



House of Assembly
Nova Scotia

DEBATES AND PROCEEDINGS

Speaker: Honourable Keith Bain

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First Session

THURSDAY, OCTOBER 12, 2023

TABLE OF CONTENTS	PAGE
ELECTION OF HON. KARLA MACFARLANE AS SPEAKER, The Clerk	6026
TABLING REPORTS, REGULATIONS AND OTHER PAPERS:	
Point of Order,	
E. Smith-McCrossin.....	6030
STATEMENTS BY MINISTERS:	
Hamas Attack: Support for Israel - Recog.,	
The Premier.....	6030
Hon. Z. Churchill	6031
C. Chender	6031
First Responders: Help During Wildfires - Recog.,	
The Premier.....	6032
Hon. Z. Churchill	6033
C. Chender	6033
GOVERNMENT NOTICES OF MOTION:	
Res. 699, First Responders: Support During Wildfires - Recog.,	
Hon. T. Rushton.....	6035
Vote - Affirmative.....	6036

INTRODUCTION OF BILLS:

No. 319, An Act Respecting a Memorial Day to Honour First Responders, The Premier.....	6036
No. 320, An Act to Amend Chapter 9 of the Acts of 2019, the Tourist Accommodations Registration Act, Hon. J. Lohr	6036
No. 321, An Act Respecting the Conseil scolaire acadien provincial, Hon. B. Druhan	6036
No. 322, An Act to Amend Chapter 4 of the Acts of 2020, the Opioid Damages and Health-care Costs Recovery Act, Hon. M. Thompson.....	6036
No. 323, An Act to Provide a Common Legislative Foundation for Regulated Health Professions, Hon. M. Thompson.....	6036
No. 324, An Act to Reduce the Qualifying Threshold for the Canada-Nova Scotia Targeted Rent Supplement Program, Hon. Z. Churchill	6037
No. 325, An Act Respecting Enforcement of the Residential Tenancies Act, C. Chender	6037
No. 326, An Act to Amend Chapter 401 of the Revised Statutes, 1989, the Residential Tenancies Act, Respecting Administration and Enforcement, Hon. Z. Churchill	6037
No. 327, An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act, Hon. K. Masland.....	6037
No. 328, An Act Respecting Municipal Housing Targets, B. Clark.....	6037
No. 329, An Act to Amend Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, and Chapter 21 of the Acts of 2021, the Housing in the Halifax Regional Municipality Act, Respecting Housing, Hon. J. Lohr	6037
No. 330, An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, to Empower Municipalities to Tax Vacant Properties, C. Chender	6037
No. 331, An Act Respecting a Suicide Prevention Strategy, L. Lachance.....	6037

NOTICES OF MOTION:

Res. 700, Mbr. for Clayton Park West: Virt. Partic. - Approve, Hon. D. Mombourquette.....	6037
Vote - Affirmative.....	6038

POINT OF ORDER.....6038

ORAL QUESTIONS PUT BY MEMBERS TO MINISTERS:

No. 1,101, Prem.: Shelters Before Winter - Provide, Hon. Z. Churchill	6045
--	------

No. 1,102, Prem.: Affordable Housing for Renters - Protect, C. Chender	6047
No. 1,103, MAH: Lack of Housing Strategy - Explain, Hon. Z. Churchill	6048
No. 1,104, RTA: Enforcement Division - Create, B. Clark	6050
No. 1,105, MAH: Home Ownership Help - Provide, B. Clark	6051
No. 1,106, MAH: Affordable Housing - Protect, S. Leblanc	6052
No. 1,107, DCS: More Shelters in CBRM - Commit, Hon. D. Mombourquette	6053
No. 1,108, MAH: Affordable Housing for Youth - Act, L. Nicoll	6054
No. 1,109, MAH: Rent Supplement Program Changes - Explain, Hon. B. Maguire	6056
No. 1,110, DOJ: NDA Ban Refusal - Explain, S. Hansen	6057
No. 1,111, DOJ: NDA Ban Refusal - Explain, Hon. Z. Churchill	6058
No. 1,112, DOJ: NDAs Allowed in Province - Explain, Hon. Z. Churchill	6058
No. 1,113, DOJ: NDA Ban Refusal - Explain, Hon. K. Regan.....	6059
No. 1,114, DOJ: NDA Ban Refusal - Explain, C. Chender	6060
ADJOURNMENT, House rose to meet again on Friday, Oct. 13 th at 9:00 a.m.	6061



House of Assembly
Nova Scotia

HALIFAX, WEDNESDAY, OCTOBER 12, 2023

Sixty-fourth General Assembly

First Session

1:00 P.M.

SPEAKER

Hon. Keith Bain

DEPUTY SPEAKERS

Lisa Lachance, Kent Smith, Danielle Barkhouse, Nolan Young

THE SPEAKER: Order, please. Before we begin with the Daily Routine, there are a couple other items of business that have to be looked after. First of all, I recognize the honourable Premier who will present to the House the newly elected member for Preston. (Standing ovation)

HON. TIM HOUSTON (The Premier): Speaker, I present to you the honourable Twila Grosse, the member for the electoral district of Preston. She has taken the oath, signed the rolls, and now claims the right to take her seat.

THE SPEAKER: Let the honourable member take her seat. (Standing ovation)

Indeed, welcome. You really don't know what you're in for, but it's fun. (Laughter)
It's fun.

Another thing that I'd like to do - and it gives me the great honour of doing - would be to draw the members' attention to the Speaker's Gallery for an introduction of some very special guests. I met with the guests this morning, and we're pleased to see them here in the Legislature this afternoon.

Today we are joined by Angus Robertson MSP, Scotland's Cabinet Secretary for Constitution, External Affairs, and Culture, accompanied by his private secretary, Andrew McDivitt. I'm going to ask that as I call their names, they please stand.

John Devine, head of Scottish Affairs for Canada at the Scottish Government Office in Canada, accompanied by Lesley Gray, Stuart Adam, and Sabryna Lemieux, also of Scottish Affairs at the Scottish Government Office in Canada.

It is my pleasure to welcome you on behalf of all members of the Nova Scotia House of Assembly. Thank you for coming to visit. Please stand and recognize the warm welcome of the House. (Standing ovation)

Once again, welcome. Now comes the hard part. The easy part's over. As most of you are aware, I'm going to be stepping down as Speaker of the Nova Scotia Legislature this afternoon. I've given it a lot of consideration over time, and I've even spoken to the media about it. I'm going to be 71 years old on October 24th. (Applause) I may be resigning as Speaker of this House, but I still have two more years to go on my mandate. (Applause) I have a commitment to my constituents that I'm going to honour, God willing. With that, I hereby resign as Speaker of the Nova Scotia House of Assembly, and I ask the member for Shelburne to assume the role of Deputy Speaker. (Standing ovation)

THE SPEAKER: I will now accept nominations for candidates for election of the Speaker of the House of Assembly.

The honourable Premier.

THE PREMIER: Speaker, I nominate the member for Pictou West for election as the Speaker of this House of Assembly.

THE SPEAKER: Does the honourable member accept this nomination?

HON. KARLA MACFARLANE: Yes, I do.

THE SPEAKER: Are there any further nominations?

The honourable member for Dartmouth North.

SUSAN LEBLANC: Speaker, I hereby nominate the honourable member for Halifax Citadel-Sable Island to be Speaker.

THE SPEAKER: Does the honourable member accept the nomination?

LISA LACHANCE: Yes, I do.

THE SPEAKER: Are there any further nominations? Seeing none, I'll ask the Chief Clerk to conduct a vote for the election of the Speaker.

THE CLERK: Thank you. We'll just take a very brief recess to set up for the vote for the new Speaker. Thank you.

[1:11 p.m. The House recessed.]

[1:18 p.m. The House reconvened.]

THE CLERK: We will now begin with the vote.

[1:18 p.m. The House recessed.]

[1:38 p.m. The House reconvened.]

THE CLERK: Please return to the Chamber. The Clerks and I will go to the Clerk's Office with the House Leaders to count the ballots, and we will return to announce the winner of the election. Thank you. We'll take a brief recess.

[1:39 p.m. The House recessed.]

[1:49 p.m. The House reconvened.]

THE SPEAKER: Order. I recognize the Chief Clerk.

THE CLERK: We have conducted the election, and we do have one candidate who received a clear majority of votes. I declare the member for Pictou West elected the new Speaker of the House. (Standing ovation)

THE SPEAKER: Thank you to the honourable members of the House of Assembly. I thank the House for this tremendous, great honour that you have bestowed upon me. I promise I will do my very best to uphold the prestige and high tradition of the Speaker's Office.

I respectfully ask the assistance, of course, and co-operation of all members. I know that we have a busy agenda here today, and when we begin the House routine later, I will comment further. Right now, I know that we have people waiting, so I believe for now I just want to say thank you to everyone. This is a great honour, and I will continue my remarks later. (Applause)

Let His Honour be admitted.

SERGEANT-AT-ARMS: His Honour the Lieutenant Governor. Please rise.

[The Lieutenant Governor, the Honourable Arthur J. LeBlanc, preceded by his escorts and the Sergeant-at-Arms, bearing the Mace, entered the House of Assembly Chamber. The Lieutenant Governor then took his seat on the Throne.

The Sergeant-at-Arms then departed and re-entered the Chamber, followed by the Speaker, the Honourable Karla MacFarlane; the Chief Clerk of the House, James Charlton; and the Assistant Clerks.

The Speaker, with the Sergeant-at-Arms on her right and the Clerks on either side, took up her position at the foot of the Speaker's Table.]

SERGEANT-AT-ARMS: It is the wish of His Honour the Lieutenant Governor that everyone present be seated.

THE PREMIER: May it please Your Honour that the House of Assembly, agreeable to Your Honour's command, has proceeded to the choice of a Speaker and has elected Karla MacFarlane, member of the electoral district of Pictou West, to that Office. By its direction, I present her for the approbation of Your Honour.

THE LIEUTENANT GOVERNOR: I approve of the Speaker whom the House of Assembly has chosen.

THE SPEAKER: Your Honour's ready approval of the choice with which I have been honoured by the House, having constituted me in due form, Speaker of the House of Assembly, it has now become my duty, in the name of the representatives of His Majesty's loyal subjects, the people of the province, respectfully to demand all their accustomed rights and privileges, and that they shall have freedom of speech in their debates, that they may be free from arrest during their attendance in Parliament, and that I, as their Speaker, may have free access to Your Honour's person.

THE LIEUTENANT GOVERNOR: I most cheerfully grant your request.

[The Speaker and the Clerks left the Chamber.]

SERGEANT-AT-ARMS: All rise.

[The Lieutenant Governor and his escorts left the Chamber preceded by the Sergeant-at-Arms.

The Speaker took the Chair.]

[Applause]

[2:00 p.m.]

THE SPEAKER: Order. I would like to let everyone know that after I make a few comments, we are going to begin Question Period immediately, just to give everyone a heads-up.

I did want to say today that it's a real privilege. I'm really nervous, but my father always said: If you're not nervous, you're not ready. The reality is that being in this position comes with great responsibility, and I take it very seriously. I've had the privilege to be in the Chamber for 10 years and have watched many members of this House, and I have learned a lot. It has brought me what I consider a lot of wisdom.

I do want to obviously thank the Premier for nominating me and entrusting me to be in this role. As well, I think that today is a day for all Nova Scotians of all genders to be able to see themselves in this role. That certainly has been something that I have always wanted to achieve - to ensure that anyone coming behind me can see themselves in this position.

I feel very excited to be able to be in this position. For me to be here today, I know that there's so much support within this Chamber, as well as outside the Chamber. I must say a big thank you to the past Speaker for his dedication. They're big, jovial, and fair shoes to fill. (Applause) You've been a great friend and mentor for the last 10 years. I consider myself to be very, very lucky to call you a good friend. Thank you again for all your work.

Today is a busy day for all of you. Many of you have friends and family here. I don't have my family here today. It seemed to be a little bit chaotic to bring them in today, even though we are making history. I'm always reminded by my father to remain humble, and as he said, there's no sense coming down the first day. Nothing's sure yet. (Laughter) I said, Okay, I'll have you down next week. I look forward to having my friends, family, staff, and everyone here next week when I can give them an opportunity to meet all of you.

We all know there's a force behind each and every one of us for our accomplishments. We all know that success is plural. It's not singular. Today is a good day for all Nova Scotians. I want to just welcome everyone who's in the gallery for being here today. It's a day, I hope, that we will all remember.

I'll just finish off with a little meme that was sent to me before I came in here. It was basically just saying, Watch out, everyone, get your shoes on, because the floor is full of glass. (Applause)

The honourable Government House Leader.

HON. KIM MASLAND: Thank you, Speaker. Certainly, the floor is full of class with you at our Chair. This is a historic day, and we're so proud to have you as the Speaker of this House. I now ask for unanimous consent of the House to revert back to the Daily Routine.

THE SPEAKER: The honourable Government House Leader.

HON. KIM MASLAND: Let's do this again. I ask for unanimous consent of the House to revert back to the Daily Routine until after Notices of Motion.

THE SPEAKER: Is it agreed?

It is agreed.

Order. We will begin the Daily Routine, as we see things really change quickly around here.

PRESENTING AND READING PETITIONS

PRESENTING REPORTS OF COMMITTEES

TABLING REPORTS, REGULATIONS AND OTHER PAPERS

THE SPEAKER: The honourable member for Cumberland North.

ELIZABETH SMITH-MCCROSSIN: Speaker, I would like to table a point of order.

THE SPEAKER: The paper is tabled.

STATEMENTS BY MINISTERS

THE SPEAKER: The honourable Premier.

HON. TIM HOUSTON (The Premier): Speaker, I rise today to make a simple statement. The PC Party stands with Israel. We condemn in the strongest possible terms the horrifying acts of terror Hamas visited upon Israel beginning on Saturday. Not since the Holocaust has there been such a large number of Jews killed in a single day - babies, grandparents, Holocaust survivors, peace activists - all murdered in senseless acts of unimaginable terror, three of them Canadians.

We were horrified to learn of the hundreds of Israelis who were murdered, raped, and abducted. We were shocked by the stories of bodies of murdered civilians being

paraded through the streets - morbid trophies robbed of their dignity. The actions of Hamas terrorists were brutal, sickening, heartbreaking, and completely unacceptable.

Speaker, in these dark times, we must cling to the belief that good will triumph over evil, that terror will not prevail, and that the resilient Israeli people will overcome these challenges as they have so many other times.

THE SPEAKER: The honourable Leader of the Official Opposition.

HON. ZACH CHURCHILL: Thank you very much, Speaker, and congratulations on your election to the Chair.

I would like to thank the Premier for his comments and for providing those to our caucus in advance. I would also like to stand and condemn the actions that took place in Israel. Thousands of people in Israel awoke to devastating acts of terrorism this past weekend. We fully condemn the actions of terrorist groups such as Hamas and violent acts against the Jewish people.

We know so many Nova Scotians were personally impacted by these terrible events, and our heart goes out to the victims abroad, and their families and friends here in Nova Scotia. We in our caucus certainly stand with the victims, and stand with the State of Israel against these acts of terror. We stand firmly committed to the ultimate goal of peace, safety, and security in Israel and the Middle East.

THE SPEAKER: The honourable Leader of the New Democratic Party.

CLAUDIA CHENDER: The Nova Scotia NDP caucus condemns the brutal and terrifying attacks by Hamas in Israel last Saturday. We stand with all Nova Scotians and those around the world who are grieving and worried for their friends and family in the region.

The violence visited upon innocent civilians in the last number of days is heartbreaking and horrifying. Deadly and targeted attacks on any civilians are never justified. Terrorism and violence against civilians is unacceptable, and we mourn the lives lost. We will continue to resist and work actively to address the rising tone of hate, anti-Semitism, and Islamophobia we've seen around the globe following these attacks.

As leaders in Nova Scotia, in times like these, we must act with compassion and empathy. Having spoken with many people, with loved ones in the region, and as a grandchild of Holocaust survivors with family ties to the region, I can attest that the trauma experienced by people here at home is real and acute.

The world must stand firm and focused on ending the cycle of violence and ensuring the safe relief of hostages.

THE SPEAKER: The honourable Premier.

THE PREMIER: Speaker, since we last met here at Province House, Nova Scotians have endured natural disasters that reminded us of the overwhelming power of nature, but we are also reminded of the strength, humanity, and extraordinary resilience of Nova Scotians.

At the end of May, unprecedented wildfires swept through Tantallon and Barrington Lake. Twenty-two thousand people were displaced, 219 homes were destroyed, and 141 homes were damaged. Just two months later, severe thunderstorms in July brought more than 250 millimetres of rain to the hardest-hit parts of the province, causing damage to roads, homes, and bridges, and the tragic loss of four souls. Then, only two months after the floods, post-tropical storm Lee made landfall in our province, bringing high winds and rain and destruction with it.

For thousands of Nova Scotians, the last six months have been filled with uncertainty and, often, fear. But through it all, we could count on one group of people to be there when we needed them to make things a little less frightening. Of course, I'm talking about our first responders. I had the incredible privilege of shaking hands with many of these heroes, looking them in the eye, and thanking them for everything that they were doing to help their fellow Nova Scotians. It was an honour that meant a lot to me. Speaker, it's difficult to think of a time when I was more proud than spending time with our first responders in these instances.

Our first responders worked long hours in the most difficult conditions. They risked their own lives to save others, and in many cases, while they worked, their own homes were being threatened and their families were being displaced. It takes a very special kind of person to be a first responder, and in Nova Scotia, we are blessed to have thousands of them. I thank God every day for that.

First responders are there for us during huge events like fires, floods, and hurricanes, but we also count on them to be there when we need them every day, every night. I know they do what they do because of their compassion and their drive to help other people. They certainly don't do it for praise or recognition, but they deserve our highest praise, our most sincere respect, and our deepest gratitude.

During this Fall sitting of the Legislature, I ask members to join me in saluting Nova Scotia's first responders with special recognition. That recognition will take many forms, but in the end, it comes down to one thing: Our first responders are everyday heroes who do extraordinary things. They put others before themselves, and they run toward danger when others run away.

Today and every day, I extend my heartfelt thanks to each and every one of them.

[2:15 p.m.]

THE SPEAKER: The honourable Leader of the Official Opposition.

HON. ZACH CHURCHILL: Thank you so much, Speaker. I'd like to thank the Premier for his comments and providing a copy in advance. I'm also very appreciative of the opportunity to stand and rise in my place to take a moment to recognize the bravery and sacrifice of our first responders, who courageously responded to Hurricane Fiona, post-tropical storm Lee, the largest wildfires in our province's history that blazed across our province, and also who responded to the overwhelming and tragic floods that impacted the lives of many in Nova Scotia.

I do want to take a moment to recognize the victims of these horrific events and express our thoughts, condolences, and best wishes to them and their families. Our thoughts, of course, remain with the families who lost loved ones in Windsor, as well as those who lost their homes in Tantallon and Shelburne County and who are now trying to build back their lives.

Our first responders in this province risk their own lives to save others constantly, and we are forever grateful for them and the bravery they have and continue to show. I also had the great honour of visiting the headquarters of some of our first responders who were particularly fighting the blazes in Shelburne County. As representatives and leaders, we owe it to Nova Scotians to work to ensure that our emergency systems are empowered and first responders have additional resources and assets required to do their jobs safely, and to maximize the opportunity for a successful outcome.

Finally, I want to thank all Nova Scotians who stepped up and helped their community during these very difficult times. Once again, during these times of great tragedy and loss, the people of this province show up and help their communities, whether it's getting clothed, getting fed, or standing behind our first responders. A great testament to the work - I know in my part of the province - of our first responders and our firefighters: when you're driving up Highway No. 103, you'll see acres and acres of scorched earth, trees that are burned down, but you see houses still standing. That is a result of our firefighters, who stood by those houses and protected them during what was a really terrifying and overwhelming situation. For that I thank them. (Applause)

THE SPEAKER: The honourable Leader of the New Democratic Party.

CLAUDIA CHENDER: Muhammad Ali once said: Service to others is the rent you pay for your room here on earth. There are some people who pay that rent twice, and then over and over again. Those are, of course, our first responders. This year has been terrifying for our province, as has been said, and first responders have again and again risen to the challenge.

Thousands of Nova Scotians and communities have stepped up to help, oftentimes putting themselves in harm's way. These are the Nova Scotians on the front lines of wildfires, floods, emergency departments. They are the people driving the ambulances, the fire trucks, standing at bedsides, paramedics, nurses, search and rescue, volunteer and career firefighters, police officers, and others. There were also, as has been said, so many neighbours and community members who banded together in these times to cook, clean up, knock on doors, and respond in their own ways to support their communities and to support their first responders, and they all continue to respond because that's what they do.

It's imperative to recognize and thank them for what they are, and that is heroes. I appreciate the opportunity to do so. We also need to put actions behind those recognitions and those thanks. Based on my conversations with first responders across the province, they don't actually care about recognition. What they want to be is safe, equipped, and able to do the work that they put themselves in harm's way to do. They want job protection, they want appropriate benefits, they want appropriate support, they want health and safety protections, they want to be supported in the work that they do for us.

These kinds of weather events are going to continue. Climate change is real, and just as they always have, first responders will be there to get us through. For that, today and every day, we thank them, and we honour them. (Applause)

GOVERNMENT NOTICES OF MOTION

THE SPEAKER: The honourable Minister of Natural Resources and Renewables.

HON. TORY RUSHTON: Thank you very much, and congratulations, Speaker. It's an honour. It's a wonderful day here to celebrate.

I beg leave to make some introductions before my motion.

THE SPEAKER: Granted.

TORY RUSHTON: I'd like to draw the members' attention to the Speaker's Gallery. Joined with us here today are some familiar faces that we all got to know over two, two and a half weeks in May and June.

Every day at 3:00 p.m., we had Scott and the Daves show up on our television, and it was a little bit of a running joke within the department that - does anybody remember The Kids in the Hall? Well, these are the Daves I know. They did a fantastic job of keeping us informed and keeping us protected. Before I read my motion, I'd like to recognize, first and foremost, Scott Tingley, our manager for Forest Protection. Would you take a stand? (Applause)

At each scene, we had public information officers Dave Rockwood in Shelburne and Dave Steeves at the Tantallon fire. Also at each fire, we had incident commanders taking the role and leading the fight with all the other responders. James MacKinnon served in that role in Shelburne. (Applause) Of course, if you are familiar with any emergency services, this name comes as no surprise. He served as the incident commander for Tantallon and then put his services toward the fires in Shelburne - Paul Schnurr. (Applause) Back at our home base, the whole team is led by somebody in Shubenacadie by the name of Jim Rudderham, who kept everything together, and I recognize it. (Applause)

Also, before I do read this Notice of Motion, we had a co-op student at our department who had a unique experience to work with the wildfires during some of the Summer. That person is a public relations student at Mount Saint Vincent University. Emma is here with us today and thank you for preparing this Notice of Motion, Emma. (Applause)

THE SPEAKER: The honourable Minister of Natural Resources and Renewables.

RESOLUTION NO. 699

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

Whereas Nova Scotia was devastated by historic wildfires in June, displacing thousands in Shelburne County and Tantallon area and forever changing the lives of people whose homes were destroyed; and

Whereas our Nova Scotia wildland firefighters, our helicopter water bombers, our municipal and volunteer fire departments, and our ground search and rescue teams all answered the call to fight these fires along with the resources lent to us by our neighbours; and

Whereas while crews worked tirelessly through tough conditions to get these fires under control and then extinguish them completely, Nova Scotians showed their compassion and solidarity with an outpouring of support and thanks to our first responders and support for the people who were displaced or lost their homes;

Therefore be it resolved that all members of this House recognize the combined effort of municipal organizations that mounted the large-scale response to battle these blazes, protect our communities, and support everyone affected, and some of these members also went west when the call was needed after our fires were put out.

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

THE SPEAKER: There has been a request for waiver.

Is it agreed?

All those in favour? Contrary minded? Thank you.

The motion is carried. (Applause)

Are there any other government Notices of Motion?

INTRODUCTION OF BILLS

Bill No. 319 - An Act Respecting a Memorial Day to Honour First Responders.
(Hon. Tim Houston, The Premier)

THE SPEAKER: The honourable Minister of Municipal Affairs and Housing.

HON. JOHN LOHR: Thank you, Speaker. I just wish to make an introduction first.

THE SPEAKER: Absolutely.

JOHN LOHR: In the gallery behind me, in the bright orange shirt, we have Peter Roberts, who is a member of Valley Search and Rescue and a former volunteer firefighter and one of the instigators of the idea that we should have a day to honour first responders. I'd like to welcome Peter to the House. (Applause)

Speaker, and again it's my first opportunity to address you, and I want to congratulate you on your new role. Don't want to miss that.

HON. MICHELLE THOMPSON: Thank you, Speaker. And as my other colleagues have said, it is an absolute honour to congratulate and address you in that chair today.

Bill No. 320 - An Act to Amend Chapter 9 of the Acts of 2019, the Tourist Accommodations Registration Act. (Hon. John Lohr)

Bill No. 321 - An Act Respecting the Conseil scolaire acadien provincial.
(Hon. Becky Druhan)

Bill No. 322 - An Act to Amend Chapter 4 of the Acts of 2020, the Opioid Damages and Health-care Costs Recovery Act. (Hon. Michelle Thompson)

Bill No. 323 - An Act to Provide a Common Legislative Foundation for Regulated Health Professions. (Hon. Michelle Thompson)

Bill No. 324 - An Act to Reduce the Qualifying Threshold for the Canada-Nova Scotia Targeted Housing Benefit Rent Supplement Program. (Hon. Zach Churchill)

Bill No. 325 - An Act Respecting Enforcement of the Residential Tenancies Act. (Claudia Chender)

Bill No. 326 - An Act to Amend Chapter 401 of the Revised Statutes, 1989, the Residential Tenancies Act, respecting administration and enforcement. (Hon. Zach Churchill)

Bill No. 327 - An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act. (Hon. Kim Masland)

Bill No. 328 - An Act Respecting Municipal Housing Targets. (Braedon Clark)

Bill No. 329 - An Act to Amend Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, and Chapter 21 of the Acts of 2021, the Housing in the Halifax Regional Municipality Act, Respecting Housing. (Hon. John Lohr)

Bill No. 330 - An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, to Empower Municipalities to Tax Vacant Properties. (Claudia Chender)

Bill No. 331 - An Act Respecting a Suicide Prevention Strategy. (Lisa Lachance)

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

NOTICES OF MOTION

THE SPEAKER: The honourable House Leader for the Official Opposition.

RESOLUTION NO. 700

HON. DEREK MOMBOURQUETTE: Thank you, Speaker, and congratulations to you on your new position as well.

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

Whereas the honourable member for Clayton Park West is undergoing chemotherapy treatment; and

[2:30 p.m.]

Whereas the honourable member is unable to travel to Province House while she's undergoing treatment due to a compromised immune system; and

Whereas it is in the best interests of the honourable member and her constituents that the honourable member be accommodated to enable her to continue to represent her electoral district in the House during the Fall sitting;

Therefore be it resolved that the House of Assembly:

1) Authorizes the honourable member for Clayton Park West to participate virtually in the proceedings of the House using videoconferencing software approved by the Speaker for the duration of the Fall 2023 sitting; and

2) Directs that Resolution No. 192 of the first session of the 64th General Assembly applies in respect to the honourable member for Clayton Park West for the duration of the 2023 Fall sitting.

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

THE SPEAKER: There has been a request for waiver.

Is it agreed?

It is agreed.

All those in favour? Contrary minded? Thank you.

The motion is carried.

I would just like to let the House know as well that that link has been sent to the member so they can log on at any time now. (Applause)

I will allow the honourable member for Cumberland North on a point of order.

ELIZABETH SMITH-MCCROSSIN: Speaker, I rise on a point of order with regard to a motion currently on the order paper: Resolution No. 598 of April 3, 2023.

THE SPEAKER: Sorry to the honourable member for Cumberland North. I believe that I've been made aware of what this point of order is. I'm going to excuse myself from the Chair, and I would ask my Deputy Speaker to please come forward and assume the Chair.

[The Deputy Speaker assumes the Chair.]

THE SPEAKER: The honourable member for Cumberland North.

ELIZABETH SMITH-MCCROSSIN: Speaker, I rise on a point of order with regard to a motion currently on the order paper: Resolution No. 598 of April 3, 2023. I ask that the motion be currently found out of order and removed from the order paper in accordance with Section 37 of the House of Assembly Rules. With your indulgence, and noting that my point of order has been provided to your office and to the three House Leaders yesterday - I also tabled it earlier - I would like to put on the record my rationale for this point of order, and ask that you take this under consideration, and provide a written decision in a timely manner.

As briefly as possible, while noting key procedural aspects, I submit the following rationale as to why Resolution No. 598 is not in order. In addition, I did table a more detailed version of this argument with reference to relevant authorities and ask that the tabled version form the basis of my position when you consider this point of order.

The resolution states: “. . . the member for Cumberland North misled the House, and that she not be allowed to take her seat until such time as she retracts her comments and apologizes.”

First, it is submitted that Resolution No. 598 is unconstitutional. A resolution of this House cannot be in order if the substance of the resolution would be in violation with the Constitution. Specifically, I note Section 17 of the Constitution Act of 1867, Section 9 of the Bill of Rights 1689, and the Supreme Court of Canada’s interpretation of freedom of expression.

The Constitution of Canada recognizes the parliamentary privileges as defined by the United Kingdom House of Commons at the time of the adoption of the Act of 1867. Those rights and privileges are defined to include freedom of speech. Freedom of speech, as defined in Canada, includes the freedom not to speak or otherwise compelling a member of this House to take an action that requires the member to do something, such as apologize, to which the member is not so inclined.

Since the adoption of the Charter of Rights and Freedoms in 1982, Section 2(b) of the Charter creates a right to freedom of expression. That right has been defined by the Supreme Court of Canada to include the right not to speak or act. Therefore, the law of Canada recognizes freedom of expression to include the freedom not to express. Resolution 598, if passed, would require a member of this House to utter an apology, which would violate my parliamentary privilege of freedom of speech and would be unconstitutional. As such, the resolution is not in order.

[2:45 p.m.]

Secondly, what is being proposed in Resolution 598 is akin to a motion to find a member in contempt of the House. Since the House of Assembly rules are silent as to how such matters are raised, it is incumbent on this House to consider how such matters are addressed by the Canadian House of Commons Standing Orders, and the Standing Orders and Practices of the United Kingdom's House of Commons.

Under the Canadian House of Commons Procedures, the raising of a matter of contempt by a member acknowledges that such a motion must state that the matter, if the motion is passed, will be sent to the appropriate committee in charge of issues of privilege for investigation. In precedents dating back to the 19th century, the House of Commons has routinely dealt with matters of a question of contempt of a member, by way of a motion to refer the issue to a committee for investigation.

In addition, as noted in Maingot's Parliamentary Immunity in Canada, it is the standard procedure that a motion to find a member in contempt, if passed, shall go to a committee of the House for investigation and recommendation. A similar approach has been standardized in the United Kingdom's House of Commons as well. Since Resolution 598 does not provide for the issue to be sent to a committee for investigation, I submit the resolution is out of order.

Third, Resolution 598 is out of order because it does not allow the member to whom an accusation of contempt has been made to have the right to respond to such an accusation in accordance with procedural fairness or the principles of natural justice. In short, Resolution 598 does not give the accused his or her day in court, in this case, the House. That would mean a hearing conducted by the Committee on Internal Affairs, in which the accused member could testify, have the right to counsel and otherwise respond to the accusations made in a motion for contempt.

Again, the House rules are silent on this issue. But we can turn to the practices and procedures of the United Kingdom's House of Commons to see that procedural fairness has been accepted as an integral component of an investigation in the accusation of contempt by a member. As noted in Erskine May in 1999, and in 2013 United Kingdom's House of Commons committees, looking into this issue confirmed the need for procedural fairness when a member is facing potential suspension.

Fourth, Speaker, it is submitted that Resolution 598 is out of order and cannot be placed on the Order Paper for possible calling for debate, because such a motion must take precedence over other debates in the House. Since the resolution has not been called for debate for more than six months, the motion is out of order for not being debated, and the accusation of contempt being adjudicated by this House and its Committee on Internal Affairs in a timely manner. In short, a resolution making an accusation of contempt must be debated forthwith, and if not, it is out of order as a result of the delay.

Finally, Speaker, I raise this point of order because there is something inherently inappropriate about a motion in this House, that if debated and passed, would allow for a member of this House to be suspended indefinitely with no opportunity to defend oneself, or to have the matter adjudicated by a committee of this House. If this motion is in order, it begs the question, what is stopping this government, or any government for that matter, from using its parliamentary majority to systematically move a motion to suspend a member from the House indefinitely, against every member of this Opposition, in order to eliminate the Opposition bench, a key tenet of the democratic system?

Speaker, I ask that you take into consideration these arguments, and I ask your indulgence to reserve your decision on this point of order until a written decision can be produced.

THE SPEAKER: The honourable Government House Leader.

HON. KIM MASLAND: Speaker, the motion in question is on the order paper because the former Speaker allowed it to be placed on the order paper. As you know, questioning a decision of the Speaker, as the member has done in her speech, is not allowed. Austin and Gagnon, on Page 268, are clear on this point: Prior to 1965 the Rulings of the Speakers were subject to appeal and could be overturned by the House. Since then, members have not been allowed to challenge decisions of the Chair.

Speaker, the rules are clear on this matter. No written decision is required, and I urge you to dismiss this point of order and allow the House to get on with its important business.

THE SPEAKER: The honourable member for Bedford Basin.

HON. KELLY REGAN: Speaker, I will speak only briefly on this. I think the honourable member made a number of legitimate points that we should all be thinking very carefully about - about our privileges here in this House. In fact, we just saw a Speaker get sworn in, and when that Speaker was sworn in, she pledged to uphold the accustomed rights and privileges of the members in this House. One of those includes the right to free speech.

In addition, whenever we have a complaint - and I think members will remember back a couple of sessions ago where one of the Cabinet Ministers on the other side referred to three women on this side as witches. I went to the Speaker immediately with that.

It was dealt with the next day. I brought that forward, then the Speaker issued his ruling after that. That came forward right away. It was dealt with. I brought it forward; it was dealt with. It was not lying over someone's head forever as a motion on the table. I laid my complaint with the Speaker, and we moved on from there.

This is an intimidation tactic, which we're all getting really familiar with in this House. The government hears something they don't like, and the next thing you know you are bullied in some way.

The member is calling this tactic for what it is. It's inappropriate. It should not happen in this House. The people of her riding elected her. They sent her here, and it is not up to us to prevent her from doing her job for great lengths of time.

I was here when we removed a member of the House. That member had been convicted of a crime; it was appropriate in that case. This is not appropriate. You can disagree with the member if you like. You may be unhappy. I can tell you, as a minister, you often put up with a lot of cheap shots, unfair things said about you from the other side of the House.

To go to this length is inappropriate and unfair, and all members of this House should be concerned about their rights and the rights of their constituents who actually sent us here.

THE SPEAKER: The honourable member for Dartmouth South.

CLAUDIA CHENDER: Speaker, I rise to address the point of order by the member for Cumberland North and the resolution that it concerns, which is on the order paper because it was put forward by the government side in order to force an apology from a member of the Opposition, the penalty for which was removal from the House. Let's be clear what we are talking about.

At the heart of this is whether MLAs should be restricted in their speech on the floor of this House, and I think it's clear that our speech is protected in this space. We can argue for or against a government bill. We can throw cheap shots, if they're not unparliamentary. We can take cheap shots, if we are in a position where we are so lucky to be a Minister of the Crown and be required to absorb contrary opinion. And we're not just free to do this, but we're actually required to. That is our job, in many ways, in this Chamber. Lots of times, members will take issue with what is said; they will take issue with the veracity of what is said. Anyone who's been here for any period of time has been involved in those conversations and Speakers' rulings.

But when they come to a vote, particularly in the case of a majority government, that majority government will always get their way. They will always pass. They have the power to win any vote that has a simple majority, and this is a resolution that requires a simple majority to pass. To reiterate what's already been said, it means, in effect, that the government - any majority government, but this government - has the power, in theory, when it disagrees with something said by a member of the Opposition - who comes here on behalf of our constituents, on behalf of Nova Scotians - to test the laws put forward, to test the positions put forward by the government.

That is why we are here: to make the laws better. We get precious little opportunity to do that. We were presented with hundreds of pages of legislation today, which will be law next week, probably after all of our children are in bed. That's a bad process, but at least it's a process. If we pass a resolution like this, we don't even have that, because if the government doesn't like what someone says, well, then, we don't have to have that conversation, because they can remove them. That is something that should be worrying to anyone who suggests that they are a member of the democratic system, which we all are.

I think it's worth saying - and some examples have been brought up, and we have debated the resolution before - that this Chamber is not a level playing field. We did celebrate firsts today. We have the first African Nova Scotian woman sitting as a Cabinet member, and that is fantastic. We all celebrate that. We have the first woman Speaker in our province, and that is fantastic. We celebrate that. We move slowly - I don't know if there's glass on the floor, or glass in the windows - but we are making progress.

But that progress is not done. We are not all treated equally. Women are treated still - the cheap shots taken against women are not the same as the cheap shots taken against men in this House. I think most people would agree.

Parliamentary privilege is one of the rules that legitimately and absolutely levels the playing field, because it does, in fact, apply to everyone equally. Everyone can have their say, and that say is protected, and it must remain protected.

The genesis of this conversation and this resolution is sad and terrible, and in my opinion, never should have made it to the floor of this House. But I want to say - and I will recognize that there are members of Can't Buy My Silence in the gallery who are fighting against the misuse of NDAs - that if the misuse of NDAs was legislated - if the bill that we have been fighting so hard to pass had been considered by the government and had been passed by the government, we wouldn't be having any of this conversation.

I think that that's really worth noting. A bill which has been passed in 17 states, which has been passed in Prince Edward Island, which would make it illegal to force a victim to sign a non-disclosure agreement without their consent - that is what is actually at the heart of this conversation. If that was not legal, we would not be here having this conversation.

That bill could have been passed. I am confident in saying that the government would have had the full support of the Opposition in this matter. I won't talk about it anymore. I saw the Clerk whisper in your ear. Conversely, I do not think that ejecting the member for Cumberland North and preventing her from taking her seat, or even having the spectre of that possibility, is the right thing to do.

The power that the government holds to censure, as has been discussed in the point of order and by my colleagues, must be used very selectively - ideally only in the case of

criminal wrongdoing. As members, we all from time to time feel mischaracterized, hurt, unfairly implicated by the words of others in this Chamber - some of us every day. Nonetheless, we persist in doing the work that Nova Scotians elected us to do - the work of representing our constituents, advocating for their hopes, addressing their needs, and trying to remedy their challenges.

[3:00 p.m.]

It is our position that to prevent another member from doing this is the most serious tool at our government's disposal. We do not believe it should be used in this case. We stand to support the point of order and call for the resolution on the order paper to be rescinded.

THE SPEAKER: The honourable Leader of the Official Opposition.

HON. ZACH CHURCHILL: Speaker, I, too, want to rise in support of the point of order from the member for Cumberland North. We do worry about the ability of a majority government to enact a censorship motion and eject a member of this House, prevent that member from doing the important work that they have to represent their constituents in this Chamber.

Again, in this particular case, with one member, this may not be impactful because of the numbers of the majority, but we have had Assemblies in this House where there have been very slim majorities. I believe I was part of one. The impact of removing one vote from this House can be the impact on a confidence motion. It can be the impact on the passing of a budget. These are absolutely critical things, and this is more than a slippery slope.

This is an act of aggression towards a member - use of overwhelming tactics to silence a member. The member is speaking about issues that are very important to people in this province: the use of non-disclosure agreements for sexual assault cases, asking important questions on why this government has not moved forward with this critical piece of legislation - legislation that we do support. We want to thank the Leader of the NDP for bringing that forward, and also the member for Cumberland North. When it comes to this particular resolution, we firmly believe that it needs to be struck from the order paper.

The member for Cumberland North cannot have a guillotine hanging over her head and serve in this Chamber under fear of being censored and expelled because of what she's going to say. It's not only a disservice to her and to all members in this Chamber, it is a disservice to the people who duly elected that member to represent their interests and their voice in this House.

THE SPEAKER: I will take this under consideration and report back at a future date.

I call on the Speaker to assume the Chair.

[The Speaker resumed the Chair.]

THE SPEAKER: At this point in time, I would ask if there are any other notices of motion by any members.

We are going to now move into Oral Questions Put by Members to Ministers. The time is 3:06 p.m. We will conclude at 3:56 p.m.

ORDERS OF THE DAY

ORAL QUESTIONS PUT BY MEMBERS TO MINISTERS

THE SPEAKER: The honourable Leader of the Official Opposition.

PREM.: SHELTERS BEFORE WINTER - PROVIDE

HON. ZACH CHURCHILL: Speaker, Nova Scotia is in a full-blown housing crisis. On top of having the highest inflation in the country and the highest taxes amongst our provinces, we also now have the highest rental increases in the entire country. Seniors can't afford to downsize, let alone pay their daily bills. Young families are giving up on their dream of owning a home here in Nova Scotia. Students can't find anywhere to live that is close to their universities, and we've had a drastic growth in the amount of homelessness in this province, particularly over the course of the last year.

Yesterday, my colleagues and I held a press conference calling on the Premier to show urgency on the housing file. Four hours later, they issued a press release saying that they are going to invest in 200 shelter units for Nova Scotians.

Speaker, we have not seen the details of this. Nova Scotians need to know if these shelters are going to be in place to save people's lives before Winter hits.

My question to the Premier is: Will they be in place before Winter?

THE PREMIER: We're concerned about the affordability issues that the province is facing, for sure - and the country, for that matter. The member is absolutely right: We see this in housing costs. We see it in general inflation. We see the rising interest rates are having an impact. I take the member's point on the taxes, particularly the carbon tax. The pressure that the carbon tax is putting on Nova Scotians and Canadians is phenomenal - the phenomenal pressure it's putting on Nova Scotians. We'll work on the housing file, but there's a number of these things we could work on together. I ask the members opposite to stand up on that one issue at least, and protect Nova Scotians against that carbon tax.

ZACH CHURCHILL: Speaker, the Premier already failed in his obligation to negotiate a better deal on the carbon price here in Nova Scotia. What we don't want to see is him fail on delivering on these housing units to homeless people before Winter hits. My question to the Premier is: Will the Premier please get up and tell this House if these individuals will be housed before Winter hits? Furthermore, will he provide this House with details on the 100 units that are allegedly going to be built outside of the HRM? There are hundreds of people from one end of the province to the other - from Sydney to Yarmouth - who find themselves homeless, facing tropical storms, potential hurricanes and now Winter. Can the Premier please tell this Chamber where these additional units are going to be built outside of the HRM?

THE PREMIER: I am very proud of the work that the Minister for Municipal Affairs and Housing has done on the housing file over investments of almost \$300 million in housing - just this year alone and more to come, of course. Some of these investments in affordable housing are the first investments in affordable housing in 30 years. Speaker, we've been here for two years. We're moving forward on some of these files, but for eight years before that, nothing, no investments. Four years before that, nothing, no investments in affordable housing. There is work to be done, but we are getting it done on this side of the House.

ZACH CHURCHILL: Speaker, the Premier inherited a housing strategy. He inherited housing developments that are actually taking place right now. The Premier has this terrible penchant for taking credit for other people's work and blaming everybody else for his failures. I think that's a real problem. What this province needs right now is ownership, leadership from this Premier. We've got a thousand people in the HRM who are homeless. We are heading into Winter and the Premier can't even answer a simple question in this House: Will these shelters be built in time to house these folks before Winter hits? Lives are going to be at stake.

THE PREMIER: I just want to point out the obvious to Nova Scotians. If that member thinks his government had a housing strategy, that strategy failed miserably. We are working hard to pick up the pieces of what we inherited, but we're getting it done. We're getting it done. They can focus on reports and strategies. We focus on action. We get things done. I would challenge the member one more time to stand up against the Liberal cousins of his in Ottawa on the carbon tax. The Parliamentary Budget Officer has written a report that the Liberal carbon tax will cost the Nova Scotia economy . . . (Interruptions)

THE SPEAKER: I am recognizing that the member has used unparliamentary language. I heard it myself. Yes, I heard the word "Jesus." I will be fair. I'll give you a second chance. I would ask that the member apologize and retract that statement.

The honourable member for Hammonds Plains-Lucasville.

HON. BEN JESSOME: I apologize for the use of the language, Speaker, and I retract that statement.

THE SPEAKER: Thank you. I will give five seconds for the Premier to wrap up his comments.

The honourable Premier.

THE PREMIER: I urge the members opposite to stand up against the Liberal carbon tax. The Liberal Parliamentary Budget Officer has written a report that says the Liberal carbon tax will cost the Nova Scotia economy just this year \$231 million. There's a lot of money for housing that's getting sucked out of the economy for no reason. I ask them to stand up for it.

THE SPEAKER: The honourable Leader of the New Democratic Party.

PREM.: AFFORDABLE HOUSING FOR RENTERS - PROTECT

CLAUDIA CHENDER: Just a reminder that we're talking about housing and, in particular, finding an affordable place to live in this province, which has become like finding a needle in a haystack. According to Rentals.ca, the average rent for a one-bedroom apartment in Halifax is now \$1,909. I'll table that. This is an almost 10 per cent jump from last year, similar to the leaps in rental prices in Toronto and in Vancouver. Rents are high in communities right across this province. It's not just Halifax. We've been calling on the government to take action to protect tenants and to address the skyrocketing cost of housing to no avail. For every one person outside, there are 10, 20, 50, 100 more just trying to keep a roof over their heads. Why does the Premier refuse to protect renters?

THE PREMIER: We share their concerns. Nobody likes to see Nova Scotians suffering. We're not in government because we like to see Nova Scotians suffer. Nobody wants to see Nova Scotians suffering. We understand that there are issues facing affordability for many Nova Scotians. That's why we've invested more in rent supplements. That's why we've invested in the first affordable housing. That's why we extended the rent cap regime. That's why we are working on real solutions for Nova Scotians. Is there more work to be done? Of course there's more work to be done. There will always be more work to be done. We are doing what we can to support Nova Scotians.

CLAUDIA CHENDER: The Premier, in fact, cut the rent supplement program. The Premier also announced 200 units of housing in the face of a deficit of 30,000. I don't really think it's anything to crow about, and people can't keep up. According to a new report on rental wages, the hourly wage required to afford rent while working a standard 40-hour week - the wage to afford a two-bedroom apartment in Halifax is more than double the minimum wage. Double. The report found that none of Halifax's neighbourhoods - none,

zero - have affordable rents for a full-time minimum-wage worker. Does the Premier think that people should be able to afford an apartment if they work 40 hours per week?

[3:15 p.m.]

THE PREMIER: This is a serious issue that requires members of this Chamber to stick to the facts on things. The rent supplements were not cut. In fact, what used to be a program that benefited 5,000 Nova Scotians now benefits somewhere in the range of 8,000 units. Nova Scotians might be familiar with NDP math, because we lived through their short term in government, but I will assure Nova Scotians that going from 5,000 supports to Nova Scotians to 8,000 is not a cut.

CLAUDIA CHENDER: If we're talking about math, it's interesting to have a Premier who's an accountant whose answer to every question about what does it cost is: Just trust me. Let's talk about rent supplements. In January, the Premier slashed the program from 30 per cent to 50 per cent of a person's income being spent on housing before they qualify. That is punitive, it is terrible, and it has driven people onto the streets. In July, a two-month subsidy that people actually living on the street could apply to while they searched for an apartment was removed with no notice to anyone. All of this despite a budget surplus - let's talk math - of \$116 million and no housing strategy in sight.

Can the Premier explain why his government insists on making it harder for people to afford a place to live?

THE PREMIER: Speaker, the issue is a serious issue. It's one that we're deeply concerned about in government. It's one that doesn't need to be sensationalized with misinformation. The facts themselves are troubling enough. What I would say to the member opposite: The changes to the Rent Supplement Program didn't put anyone out. They changed the programs going forward so we can support more Nova Scotians. We will continue to invest in Nova Scotians, as we have with almost \$300 million in affordable housing just this year. We'll keep going. We know there's work to be done.

THE SPEAKER: The honourable Leader of the Official Opposition.

MAH: LACK OF HOUSING STRATEGY - EXPLAIN

HON. ZACH CHURCHILL: Speaker, the Premier loves to brag about how much money he's spending. What the Premier can't brag about is improving outcomes for Nova Scotians. If you want to hear some facts, here are the facts in Nova Scotia: Homelessness nearly doubled over the course of the last two years, Speaker. Housing starts are down over 50 per cent since last year at the same time that the Premier is telling Nova Scotians he's going to double the population. We can't even house the one million Nova Scotians who live here now. I will table that.

The CMHC is telling us that we have to build 70,000 new units in Nova Scotia by 2030 to keep up with demand at the same time that housing starts are going down. Tent cities are popping up across the province. Renters are being priced out of their apartments. Seniors can't afford to downsize, and one in four millennials believe they'll never be able to afford a home here in Nova Scotia. Yet the Premier would rather point fingers than actually have a strategy. How is he going to double the population when we don't have enough houses for people to live in now?

HON. JILL BALSER: We know that this is a challenging time for many Nova Scotians, but we also have to look to the positive. We need people in this province to solve the housing crisis. We need people in this province to work in health care. The way in which we're going to do that, Speaker, is by bringing Nova Scotians back home with the MOST program. We want to make sure that all Nova Scotians thrive in this province, but we know we need to be able to build houses. In order to be able to do that, we have to bring workers into the province, too.

ZACH CHURCHILL: Speaker, we want to see the province grow. Growth is good for wealth, and it's good for our people, but housing is collapsing under the current pressure of our current population. Housing starts are going down. Homelessness is increasing. This government does not have a plan to double our population and support it with housing, or even more government services. In fact, there's four plans that the government is now hiding from the public: the Housing Assessment Report, which tells all the municipalities how many units they need; the student housing strategy, which hasn't been released; the provincial housing strategy, which they've been hiding since last Spring. Then there's the bill that we brought forward to bring in tenancy enforcement, which the Premier is still hiding from the public. If this government is so confident in their housing strategy and their plan of action, why won't they share these strategies with the public?

HON. JOHN LOHR: Speaker, I'm happy to have a chance to get in on this debate because, as the son of immigrants - my parents came here to Canada not speaking a word of English, not having a penny in their pocket - I am shocked to hear the Leader of the Official Opposition advocate for an anti-immigration policy. I'm just very disappointed to hear that, or to suggest that, or to imply that. (Interruptions)

THE SPEAKER: Order, please. The honourable Minister of Municipal Affairs and Housing has the floor.

JOHN LOHR: We've had two years of absolute action, and I have 10 pages of different things in fine print that we have done. We continue to work. In the last week, we've literally announced an unprecedented build in public housing. We've announced tiny homes. We have announced Pallet homes. We have announced changes to our HRM panel - HRM legislation. We have announced many things, Speaker. We are working, we'll continue to work, and actions speak louder than words, let me tell you.

THE SPEAKER: Before we move on to the next question, I do want to acknowledge that there was unparliamentary language used. Using the word “hiding” is recognized as unparliamentary. If you would like to retract that statement, we can move on to the next question.

The honourable Leader of the Official Opposition.

ZACH CHURCHILL: Speaker, I’ll retract that statement and replace it with “keeping from the public.”

THE SPEAKER: The honourable member for Bedford South.

RTA: ENFORCEMENT DIVISION - CREATE

BRAEDON CLARK: For a year now, Speaker, our caucus has been calling for the creation of an enforcement division within Residential Tenancies, which is an absolutely essential means of helping to solve the crisis of the 300,000 renters that we have here in Nova Scotia. Documents obtained by the CBC, and I will table this, confirm that a report from a consulting firm that this government has hired but has refused to release shows that an enforcement division should be created in this province. This is a recommendation that is endorsed by landlord groups, by tenant groups, by everyone in the housing spectrum. I would ask the minister responsible: Why has he not yet acted on this very important piece of the puzzle?

HON. COLTON LEBLANC: Speaker, congratulations on assuming your role on this historic day. I know you’re going to do a tremendous job. To answer the member’s question, of course I know the importance of ensuring that we have a Residential Tenancies Program that meets the needs of both tenants and landlords. That’s why we continue, as a department, to be engaged with both tenant and landlord organizations to hear their concerns - of course, the creation of a new compliance and enforcement division being one. We know it’s complicated and we want to make sure that we get it right. At the time that we are ready to move forward with legislation, I will be looking forward to bringing it to the floor of the Legislature.

BRAEDON CLARK: Again, for a government that is priding itself on action on housing, this has been over a year now that we have seen delay and delay and delay. The minister talks incessantly about the need to balance the rights of tenants and balance the rights of landlords, and in this issue, they are in agreement. No matter where you look, tenants and landlords agree that enforcement is an absolutely essential piece of the puzzle. We’re not creating this from scratch, Speaker. Many other provinces have outstanding residential tenancy enforcement systems that we could enact here in Nova Scotia this session. I’ll ask the minister: Will he do that this session?

COLTON LEBLANC: Speaking of keeping things from the public, I remember my time in Opposition as a newly elected member to this House, talking about a report that the former government was keeping away from the public. That was the Fitch report. Guess what? We commissioned that report - by government, for government - to understand the complexities of creating a new compliance and enforcement division for Residential Tenancies. As I noted, when we are ready to introduce legislation on the floor of the Legislature, I will be very happy to do so.

THE SPEAKER: The honourable member for Bedford South on a new question.

MAH: HOME OWNERSHIP HELP - PROVIDE

BRAEDON CLARK: I'll remind everyone that this government is now more than halfway through its mandate, so I think it's time that we start looking forward and talking about what this government is doing and not doing, and being lost in the pass, which is becoming less and less relevant as time moves on. Speaker, there is no action from this government to help people move out of the rental market and into home ownership. CMHC has said that in Nova Scotia, young people are staying in rentals far longer than they would otherwise due to the unaffordability of homes, and I will table that. The Canadian Real Estate Association's Home Price Index for Nova Scotia is up 10 per cent in the past two years, and I will table that. The middle class of this province is seeing their dreams of home ownership grow further and further out of reach. Why is this government not making it a focus to get more Nova Scotians in homes they can afford now?

HON. JOHN LOHR: The fact is, we inherited what I would call an anemic Down Payment Assistance Program, which we have enhanced. We have seen the numbers in the Down Payment Assistance Program for first-time homeowners have almost tripled. That being said, do we need to do better? Absolutely. Are we concerned about home ownership and wanting to enable home ownership? That is something that we are looking at in many different ways. We want to do that. That is something that is part of our plan and our agenda.

THE SPEAKER: Before we go to your final supplementary, I just want to remind members that we are not allowed to be on our phones during Question Period. Thank you.

The honourable member for Bedford South on your final supplementary.

BRAEDON CLARK: Just to set the context of where we are on housing here in Nova Scotia, year-to-date housing starts are down 31 per cent this year. Rent increased year over year in Nova Scotia 9.5 per cent - 9.5 per cent, the highest rate in the country. As other members have said today, the number of people who are homeless in this city and in this province is up hundreds and hundreds and hundreds - and that's not eight years ago. That's last year, over the last 12 months.

In the Minister of Finance and Treasury Board's Budget Address this past Spring, he spoke glowingly about the housing strategy that was going to be coming in the Spring. Well, Spring ended about four months ago, Speaker, so I would ask the minister: where is this housing strategy, and how can we tackle this problem if we don't know where we're going?

JOHN LOHR: What I can say is that the previous government's strategy was a do-nothing strategy. We are not in that strategy. We are in an action strategy. We are continuing - we have continued to work on the things that we do, and every new thing we do changes, or adds, to that. Did we have a plan in the Spring to add to public housing? No, but over the Summer we came to the conclusion that we needed to add to public housing. We have continued to adapt and evolve. We will be known as a party of action. I look forward to a report card on that on July 15, 2025. We're looking forward to that report card too.

THE SPEAKER: The honourable member for Dartmouth North.

MAH: AFFORDABLE HOUSING - PROTECT

SUSAN LEBLANC: Speaker, my question is for the Minister of Municipal Affairs and Housing. Earlier this Summer, the first eviction notices were distributed to tenants of Ocean Breeze, a traditionally affordable housing complex in Dartmouth North that is home to over 1,000 residents. You would think that the sale of such a significant piece of real estate would be of interest to a government that wants to protect affordable housing, but FOIPOP shows no records of correspondence between the department and the new owner. I can table that. In the midst of an affordable housing crisis, how is it possible that the minister didn't even reach out to the new developer to make sure that Ocean Breeze residents don't become homeless during this redevelopment?

HON. JOHN LOHR: Speaker, I will say to the member that we have a public-facing part of our department, and our senior staff interact with many different entities - not only developers, but not-for-profits, community housing groups, many different groups, but the way this works is they approach us. If we didn't interact with them, they didn't approach us. That's the reality. We don't go out and approach groups. They come in and they approach us. That's how we do it, and we react to that. They come to us looking for information on programs or whatever. This is how this takes place. If we have no record of having communication with them, they didn't ask for communication. All of our information is readily available online, how to connect with us.

SUSAN LEBLANC: With all due respect, Speaker, a government that is all about action on housing seems to have a strange way of approaching that action when they're waiting for people to come to us - sitting back and waiting. The developer has been clear that it is open to working with this government to try to maintain affordable housing at Ocean Breeze. After the government didn't act on an opportunity to purchase the site, we

were hopeful that the government would step in to make sure that the housing remains affordable, but FOIPOP documents also show that no funding agreements between the government and the new owners of Ocean Breeze exist. Will the minister make a clear commitment that there will be no net loss of affordable housing due to the redevelopment of Ocean Breeze?

[3:30 p.m.]

JOHN LOHR: Again, I will say that this is a private development. We will interact if we are asked to interact. I can tell you that we are spending an unprecedented amount of money to preserve affordable housing. One of the examples I will give you is CHAP, which has gotten national recognition, where we have a Community Housing Acquisition Program to enable not-for-profits to purchase. That has preserved and saved hundreds and hundreds of units.

We continue to work in this space. We've put almost \$300 million into housing this year. We will continue to do that. We will continue to build up community housing and not-for-profit housing, which is something that the Affordable Housing Commission report identified as very weak in Nova Scotia. As I've said, we're continuing to do an unprecedented step - a historic step of building public housing units in Nova Scotia. As I've said, we're continuing to do an unprecedented step, a historic step, of building public housing units in Nova Scotia.

THE CHAIR: The honourable member for Sydney-Membertou.

DCS: MORE SHELTERS IN CBRM - COMMIT

HON. DEREK MOMBOURQUETTE: Speaker, I've heard something very interesting on the radio today, which was a big concern for me and for many on the Island. Today on the radio, we heard the minister of the Department of Community Services say that it was a good question on where the newly announced shelters were going to be in Cape Breton. That is a very good question, but it's also a concern when one minister of a department doesn't know what's happening with the housing strategy and also with homelessness on the Island. We need more shelters in the CBRM, and there's no clarity of what's happening with any of these announcements for the Island. My question to the minister is: Why is the second-largest population in the province - in the CBRM - where is the commitment to them, and where are the numbers that we can show Cape Bretoners that the support is coming from this government?

HON. TREVOR BOUDREAU: Just quickly, I'd like to congratulate you on your new position and wish you well in that. Certainly, homelessness is a significant issue. We know that people need a safe, warm, and supportive place to live. What I would say is the announcements we had yesterday with 200 shelters - 100 of those going across Nova Scotia outside of HRM - we are working hard with our service providers across the province and

certainly in CBRM and having those discussions. They've been ongoing immediately once we were able to work with them and will continue to work with our service providers. We will have announcements in terms of where those shelters will be going in the near future.

DEREK MOMBOURQUETTE: I'll give a fellow Cape Bretoner his due. I'm glad that I got to ask him his first question, but this is a concern. This is a concern in the community, and we're seeing it more and more from the government that the CBRM, particularly in trying to get information, in trying to get support, in trying to get answers when announcements are made by government, the information is spotty at best. The community is the second-largest population within the province, and people are struggling in Cape Breton.

I have a document to table that indicates that those experiencing homelessness on the Island has doubled in the last year. I'll table that document. Yet, again, we hear another announcement from government, and CBRM is looking for the information of what supports are going to be on the ground for the second-largest population in this province. My question to the minister is: Please, today, can he tell us, or are they going to continue to leave Cape Bretoners behind? We need somebody on the government's side fighting for the Island.

TREVOR BOUDREAU: We are committed to all Nova Scotians. We know that a lot of Nova Scotians are struggling with the cost of living and with homelessness and our most vulnerable, that is a priority for this government. We've shown it in a number of initiatives that we've announced just this week, but we will continue to have dialogue with our service providers in our communities - in Cape Breton, in Kentville, in Amherst - and we'll continue to work with those partners to make sure that we do the best we can for our most vulnerable people.

THE SPEAKER: The honourable member for Cole Harbour-Dartmouth.

MAH: AFFORDABLE HOUSING FOR YOUTH - ACT

LORELEI NICOLL: Thank you, Madam Speaker, and yes, congratulations. That has a nice ring to it.

Last Fall, CBC News reported that Atlantic Canada saw the largest rent increases in the country year over year, and I'll table that. How can we expect our province to grow and thrive if our young people specifically can't afford to stay here? They contribute to our province in countless ways, but under this government, they are being priced out. Nova Scotia needs youth in order to address major issues, such as the labour shortage, health care staff, and more, yet they're feeling left behind.

Will the minister of Municipal Affairs and Housing and this government take action to ensure that our youth have access to affordable housing, or is this government indifferent to the plight of our youth?

HON. JOHN LOHR: I'll thank the member for the question but say it's a little bit confusing who is being addressed here. I do want to bring up one program that I think we have done that is very applicable to youth, and that is Happipad. I welcome the opportunity to talk about that. We know that, because of COVID, the long-standing tradition of Nova Scotia taking boarders in people's homes really kind of came to a halt because of the fear of infection. Happipad is a way of doing that and enabling that program. I just want to highlight that.

That's not the only program. We have the MOST program - More Opportunities for Skilled Trades - which has gotten attention across the nation, which is a historic program, bringing young people back here. We're working very hard to enable young people to have places to stay when they go to university through Happipad. We're working hard to have young, skilled tradespeople here.

LORELEI NICOLL: I look forward to more information on Happipad's success. Anyway, the government is failing to see the impact that the cost of living crisis and the lack of affordable housing is having on the mental health of our young people. I am not going to clarify what age that is, I think we all know. The correlation between mental health and affordable housing is well-documented.

Speaker, I will ask the Minister of Municipal Affairs and Housing: Do they not see that fixing the health care crisis also needs to be fixing the housing crisis? How is this government prioritizing affordable housing for our youth specifically to reduce their anxiety and housing insecurity for their future?

JOHN LOHR: I will say H-A-P-P-I-P-A-D. You can find it online. It's a . . . if you want more information on that, I'd be happy to provide that. In terms of addressing the crisis for youth, yes, we recognize this. After years of inaction, of doing nothing, we have inherited different areas, I would say, as a government the last two years. If I could put a theme on the overall package, it's dealing with areas of deferred maintenance in health care, in software, and in housing. We've done a record number of investments in the last two years in housing. Do we need to do more? Yes, we need to do more. Nova Scotia is growing at an unprecedented rate. We want to welcome in every new person we can from around the world into this province, and we will fix that. We will solve that crisis.

THE SPEAKER: The honourable member for Halifax Atlantic.

MAH: RENT SUPPLEMENT PROGRAM CHANGES - EXPLAIN

HON. BRENDAN MAGUIRE: This government changed rent supplement program requirements to spending 50 per cent of your income on rent when it was 30 per cent, a significant difference. My question to the Minister of Municipal Affairs and Housing: Under the new requirements, how many Nova Scotians have been denied rent supplements?

JOHN LOHR: Speaker, I'll just ask you to rule on that. I have a bill just submitted. This is not a year ago - this is a current one on this very topic. Maybe this will be discussed in debate.

THE SPEAKER: We will stop the clock for a moment, and I will take some advisement on this. I do not call that out of order. He wasn't addressing the bill directly, so I will allow the member to proceed. If the Minister of Municipal Affairs and Housing would like to answer the question.

JOHN LOHR: Could I have the question repeated?

BRENDAN MAGUIRE: This government changed the rent supplement program requirements from 30 per cent of your income to 50 per cent, which is a significant difference. My question to the Minister of Municipal Affairs and Housing: Under these new requirements, how many Nova Scotians have been denied rent supplements?

JOHN LOHR: What I can say is that what we have seen in the rent supplement world is this was a program that was started under the previous government. We're starting to change some of the parameters. It was mostly non-portable. Now we've made it portable. It was cost-shared with the federal government. Now we're \$10 million federal money, \$42 million provincial money. What we did was we prioritized the most urgent. We had to decide: Do we wait-list this or do we prioritize? We prioritized the more urgent.

Recently we made more changes to make the rent supplement program more fair to seniors, which is, I believe, a question that I had in the last session from the member for Halifax Chebucto, actually. We are listening. We do want to see this program work for Nova Scotians. We have unprecedented success across the country in rent supplements. Many other provinces have low uptake on rent supplements, interestingly.

BRENDAN MAQUIRE: I want to thank the minister for that very detailed answer. Food bank use is at an all-time high, shelters are full, and people are struggling. Those are just the facts. According to a study from Food Banks Canada we are the only province to receive an F in poverty reduction. To the Minister of Community Services: What is this government doing to address the housing and cost of living needs of people across the province?

SPEAKER: The honourable Minister of Community Services.

HON. TREVOR BOUDREAU: Again, there is no question that the cost of living is impacting many people and certainly when we get information from organizations like Food Bank Canada, we take that absolutely into consideration and basically enhance our understanding of the challenges that we are facing. As a government, we have made some significant investments to support low-income Nova Scotians over the course of the last two years; increasing the Nova Scotia Child Benefit twice; enhancing supports to foster families; and creating and continuing the Seniors Care Grant, for just a couple of examples. Certainly we know there is more to do and we will continue to do what we can for our most vulnerable.

SPEAKER: The honourable member for Halifax Needham.

DOJ: NDA BAN REFUSAL - EXPLAIN

SUZY HANSEN: Thank you, Speaker and congratulations on the seat.

My question is for the Minister of Justice. Last month, the media reported that the Minister of Justice says his government will not ban the use of non-disclosure agreements in cases of sexual assault and harassment, but he cannot explain why. I would like to give the minister the opportunity to explain why he is not willing to protect people from being silenced by the inappropriate use of NDAs.

HON. BRAD JOHNS: I do want to take an opportunity to congratulate you as well, in the chair on this historic day and I am honoured to be here for that. Of course, supporting survivors with sensitivity and respect is important, but we have done a fulsome review. We have looked at other jurisdictions and we are not moving forward with this at this time.

SUZY HANSEN: The Canadian Bar Association supports ending the abuses of non-disclosure agreements, and I will table that. Last month, Halifax lawyer Ron Pink said of the minister's inaction, "This is just a government who doesn't want to protect women on these sorts of matters." I can't imagine who the Minister of Justice is protecting. He is protecting somebody but certainly not the women of this province, and I will table that. Speaker, does the minister think the public deserves to know why his government is refusing to protect Nova Scotians from the abuse of NDAs?

BRAD JOHNS: We are certainly not looking at taking power away from victims by banning NDAs right now. Nova Scotians have options, we are going to continue to make sure that they maintain options, we won't be taking those choices away, and we won't be moving forward with this at this time.

SPEAKER: The honourable Leader of the Official Opposition.

DOJ: NDA BAN REFUSAL - EXPLAIN

HON. ZACH CHURCHILL: The answers from the Minister of Justice on this issue are completely insufficient and not acceptable on this issue, Speaker. Non-disclosure agreements are a harmful tool when used in the case of sexual assaults and they are used to protect perpetrators of assault and harm the victims and keep them silent. In fact, the Minister of Justice knows this when he said, and I quote: “I don’t support NDAs being used as a method to silence victims, but at the same time we are just not moving forward with this right now,” and I will table this.

[3:45 p.m.]

Then at the Public Accounts Committee we heard from the Deputy Minister. He said that the decision to not ban the use of NDAs was a political one; clearly uncomfortable answering questions on this. We know the minister thinks and knows that the use of NDAs in sexual assault is bad for victims and the Deputy Minister said it was a political decision. Why was that political decision made? This House and the people and the victims in particular need some answers to this question. (Applause)

HON. BRAD JOHNS: As I said before, we did look at other jurisdictions both across this country as well as throughout the States. We looked at other legislation. We looked at what other provinces have been doing, including Manitoba, which recently had an independent review of the use of NDAs. At the end of the day, we’ve decided that we’re not moving forward with these at this time.

DOJ: NDAs ALLOWED IN PROVINCE - EXPLAIN

HON. ZACH CHURCHILL: Again, no sufficient answer to this question. We sit here in this Chamber and have ministers and the Premier brag about being leaders in the country. Nova Scotia was the first to do this, the first to do that - except on this issue.

They are satisfied that not enough other provinces are moving forward on this, so they tell us they can’t move forward with it as well, without providing any rationale that’s sufficient, any explanation to the victims that have had to deal with these NDAs to silence them. Yet they can sit with themselves and be happy about this issue in this Chamber. It is totally unacceptable.

I don’t blame the minister for this, because we know who’s in charge of the government. It is the Premier. So I have to ask the Premier: Why is the use of NDAs for sexual assaults still being allowed in this province?

BRAD JOHNS: As I’ve said before, I’ll say again: there are two sides to every story. We do want to make sure that Nova Scotian victims do have options within this province, and we’ve heard from people who are a little less vocal in regard to this, who have actually expressed that NDAs have been beneficial to them. They’ve expressed that

to us, and we certainly don't want to remove those options from them, so we're not moving forward.

ZACH CHURCHILL: The minister just said that there's two sides to a story. Does he not understand that the use of NDAs prevents one of those sides from actually coming forward? (Applause) That's the issue here. It's about hearing that side of the story - the story of the victims. Again, why can't this government provide us rationale on this? There are not sufficient explanations being given to this House. This is a serious issue that has affected probably countless women, primarily, in this province.

Yet all we hear is, well, other provinces aren't doing it, so we're not going to do it either. This is not acceptable. We need to have a real explanation for this. Table the environmental scan and explain to this House why Nova Scotia cannot be a leader on the banning of the use of NDAs for sexual assaults.

BRAD JOHNS: As I said previously, we did look across the country. The Manitoba Law Reform Commission recently recommended against legislation of this type. The only province within this country, currently, is P.E.I. Private member bills that have been put forward similar to P.E.I.'s in Ontario, Manitoba, B.C., and even in the Senate so far have not passed. We will continue to keep an eye on this, but we're not moving forward at this time.

ZACH CHURCHILL: If the minister wants to expand his view on jurisdictions that have actually banned the use of NDAs, he can look to the 17 states in the U.S. that have banned them. He can look to the leadership of P.E.I. He can look to the Bar Association of Nova Scotia.

Again, I can't believe that the minister has conviction on this, because we're certainly not seeing it today. We're certainly not being given an explanation. Okay, there are other jurisdictions that haven't done this. Why is that good enough for this minister and this House and this government?

BRAD JOHNS: No one is forced into signing NDAs. It is an option that is available to Nova Scotians, and we're not going to look at taking those options away.

SPEAKER: The honourable member for Bedford Basin.

DOJ: NDA BAN REFUSAL - EXPLAIN

HON. KELLY REGAN: Thank you, Speaker, and I want to join my colleagues in welcoming you to the Chair. It's about time. Anyway, back to NDAs. The Canadian Bar Association has, in fact, recommended that we move forward with this kind of legislation. When the minister says, oh, well, nobody else is doing it, what he doesn't tell you is who is recommending it, who is doing it: 17 states in the United States, P.E.I., the Canadian Bar

Association. Are you telling me that's reason enough not - that because other provinces aren't doing it, we shouldn't do it? It does not make sense, and it silences women.

HON. BRAD JOHNS: Once again, as I have said before, we feel this actually provides options, and we're not going to limit options of women either.

KELLY REGAN: I want to let the Justice Minister know that many of us who have talked to people who have been silenced by NDAs or people who have actually chosen not to go forward with cases because they were going to have to sign an NDA. I know one woman who said, I can't do this because I won't be able to talk to my husband about this. I won't be able to talk to anyone about this. NDAs silence women. They silence victims, Speaker. I want the minister to tell us: Why are the rights of one group - wealthy white males - more important than the rights of women and victims of sexual assault?

BRAD JOHNS: As I said, we're not moving forward with these at this time.

THE SPEAKER: The honourable Leader of the New Democratic Party.

DOJ: NDA BAN REFUSAL - EXPLAIN

CLAUDIA CHENDER: Speaker, I am reluctant to stand and again pose a question to a minister who refuses to offer the members in this Chamber and all Nova Scotians an answer as to why, here in Nova Scotia - which I will remind the members is the site of so much scandal that took place in Hockey Canada - we're not just talking about women. We're talking about children. We're talking about athletes. We're talking about people right across this province who, in direct contradiction to the minister's statement, are absolutely forced to signed things, are absolutely dealing with a gross imbalance of power. Why won't the minister protect Nova Scotians and ban the misuse of NDAs?

HON. BRAD JOHNS: Speaker, I have given an answer to this a couple of times now. I recognize that some of the members opposite don't like that answer, but I have provided it. We won't be moving forward with this legislation at this time.

CLAUDIA CHENDER: We disagree all the time in this Chamber, but we owe each other reasons. We have a government that has made a decision - a decision that is controversial and in our opinion is wrong - and refuses to disclose the reasons for that decision. It's embarrassing, it's shameful, and it leads to the conclusion that there is a reason they don't want to share.

I will ask one last time: What is the explanation?

THE SPEAKER: Order, please. The time allotted for Oral Questions Put by Members to Ministers has now ended.

We will take a short recess.

[3:54 p.m. The House recessed.]

[3:57 p.m. The House reconvened.]

THE SPEAKER: Order. I would ask the members to please take their seats.

The honourable Government House Leader.

HON. KIM MASLAND: Thank you, Speaker. That concludes government business for the day.

I move that the House do now rise to meet again on Friday, October 13th between the hours of 9:00 a.m. and 5:00 p.m. Government business will include second reading of Bill Nos. 319, 320, 321, 322, 323, 327 and 329.

THE SPEAKER: The motion is that the House rise to meet again on Friday, October 13th from 9:00 a.m. to 5:00 p.m.

All those in favour? Contrary minded? Thank you.

The motion is carried.

We stand adjourned until Friday, October 13th between the hours of 9:00 a.m. and 5:00 p.m.

[The House rose at 3:58 p.m.]