural stock and which are matters of fondness are subject to pressures for replacement and greater densification.

But there's distress around that and it's interesting to see the breadth of that distress and it's interesting to see the lengths to which people will go in their attempts to preserve what they value. A community easement is a way in which something valued by a community can be preserved.

I'm looking at other areas which are going to be subject to development and other values which are going to be very difficult to talk about in terms of conservation easements. I think I've spoken before about the man above me with his muniments in hand, the Honourable Joseph Howe. There's a piece of property near me which hasn't really been talked about very much, but it certainly will be subject to as-of-right subdivision without a word and there are people who do value the fact that Howe's Rock is the place where Joseph Howe used to like to spend sunny afternoons. I think it's reasonable to say that a lot of other people have enjoyed spending similar sunny afternoons there over the last 175 years.

When somebody told me today that the public had been trespassing on her land for 125 years - actually it was not her land for 125 years, but trespassing on this marked path for 125 years - I was surprised. If they are really trespassers, if there's not a sense that there is something of public value, then why not defend that? Certainly the same property owner had defended other things, had said, no, you're not welcome here. But this has become public. When a local government says this is going to be subdivided, this is now all going to become private property and what has been public property is not going to be available in any way, we need a mechanism for the public to speak, for the community to speak and to say we value this and this is a part of this value.

We actually don't necessarily want this view, this path, this swimming place or this marsh to be turned into cash for another exercise machine in a recreation centre. No disrespect to the exercise machines, but there are many of us who actually do derive other values from the landscape around us, from the land around us.

Another place this has arisen in many occasions - and I would feel very sad if it were necessary to protect this doubly, but perhaps we do need to protect these things doubly here - is the issue of infilling on saltwater, the protection of the intertidal zone, the right to pass and repass. There are a number of people in Nova Scotia recently who have taken to creating land across the intertidal zone and thereby creating private land out of what has traditionally been the place for the public to pass and repass and, as my colleague mentioned, in the United Kingdom the right to roam, which accounts for all the intertidal

areas around the densely developed areas known as England, which is in fact the rootstock of the Nova Scotia law.

If, in fact, we have to create another piece of legislation to protect what should be protected by the common law, then I think we have done something incredibly valuable here. This is a fundamental assertion of values which can be shared, and I sincerely hope that this opens a door to the preservation of the common wealth and an understanding that private property doesn't have to mean absolute ownership and it doesn't have to mean battles between the hard edges of neighbours whose governments have not assisted.

I would never want to be part of such a government and I'm proud to say that I have not been. Thank you very much.

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

The honourable Minister of Natural Resources.

HON. CHARLIE PARKER: Thank you, Mr. Speaker. I want to thank all the honourable members for their interventions and their input on this important bill, Bill No. 55. I think I've already moved second reading, but if necessary I'll do that again and I just look forward to it moving along to the Law Amendments Committee stage.

MR. SPEAKER: The motion is for second reading of Bill No. 55. 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 Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, would you please call Bill No. 32.

Bill No. 32 - Securities Act.

MR. SPEAKER: The honourable Minister of Finance.

HON. GRAHAM STEELE: Mr. Speaker, I move second reading of Bill No. 32, an Act to Amend the Securities Act.

The Act on its face may seem complex and a little bit intimidating, so I do want to offer a few words of context for the benefit of the House. Securities regulation is the responsibility of individual provinces, but of course capital markets are national and

international in nature and it is important that they function well from both a national and international perspective.

Nova Scotia is a member of the Canadian Securities Administrators known as the CSA. The CSA is a voluntary umbrella organization of Canada's provincial and territorial securities regulators whose objective is to improve, coordinate, and harmonize regulation of Canadian capital markets. As a member, Nova Scotia has committed to making necessary changes to our securities regulations that strengthen protections across Canada.

These changes, Mr. Speaker, are the result of considerable research and national consultation. Every province and territory is represented on this body and many of the changes found in the legislation have already been adopted, or are in the process of being adopted, by the other provinces. These amendments to the Securities Act ensure securities legislation remains modern, up to date, and harmonized with other Canadian jurisdictions, because of course some people would like securities to be federally regulated, but that is contrary to our Constitution, as the Supreme Court of Canada recently ruled.

Since it is within the jurisdictions of the 10 provinces and the three territories we are making our very best effort to have a facsimile, as it were, of national securities regulation. We have a system called the "passport" system that really works quite remarkably well, but the passport system requires a high degree of harmonizing among the jurisdictions, which is why we've had series of securities bills in front of this House over the last five or six years - each one carefully thought through on a national level and then passed in all of the passport provinces.

The point of sale disclosure project, which is intended to improve disclosure provided to investors or potential investors at the point of sale of investment fund products, is targeted for implementation across Canada on July 1, 2012. That is why the bill is in front of the House now.

In addition, there are other provisions which require updating to ensure they are harmonized with recent developments in other jurisdictions. While these amendments are not as time sensitive, it is important to maintain that high degree of harmonization of the securities regulatory regime.

Through the CSA, we are ensuring that Nova Scotian investors are protected by the same securities laws that are in place elsewhere in Canada. As well, Mr. Speaker, the proposed investor protection initiatives will provide the Nova Scotia Securities Commission with greater flexibility and effectiveness in enforcing these laws.

With that, Mr. Speaker, I again move second reading of Bill No. 32. Thank you.

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

MS. DIANA WHALEN: Mr. Speaker, it's a pleasure for me to say a few words on Bill No. 32, which is before us this evening, this being another amendment to the Securities Act. Although the minister mentioned the fact that it was not possible to create a single Securities Commission nationally, I think many provinces were in favour of it. I believe there were just one or two that were not. It's sort of unfortunate because Nova Scotia is a small jurisdiction and some are even smaller. I think it is something that would be a saving all the way across the board, to have one, if we are going to harmonize all of our laws.

In the absence of the ability to do that, I think it's the right thing to do, that we harmonize the language and the effect of each of these amendments. I know that in discussing the previous bill, when we were talking on easements, the speaker offered a little bit of personal insight into her interest in the easement bill and I'm very interested in things to do with securities because I was raised by a mother who was a stockbroker. Nowadays, Mr. Speaker, you'd call that an investment adviser but in those days it was a stockbroker. It gives me an opportunity to say that she was the first woman in Calgary to do that job, so I'm very proud of that. In fact, we believe maybe the first in Alberta, but definitely the first in Calgary.

There were no women in that profession at all; certainly when I went into her office for many years, she was the only one. It was not only a masculine area, it was in Alberta, so you can imagine the office where they sold these securities, it had a ticker tape, the tape thing that went across with all of the symbols of the different stocks. Men came in, mostly old ranchers and farmers and things, came in and sat in almost pews at the front of that office and watched the ticker tape going by and they practically had spittoons in the corner - it was just like that in the first office. It was really quite interesting.

All of the stockbrokers sat behind and all they had were a telephone and a phone book, basically, to call and get clients and meet people over the phone and no support whatsoever in terms of any help. It was 100 per cent commission, so you had to have the courage to get involved and know your stuff and get out there and sell some stocks, otherwise you didn't make a thing. I know nowadays most of the time when you join an investment firm, you are given a year and a half or so where you have a salary and there's a little bit of help to get you started.

It was much harder, much more risky, really, to take on a job like that. She said that for quite a while she made barely enough to pay the parking and the babysitter, so it wasn't easy at all. That was 1968. Anyway, as I say, I was raised in a house where there was lots of talk about stocks and about ethical investing and all of the issues that go on around that. Anything that is improving the consumer protection and the harmonization, as the minister said, across the board with different jurisdictions, is very important.

I know he mentioned the point of sale disclosure, which I think is something when we talk about protecting people, ensuring that there is ethical behaviour among all the

people who are involved in securities sales and, through that, giving people the right information and ensuring they are well protected.

When I went through the explanatory notes for the bill, I saw a lot of things like - it takes out gender-based language, so we now have gender-neutral language, a couple of instances where that is mentioned in the explanatory notes, again, changing certain definitions like changing “chairman” and replacing it with the word “chair”. So a number of the notes, although there are quite a few - there are 24 clauses that are discussed - most of them are of that nature, some rule changes and pretty basic changes overall. They are, as the minister said, one in a series of amendments that we’ve passed here at the Legislature over the last number of years.

So this is a trend that I think will continue until all of the work is done. The minister mentioned that some things are going to come into effect this July, so I think we’re moving, hopefully we’ve even completed it, but we’re certainly moving in the direction of having all of this harmonized across the board. Mr. Speaker, we have no objections here from the Liberal Party to these amendments.

MR. SPEAKER: The honourable member for Argyle.

HON. CHRISTOPHER D’ENTREMONT: Mr. Speaker, I thank the minister for bringing this bill forward. Of course, as we move towards harmonization of any piece of information across Canada, I think is a good thing, especially when it comes to securities, but ultimately we’re looking forward to, of course, the next steps in the legislative process which is to send it off to the Law Amendments Committee, listening to maybe people with some questions about it or concerns, but it looks like the minister has done his homework on this one.

Mr. Speaker, ultimately, again, this issue seems to have had its work done. This one seems to have the work done on it, unlike a lot of the bills that have come forward here tonight which, of course, have very little substance. This one does have substance and I want to think that it is worthy to move on. We look forward to further discussion on this one in the future.

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

The honourable Minister of Finance.

HON. GRAHAM STEELE: I would like to thank the members opposite for their comments, especially the personal comments of the member for Halifax Clayton Park, a very interesting family connection to the industry. With that, I move second reading of Bill No. 32.

MR. SPEAKER: The motion is for second reading of Bill No. 32. 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 Deputy Government House Leader.

MR. CLARRIE MACKINNON: Mr. Speaker, that concludes the government's business for today. I request that the House do rise to meet again tomorrow at 12:00 noon, the House hours to be from 12:00 noon to 10:00 p.m. The orders of the day following daily routine, we will be calling Public Bills for Second Reading - Bill Nos. 34, 37, 39, 41, 52, 59, 61 and 65.

MR. SPEAKER: The motion is that the House do now do rise to meet again tomorrow from the hours of 12:00 noon until 10:00 p.m.

Is it agreed?

It is agreed.

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

The motion is carried.

We stand adjourned.

[The House rose at 7:09 p.m.]

NOTICES OF MOTION UNDER RULE 32(3)**RESOLUTION NO. 647**

By: Hon. Jamie Baillie (Leader of the Progressive Conservative Party)

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

Whereas Michael Kay was recently recognized as Springhill's Volunteer of the Year for his more than four decades of community volunteerism, including acting as fundraiser for the Springhill Fire Department; and

Whereas Mr. Kay patrols the streets of Springhill inspecting streetlights and turns the town's Christmas lights on and off during the festive season; and

Whereas Mr. Kay serves meals and offers encouragement to patients and assists staff at All Saints Hospital;

Therefore be it resolved that all members of this House of Assembly thank Michael Kay for his many years of selflessness and recognize that his efforts have made his community better.

RESOLUTION NO. 648

By: Hon. Wayne Gaudet (Clare)

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

Whereas the 2012 Atlantic Karate Championships were held in Charlottetown, Prince Edward Island, in February 2012; and

Whereas Mika Ciganovic from Clare competed in the Female 9-11 Kumite division in this tournament; and

Whereas the hard work and dedication Mika has displayed was rewarded with a fourth-place finish in her division;

Therefore be it resolved that members of this House of Assembly join me in congratulating Mika for her fourth-place finish at the 2012 Atlantic Karate Championships and wish her continued success in future endeavours.

RESOLUTION NO. 649

By: Hon. Wayne Gaudet (Clare)

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

Whereas the 2012 Atlantic Karate Championships were held in Charlottetown, Prince Edward Island, in February 2012; and

Whereas Alex Matthias Comeau from Clare competed in the Mixed W/Y/O 10-11 Individual Kata division, where Alex's hard work earned him a third-place finish; and

Whereas in addition to his bronze medal, Alex also placed second in the Male Beginner 11-13 Kumite division;

Therefore be it resolved that members of this House of Assembly join me in congratulating Alex for his silver and bronze medal at the 2012 Atlantic Karate Championships and wish him continued success in future endeavours.

RESOLUTION NO. 650

By: Hon. Wayne Gaudet (Clare)

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

Whereas the 2012 Atlantic Karate Championships were held in Charlottetown, Prince Edward Island, in February 2012; and

Whereas Alex Mark Comeau from Clare competed in the Male 11-13 Kumite division in this tournament; and

Whereas the hard work and dedication Alex has displayed was rewarded with a fourth-place finish in his division;

Therefore be it resolved that members of this House of Assembly join me in congratulating Alex for his fourth-place finish at the 2012 Atlantic Karate Championships and wish him continued success in future endeavours.

RESOLUTION NO. 651

By: Hon. Wayne Gaudet (Clare)

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

Whereas the 2012 Atlantic Karate Championships were held in Charlottetown, Prince Edward Island, in February 2012; and

Whereas Riley Deveau from Clare competed in the Mixed G+ 10-11 Individual Kata division where Riley's hard work earned him a second-place finish ; and

Whereas in addition to his silver medal, Riley also placed third in the Male 9-10 Kumite division;

Therefore be it resolved that members of this House of Assembly join me in congratulating Riley for his silver and bronze medal at the 2012 Atlantic Karate Championships and wish him continued success in future endeavours.

RESOLUTION NO. 652

By: Hon. Wayne Gaudet (Clare)

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

Whereas the 2012 Atlantic Karate Championships were held in Charlottetown, Prince Edward Island, in February 2012; and

Whereas Tyler Deveau from Clare won a gold medal in the Male 16-17 Kumite division as well as a gold medal in the Male 16-17 Individual Kata division; and

Whereas Tyler qualified to represent Nova Scotia at the 2012 Canadian National Karate Championships from March 16th-18th in British Columbia;

Therefore be it resolved that members of this House of Assembly join me in congratulating Tyler for winning his gold medals at the 2012 Atlantic Karate Championships and wish him all the best at the upcoming 2012 Canadian National Karate Championships in British Columbia.

RESOLUTION NO. 653

By: Hon. Wayne Gaudet (Clare)

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

Whereas the 2012 Canadian National Karate Championships took place in Richmond, British Columbia, on March 16th to 21st; and

Whereas Tyler Deveau, from Church Point, competed for Nova Scotia in the Kumite Individual Male Juniors 76 kg division where Tyler's hard work earned him a second place finish; and

Whereas Tyler qualified to represent Canada at the Junior Pan American Championships from August 26th to September 1st in Cancun, Mexico;

Therefore be it resolved that all members of this House of Assembly join me in congratulating Tyler for winning his silver medal at the 2012 Canadian National Karate Championships and wish him all the best at the upcoming Junior Pan American Championships in Mexico this summer.

RESOLUTION NO. 654

By: Hon. Wayne Gaudet (Clare)

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

Whereas the 2012 Atlantic Karate Championships were held in Charlottetown, Prince Edward Island, in February 2012; and

Whereas Trysten Deveau, from Clare, won a gold medal in the Female 14 - 15 Kumite division as well as a silver medal in the Female 14 - 15 Individual division; and

Whereas Trysten qualified to represent Nova Scotia at the 2012 Canadian National Karate Championships from March 16th to 18th in British Columbia;

Therefore be it resolved that all members of this House of Assembly join me in congratulating Trysten for winning her gold and silver medals at the 2012 Atlantic Karate Championships and wish her all the best at the upcoming 2012 Canadian National Karate Championships in British Columbia.

RESOLUTION NO. 655

By: Hon. Wayne Gaudet (Clare)

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

Whereas the 2012 Canadian National Karate Championships took place in Richmond, British Columbia, on March 16th to 21st; and

Whereas Trysten Deveau, from Church Point, competed for Nova Scotia in the Kumite Individual Female Juniors 47 kg division where Trysten's hard work earned her a second place finish; and

Whereas Trysten qualified to represent Canada at the Junior Pan American Championships from August 26th to September 1st in Cancun, Mexico;

Therefore be it resolved that all members of this House of Assembly join me in congratulating Trysten for winning her silver medal at the 2012 Canadian National Karate Championships and wish her all the best at the upcoming Junior Pan American Championships in Mexico this summer.

RESOLUTION NO. 656

By: Hon. Wayne Gaudet (Clare)

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

Whereas the 2012 Atlantic Karate Championships took place in Charlottetown, Prince Edward Island, on March 16th to 21st; and

Whereas Alexis Saulnier, from Clare, competed in the Female 14 -16 Individual Kata division where Alexis' hard work earned her a first place finish; and

Whereas Alexis qualified to represent Nova Scotia at the 2012 Canadian National Karate Championships from March 16th to 18th in British Columbia;

Therefore be it resolved that all members of this House of Assembly join me in congratulating Alexis for her first place finish at the 2012 Atlantic Karate Championships and wish her all the best at the upcoming 2012 Canadian National Karate Championships in British Columbia.

RESOLUTION NO. 657

By: Hon. Michel Samson (Richmond)

Monsieur le Président, à une date ultérieure, je demanderai l'adoption de la résolution suivante:

Attendu que les bénévoles sont vraiment au cœur de notre communauté;

Attendu que les bénévoles donnent librement de leur temps pour aider les organismes à l'échelle de notre pays;

Attendu que le vendredi 20 avril 2012, je me suis joint au personnel et aux conseillers municipaux lors d'un souper de reconnaissance des 140 bénévoles du comté de Richmond;

Par conséquent, il est résolu que les membres de cette Assemblée se joignent à moi pour remercier Robert Samson, bénévole de l'année du site P@C de La Picasse, pour son travail et son dévouement.

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

Whereas volunteers truly are the heart of our community; and

Whereas volunteers give freely of their time to help organizations throughout our county; and

Whereas on Friday, April 20, 2012, I joined municipal councillors and staff at a supper to recognize the 140 volunteers from throughout Richmond County;

Therefore be it resolved that members of the House of Assembly join me in thanking Site P@C de La Picasse Volunteer of the Year, Robert Samson, for his hard work and commitment.

RESOLUTION NO. 658

By: Hon. Darrell Dexter (The Premier)

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

Whereas 16-year-old Chase Marchand of Upper Tantallon plays goalie for the Cole Harbour Wolfpack, a midget-level team in the Nova Scotia Major Midget Hockey League; and

Whereas Chase posted a 2.31 goals-against average and a .930 save percentage and contributed greatly to the Wolfpack's 6 to 4 record during the regular season; and

Whereas last month those statistics helped to name Chase the league's Most Valuable Player for the 2011-12 hockey season;

Therefore be it resolved that the members of this House of Assembly recognize Chase Marchand's impressive season with the Cole Harbour Wolfpack and congratulate him on his MVP league honours.