

The House met at 12:00 Noon .

Prayers.

PRESENTING AND READING PETITIONS

Pursuant to the order, the Hon. Mr. Dexter, Leader of the Opposition, tabled a petition calling for treatment for children with ASD.

PRESENTING REPORTS OF COMMITTEES

The Chairman of the Committee on Law Amendments, reported that the Committee had met and considered the following Bill and recommended the same to the favourable consideration of the House, without amendment.

No. 11. Collection Agencies Act/Consumer Creditors Conduct Act

The foregoing Bill was ordered referred to the Committee of the Whole House on Bills.

TABLING REPORTS REGULATIONS AND OTHER PAPERS

Pursuant to the order, the Hon. Mr. MacIsaac, Minister of Health, tabled the Annual Report of the Nova Scotia Health Research Foundation 2002-03, entitled "Making Inroads".

GOVERNMENT NOTICES OF MOTION

Pursuant to the order, the following notices were passed in at the Clerk's table:

Res. No. 422 - Hon. Mr. D'Entremont, Minister of Agriculture and Fisheries - wishing success to those working on BSE.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 423 - Hon. Mr. Muir, Minister of Education - congratulations to Eastern Shore District High School, students and staff for help following Hurricane Juan.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

INTRODUCTION OF BILLS

The following Bills were introduced by the following Members, read a first and ordered to be read a second time on a future day:

No. 20. An Act to Amend Chapter 10 of the Acts of 1994-95 Workers' Compensation Act; and Chapter 7 of the Acts of 1996, Occupational Health and Safety Act

(Hon. Mr. Morash - Minister of Environment and Labour)

No. 21. An Act to Amend Chapter 475 of the Revised Statutes, 1989, Trade Union Act; and to Repeal Chapter 1 of the Acts of 1997 (Second Session) Highway Workers Collective Bargaining Act

(Mr. Corbett - Cape Breton Centre)

NOTICES OF MOTION

Pursuant to the order, the following notices were passed in at the Clerk's table:

Res. No. 424 - Mr. Dexter, Leader of the Opposition - best wishes to Sidney Crosby.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 425 - Mr. M. MacDonald, Cape Breton South - congratulations to new Members of the Board of Directors of the Cape Breton Growth Fund.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 426 - Mr. Parent, Kings North - recognition of certain Rotarians for their service to the community.

With the unanimous consent of the House, the usual two days'

notice was waived and the motion carried nem con.

Res. No. 427 - Mr. Deveaux, Cole Harbour-Eastern Passage - urging Nova Scotians to go to website www.flyourflag.ca.

Res. No. 428 - Mr. MacKinnon, Cape Breton West - the Premier must explain the dichotomy of his words and his actions.

Res. No. 429 - Mr. DeWolfe, Pictou East - recognizing Fire Chief Don Wadden and those who teach children about fire.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 430 - Mr. Corbett, Cape Breton Centre - congratulations to Tory Party Leader Mr. MacKay and Can. Alliance Leader Mr. Harper.

Res. No. 431 - Mr. H. Wilson, Glace Bay - acknowledging Pope John Paul II.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 432 - Mr. O'Donnell, Shelburne - condemning the federal government's lack of concern for Nova Scotians' seafood industry.

Res. No. 433 - Ms. M. MacDonald, Halifax Needham - thanks to the Brunswick Street United Church for its contribution to the inner city.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 434 - Mr. Glavine, Kings West - acknowledging the contribution of Shirley Jackson.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 435 - Mr. Taylor, Colchester-Musquodoboit Valley - congratulations to those launching project Bovine Beauty.

With the unanimous consent of the House, the usual two days'

notice was waived and the motion carried nem con.

Res. No. 436 - Mr. MacDonell, Hants East - congratulations to the Maitland and District Development Association for preserving links to the past.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 437 - Mr. Theriault, Digby-Annapolis - acknowledging the names of Neil Oliver, Randy Cummings and George Robertson being added to the Digby Fishermen's Memorial.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 438 - Hon. Mr. Muir, Minister of Education - congratulations to Art Dorrington on being inducted into the Atlantic City Hall of Fame.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 439 - Ms. Massey, Dartmouth East - congratulations to all involved in the Public Gardens Restoration fundraising.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 440 - Hon. Mr. MacDonald, Minister of Tourism and Culture - congratulations to the Department of Transportation and the Minister and staff on the New Margaree Harbour Bridge.

Res. No. 441 - Mr. Parker, Pictou West - congratulations to Dave Gunning on being named Musician of the Year.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 442 - Mr. Estabrooks, Timberlea-Prospect - government must initiate a comprehensive coastal protection policy.

Res. No. 443 - Mr. Estabrooks, Timberlea-Prospect - congratulations to the Allaways on the opening of the Acadian Maple

Product store.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 444 - Mr. Parker, Pictou West - congratulations to the owners of Longhorn Garden Market on the success of the organic enterprise.

With the unanimous consent of the House, the usual two days' notice was waived and the motion carried nem con.

Res. No. 445 - Mr. Parent, Kings North - congratulations to Douglas Coldwell on the success of his book "The Love of Tollers".

Res. No. 446 - Mr. Parent, Kings North - congratulations to Cameron Jess on the publication of "Bearer of the Chosen Seed".

Res. No. 447 - Mr. Parent, Kings North - recognizing Elaine Scarrow and residents of Kentville who welcome people into the community.

Res. No. 448 - Mr. Parent, Kings North - congratulations to Rhianna Nicholson on her swimming success.

Res. No. 449 - Hon. Mr. Hurlburt, Minister of Natural Resources - commending Southwest Early Childhood Intervention program coordinator Valerie Gullison-Surette and staff on the work of the agency.

Res. No. 450 - Hon. Mr. Hurlburt, Minister of Natural Resources - congratulations to Constable Craig Smith on winning a Griot Award.

Res. No. 451 - Hon. Mr. Clarke, Minister of Tourism and Culture - congratulations to Keegan Oakes on having his drawing selected as the Cape Breton Regional Police Safety Mascot.

SPEAKER'S RULING:

Mr. Speaker made the following ruling on a Point of Order made by the Member for Cape Breton West, re: Signature requirement on tabled letters and e-mails, made on a previous day:

On Tuesday, the 14th of October 2003, at the end of Question Period, the honourable member for Cape Breton West rose on a point

of order. The issue that the honourable member brought before the House was in regard to a letter that was tabled by the honourable member for Halifax Fairview. The honourable member for Cape Breton West cited section 498(1) in Beauchesne which states, “an unsigned letter should not be read in the House.” He also further quoted section 498(3) which states, “when quoting a letter in the House, a member must be willing to either give the name of the author, or to take full responsibility for the contents.”

The honourable House Leader for the Official Opposition stated that although the rules in Beauchesne state one thing, he felt that what has become a custom here in this House over the last number of years should be adhered to.

The honourable House Leader for the government party stated that in many cases a document itself is restricted by the person who has provided it to the member, and if it is not signed, in this particular case, it becomes a worthless document if he can't use it.

Historically in parliaments, only Ministers were able to table documents in the House. In some jurisdictions the rules remain strict in that regard, but in others, such as ours, practices have changed and private members can table some documents in the course of debate. I have looked at past rulings on this issue in this House and in other jurisdictions and have concluded that even in those jurisdictions that are more permissive about what can be tabled, the practice is that unsigned or unattributed documents should not be put before the House.

I refer to a ruling by a former Speaker on November 15, 1993. A member wanted to read from a letter and eliminate the identity of the person who wrote it. The Speaker interceded and stated that the reading of an anonymous letter is out of order, according to Beauchesne. He further stated that an unsigned letter should not be read in the House.

In that particular case, the letter was signed and was tabled with the signature, and therefore was allowed. This is the first time that I have had to rule in regard to a letter that has been brought before the House which is being tabled and whether it is in order. The rules of Beauchesne state quite clearly that an unsigned letter should not be read in the House and, in fact, a member must be willing to give the name of the author, or to take full responsibility for the contents,

if quoting from the letter. The letter that has been tabled in this House at this time has not been signed and, in fact, it appears that the information that would reveal the author has been omitted. Any document that is tabled not in its entirety is incomplete and therefore out of order. It is my ruling that the member who has tabled this document has to table to the House the letter in its full content, clearly indicating the author with their signature, or the letter will be withdrawn. In this particular case, the honourable member did not read directly from the letter. If he did, he would have to be willing to give the name of the author for the record, or to take full responsibility for the contents. In future, any member who is going to table or read a letter, or quote from a letter should first announce that it is, in fact, signed by the author.

A further issue that arises out of this point of order being brought to the House is that of electronic communication, or e-mails, which make up a great percentage of the correspondence between individuals today. MLAs would receive on a regular basis e-mails from constituents bringing forward issues and concerns. These e-mails, like other forms of correspondence, will make their way to this Legislature and ultimately will be tabled by MLAs. I will be requesting that all members of this House, when attempting to read from e-mails and/or table these forms of communication, that they first ensure that the name of the author is on the e-mail and that the MLA is prepared to disclose the identity of the author and to take full responsibility of the contents, before it is tabled in this House. Copies of this ruling are available for any members who wish to receive same.

PUBLIC BILLS

Pursuant to the order, the Hon. Mr. Morash, Minister of Environment and Labour, moved third reading of the following Bill:

No. 7. Labour Standards Code/Vital Statistics Act

The question being put by Mr. Speaker, the Bill was forthwith read a third time. Ordered that the Bill do pass and the title be as read by the Clerk. Ordered that the Bill be engrossed.

Pursuant to the order, the Hon. Mr. Russell, Government House Leader (on behalf of the Hon. Mr. Baker, Minister of Justice), moved third reading of the following Bill:

No. 8. Volunteer Protection Act

A debate ensued during which the following took part: Mr. Deveau. The question being put by Mr. Speaker, the Bill was forthwith read a third time. Ordered that the Bill do pass and the title be as read by the Clerk. Ordered that the Bill be engrossed.

Pursuant to the order, the Hon. Mr. Russell, Government House Leader (on behalf of Hon. Mr. Baker, Minister of Justice), moved third reading of the following Bill:

No. 15. Court Jurisdiction and Proceedings Transfer Act

The question being put by Mr. Speaker, the Bill was forthwith read a third time. Ordered that the Bill do pass and the title be as read by the clerk. Ordered that the Bill be engrossed.

ADDRESS IN REPLY

On motion, the adjourned debate on the Address in Reply was then resumed. The debate continued with Mr. McNeil, Hon. Ms. Bolivar-Getson, Messrs. Gosse and MacKinnon. The debate was deemed to be adjourned.

CWH ON BILLS

On motion, the House resolved itself into a Committee of the Whole House on Bills.

Mr. Speaker left the Chair.

The Chairman took the chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had met and considered the following Bill and recommended the same to the favourable consideration of the House, without amendment:

No. 11. Collection Agencies Act/Consumer Creditors Conduct Act

The foregoing Bill was ordered to be read a third time on a future day.

MOTIONS UNDER RULE 5(5)

Mr. Speaker interrupted the business having received notices of motion under Rule 5(5).

Mr. Speaker adjourned the House to meet Monday, October 20th at 3:00 P.M.