



DEBATES AND PROCEEDINGS

Speaker: Honourable Gordon Gosse

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Fourth Session
MONDAY, NOVEMBER 5, 2012

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House of Assembly
Nova Scotia

HALIFAX, MONDAY, NOVEMBER 5, 2012

Sixty-first General Assembly

Fourth Session

7:00 P.M.

SPEAKER

Hon. Gordon Gosse

DEPUTY SPEAKERS

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

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

PRESENTING AND READING PETITIONS

MR. SPEAKER: The honourable member for Kings West.

MR. LEO GLAVINE: Mr. Speaker, I beg leave to table a petition with the operative clause:

“Therefore, your petitioners call upon the Nova Scotia House of Assembly to use its powers over the Board of Commissioners of Public Utilities, the Nova Scotia Utility and Review Board (UARB) to deny any General Rate Application presented by NSPI requesting a rate increase in 2013, 2014 and 2015.”

There are 100 signatures, and I have affixed my signature to the petition.

MR. SPEAKER: The petition is tabled.

PRESENTING REPORTS OF COMMITTEES

TABLING REPORTS, REGULATIONS AND OTHER PAPERS

STATEMENTS BY MINISTERS

GOVERNMENT NOTICES OF MOTION

MR. SPEAKER: The honourable Minister of Justice.

RESOLUTION NO. 1713

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

Whereas after 42 years of service with the Halifax Regional Police, Chief Frank Beazley retired in October 2012; and

Whereas although Chief Beazley is retired, his efforts will continue to be fulfilled by the province, municipality, and law enforcement by working together to address issues and ensure citizens feel safe and secure; and

Whereas Halifax Regional Police recently appointed a new chief, Jean-Michel Blais, who will bring years of dedicated experience and expertise to this leadership role;

Therefore be it resolved that all members of this House recognize Chief Frank Beazley's years of service to HRM and welcome Chief Jean-Michel Blais in his new role with the Halifax Regional Police.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable Minister of Health and Wellness.

RESOLUTION NO. 1714

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

Whereas November is Lung Cancer Awareness Month, and on average 394 Canadians die every week from lung cancer and 450 Canadians are diagnosed with lung cancer on a weekly basis; and

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

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

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

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

INTRODUCTION OF BILLS

Bill No. 115 - Entitled an Act to Amend Chapter 450 of the Revised Statutes of 1989. The Summary Proceedings Act, Respecting Interprovincial Investigative Authority. (Hon. Ross Landry)

Bill No. 116 - Entitled an Act to Establish the Office of the Environmental Ombudsman. (Mr. Andrew Younger)

Bill No. 117 - Entitled an Act to Exempt Property of the Anne Murray Centre in the Town of Springhill from Municipal Taxes. (Hon. Jamie Baillie)

Bill No. 118 - Entitled an Act to Require the Government of Nova Scotia to Enter into Negotiations with the Government of Canada to Create a Federal Regulating Body on Offshore Petroleum Safety Standards. (Mr. Andrew Younger)

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

NOTICES OF MOTION

MR. SPEAKER: The honourable member for Richmond.

RESOLUTION NO. 1715

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

Whereas Diamond Jubilee celebrations are being held throughout 2012 to recognize the 60th Anniversary of Her Majesty Queen Elizabeth II's reign; and

Whereas sixty \$2,000 commemorative scholarships under the Diamond Jubilee Award, one for each year of the Queen's reign, are awarded to graduating Grade 12 students who have demonstrated leadership and made significant contributions to their community and province; and

Whereas Hayley Marchand of Richmond Academy received a Diamond Jubilee scholarship in recognition of her commitment to sports, membership on her school's hockey, dance, prom, and yearbook committees, and volunteer work with the "Shelby Shines On" Acts of Kindness Society, as well as the Ladies Auxiliary for Our Lady of Assumption parish in Arichat;

Therefore be it resolved that the members of the House of Assembly congratulate Hayley Marchand on receiving the Diamond Jubilee scholarship for being a positive role model in her school and community.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

There's a little bit of chatter going on here this evening. I'd much rather that the members take that outside the Chamber so I can listen clearly to the resolutions. Thank you.

The honourable Leader of the Progressive Conservative Party.

RESOLUTION NO. 1716

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

Whereas the community of Diligent River gathered with pride and a sense of accomplishment on Sunday, November 4th, at the official unveiling of their new war memorial monument; and

Whereas Gale Boland, who spearheaded the project, was researching *Diligent River Roots*, her book on local history, when she observed a framed certificate on the wall of the Diligent River United Baptist Church that identified the community's Second World War veterans, and started with the idea of a monument listing all of the community's veterans; and

Whereas local artist Arlene Collins prepared sketches of the monument, which will include veterans from the communities of Diligent River, Ramshead River, Yorke Settlement, and Wharton, and recognizes 61 local veterans - 17 from World War I, 38 from World War II, five from the Korean War, and one peacekeeper;

Therefore be it resolved that all members of this House congratulate Gale Boland, Arlene Collins, and the community of Diligent River on their outstanding achievement and join them in remembering those veterans who gave so much for all of us.

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. 1717

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

Whereas the Halifax Metro Centre hosted the 2012 Canada-Russia Challenge in August, a series in which both nations' junior teams played two games in Russia and two games in Canada, to celebrate the 40th Anniversary of the 1972 Summit Series; and

Whereas the Halifax Metro Centre is home to the Halifax Mooseheads, currently the No. 1 hockey team in the Quebec Major Junior Hockey League, who were on a 13-game winning streak and attracting an average of 8,000 fans at their home games so far this season; and

Whereas the Halifax Metro Centre hosted Canada's NBA team, the Toronto Raptors, for an intra-squad game on October 6th, raising \$56,000 for local charitable organizations;

Therefore be it resolved that all members of this House of Assembly congratulate the Halifax Metro Centre and Trade Centre Limited staff on its success in attracting and hosting world class sporting and entertainment events to Halifax.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Richmond.

RESOLUTION NO. 1718

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

Whereas backbench NDP MLA for Kings North chose to make an unprovoked and personal attack against one of the current, longest serving members of this Legislature; and

Whereas the rarely seen or heard from backbench MLA for Kings North, first elected in 2009, can only dream of having the electoral success of the member he personally attacked; and

Whereas if the backbench NDP MLA for Kings North, NDP caucus staff or anyone else in the NDP Party is truly interested in looking through history for elected members who have faced criminal convictions, they need look no further than within the current and past NDP caucus;

Therefore be it resolved that all members of this House of Assembly join me in reminding the backbench MLA for Kings North, and all NDP MLAs, of the wise saying, "People who live in glass houses shouldn't throw stones."

MR. SPEAKER: The notice is tabled.

The honourable member for Victoria-The Lakes.

RESOLUTION NO. 1719

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

Whereas on October 19th, family and friends of Peter Jack MacLean gathered at the Christmas Island Fire Hall to celebrate Peter's 99th birthday; and

Whereas the traditional music of Gaelic Cape Breton has always been a part of Peter Jack's life, so much so that while living in New England he spent his days as a carpenter and his nights as a fiddler and Gaelic singer; and

Whereas as a member of the Iona Gaelic Singers, Peter has encouraged and entertained a generation of Gaelic learners and is always willing to share a story;

Therefore be it resolved that all members of this House of Assembly congratulate Peter Jack MacLean on his 99th birthday and wish him good health and happiness in the years ahead.

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 Atlantic.

MS. MICHELE RAYMOND: With your leave, I'd like to do an introduction. In your gallery, you'll see the Honorable George Archibald who has graced the halls of this House many times and is now looking down from aloft in his role as commodore of the Royal Nova Scotia Yacht Squadron. With him is Ed Steeves, vice commodore; Star Vickery and Stewart Andrews, both of the trustee committee; David Archibald and Kevin Hurd, who is a well-known general manager of the very distinguished club which I am proud to say shares the shores of my constituency. (Applause)

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

RESOLUTION NO. 1720

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

Whereas the Royal Nova Scotia Yacht Squadron, founded in 1837, is the oldest continuously operating yacht club in North America, one of the oldest in the world, and one of only seven, worldwide, privileged to carry the title of Royal Yacht Squadron; and

Whereas sailors from the Royal Nova Scotia Yacht Squadron have represented their club, this province and Canada in competition at home and abroad with regular success and great distinction, bringing back both Olympic and Paralympic medals to Halifax; and

Whereas the Royal Nova Scotia Yacht Squadron sponsors two international ocean races of some venerability, the biennial Marblehead-Halifax race and in alternate years the Halifax to Saint-Pierre-et-Miquelon race, each bringing more than 120 yachts to the province on each occasion;

Therefore be it resolved that all members of this Nova Scotia Legislature congratulate the Royal Nova Scotia Yacht Squadron on its 175th Anniversary and extend to its members their best wishes for continued success on the water and a long and prosperous 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 Kings West.

RESOLUTION NO. 1721

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

Whereas the Juvenile Diabetes Research Foundation Ride for Diabetes Research is an exciting and unique fundraising event that brings together the business community in a friendly and spirited event to raise money for diabetes research; and

Whereas on Friday, November 2nd, the 2012 Ride for Research was held at the World Trade and Convention Centre in Halifax, one of 22 rides scheduled to be held across Canada in 2012; and

Whereas hundreds of individuals representing businesses in Halifax and throughout Nova Scotia raised close to \$50,000 for this most worthwhile cause;

Therefore be it resolved that all members of the Legislature extend our appreciation to the participants of the 2012 Halifax Ride for Diabetes Research, Ride coordinator Wendy Samson from JDRF Halifax, the staff at JDRF and the countless volunteers who made the 2012 Ride for Diabetes Research such an outstanding 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 Argyle.

RESOLUTION NO. 1722

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

Attendu que le 19 septembre, le procureur général Ross Landry a nommé Timothy Landry, des Buttes-Amirault, un juge des tribunaux provincial et des affaires familiales de la Nouvelle-Écosse; et

Attendu que Tim Landry possède une solide expérience en droit pénal et à la fois familiale avec plus de 20 ans d'expérience ayant été un avocat interne avec Nova Scotia Legal Aid à Yarmouth depuis 1994; et

Attendu que Tim Landry est membre de la communauté acadienne et servira tous les néo-écossais, tant en français et qu'en anglais et représentera les tribunaux de Digby, de Comeauville, et d'Annapolis Royal;

Par conséquent, qu'il soit résolu que tous les membres de cette Assemblée se joignent à moi pour féliciter le juge Timothy Landry pour sa nomination et lui souhaite beaucoup de succès dans son nouveau poste et dans son avenir.

Monsieur 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 on September 19th, Attorney General Ross Landry appointed Timothy Landry from Amirault's Hill, as a judge of the Nova Scotia Provincial and Family Courts; and

Whereas Tim Landry has a strong background in both criminal and family law, with over 20 years' experience as a staff lawyer with Nova Scotia Legal Aid in Yarmouth since 1994; and

Whereas Tim Landry is a member of the Acadian community and will be able to serve all Nova Scotians in both French and English and will represent the courts in Digby, Comeauville and Annapolis Royal;

Therefore be it resolved that all members of this House of Assembly congratulate Judge Timothy Landry on his appointment and wish him much success in his new position.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Clare.

RESOLUTION NO. 1723

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

Whereas Sports Nova Scotia presented the 2012 Ricoh Provincial Sports Award on June 2, 2012 at the Marriott Harbour Hotel in Halifax in front of over 500 members of the sports community; and

Whereas the awards ceremony recognizes the achievements of more than 220 athletes, coaches, officials, sponsors, sports associations and volunteers across the province; and

Whereas the provincial organization for karate named Trysten Deveau of Clare, as their 2012 female athlete of the year;

Therefore be it resolved that all members of this House of Assembly congratulate Trysten Deveau on this prestigious award and wish her continued success in future athletic endeavors.

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. 1724

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

Whereas an Inverness County priest has had an Ontario school named in his honour; and

Whereas Father John Donald MacLellan of Dunvegan passed away in 2008, but in Durham County, a school called Father Donald MacLellan Catholic Secondary School now bears his name; and

Whereas 100 guests, including childhood friends from Cape Breton, Isidore Chaisson, Father Gus MacLeod and Father Donnie's sisters - Marcella and Jessie - were on hand in May when the school was blessed;

Therefore be it resolved that all members of this House of Assembly acknowledge Father Donnie MacLellan's legacy as a champion for young people and may his compassionate work continue at the school.

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. 1725

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 Nova Scotia Bantam girls baseball team is comprised of many of the best players in the province; and

Whereas at the Canadian Bantam Girls International Invitational held in Bedford in August 2012, the Nova Scotia team fought every step of the way in a dramatic game to edge out the Chicago Pioneers 7-6 and claim the bronze medal; and

Whereas not only did the team take bronze but their catcher Jenna Jackson was awarded the Catcher of the Tournament Award for the second year in a row;

Therefore be it resolved that the members of this House of Assembly congratulate all members of the team and their coaches Brandon Guenette, Josh MacInnis, Tyler Newcombe and Natasha Burgess for a game well played and on their bronze medal win, and wish them continued success in future competitions.

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. 1726

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

Whereas David Harley, also known as General John Cabot Trail, who lost his battle with cancer last week, was one of the greatest ambassadors for Cape Breton Island and will be greatly missed; and

Whereas an accomplished broadcaster, actor, writer, recording artist, provincial employee, tour guide, teaching assistant and a well-known comedian and for more than 30 years as General John Cabot Trail, Dave made people laugh across Canada as he poked fun at politicians and made light of the news with his quirky sense of humour and quick wit; and

Whereas Dave connected with his audience because of his unabashed love of Cape Breton, his tremendous facility with language and his ability to turn a phrase, as he put it, “Down with the Causeway” or “Grandma got run over by a reindeer”;

Therefore be it resolved that all members of this House of Assembly join me in a moment of silence for the last curtain call for Dave Harley, Nova Scotia’s General John Cabot Trail.

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.

We’ll now have a moment of silence.

[A moment of silence was observed.]

MR. SPEAKER: Thank you. For those of you who have been around a long time, you’ll realize that we did have that gentleman here one time for the Speaker’s dinner. It was quite an entertaining evening and will long be remembered by those members who have been here for a while.

The honourable member for Colchester North.

RESOLUTION NO. 1727

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

Whereas Dr. Joan Gloade, a proud and respected member of the Mi'kmaq First Nation Community of Acadia, was one of the first people from the community to graduate with a Master's Degree from the Maritime School of Social Work; and

Whereas Dr. Gloade spent 20 years as the founding director and executive director of Mi'kmaq Family and Children's Services of Nova Scotia and has held positions with the Nova Scotia Human Rights Commission, Indian and Northern Affairs, and the Native Friendship Centre; and

Whereas Dr. Gloade has served on various national and provincial boards and her work has been recognized nationally with a Queen's Silver Jubilee Medal, the Order of Canada, and the National Aboriginal Achievement Award for public service;

Therefore be it resolved that all members of the House of Assembly thank this remarkable lady who has dedicated her life's work to advocating and working for Aboriginal families and children, and congratulate her for receiving an honorary degree from Mount St. Vincent University to add to her long list of achievements and honours.

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. 1728

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

Whereas today marks the beginning of Veterans' Week; and

Whereas during this important week we take time to recognize the achievements of our veterans and honour those who made the ultimate sacrifice for our freedom; and

Whereas we wear poppies to show our enduring gratitude for everything they have done, and promise to protect their legacy so all future generations know of their tremendous contribution;

Therefore be it resolved that all members of this House of Assembly pay tribute to our veterans and let them know just how grateful we are for the extraordinary sacrifices they made for us.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Preston.

RESOLUTION NO. 1729

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

Whereas Gary Johnson has spent most of his life volunteering at various youth sport activities and, in 1981-82, he joined the City of Lakes Boxing Club, where he became a boxing assistant; and

Whereas many of the youth who participate in the club are children from broken homes and those with other problems, who come from all over the metro area, and it was for this reason that Gary Johnson was awarded the Dartmouth Volunteer of the Year some time ago; and

Whereas Gary Johnson has met with much success in training these young boxers, and his own son, Kirk Johnson, became the World Amateur Junior Champ and an Olympic contender, as well as Custio Clayton who was a representative in the Commonwealth Games in India, senior world championship representative, and an Olympic contender;

Therefore be it resolved that members of this House join me in recognizing the many contributions Gary Johnson has made to the youth of Halifax Regional Municipality.

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. 1730

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

Whereas Baddeck Arm of Gold Shriners Club presented a \$2,500 donation towards the Exceptional Care for Exceptional Children Fundraising Campaign; and

Whereas this campaign supports the construction of a Shriners children's facility to be included in the McGill University Healthcare Complex; and

Whereas this complex will bring together research and services which are currently spread across five McGill hospitals and institutes, and fosters excellence in patient care, research, education, and technology assessment;

Therefore be it resolved that all members of this House of Assembly thank Club President Scott Williamson and all club members of the Arm of Gold Shriners Club for their donation to the Exceptional Care for Exceptional Children Fundraising Campaign.

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 Dartmouth East.

RESOLUTION NO. 1731

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

Whereas today marks the beginning of Veterans' Week in Canada, a time to honour the achievements of our veterans and remember especially those who paid the ultimate sacrifice; and

Whereas many groups and organizations go above and beyond to help citizens in their time of need, such as paramedics, firefighters, and members of all police services; and

Whereas the Main Street Business District Association annually honours all those citizens who serve communities at home and abroad with its ceremony near the beginning of Veterans' Week;

Therefore be it resolved that the members of the House of Assembly recognize the work of the Main Street Business District Association on holding their third annual tribute to veterans and those who serve, on Saturday, November 3rd, and thank them for ensuring that those who are there for us are not forgotten.

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. 1732

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

Whereas in early June the Argyle Township Court House Archives in Tusket was the recipient of the Dr. Phyllis Blakely Award in recognition of its outstanding contribution to archives in Nova Scotia; and

Whereas archivist Peter Crowell received the award on behalf of the Archives for a project entitled “An Acadian Parish Reborn,” which resulted in the two surviving pre-deportation Catholic parish registers from Ste. Anne du Ruisseau and Wedgeport being fully indexed and placed on the Internet; and

Whereas Jennifer Surette, who is now a teacher, worked for the Archives for seven consecutive summers as an archival assistant and managed much of the project, which covered the first 50 years of records from 1799 to 1849;

Therefore be it resolved that all members of this House of Assembly congratulate the Argyle Township Court House Archives on receiving this award and thank Peter Crowell and Jennifer Surette for their hard work and dedication to the preservation of our Acadian heritage.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Yarmouth.

RESOLUTION NO. 1733

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

Whereas on Saturday, November 3rd, a fundraiser was held in the Lake Vaughan Fire Hall in memory of Donald Raynard, a charter member of the Lake Vaughan Volunteer Fire Department who passed away last year; and

Whereas the goal of this fundraiser was to raise enough funds to purchase a propane stove and tank to allow the Lake Vaughan Comfort Centre to provide hot meals to the community in the event of an emergency; and

Whereas this event raised over \$5,000 toward Donald Raynard's mission of completing the Lake Vaughan Comfort Centre;

Therefore be it resolved that all members of this House of Assembly recognize and thank the organizers of this fundraiser and the members of the community who supported it, and especially the late Don Raynard, a man who always so graciously and selflessly gave to his community, whose vision was the inspiration for this fundraiser.

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. 1734

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

Whereas Jeremy Pike, a songwriter from Pleasant Bay, continues to have great success in his musical endeavours; and

Whereas Jeremy is a 35-year-old singer/songwriter originally from Dartmouth, Nova Scotia, now living in Pleasant Bay, who has a passion for music and from a young age has experimented with a wide range of musical styles; and

Whereas Pike was recently featured on a reality TV program on the Country Music Television network called *Big in a Small Town*;

Therefore be it resolved that all members of this House of Assembly acknowledge the success of Jeremy Pike, a small town singer and songwriter determined to make it big and bring interest to the town of Pleasant Bay.

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. 1735

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

Whereas we are all aware of the importance of keeping our seniors mobile for the best quality of life; and

Whereas Transport de Clare President Claredon Robicheau was aware of the demand for such a door-to-door service in Digby and area; and

Whereas on October 13, 2012, Transport de Clare expanded its services and officially opened a Digby and area division, providing the residents with this wonderful service;

Therefore be it resolved that all members of this House of Assembly congratulate Transport de Clare for their expansion into Digby and area and wish them many years of 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 Cape Breton North.

RESOLUTION NO. 1736

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

Whereas Emma Simpson, a North Sydney teenager, was presented with the Caring Canadian Award by business leader and Order of Canada Officer Annette Verschuren on behalf of Governor General David Johnson; and

Whereas Emma has personally raised more than \$40,000 for the Canadian Breast Cancer Foundation and has spoken at various events of the importance of self-examination and early detection in the battle against breast cancer, as well as volunteering for the Salvation Army Red Kettle Campaign, the George MacNeil Scholarship Fund, and countless other community projects; and

Whereas the Governor General's Caring Canadian Award recognizes living Canadians and permanent residents who have made a significant, sustained, and unpaid contribution to their community and Canada;

Therefore be it resolved that all members of this House of Assembly congratulate Emma Simpson on receiving the Caring Canadian Award and thank her for giving back to her community and for her caring spirit.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Clare.

RESOLUTION NO. 1737

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

Whereas Sport Nova Scotia presented the 2012 Ricoh Provincial Sports Award on June 2, 2012, at the Marriott Harbour Hotel in Halifax, in front of over 500 members of the sports community; and

Whereas the award ceremony recognizes the achievements of more than 220 athletes, coaches, officials, sponsors, sports associations and volunteers across the province; and

Whereas the provincial organization for karate named Tyler Deveau of Clare as their 2012 male athlete of the year;

Therefore be it resolved that all members of this House of Assembly congratulate Tyler Deveau on this prestigious award and wish him continued success in future athletic 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 Digby-Annapolis.

RESOLUTION NO. 1738

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

Whereas Barton Consolidated School celebrated the achievement of its Heritage Fair award winners on May 25th; and

Whereas award winners were Hanna Foote-Cromwell, Macy Deveau, Kayla Foote, Jericho Hill, James McNeil, Rylee Amon, Kaitlyn Marshall, Amber White, Makayla Gouchie, Jordan Amero, Megan Gosson, Josh Marshall, Makayla Fiander, Isabelle Webber and Jordan Sullivan; and

Whereas students Meadow Carman and Kaitlyn Marshall also received recognition and awards at the regional fair held in Yarmouth, with Carman's project being recognized

at the regional, provincial and national levels and has been chosen to compete against projects from across Canada;

Therefore be it resolved that members of the House of Assembly congratulate these students on their awards and wish them all the success in the future years to come.

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 Dartmouth East.

RESOLUTION NO. 1739

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

Whereas Angus MacAskill was a Nova Scotia giant whose feats of strength and gentle heart gained him international notoriety; and

Whereas MacAskill's Dining Room on the Dartmouth waterfront opened in 1986 and was originally themed for the same Nova Scotia legend; and

Whereas after 26 years in business, MacAskill's Waterfront Restaurant closed its doors for the last time on October 27th;

Therefore be it resolved that members of the House of Assembly congratulate owner Alan Johnston and the staff of MacAskill's on their many years in business and wish them all the best in their future endeavours.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Colchester North.

RESOLUTION NO. 1740

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

Whereas the Masstown Market in Colchester North has been named as the recipient of a National Heritage Award by the Canadian Federation of Independent Grocers; and

Whereas the Jennings family, owners of the Masstown Market, were presented with the Arnold Rands Heritage Award during the 50th Annual Canadian Independent Grocer of the Year Awards ceremony in Toronto; and

Whereas this very successful business, which promotes locally-grown produce and products, is not only a grocery store but also a dairy, corn maze, a bar, a restaurant, a gift shop, a liquor store, an Internet café, a deli, a garden centre, a fish market and a bakery, employing over 100 employees;

Therefore be it resolved that all members of the House of Assembly congratulate the Jennings family for winning the award, recognize the many services they provide to their customers and express our appreciation for the many forms of support that they generously give to local, provincial and national folks.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Preston.

RESOLUTION NO. 1741

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

Whereas the Premier has handed out \$0.5 billion in taxpayers' money to six companies, with no job guarantees and with no assurance that taxpayers will ever see this money again; and

Whereas the Premier has written these multi-million dollar cheques to big corporations at the same time he has hiked taxes, fees and gutted the essential programs such as education; and

Whereas after receiving \$0.5 billion in taxpayers' money, three of them shut down or went bankrupt, one of them is on brink of closure and all six of them have laid off employees;

Therefore be it resolved that the member for Halifax Atlantic still supports the Premier, this misguided approach and that the Premier cannot grow the economy by simply writing blank cheques to big corporations, and he must end his corporate handouts and begin work on growing the economies in communities all across the province.

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

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

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Bedford-Birch Cove.

RESOLUTION NO. 1742

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

Whereas 18-year-old Nikolas Harris, who has struggled with juvenile idiopathic arthritis since the age of two, not only participated in the Third Annual Walk to Fight Arthritis fundraiser in Halifax in 2012, but was also named Walk Hero and won first prize for his entry in the Arthritis Society's National kNOW JA Video Contest about his experience with the disease; and

Whereas Nikolas Harris is a recipient of a 2012 Queen Elizabeth II Diamond Jubilee Award, a commemorative scholarship for graduating Grade 12 students who have demonstrated leadership and made significant contributions to their communities and the province; and

Whereas Nikolas Harris was named the 2012 recipient of the Richard Conrad Scholarship awarded annually to the son or daughter of a Steele Auto Group employee, and is attending Dalhousie University this Fall enrolled in the Bachelor of Science program;

Therefore be it resolved that the members of this House of Assembly congratulate Nikolas Harris on his positive attitude and his determination to pursue his life goals despite the challenges presented by living with juvenile idiopathic arthritis.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Yarmouth.

RESOLUTION NO. 1743

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

Whereas Ron Doucette has been a devoted supporter and volunteer of the Yarmouth Liberal Association for many years; and

Whereas Mr. Doucette is always a cheerful and helpful presence at meetings and events; and

Whereas Mr. Doucette's commitment to the Liberal Party has been a significant help and encouragement to candidates, whether he is assisting with transportation, during canvassing, putting up signs or manning the phones;

Therefore be it resolved that the members of this House of Assembly recognize Ron Doucette for his dedication and commitment to the Yarmouth Liberal Association, the

Nova Scotia Liberal Party, the Liberal Party of Canada, and for so happily giving his time and energy to his community.

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

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

Is it agreed?

It is agreed.

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

The motion is carried.

The honourable member for Kings West.

RESOLUTION NO. 1744

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

Whereas Gordon Morse of Berwick was honoured in June 2012 as an inductee into the Berwick Sports Hall of Fame; and

Whereas Gordon played hockey in his early years, later turning to curling as his passion, and is remembered for building sports in the Berwick area; and

Whereas minor sports of all levels benefited greatly from his generosity and support as Gordon gave freely as a player, sponsor, mentor, and friend, and therefore inspired players of all ages;

Therefore be it resolved that this House of Assembly recognize posthumously Gordon Morse of Berwick on his induction into the Berwick Sports Hall of Fame in June 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 Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, earlier in Notices of Motion the member for Richmond brought forward a resolution and many times in the body of that resolution he used the word “backbench” or “backbencher”. It’s my recollection that that is not a word that is in order, it has been ruled out of order in this House and I would ask you to look at that and rule upon it.

MR. SPEAKER: I will take that under advisement and report back to the House as soon as I can.

GOVERNMENT BUSINESS

MR. SPEAKER: The honourable Government House Leader.

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

PUBLIC BILLS FOR SECOND READING

MR. SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 94.

Bill No. 94 - House of Assembly Act.

MR. SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Mr. Speaker, I’m just going to say a few words on this bill before we vote on it - I understand shortly. This has been an interesting process. Like the member for Argyle and the member for Richmond, I was a member of the select committee and we, of course, travelled the province, as an all-Party committee, to listen to what Nova Scotians wanted included in this. Part of me wonders, as we came to the end of it, why we bothered because we didn’t listen to what those Nova Scotians said.

We spent a lot of money. Mr. Speaker, I remember the discussions with your office about the budget and trying to figure it out so we could provide translation in as many places as possible. I remember that many of us drove back and forth, significant distances, to avoid costs of hotels and so forth. I drove in a snowstorm, along with a number of other people, up to Sydney; I know the Minister of Justice did the same, to be there so that we

could listen to people. I was at all but the meeting in Yarmouth - I think it was in Yarmouth - but I was at all but the meeting in Yarmouth because I was here that night for a debate, and at every one of them we heard presentations by people who felt that protecting the so-called protected ridings was extremely important.

I think that when you hear so many Nova Scotians coming out and speaking to that issue, to then come out with the terms of reference just days before the deadline on New Year's Eve that ignored that, is disappointing. It was disappointing and surprising for many Nova Scotians and so then, of course, the commission was appointed. They went around and they heard the same thing; in fact, they heard it in even louder numbers and they came out with a report. The first draft of their report - you know, I don't think there's too many people that felt, oh, it's perfect, you got everything right, but if you listened to the commentary after that report versus the commentary after the next report, there was a huge difference. The commentary after the first report was widely accepting of the recommendation that the protected ridings be kept.

I might also add, Mr. Speaker, that shortly after New Year's, the Opposition members of that committee had asked for all the minutes of those meetings to be released and I think that this is critical. To be perfectly honest, I don't recall if the government opposed that or they didn't oppose that but the committee had become dissolved because the term of their mandate was after the report was filed by December 31st. We all went on our way and the committee ceased to exist and the committee no longer actually had the power to release its own minutes. So Nova Scotians are stuck in a situation where they can't even go back and read the minutes of those discussions. I would be happy to have those out there - the transcripts, the Hansard - and I think they should be out there so that people know the discussions that happened.

I think it's extremely important for Nova Scotians to know what happened and I firmly believe that it's in the power of the government to release the Hansard from that period. The committee couldn't do it because we no longer existed. We sort of all seemed to agree by e-mail that that should happen but we suddenly - I think the advice came from the Clerk or from the Legislative Counsel, I don't remember - we didn't have the power to do it ourselves. So, fine, I mean we have to follow the rules.

This has been a long time coming, why the protected ridings became as they were, and a lot of other people have given a much more eloquent history than I could ever give and I'm not going to try to repeat that. Suffice to say we submitted a dissenting report that provided some quotes from Supreme Court judgments and quoted from the recommendations of previous commissions of this Legislature, talking about why those were important and why that was allowable.

Some of the things that we even talked about were: let's have the protected ridings but reduce the variance, if that's an issue, for all other ridings. There were a number of solutions put out on the table, but it seemed or it was certainly felt - I attended all the

meetings that we had of the committee to discuss what would be in that final report and it wasn't until right at the end, right until that week before Christmas, week after Christmas that we suddenly found ourselves in a situation where there were two different interpretations of a line and that's where we come to this notwithstanding issue.

There has been a lot said about changes so, of course, the commission came out with this new interim report, if you will. The new interim report made some new recommendations: it split Yarmouth; it took communities outside of their sphere of influence in a number of areas of the province; there were issues in the Pictou ridings; and I know, Mr. Speaker, there were concerns from residents in your own riding. There were concerns in my riding because one of the largest - in fact, statistics show the largest Acadian community in metro was split in half. A number of people went and made presentations and another report came out.

Again, we have a situation where, whether it's in Shelburne, there were people who felt they had no idea this was coming. In the Antigonish area, in the community of Havre Boucher, there were people who felt, hold it, we didn't know our community was disappearing. In my own riding, there is a neighbourhood that suddenly disappeared from the riding that had been part of it for a long time and suddenly people started writing letters into the commission. Of course, the commission didn't exist anymore and it's almost like when we tried to have the minutes brought out and made public, the committee didn't exist and suddenly, when members of the public were writing letters and trying to have their voice heard about issues, whether it's in Shelburne, or in the Antigonish area, or in my own riding, I saw some of the responses: I'm sorry, the commission no longer exists; you'll now have to go to the Legislature with that.

Had the committee filed a report that fairly represented the concerns that were raised at every single one of those meetings or even not having that, if the government had accepted the first interim report of the commission, a lot of these issues would have been solved. That first interim report more fairly represented the concerns that are being raised across the province. It didn't split Shelburne, it didn't split the Acadian area in my riding - that was fixed by the time we got to the final one - and it didn't split Yarmouth, as was proposed at one point. I don't understand why it was determined that this battle should be waged at this time.

MR. SPEAKER: The honourable member for Richmond on an introduction.

HON. MICHEL SAMSON: Merci beaucoup, M. le Président et merci à mon collègue de Dartmouth East pour me permettre de faire cette présentation.

M. le Président, ce soir, dans la galerie de l'est, nous avons avec nous des représentants de la communauté acadienne. Je demanderais de se lever, une fois que je les présente. Nous avons M. Justin Mury, président de la Fédération acadienne de la Nouvelle-Écosse; Marie-Claude Rioux, directrice générale de la Fédération acadienne de

la Nouvelle-Écosse; et Céleste Godin, représentante de l'Acadie au Centre de la francophonie des Amériques.

M. le Président, ils sont ici ce soir pour suivre le débat sur le projet de la Loi No. 94 et aussi, le vote qui prendra place après le débat.

Mr. Speaker, I wanted to introduce some guests in our east gallery today: Mr. Justin Mury, president of the Acadian Federation; Marie-Claude Rioux, director general of the Acadian Federation; and Céleste Godin representing the Acadian Centre of the francophonie des Amériques. I would ask members of the House to extend them a warm welcome. (Applause)

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

I would like to thank the honourable member for Dartmouth East for allowing that and now I will recognize the honourable member for Dartmouth East.

MR. ANDREW YOUNGER: Thank you, Mr. Speaker, I'm happy to do so. I understand that most members are almost here for voting on this so I wanted to just wrap up with a couple of thoughts while we wait for them to get in their seats.

Mr. Speaker, this is about communities of interest and let's be fair, it's not an easy task. It can be a complicated task to put together the communities and figure out which ones have the best relationships. Is a church congregation relationship more important than the shopping destination, or is it business? There are all kinds of things that create communities of interest.

Mr. Speaker, in the commission's first interim report, they did a pretty good job of it. Now listen, there were problems. I could pick out a couple of issues of mine and I know that other members had a couple of issues in theirs, but generally speaking, they were all fairly small things.

Mr. Speaker, I think as we come to the end of this process, we still have Law Amendments Committee before us. I know the Law Amendments Committee is going to Shelburne and I think that's a great idea, but they should also be going to Digby, which has now addressed concerns with the last one; to Antigonish, which has addressed concerns; and to some of the other areas, which have also raised similar concerns now in reasonably large numbers. There's no reason to just go to Yarmouth and not go to these other communities, if you're going to take the Law Amendments Committee on the road, so I encourage the committee to make sure that happens.

The other thing, as we go forward, is that in the last pages of their report, the commission made recommendations that are not addressed in this bill and those were about

the issues of representation and voting. Those are also issues which need to be addressed at some point. I was actually surprised not to see the first steps in the bill.

As we move forward it's going to be incredibly important that those issues are addressed. We only need to look at the turnout in the recent municipal elections to know that that has continued, voter turnout has decreased, and that has to be a concern to all of us. One of the things when you look at voter turnout, historically, it's related to whether people feel connected to the issues. I really believe that the more we divide communities of interest, the more we run into a problem of having people say, well why does my voice matter? The more that we don't listen to people when we actually go out on the road and ask them what they think, the more that we issue reports that don't follow what they say, the less likely they are to get involved in the future because they say, well you're not going to listen to me anyway.

Mr. Speaker, I heard the Minister of Justice last week say that maybe there needs to be a better way of doing this process in the future and he's right, he's absolutely right. There are probably more cost-effective ways. There are probably better ways to engage people. One of the most important ways to get people involved is to actually listen to what they say when you're out there.

Mr. Speaker, with that, I look forward to this going forward. I really hope the Law Amendments Committee goes to the other communities that are affected and wish to see the Law Amendments Committee there. It's not fair to just go to one place and we'll see where this goes. Thank you, Mr. Speaker.

MR. SPEAKER: If I am to recognize the honourable Minister of Justice, it will be to close debate.

HON. ROSS LANDRY: Mr. Speaker, I want to just thank the members for all their comments over the last few days on this area and I request that we move to second reading of Bill No. 94.

MR. SPEAKER: The motion is for second reading of Bill No. 94.

A recorded vote has been called for.

Are the Whips satisfied?

[The Clerk calls the roll.]

[8:05 p.m.]

YEAS

Mr. Landry
Ms. More
Mr. Smith
Ms. Peterson-Rafuse
Mr. Corbett
Mr. Dexter
Ms. Maureen MacDonald
Mr. Wilson
Mr. Paris
Ms. Jennex
Mr. MacDonell
Mr. Belliveau
Mr. Boudreau
Ms. Zann
Ms. Kent
Mr. Preyra
Mr. Parker
Mr. MacKinnon
Ms. Raymond
Mr. Steele
Mr. Epstein
Mr. Estabrooks
Mr. Prest
Mr. Ramey
Mr. Skabar
Mr. Whynott
Mr. Morton
Ms. Birdsall

NAYS

Mr. Gaudet
Mr. Glavine
Ms. Whalen
Mr. McNeil
Mr. Samson
Mr. d'Entremont
Mr. Baillie
Mr. Bain
Mr. Porter
Mr. MacMaster
Mr. Orrell
Mr. Younger
Ms. Regan
Ms. Casey
Mr. Colwell
Mr. Zinck
Mr. Theriault
Mr. MacLellan
Mr. Churchill

THE CLERK: For, 28. Against, 19.

MR. SPEAKER: The motion is carried.

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

The honourable Government House Leader.

MR. FRANK CORBETT: Mr. Speaker, would you please call Bill No. 97.

Bill No. 97 - Fairer Power Rates Act.

The honourable member for Bedford-Birch Cove.

MS. KELLY REGAN: Mr. Speaker, I began speaking on this bill the other day and adjourned debate. When I left off, I was talking about the efficiency tax and the fact that this government, several days before the election, promised they would not make Nova Scotians (Interruption) Well, they're not always very good on promises. Sometimes they promise things and sometimes they promise not to do things and then they do the exact opposite. In this particular case, they promised that they would not make Nova Scotians pay for that program, and that's exactly what they did. They put it directly onto power bills.

Don't get me wrong, efficiency programs are important, and energy efficiency is very important. In fact, after my husband and I got married, once we sold my house, we bought a house that was an R-2000 house. It was wonderful. I was very pleased with how little we paid back then for our heat - it was oil, and it was an R-2000. In fact, it was the most fuel-efficient house built in Nova Scotia in 1993. It had won an award for that. Unfortunately for us, we outgrew that house, had another child, and that kind of meant we had to move to a regular one - a house that didn't have those kinds of extra efficiencies built in.

We're people who have taken advantage of the efficiency programs, but quite frankly, the problem is that we could afford to make those changes on our own. The fact is that there are lots of Nova Scotians who need to make those changes, who need to make those efficiencies, and they can't afford to because they have to put the money out in front and they're also paying for this program. So they get a double whammy and that's hardly fair.

The Nova Scotia Liberal Party feels that Nova Scotia Power should pay for the efficiency tax instead of overburdened electricity customers who, quite frankly, are already paying enough and, you know, it's one of the issues that I've actually had the most letters on since I've been elected. I have a letter here from a constituent who, as it turned out, just lives down the road from me. He sent a letter to me and he sent a letter to the Premier. He said a number of things in that letter and I thought they were quite interesting. He said, "Nova Scotians are not interested in NSP's various and international projects . . . We all want less expensive electricity, and we want it now.

He said:

"The NSP 'runaway gravy train' must be stopped now. Every NSP customer should be infuriated to the point of writing to you, demanding that the status of this province's sole generator, supplier and distributor of electrical power be reverted to that of a public utility . . . which is what it basically is."

I won't read you his whole letter but he had a lot of good points there and, in fact, he was so infuriated that he took the power petition door to door and had people sign it. (Interruption) Absolutely. We'll pass that along and have that tabled. He was so infuriated

that he went door to door and asked people to sign that petition. This is someone who has been in business, across the country, in other countries. He was very irritated, I would have to say, at what was going on and he didn't think it was good for Nova Scotians.

In this session, Liberal Leader Stephen McNeil has introduced legislation that forces Nova Scotia Power to set performance standards around reliability and impose significant fines on Nova Scotia Power for outages that occur when those standards aren't met and, in fact, my friend who wrote to me talked about that too. We need Nova Scotia Power to be subject to the toughest regulations possible . . .

MR. SPEAKER: Order, please. I want to remind the honourable member that it's improper to refer to another member by their name in any way during any proceedings in the House. This includes notices of motion, while reading from documents such as newspaper stories. You mentioned the honourable member's name. I know it's Monday.

The honourable member for Bedford-Birch Cove.

MS. REGAN: Sorry, the member for Annapolis. Sorry, Mr. Speaker, I wasn't sure who the heck it was that I had referred to there.

Basically, we want more regulations to protect Nova Scotian ratepayers and I know that the NDP has been saying that we want less regulation but they're confused and that's not all that unusual. Nova Scotia's monopoly does not have to compete for business and the quality of service and reliability is lagging. You know, recently I had the opportunity to attend a session where Don Regan of Berwick Power came in and talked to us. We learned a lot about that and, you know, in Berwick, power is 10 per cent less than it is down the road. This is exactly the kind of thing that we're talking about.

We want to make sure that we have reliable power. We want to make sure that it comes at a good price. Our concern about the Premier's case of Muskrat love is that we are going to be stuck with a power plan that costs us phenomenal amounts. We have no idea what this is going to cost, and do you know what? None of us would enter into contracts or hopefully would not enter into contracts where we didn't know what the final cost was going to be. Yet we're asking Nova Scotian taxpayers, to do exactly that.

We have frequent power interruptions right now, here in Nova Scotia and we can all think back to when these have happened. There are always different excuses of why it happened. It was - what is it? - salty fog? I'm not sure if that's a drink or if it's an actual thing but there are a variety of excuses. But Nova Scotians, I think, are deeply concerned about the lack of reliability. Our solution is that there should be penalties on the utility for when they don't perform up to snuff. And this is really about making Nova Scotia Power accountable to its customers - this legislation will mean a high level of service for Nova Scotians and it ties the monopoly's hands so it cannot pass these fines on to the ratepayers of this province.

This Liberal bill also creates a fund to receive payment of any fines levied against the NSP, and the fund would be overseen by the Minister of Finance, would be redirected to support improvements in the electricity reliability, service restoration, and community electricity infrastructure like backup generators - compensation to ratepayers for losses caused by unreliable electricity services would also be paid out of this fund.

Nova Scotians are tired of a government standing up for NSP and defending its monopoly. Seven times we've introduced a bill in this House that would allow for competition in a heavily regulated market; seven times consecutive NDP and Progressive Conservative Governments have refused to call this bill. A Liberal Government will bring fairness back to power prices and break Nova Scotia's power monopoly. Mr. Speaker, thank you very much.

MR. SPEAKER: The honourable member for Hants West.

MR. CHUCK PORTER: Thank you, Mr. Speaker, and it's a pleasure to stand for a few minutes this evening and talk to Bill No. 97 and offer a few comments.

I want to start with talking about the title of this bill with regard to fairness for Nova Scotians. Rather interesting, we've introduced bills in this House, both the Opposition Parties over the last couple of sittings, talking about the public utility and trying to make life better for Nova Scotians by way of introducing different bills, and we have done that. We have certainly done our share of that, but unfortunately the process and the function of this House and how things happen, I guess, doesn't allow Opposition bills to get across the hall for discussion.

Unfortunately, and I say "unfortunately" because there are times when it would make sense to call an Opposition bill and we've seen that in past years at times, but when you talk about something as important as power rates for Nova Scotians and all of the interesting discussions that have taken place and the hardship that has been created by rate increase after rate increase, we have to consider how we're doing business in here and whether we're doing business in a way that's best suited, and equally suited whereby all Nova Scotians are represented.

As Opposition members, Mr. Speaker, as you know, we really don't have the same opportunity to represent our constituents fully the same as you do if you are a member of government, because your bill is highly unlikely to make it any further than the place from where I'm standing, and being tabled.

So I think we can agree that there are some necessary changes, but more importantly we can agree that there are changes needed to the Public Utilities Act and how things work and I think that all Parties and all members in this House are kind of open to that debate and we've been sharing those ideas and have continued to share those ideas, and we'll share more of them as we move on in the next few minutes.

We talk about fairness, Mr. Speaker, and I find it interesting that we're going to talk about fairness but yet we're going to allow a rate increase in January and another rate increase in the January after that before we decide we're going to do anything about it. Now we've, as I said, introduced bills that would reflect doing things a whole lot sooner than that, but that doesn't seem to be the will of this government in this province. To me, when we put forward ensuring fair power rates it's this similar idea of a day late and a dollar short, because it will be - there will be more businesses that will have closed stating high power costs as one of their issues, there will be more families that will see things like bankruptcy take place, we will see more people go hungry in this province because they'll need to make a decision as to whether they are going to pay their power bill, which they need to have.

They have to have their power, we have become accustomed to that, this isn't the days of old. They need to have their power, they have children, they have needs, they need heat. Many residents in Nova Scotia use power, electricity for heating. So we are going to see this continue. This is hardly something called fairer power rates for anyone in this province, by no means even close to being fair.

Why not incorporate this bill, effective immediately? Pass this bill. There are a couple of portions of this bill that may be worth looking at. Take this to the Law Amendments Committee; allow lots of other ideas to come forward, allow the Opposition members some thoughts on this, some amendments that will likely come forward, perhaps, with opportunities to make the bill even stronger. Let's implement it right away. Why wait, why let bills go up twice more before we see any kind of relief? That is not, by any stretch of the imagination, fair to Nova Scotians.

We know, and we've heard in this House multiple times, the power rates have gone up 25 per cent in the last three years with a potential for another 5 per cent, 6 per cent, 7 per cent - who knows - in the years ahead. We talk about the Newfoundland and Labrador project in Muskrat Falls and government has tried to sell this to members of this House and to all Nova Scotians, as has Nova Scotia Power, as this being a wonderful project. They talk about this project consisting of long-term, sustainable power rates, but yet when asked multiple times in this House, what will that rate be, they are unable to answer the question.

I think the people want to know if they are being told something that is supposedly good for them, fair for them and maybe it is. People are still very skeptical. They are open-minded. They want to hear exactly what it is that government is referring to, that Nova Scotia Power is referring to that is so good about this deal. As I talk about that and the potential deal for Newfoundland and Labrador, we saw last week and it was discussed in this House and questions were asked about the increase already of more than \$1 billion on this project, there are some who would say this project will go even farther and there are many of them who will admit that really it would be expected that the project would grow in cost. What the final figure will be is anyone's guess.

What we also know, based on that and when we're talking about fairness to ratepayers, is that Nova Scotia Power has already said, government has already said, cost overruns will come on the backs of the ratepayers in the Province of Nova Scotia. They cannot sustain that. When they already don't know the current cost of the now \$7.4 billion project, what the rates will be, how will they know what the rates will be or say this is a fair deal for long-term, sustainable energy if it goes up another \$1 billion, \$2 billion, \$3 billion, or maybe over \$10 billion before it's all said and done? Who really knows?

What we do know is if you talk to Newfoundlanders, and I have been talking to a couple, and one who was a former politician in the Province of Newfoundland and Labrador states that Newfoundlanders are not happy with Muskrat Falls. Now it would be interesting to see some real documentation based on that and I'm sure it exists. There have been studies to say this project is costing too much, that Newfoundland and Labrador, the province itself and Newfoundlanders cannot afford this kind of capital investment, nor do they need it. They know that their energy needs will be met by way of a deal that has been coming to an end in, I believe, 2041. The deal that was signed with Quebec will end and Newfoundland and Labrador will own the full rights. There was another project that was to be looked at to top that up and to give Newfoundlanders all the energy that they would require, yet we see a deal now, or are trying to get a deal together with Nalcor, with Nova Scotia Power, that we're a long way from. This deal may never come to fruition in Newfoundland and Labrador. What will the government do for a fallback? There doesn't appear to be any other plan.

We are on a straightforward, straight-ahead course for the Newfoundland and Labrador deal with Nalcor and Nova Scotia Power; we don't seem to be looking at any other alternatives. We've suggested many alternatives and every alternative should be looked at for our future energy needs in the Province of Nova Scotia and how we can reach that, how we can meet the goals of Nova Scotians at peak times and demand times and other times. We should be looking at every option, yet we continue to focus on only one and the problem, of course, with that one is that it is hardly fair, especially when we can't put a price tag on it.

People are being faced with tough decisions - will they stay in Nova Scotia, Mr. Speaker? We know a lot of people who are travelling to the West, working for two or three weeks or a month at a time, coming home for a couple of weeks, going back out. Some have been doing that for years in order to try to make a living and to pay the high cost of living in Nova Scotia - high taxes, high power rates, and it goes on and on.

Unfortunately, job losses continue to occur in this province. Businesses are stating why that is: energy is a key factor for those companies that are finding it very, very difficult. Whether they be small businesses or larger businesses or everyday ratepayers, all Nova Scotia ratepayers are affected. The Fairer Power Rates Bill does nothing to meet the needs of everyday Nova Scotians and businesses in the Province of Nova Scotia any time soon. That's one of the biggest problems with it. If we really want to do something, let's

implement a bill with some real value, and let's do it right now. If there were something worthy of putting forward in this bill and it was worth putting forward right now, we would be talking in favour of it. Unfortunately, it's not.

As I said, we continue to see businesses struggle. We know that jobs have been lost. We saw another 135 announced last week, unfortunately, in Hantsport. Those people are going to be wondering, when their jobs come to an end at the end of December this year, how they're going to face the next year. We would be looking for commitments and hope for other kinds of diverse economics to come in, jobs to be created, yet we've not seen many.

So on the minds of all those people will be, how are we going to make ends meet? How are we going to pay our bills? How are we going to feed our families? They'll be thinking about the power bills, and lo and behold, come January, as soon as they are laid off, what's one of the very first things they are going to be faced with? They're going to be faced with an increase in their power bill - 3 per cent perhaps, as has been requested. Maybe it will be less than that - we can only hope - but we should be talking about no rate increases right now. Zero.

We are in a tough time in this province for all Nova Scotians. You can talk to small business owners - I do it on a regular basis, I stop in, I visit them, and we talk to the larger businesses. I'll often stop in to everyday businesses in the Town of Windsor, one of the areas I represent, and they will share with us that there are reasons they can't hire more employees - things like power rates and trying to make enough money in their businesses. Some of them don't even draw a salary. They're just trying to survive, hoping for a better day when maybe job creation will be allowed to happen.

Things like a 25 per cent increase over three years don't give Nova Scotians much to look forward to, especially when we look at the words "ensure fairer power rates." There's nothing there that gives any assurances when we're still allowing power rate increases to happen. Who would want to come here and start a business up? We talk about all these great ideas - or at least we talk around ideas about job creation, we haven't seen much of it - and those that have been put forward have by no means been moving along quickly. There has been delay after delay after delay.

Why would that be, Mr. Speaker? I think energy probably has some key factor in that, as to why people are holding off. We await construction projects to start - nothing going on. We hear about other businesses. We hear about Trenton. There's not much going on. Where are all the people? We hear about the Ships Start Here project - why are the things not underway? Has energy got a factor in all of those things? That is an added cost, we know that, but if we're going to see jobs expand, if we're going to see companies expand, or better yet, new entrepreneurs in Nova Scotia and from away come here to start a business opportunity . . .

HON. MICHEL SAMSON: Mr. Speaker, I rise on a point of privilege. It's 8:29 p.m., and I've just been handed this note advising that there's a meeting of the Law Amendments Committee taking place at 8:30 p.m. this evening.

Mr. Speaker, as a member of this House for 14 years, I've never seen a committee being called with such short notice, which obviously takes away our rights and privileges as members of this House to be prepared, for our staff to be prepared and to actively participate in such a meeting.

While I realize that in the past, the Office of the Speaker has been reluctant to get involved in the affairs of a committee, in this case, I would suggest to you that if this is allowed to take place, a precedent will be set whereas the government of the day - whether it be this government or any other government - can call a standing committee's meeting with five minutes' notice. In my case, I got one minute's notice, officially, delivered to me by the Page to prepare for a meeting.

I would ask that you rule this meeting not take place this evening. We're more than happy to attend such a meeting tomorrow, which would be the normal procedure following the passage of a bill here in this House. To have the Committee on Law Amendments meet immediately after - within minutes, basically - of a bill being passed, I believe it sets a terrible precedent because there are many members of the public who wish to follow the proceedings of the Committee on Law Amendments on Bill No. 94.

Not only do I believe members are being denied that, I know that our other member of the committee is not present and is therefore unable to even receive notice this evening, so we need to find a replacement. As well, Nova Scotians who wish to follow these proceedings are not being granted the opportunity to follow the discussions that take place.

There's only you, Mr. Speaker, that can intervene in this matter; there is no other means for us to do so. The government has a majority on the committee, therefore our complaints there can easily be shut down. Therefore, I leave it to you and your office, for tonight, at least, while you review this ruling, to ask that that meeting not take place to give you time to adequately review this point of privilege as to whether a meeting with such short notice should be permitted to take place this evening.

MR. SPEAKER: Thank you. The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, I understand some of the argument that the member has made. The reality is that this has been discussed both formally and informally and both Parties knew that this is what the government was contemplating. Now, they're feigning indifference. They knew this was going to happen and I believe we're well within our right to call the meeting.

MR. SPEAKER: The honourable member for Argyle.

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, I too, at the last possible minute, got a notice. I know the Government House Leader is saying that we had prior notice of this but we did not. We were under the assumption that it would happen tomorrow.

This is happening at the last possible minute. This is a very difficult situation and I ask for your ruling on this.

MR. SPEAKER: I think that's a matter of utmost importance at this time so I think I'm going to take a short recess to consider my decision with my staff. Is that okay with all the members in here?

It is agreed.

Thank you, we will now take a short recess and I'll let the Whips know when I'm ready to come back.

[8:33 p.m. The House recessed.]

[9:24 p.m. The House reconvened.]

MR. SPEAKER: Order, please. I have advised the Whips that I am ready to make my ruling on the point of privilege raised.

SPEAKER'S RULING: Calling a Meeting of a Committee - Notice (Pt. of Privilege by Hon. M. Samson [Hansard p. 3201, 11/05/12]) Chair of an Assembly committee has the authority to call a meeting of the committee.

I have considered the point of privilege raised, and in the short time I have had to discuss this with the Clerks and the Legislative Counsel. I have come to the conclusion that the long-standing parliamentary principle that committees are masters of their own proceedings must prevail. The chair of an Assembly committee has the authority to call a meeting of the committee. The Speaker only ever becomes involved in the business of a committee upon receiving a report from the committee, in all but the most exceptional cases. The place for the member to raise this is in the Law Amendments Committee, which can then decide if it considers reasonable notice has been given or whether the meeting should be postponed for some reason.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, thank you for that ruling. Not to be misconstrued as maybe another Government House Leader and get my name known as the hammer, I hear the concerns of the Parties opposite. I would ask, then, would it be agreeable if we move the meeting to 10:00 a.m. tomorrow?

MR. SPEAKER: The honourable Opposition House Leader.

HON. MICHEL SAMSON: Mr. Speaker, we said all along that we would be pleased to meet tomorrow when appropriate notice could be given - not only to members and staff but certainly to Nova Scotians who have been following debate on this bill very closely.

Again, in light of your ruling, Mr. Speaker, just on the record, the dangerous precedent that we raise with you is that any government of the day could possibly give very short notice for committees, which I believe violates all of our rights as members and the rights of Nova Scotians to be aware of the business that takes place, which is the concern that was being raised to start off with. In light of the request made by the Government House Leader, we certainly would be agreeable to a meeting of the Law Amendments Committee tomorrow at 10:00 a.m.

Just for a point of clarification, Mr. Speaker: it was suggested that the meeting is simply an organizational meeting. If the Government House Leader could clarify that on the record, because as you know, when the Law Amendments Committee meets, typically if there are no presenters, or if there are no amendments, the bill can be sent back to the House without any further debate. So I think it's essential that we, as members of the House, be made aware if it is simply an organizational meeting, as well as members of the public, that they not be under the impression that this is when they should be coming to make presentations to the committee. Hopefully the Government House Leader can stand in his place and make that clarification for the House and for all Nova Scotians. Merci.

MR. SPEAKER: The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, as much as me being an honourable member of this House, I will give my word. It's in your ruling that the committees are unto themselves, but it certainly is our government's intention that this be a planning session only, and we'll go forward. So as an honourable member of this House, I give my word the best I can.

MR. SPEAKER: The honourable Progressive Conservative House Leader.

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, I thank you for your ruling at this late hour. I accept the comments from the Government House Leader to have that meeting tomorrow. As we said, tomorrow would be more than acceptable to give a reasonable amount of time for the committee to be prepared and to make sure that the House is prepared for it as well. So I accept the ruling that you've brought and thank the Government House Leader for his move.

MR. SPEAKER: Thank you. I trust that that resolves the matter. The committee will meet tomorrow at 10:00 a.m.

Now I will go back to the honourable member for Hants West - I think it was Bill No. 97.

[PUBLIC BILLS FOR SECOND READING

Bill No. 97 - Fairer Power Rates Act.]

MR. SPEAKER: The honourable member for Hants West.

MR. CHUCK PORTER: Thank you, Mr. Speaker, and we're back from that short interlude in the proceedings this evening. It feels like I started about an hour-plus ago, but that's all right. We've got a few things worked out here that needed to be done, and I appreciate that.

Mr. Speaker, I was talking about Bill No. 97, as you referred to - ensuring fair power rates in the Public Utilities Act, and how times are difficult for Nova Scotians. (Interruptions) If I could hear myself, that would be better, but anyway.

As I was saying, we try to find ways of making life better for Nova Scotians. Perhaps the intent of this bill was thinking they were doing just that, but there are a lot of things that are missed in this. We've talked a bit about that earlier on. Having an increase in 2013 and an increase in 2014 does nothing to bring anything in line with being fair. We cannot allow or call that fair. We should be looking at better ways to create energy at good prices in the long term. I spoke about the deal with Newfoundland and Labrador - that is something that we have no idea what it will cost at the end of the day. We see the ever-increasing budget for that project going up and not just by a small amount, it's going up considerably - already now over \$7 billion.

I'm not sure that that will ever happen and if it doesn't, what are the alternatives? We're just going to put years into this project, we're not going to think about alternative sources at all? When we come to large contributions of potential energy sources for the Province of Nova Scotia, how is that fair to ratepayers - large business, small business, everyday ratepayers?

People are struggling in this province to pay their power bills. We've talked about that a little bit as well and actually we've talked about it a lot in this place over the last year and more and how we need to find ways to make life better for Nova Scotians. This bill simply does not do that. It doesn't do it at all. We've put forward bills in this House about bonuses, we want to see bonuses eliminated from the ratepayers and why is it now the government thinks maybe that's an idea? What about the regional energy market choices that we could have? Can't talk about those bills, heaven forbid that we get an Opposition bill on the floor of this House and have a good discussion and even move it.

This bill will eventually get across to the Committee on Law Amendments and I hope that folks from every sector come in here, from everyday ratepayers and working-class folks, to people on fixed incomes like our seniors. When I ask them, I don't know how you're surviving, they say we're not surviving, we're existing. How are they going to sustain yet another increase or two in the year ahead? They're not going to do that easily, they're not getting those kinds of increases.

Everything else, as we know, continues to go up in price. From our food and our basic everyday needs - gas, you name it - the cost continues to rise for folks on fixed incomes, people who are low-income families, every day middle-class working families struggle to get by. What about single parents who are trying to make a living and working every day and maybe working 27 or 30 or some-odd number of hours a week - not necessarily full-time but on a permanent basis but not able to survive on that, not able to feed their families on that. These are the people we were talking about here in this House last week.

We've seen numbers in attendance go up at the food bank, as an example. These are not necessarily people who don't work for a living, but we know are going to the food bank; unfortunately for them, they have no other choice when it comes to putting food on the table for their families. Whether they be low-income families or single parents, they're still utilizing the food bank. We've seen those factual numbers go up. We know that times are difficult in this province, this is a province that pays high taxes - highest taxes in the country, as a matter of fact - and we're not seeing any relief from that. We see jobs being lost, creating even more difficulties.

We see businesses closing. We've seen other areas - I've mentioned Hantsport, which is an unfortunate circumstance but a sign of the times in that industry and they know that they are not going to be able to survive in the paper industry. I'm hopeful that a number of the stakeholders will come together, who are available to help these people out, will put together a plan that the Scotia Investments Group of Companies, as an example, might come to the table with some ideas about how they can diversify even more. They have multiple pieces and multiple different companies within their board and their overall company of the Scotia Investments Group of Companies. They employ a lot of people and have for many years and I hope that they're interested in coming to the table and having a conversation with stakeholders, with government, with maybe the power company as to how we can get good rates and sustain long-term businesses in Hants West and Hantsport and in all of Nova Scotia for that matter.

We want to make it clear that jobs are important, at least they are to the members on this side of the House and I think they are to all members. We have seen in this House, over the last few years, government stand up in their place and talk about their strategy for jobs, yet we're seeing jobs go away and not being created. Madam Speaker, we cannot sustain that in the Province of Nova Scotia any longer, we need to create jobs. What about our university grads and our NSCC grads that are coming out looking for work? They are

actually coming out looking for work, and they want to stay in Nova Scotia and work and the opportunities are few and far between. We see a lot of these folks who will make their way west, who will take jobs and travel back and forth, or some will just go and they will stay for a period of a couple of years or longer, or they'll make their homes and raise their families in the west, or in other areas where a future looks bright.

We have a lot to offer in this province yet we can't seem to get it going. To say that things have been stalled in Nova Scotia would be putting it mildly, Madam Speaker, because they have been. Job creation - 8,600 jobs in this province outside of Halifax lost. I know that others will dispute that number but the numbers are accurate. The reports come out, we know and we've seen it first-hand, hundreds at a time. I know in my area alone, Fundy Gypsum - 150 jobs, good-paying jobs, now 135 more. That directly impacts the town of Hantsport and surrounding area by almost 300 jobs. Can you imagine the impact that it is going to have for our area when the new year comes, for Hantsport directly and for the people working there?

They talk about some potential for jobs being transferred over to CKF; we're not sure how many. We hear the number 40, maybe, we're not sure. I know we're just early days on this. There will be a lot of work to get done between now and then. Maybe there will be other opportunities for some of these employees to move on to other parts of the company in other areas, still, being able to live and stay in Nova Scotia in the areas that they're living in now, Madam Speaker.

I spoke earlier about how this is really going to impact these families - not just individuals but families. Most of these people, I would suggest to you, all family people, are going to be in the unemployment line. What will their opportunities be? Well, there are some skilled tradespeople there and they're going to say well, maybe we have the opportunity to go and work somewhere else. There are other people there who will not have a skill or a trade, perhaps, skills but not trades. We're going to be able to re-educate them and get them back into the workforce to find jobs. What we do know for sure is that these people are going to see the EI line at the end of the year. They're also going to see an increase in the power bills that they're trying to make now, that they struggle with, and they're going to see it again the following January.

If this were about fairness, truly about fairness, Madam Speaker, we wouldn't be waiting to implement this ability for no more rate increases until 2015. The bill states in it, and I won't quote it all, ". . . prevents NSPI from being granted any further general rate increases, excluding an increase resulting from its existing application before the Nova Scotia Utility and Review Board, that take effect sooner than January 1, 2015 . . ."

Let's be clear, Madam Speaker, pending approval of the board means power rates will be going up again in 2013 and 2014. It doesn't do anything to help that. The current rate application before the board is for rate increases, we know what that is. There wouldn't be any others until 2015 anyway because we already have settled or are about to settle. A

decision is being made as we stand in our place here, about 2013 and 2014 and what that percentage of rate increase will be, but every time we've gone there's been an increase, unfortunately - 25 per cent increases in the last three years. We cannot sustain any more. The small business community can't sustain it.

What are we doing? We're talking about Newfoundland and Labrador, the deal that might happen or might not happen. We're not even looking at other alternatives that could be of value in the Province of Nova Scotia. People are facing hardships, Madam Speaker, we need to remember that. We're missing the point by waiting.

It's good to see the minister is listening a little bit - not necessarily as much as he should be - about getting these executive bonuses out of the rate base for good, it needs to come now, not in 2015, it needs to come now. He can sit there and poke a little fun at the whole debate. There's nobody sitting home trying to pay the power bill thinking there's anything funny about their power rates, not even close to that. They're wondering how they're going to make the next payment. Just think about the people heating their homes with electricity, what another 2 per cent or 3 per cent - it may sound like a small number, Madam Speaker, but actually when your bill is \$300 and \$400 and \$500 a month, it's quite a big number, one that they're struggling to make now.

I talked about a few minutes ago about executive salaries, about getting rid of them - they have to go. If they want to pay them, that's fine, but pay them out of their profit shares. Nothing wrong with that, no different than any other business. But, Madam Speaker, one of the things we have to remember is this bill is not fair at all. It's poor wording to name a bill what they've named it, it just does not add up. What does add up is that people are struggling to pay their bills; maybe we should have called it something more relative to that.

We need to do something and we need to do it sooner rather than later and not 2015, we need to do now. We have the opportunity standing in this House to move forward, to do the right thing, to get this bill over to Law Amendments Committee to make the necessary amendments that we know will come forward - at least I hope will come forward - from people who are listening. Where will the consumer advocate be? I hope to see them at this Law Amendments Committee to see what they are going to offer up for ideas, if anything. I'm sure there will be people from the large and small business community who will come forward. I'm sure the small business advocates will be here making their points known and talking about how tough it is today for small business to survive in the Province of Nova Scotia, let alone trying to become an entrepreneur or, as I said earlier, somebody even coming in.

We don't necessarily need people to come in; it's great when they do, but why would they? They are looking at Nova Scotia and going, no, unless you're going to hand me a bucket full of money, I'm really not interested in coming. That's how it is these days, or at least it appears from everybody you talk to, Madam Speaker, but I can tell you if we're

ever to grow our economy, we need to do it in a far different way than we're doing it now. High power rates will have nothing to do with helping to grow the economy. We need to focus on jobs in the economy. We need to focus on fair power rates for Nova Scotians and we need to do that now, not in 2015.

With those few words, Madam Speaker - I know it's getting late into the evening - I will finish up and take my seat. I believe there are other speakers so I will move on.

MADAM SPEAKER: The honourable member for Dartmouth East.

MR. ANDREW YOUNGER: I'm pleased to take a few minutes to speak to the bill before us, which is No. 97. I'll start with the most interesting thing that strikes me about this bill, Madam Speaker. On October 31st of last year, the very first day of the Fall session, the Liberal caucus introduced a bill called the Ratepayer Protection Act, of which two of the three provisions are included in this bill. For two sessions, the Minister of Energy and the Premier spoke against those provisions and I'll go through some of the things that they said about the very provisions that, in some cases, are almost word for word. Some of the clauses are almost some the exact same wording in the government's bill that were in our bill that the Premier and the Minister of Energy spoke against and we'll go through that Hansard maybe today if we have time, otherwise we'll do that tomorrow.

Why that is interesting is those two provisions in particular relate to the executive bonuses and also the issue of the spending reviews. Why that is significant, Madam Speaker, is that had that bill been past one year ago, when we introduced it in October 31st, those provisions would actually already be in place for this rate hearing that we're dealing with right now. Instead the Premier, the Energy Minister and a number of other members of the caucus spoke against it in debates and in Question Period and said those provisions were unnecessary, said they would be a cost to ratepayers.

In fact, the Minister of Energy in some of the quotes that I will go through said that doing so would increase rates. The Premier said that the Utility and Review Board already had the authority and now it turns out, once again, the Premier was wrong and has introduced legislation to correct that. In fact the Deputy Minister of Energy, during his briefing, noted that the reason for introducing it was very specifically because the URB does not have the authority to do the kind of reviews that this legalisation envisions, which was exactly what we said to the Premier for two sessions and the Premier insisted over and over and over again, as did the Minister of Energy, that indeed they did. We said they did not and it turns out they were wrong - just like they were wrong when it came forward at the Public Accounts Committee that we said, should Emera bring forth the Muskrat Falls project to the URB, the Utility and Review Board did not have the ability to review that project but, no, the Premier insisted for days that it did and then, finally, again, had to admit that he was wrong and his Energy Minister had to introduce legislation to correct that.

Sometimes the Premier and the minister would be better off doing research rather than reading their speaking notes from the communications department because had they asked people in the department, they would have told them that, in fact, the things that they were saying were inaccurate. Now, this is the second case, in two sessions, where the government has introduced legislation that they specifically went on the record and said was not needed.

The bill is interesting for another reason in that there is a third provision which provides that general rate applications can only occur at maximum once every two years, excluding the current one that's before us. I was there the night the Minister of Energy went to the Utility and Review Board and spoke and said, we are going to introduce this legislation and it was with great fanfare, and then had to walk out and admit that actually, it had nothing to do with this rate hearing, because it will have no impact on it. Well, that's all fine and dandy but it has very little impact.

When we look at what the impact of this legislation is, it's important to see what it actually says. It says there shall only be general rate applications, at most, once every two years. Now, granted, there was one this year and there was one last year. Before that it was three years before that. It's actually very rare for Nova Scotia Power to come forward with a general rate application because they come forward with the extraordinary hearings, the fuel adjustment hearings, and the Efficiency Nova Scotia hearings, all of which are excluded by this legislation.

I might add that, had the Minister of Energy actually attended some of the hearings, including this one, he would know that one of the major issues that stakeholders have been meeting about over the past six or eight months, and something which was the issue of a multiplicity of hearings, and of all the three caucuses, we were actually the only caucus to attend the hearing a couple of months ago or the meetings that the chairman called on this. One of the issues that was raised by all the interveners - the municipalities, the municipal utilities, the Avon Group, which is of course a group of industrial users; at the time it was NewPage Bowater, now it's Stern and Bowater, I assume they'll still retain the same counsel there - was that there are so many rate hearings now that everybody pretty much has to have their own lawyer on constant retainer to watch these things.

It was pointed out to me by a lawyer this morning who used to attend a lot of these hearings that if you go and read one of the more recent annual filings of Nova Scotia Power, it actually talks about the fact that one of their strategies has been to divide things up among multiple hearings. That's costly. It's costly to the individuals, the businesses and the various stakeholders, including the government, who choose to appear at the hearings but it's also costly to ratepayers because ratepayers pay for the costs of those hearings, but this bill specifically excludes things such as the fuel adjustment mechanism hearings and other things in that regard. So, we're still going to be faced with those costs. We are still going to be faced with all those hearings.

Let's just take a look today, you know, a lot of people look and say, oh, there's a hearing at the Utility and Review Board for Nova Scotia Power. That's true, but there are actually four of them underway at the moment, Mr. Speaker. There is the general rate application, which most people are focused on at the moment; there is the cost of servicing study application on at the moment, which is looking at the issue of whether different classes are being charged their fair share in the rate classes; there is the code of conduct hearing that is underway, which is trying to figure out how everybody deals with the fact that the government changed the rules so that Nova Scotia Power can now be a 49 per cent owner of independent power projects and yet has access to the confidential information of all their competitors - which is one of the reasons why they weren't supposed to be allowed to do that in the first place.

The government decided to change the rules and let them do that at the same time that they're evaluating confidential information. You have to wonder, then, how they went and won all the power purchase agreements. Well, it's no wonder when they have a leg up and they know the system better than anybody else. They know what the access to the system is, they know what the other bids are. The code of conduct is trying to deal with that issue.

I don't think for a second that the folks at Nova Scotia Power are sitting there reading the other applications and bidding \$1 less. I don't think that's what's going on, but it's still some of the same people who become involved, and they just inherently know, because they're involved in the applications, what everybody is bidding.

The fourth one is the fuel adjustment mechanism hearing, which may or may not actually happen to a hearing stage, depending on whether the settlement agreement is approved at the board. The filings are underway at the moment, and their date scheduled. That's on top of the demand-side management hearing, which is also going on. Between Nova Scotia Power and Efficiency Nova Scotia, there are five hearings underway at the moment, all of which impact the power rates of Nova Scotians.

The legislation that the minister has proposed doesn't deal with any of those. In fact, if you look at the application that Nova Scotia Power has before it, it's almost like that section of the legislation has been written based on the application that Nova Scotia Power made. Nova Scotia Power went in and said, we want to do multiple-year hearings; we want to do this every two years rather than every year - that's what the government put in the legislation - we want to still be able to do the fuel adjustment mechanism, despite the fact that the Liberty audit and some of the interveners have suggested that the fuel adjustment mechanism should probably be suspended beyond the suspension that's already included in the rate application.

In each one of those cases, the government has almost taken what Nova Scotia Power is asking the board for in their settlement agreement and said, we're going to legislate that. I don't think that's what Nova Scotians expected.

Then we look at another issue. On the night the minister went and said they were going to limit the salaries to the civil service, one of the issues I raised that night was, that sounds really good, but if they just limit it to the civil service, that doesn't solve the problem. The example I used was that you have a wide range of salaries, because you have medical professionals such as the chief medical examiner and so forth. Wasn't it interesting that when the final bill came out and the final briefing came out, those were the exact words they used. The exact words were, we recognize that's an issue and we're going to deal with that.

Obviously we're glad they realized that's an issue, but that's the problem. They're having legislation and bills and things like this and their commentary in Question Period written by communication staff rather than the people who actually know what's going on. That's why you end up having an Energy Minister and a Premier stand up and insist - for a year, no less - that the board has powers that it turns out it doesn't, and now they have to bring in legislation to give them that power - stand up for a year and talk about how - there will be no benefit to removing bonuses because they are already doing that out of the goodness of their heart. You had two Opposition Parties introduce legislation on the same day that included that. Yes, there were differences between the legislation that the two Opposition Parties introduced, but that was one of the common things between them both on that day.

Mr. Speaker, it just doesn't make any sense that now it's like oh, no, no - in fact the other day, in Question Period, the Premier was still saying oh no, no, we're just introducing the legislation, they still have that power. Well of course they don't; I mean that's ridiculous. The reason the government is introducing the legislation is because they don't have the power; I mean everybody recognizes that. Why is it so difficult to stand there and just say listen, do you know what? We realize they don't, we're correcting it. Fine, everybody goes about and moves along.

Here's the problem - you know obviously there are two parts to this bill that exactly, almost exactly, mirror what was in the Ratepayers Protection Bill that we introduced. So, obviously, we're very supportive of that. Now that the government, in their final draft of this legislation, has corrected the issue around the salaries so that it doesn't allow it to actually cap out at higher than what they're paying now, that they've corrected that issue that we raised when the hearing was on, that part makes a lot of sense, too; that's good.

I look at the last part and go, why is the other part even in there? That's what Nova Scotia Power was asking for. They stood at the hearing, in their opening statement, almost like the day before the minister spoke and said that. Then the minister came in and said this is what we're introducing, which is exactly what they had asked for the day before. No wonder they're not jumping up and down, screaming and yelling about the bill, because you're legislating what they asked for.

There are some serious issues around electricity and the impact that that has - I know we're running down on time now, Mr. Speaker, another minute or so - a minute? Yes.

Some of the things I'd like to go through tomorrow, seeing there has been a lot of argument about does Nova Scotia have the highest power rates or does it have the second highest power - I always find it funny when somebody says, their argument is that we don't have the highest power rates, we have the second highest power rates. Well that makes me feel so much better.

You know there is ample evidence to show that we now have the highest power rates in Canada. The most recent one was the Vital Signs Report that came out a few weeks ago that, again, showed we had the highest power rates in the country. That's a problem. There is a problem when you have the power rates impact the cost of doing business in the province; there's a trickle-down cost that makes goods cost more. So you need to address that. Rates have gone up more in the past three years than in any three-year period under any other government in Nova Scotia.

Mr. Speaker, I will continue my remarks tomorrow, or whenever the bill is called again, so I will adjourn debate at this time.

MR. SPEAKER: The motion is to adjourn the debate. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The honourable Government House Leader.

HON. FRANK CORBETT: Mr. Speaker, that concludes the business of the government for today. I move that the House do now rise, to meet tomorrow from the hour of 2:00 p.m. to 6:00 p.m.

After the daily routine, and Question Period, we'll be calling Bill Nos. 97, 102, 105, 107, 109, 111, 112, 114, 115 and, if time allows, we may even call Address in Reply to the Speech from the Throne.

MR. SPEAKER: The motion is that the House do now rise, to meet again tomorrow at 2:00 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.

[The House rose at 10:00 p.m.]

NOTICES OF MOTION UNDER RULE 32(3)**RESOLUTION NO. 1745**

By: Mr. Chuck Porter (Hants West)

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

Whereas upon gaining approval from the Town of Hantsport's cemetery committee and the Hantsport and Area Historical Society, Riverbank Cemetery manager Doug Symonds and Hantsport resident Jane Haliburton have undertaken to plot out a memorial garden in the cemetery; and

Whereas the memorial garden is proposed to have an honorary plaque with a list of approximately 80 names belonging to individuals now deceased and resting in the cemetery; and

Whereas local gardener Rose-Marie Staratt has volunteered her time to draft a design of what the garden could eventually look like;

Therefore be it resolved that all members of this House of Assembly commend the efforts of Doug, Jane, Rose, and the group of volunteers honouring those individuals buried in the Riverbank cemetery.

RESOLUTION NO. 1746

By: Mr. Chuck Porter (Hants West)

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

Whereas the 2012 Eastern Canadian Bantam Fastpitch Softball Championship Tournament was held in late August in St. Croix; and

Whereas significant volunteer work that involved a number of long hours was put in by numerous individuals, but the bulk of the work was undertaken by organizing committee members Tony and Darlene Meehan, Andrew Harvey, Barry Thorne, John Shanks, and Casey Palmer; and

Whereas the tournament featured three teams from Nova Scotia, including the host West Hants Thunder, along with teams from New Brunswick, Newfoundland, and Quebec, and two from Ontario;

Therefore be it resolved that all members of this House of Assembly applaud Tony and Darlene, Andrew, Barry, John, and Casey for their outstanding work during the four days of softball and making sure there were no bumps in the road leading to the championship game that featured two Ontario teams.

RESOLUTION NO. 1747

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 the Church Mouse Players drama group from the Oxford Church of the Nazarene is preparing for its annual Fall dinner theatre, a production called “A Good Old-Fashioned Redneck Country Christmas”; and

Whereas every year the Church Mouse Players donate proceeds from pop sales and donations to a worthy charity, with this year’s proceeds going to Teen Challenge, a 12-month faith-based residential drug and alcohol rehabilitation program that is part of a network of over 15 Teen Challenge centres across Canada and more than 1,000 worldwide; and

Whereas over the past few months the Church Mouse Players have donated to Oxford Pine Grove Cemetery, Cumberland County Exhibition, Big Lake Camp Sports Equipment, Miranda Casey’s work and witness trip to Malawi, and a new sound system for the Fellowship Hall;

Therefore be it resolved that all members of this House of Assembly congratulate the Church Mouse Players drama group on the important contributions they make to the community and wish them continued success in the future.

RESOLUTION NO. 1748

By: Mr. Chuck Porter (Hants West)

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

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

Whereas Roberto O’Dogherty, of Windsor, was recently recognized as a Bronze Award achiever after completing the required activities for the bronze level; and

Whereas the goal of the award is to encourage young people's participation in activities that they already enjoy and others they have yet to experience in a non-competitive and fun environment;

Therefore be it resolved that all members of this House of Assembly congratulate Roberto O'Dogherty on being a Bronze Award achiever and wish him all the best in his future.

RESOLUTION NO. 1749

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 the popularity of soccer continues to grow across Nova Scotia with more and more boys and girls and young men and women joining and enjoying the benefits of physical activity, friendship and team sport; and

Whereas Cole Harbour is known for its strong sports teams and organizations, including its soccer teams, like the Cole Harbour Under 16 Girls 2A team; and

Whereas this year that team, led by coach Paul Brown, won a silver medal at the Nova Scotia Tier 2 Soccer Provincial Championships in Bridgewater on September 1st and 2nd;

Therefore be it resolved that the members of the Legislature congratulate the coaches and players of the Cole Harbour Under 16 2A team on their second place finish and for their commitment to a healthy, active lifestyle, and let's wish them all the best in their future sports careers.

RESOLUTION NO. 1750

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 the Wentworth International Hostel is celebrating its 50th anniversary this November; and

Whereas built by the Barclay family and once the home and business site of Joshua Livingston, one-time MLA for the area, the stately country home was bought by the Nova

Scotia Region of the Canadian Hostelling Association in 1962 to be used as a base for outdoor activities for hostellers and others; and

Whereas thousands of guests from all corners of the world have been welcomed to this wonderful facility, which currently has 23 beds for travelers and guests;

Therefore be it resolved that all members of this House of Assembly congratulate the Wentworth International Hostel on its 50th anniversary and wish them many more successful years.

RESOLUTION NO. 1751

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 November is Diabetes Awareness Month in Canada; and

Whereas the Canadian Diabetes Association has predicted that by 2020 more than 125,000 Nova Scotians will be affected by this disease; and

Whereas Diabetes Awareness Month promotes education about the disease and encourages people to get involved in the fight toward finding a cure;

Therefore be it resolved that all members of this House of Assembly recognize November as Diabetes Awareness Month and thank the many volunteers whose tireless work will help us move forward and support those living with diabetes.

RESOLUTION NO. 1752

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 November is CPR Awareness Month; and

Whereas when in need, cardiopulmonary resuscitation can save a person's life while they are awaiting emergency medical care; and

Whereas organizations across the country take this time to encourage Canadians to get the necessary training to save lives;

Therefore be it resolved that all members of this House of Assembly encourage Nova Scotians to get CPR training so more people might benefit from this life-saving procedure.

RESOLUTION NO. 1753

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 November is Crohn's and Colitis Awareness Month; and

Whereas one in 160 Canadians is living with Crohn's and colitis; and

Whereas Crohn's and Colitis Awareness Month is a time to educate people on the seriousness of inflammatory bowel diseases and encourage them to share their stories so we can move forward with better treatment initiatives;

Therefore be it resolved that all members of this House of Assembly recognize November as Crohn's and Colitis Awareness Month and thank the Crohn's and Colitis Foundation of Canada for the wonderful volunteer work they do.

RESOLUTION NO. 1754

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 November is Osteoporosis Month; and

Whereas Canadians are at a far higher risk of suffering a major fracture from osteoporosis, which affects a growing percentage of our population; and

Whereas Osteoporosis Month is the time to raise awareness about the risks and realities of osteoporosis and encourage Nova Scotians to observe prevention initiatives and treatments;

Therefore be it resolved that all members of this House of Assembly recognize this month as Osteoporosis Month and urge everyone to exercise caution as we get closer to the winter season.

RESOLUTION NO. 1755

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 November is Lung Cancer Awareness Month; and

Whereas events are held across the country to educate people on the importance of prevention and early diagnosis; and

Whereas Lung Cancer Canada has helped organize events nation-wide to raise awareness about the realities of this disease and encourage support for more research into a cure;

Therefore be it resolved that all members of this House of Assembly encourage all Nova Scotians to educate themselves on ways to prevent lung cancer and thank all the volunteers for their participation.