

The House met at 2:00 P.M.

Prayers.

### **SPEAKER'S RULING**

“On Tuesday the Member for Cape Breton South rose on a point of privilege and I took the matter under advisement. I would like to deal with the matter now.

The Member for Cape Breton South drew my attention to a number of statutes that were passed by this House during the last several sittings, but which were subject to proclamation and have not yet been proclaimed.

The thrust of the Honourable Member's complaint was that Members should be able to expect legislation that is enacted subject to proclamation to be proclaimed into force in a reasonable period of time, and that the fact that the legislation remains unproclaimed violates the rights and privileges of all Members.

While there are some statutes or parts of statutes from recent sittings that have not yet been proclaimed, this is not unusual and occurs quite regularly. It often takes time to put mechanisms and regulations in place to support the legislation.

The Honourable Member suggested that the Executive Council was taking too long to proclaim the legislation and was flouting the rights and privileges of Members. However, the Members themselves choose to pass the legislation subject to proclamation at the discretion of the Executive Council, thereby delegating that authority directly to the Executive Council.

In making that choice the Members are aware that some legislation may remain unproclaimed for some period of time, sometimes for several years. In fact, some statutes remain unproclaimed for many years such as the Personal Property Lien Registry Act that was enacted in 1986 but remained unproclaimed until it was repealed in 1996 when a superior piece of legislation (the Personal Property Security Act) was passed.

As I said, the Members of this House are well aware that legislation, once passed by this House, may not be proclaimed for some time.

There are numerous examples of this going back many years in time and it is nothing new or surprising, so Members know full well when

they pass a bill subject to proclamation, they have passed the power to bring the law into effect to the Executive Council.

Accordingly, I find that there is not prima facie case of a breach of privilege.”

#### **PRESENTING AND READING PETITIONS**

Pursuant to the order, Ms. More, Dartmouth South-Portland Valley, tabled a petition calling for a reduction in tuition fees.

Pursuant to the order, Mr. MacDonell, Hants East, tabled a petition concerning the licensing of a long term care facility in East Hants.

Pursuant to the order, Ms. Whalen, Halifax Clayton Park, tabled a petition calling for a redirection in tuition fees.

Pursuant to the order, Mr. Dexter, Leader of the Opposition, tabled a petition calling for a reduction in tuition fees.

Pursuant to the order, Mr. Theriault, Digby-Annapolis, tabled a petition calling for a reduction in tuition fees.

#### **STATEMENTS BY MINISTERS**

Pursuant to the order, the Hon. The Premier, rose to announce the death of Stefan Surette in Iraq.

Comments were made with Hon. d'Entremont and Mr. Dexter, who moved a motion in remembrance of Mr. Surette. Motion carried. Further comments with Mr. Samson. Resolution 3242. The House observed one minute of silence.

Pursuant to the order, Hon. Mr. Muir, Minister of Education, rose to announce a process for province-wide bargaining between CUPE and school boards. Comments were made with Mr. Corbett and Ms. Whalen.

#### **GOVERNMENT NOTICES OF MOTION**

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

Res. No. 3243 - Hon. Mr. Christie, Minister of Finance:

“Mr. Speaker, I hereby give notice that on a future day I shall

- (1) read and table the message from Her Honour the Lieutenant Governor transmitting the Estimates of Sums required for the service of the Province for the fiscal year ending March 31, 2006, for the consideration of this House;
- (2) table the Estimate books;
- (3) table the Crown Corporation Business Plans;
- (4) table the Estimate and Crown Corporation Business Plans resolutions;
- (5) deliver my Budget Speech; and
- (6) move that the Estimates of Sums required for the service of the Province, for the fiscal year ending March 31, 2006, being Supply be granted to Her Majesty, and the Crown Corporation Business Plans be referred to the Committee of the Whole House on Supply.

Res. No. 3244 - Hon. Mr. Baker, Minister of Justice - congratulations to Pictou Landing First Nations on receipt of an award.

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

Res. No. 3245 - Hon. The Premier - recognition of the legacy of Terry Fox.

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

Res. No. 3246 - Hon. Mr. Clarke, Minister of Energy - recognition of the Metro Link project.

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

Res. No. 3247 - Hon. Mr. R. MacDonald, Minister of Tourism, Culture and Heritage - congratulations to the Central Nova Tourist Association.

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

Res. No. 3248 - Hon. The Premier - recognition of the 100<sup>th</sup> anniversary of the Marblehead Race.

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

Res. No. 3249 - Hon. Mr. d'Entremont, Minister of Agriculture and Fisheries - recognition of the late Stefan Surette.

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. 161. An Act to Amend Chapter 438 of the Revised Statutes of 1989, the Special Places Protection Act**

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

**No. 162. An Act to Amend Chapter 380 of the Revised Statutes of 1989, the Public Utilities Act**

**(Hon. Mr. Clarke - Minister of Energy)**

#### **NOTICES OF MOTION**

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

Res. No. 3250 - Mr. Deveaux, Cole Harbour-Eastern Passage - congratulations to Victor Penny on his 90<sup>th</sup> birthday.

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

Res. No. 3251 - Mr. Samson, Leader in the House of the Liberal Party - calling upon parties to support the federal budget.

Res. No. 3252 - Mr. Taylor, Colchester-Musquodoboit Valley, on behalf of The Speaker - congratulations to Jeremy Scott on his marriage.

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

Res. No. 3253 - Mr. MacDonell, Hants East - congratulations to Ellen Laffin for her volunteer services.

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

Res. No. 3254 - Mr. Gaudet, Clare - recognition of the late Stefan Surette.

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

Res. No. 3255 - Mr. Dooks, Eastern Shore - best wishes to those involved with the Eastern Shore Lobster fishery.

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

Res. No. 3256 - Ms. Massey, Dartmouth East - congratulations to Greg King on his teaching service.

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

Res. No. 3257 - Mr. M. MacDonald, Cape Breton South - urging government to address job losses and rural depopulation.

Res. No. 3258 - Mr. MacKinnon, Cape Breton West - congratulations to Men of Faith on the release of their C.D.

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

Res. No. 3259 - Mr. Epstein, Halifax Chebucto - congratulations to Sir Charles Tupper School on its 75<sup>th</sup> anniversary.

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

Res. No. 3260 - Mr. Theriault, Digby-Annapolis - calling for repair to the Weymouth Mills Road.

Res. No. 3261 - Mr. Taylor, Colchester-Musquodoboit Valley - supporting compensation for victims of hepatitis C.

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

Res. No. 3262 - Ms. Raymond, Halifax Atlantic - protecting the North West Arm.

Res. No. 3263 - Mr. Sampson, Victoria-The Lakes - calling for the Minister of Transportation and Public Works to work on Route 256.

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

Res. No. 3264 - Mr. DeWolfe, Pictou East - recognition of the work of the Churchville Women's Institute.

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

Res. No. 3265 - Mr. Parker, Pictou West - congratulations to Pictou firefighters.

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

Res. No. 3266 - Mr. Glavine, Kings West - urging the government to maintain the Blandford Wildlife Sanctuary.

Res. No. 3267 - Mr. Hines, Waverley-Fall River-Beaver Bank - recognizing the role of the armed forces in Halifax.

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

Res. No. 3268 - Ms. More, Dartmouth South-Portland Valley - congratulations to participants from Dartmouth South running the Boston Marathon.

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

notice was waived and the motion carried nem con.

Res. No. 3269 - Mr. Graham, Halifax Citadel - helping low income families and supporting clean air initiatives.

Res. No. 3270 - Mr. Parent, Kings North - congratulations to Mountain Lake Resources for their exploration quests.

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

Res. No. 3271 - Mr. Steele, Halifax Fairview - congratulations to Karla Firth-Tessier on her service.

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

Res. No. 3272 - Mr. Gaudet, Clare - congratulations to Cecil Comeau on his volunteer service.

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

Res. No. 3273 - Hon. Mr. Muir, Minister of Education - congratulations to Truro men inducted into the N.S. Forestry 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. 3274 - Mr. Pye, Dartmouth North - congratulations to the N.S. League of Equal Opportunities on its 25<sup>th</sup> anniversary.

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

Res. No. 3275 - Mr. Gosse, Cape Breton Nova - recognition of the volunteer service of Terri-Lynn MacDonald.

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

Res. No. 3276 - Hon. Mr. Barnet, Service Nova Scotia and Municipal Relations - congratulations to the Sackville Blazers Junior B hockey team on its success.

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

Res. No. 3277 - Mr. David A. Wilson, Sackville-Cobequid - congratulations to Carol Thorn on her new position with T.I.A.N.S.

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

Res. No. 3278 - Hon. Mr. Baker, Minister of Justice - congratulations to Burke Boutilier on his athletic success.

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

Res. No. 3279 - Mr. MacKinnon, Cape Breton West - Minister of Transportation and Public Works must take corrective action regarding the condition of a portion of Kings Road.

Res. No. 3280 - Mr. Dooks, Eastern Shore - congratulations to Timothy Anderson, Alesha Nelson and Jennifer Churchill on their speeches.

Res. No. 3281 - Hon. Ms. Bolivar-Getson, Minister of Human Resources - congratulations to Ralph Hebb for his volunteer service.

Res. No. 3282 - Hon. Ms. Bolivar-Getson, Minister of Human Resources - congratulations to John MacLean for his volunteer service.

Res. No. 3283 - Hon. Ms. Bolivar-Getson, Minister of Human Resources - congratulations to the Little Rock Champions curling team.

Res. No. 3284 - Hon. Mr. Fage, Minister of Economic Development - congratulations to Nick and Elaine Van Vulpen on receipt of a farming award.

Res. No. 3285 - Hon. Mr. Fage, Minister of Economic Development - congratulations to Gil Collicut on receipt of an award.

Res. No. 3286 - Hon. Mr. Fage, Minister of Economic Development - congratulations to Andrew Pearcey, Chris Morehouse and Alex Coles on receipt of an award.

Res. No. 3287 - Hon. Mr. Fage, Minister of Economic Development - congratulations to Ray Coulson on being named Maritimer



of the Week.

Res. No. 3288 - Hon. The Speaker - congratulations to Carl's Variety.

Res. No. 3289 - Hon. The Speaker - congratulations to Stacey Carter.

Res. No. 3290 - Hon. The Speaker - congratulations to Jon Casey.

Res. No. 3291 - Hon. The Speaker - congratulations to Cecelia Mattinson.

Res. No. 3292 - Hon. The Speaker - congratulations to Andrew and Lita MacDiarmid.

Res. No. 3293 - Mr. Samson, Leader in the House of the Liberal Party - urging the government to provide the resources necessary to enforce conditional sentences.

Res. No. 3294 - Mr. Graham, Halifax Citadel - recognizing that a full ban on VLTs is the only real solution.

#### **PUBLIC BILLS**

On motion, the adjourned debate on second reading of the following bill was resumed:

##### **No. 147. Youth Justice Act**

The debate resumed with Mr. Deveaux, Mr. Samson, Ms. M. MacDonald, Mr. Graham and Mr. David A. Wilson, who adjourned debate.

#### **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 Friday, April 22<sup>nd</sup> at 9:00 A.M.