

The House met at 2:00 P.M.

Prayers.

POINT OF ORDER

Hon. D. Wilson, Sackville-Cobequid, rose on a point of order concerning the referral of the word “cowardly” by the member for Richmond. The member for Richmond withdrew his comment.

The Speaker ruled the matter was dealt with.

Hon. Manning MacDonald, Cape Breton South, rose on a point of order respecting scheduling of presenters at Law Amendments Committee.

Comments were made by Hon. C. d’Entremont and Hon. D. Wilson.

Hon. The Speaker took the matter under advisement.

PRESENTING AND READING PETITIONS

C. Porter, Hants West, tabled a petition requesting the Minister of Health and Wellness to support concerns of people of Hants West regarding the need for a satellite dialysis.

L. Glavine, Kings West, tabled a petition requesting Western Kings Memorial Health Centre Outpatients Department be saved.

PRESENTING REPORTS OF COMMITTEES

Hon. R. Landry, Chairman of the Committee on Law Amendments, reported that the Committee had met and considered the following bills and recommended the same to the favourable consideration of the House, each without amendment:

No. 81. Identification of Criminals Act

No. 86. Fair Automobile Insurance (2011) Act

No. 94. Atlantic Provinces Special Education Authority Act

No. 98. Fish Harvester Organizations Support Act

No. 104. Gaming Control Act

No. 108. Perpetuities Act

No. 111. Equity Tax Credit Act

No. 112. Community Spirit Act

And also, the following bill, with an amendment:

No. 95. Education Act

The foregoing bills were ordered referred to the Committee of the Whole House on Bills.

TABLING REPORTS, REGULATIONS AND OTHER PAPERS

Hon. M. More, Minister of Labour and Advanced Education, tabled the Labour Management Review Committee – Study Day Invitation List and Attendance List.

GOVERNMENT NOTICES OF MOTION

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

Res. No. 2626 – Hon. D. Dexter, Premier – congratulating this year's recipients of the Order of Nova Scotia and members of the advisory board and organizers on making this such a success for the last 10 years.

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

Res. No. 2627 – Hon. R. Landry, Minister of Justice – recognizing Marion Tyson for her years of service in the Public Service and wish her well on her retirement.

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

Res. No. 2628 – Hon. Maureen MacDonald, Minister of Health and Wellness – congratulating the first graduation class of the Maritime School of Paramedicine in Sydney.

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

Res. No. 2629 – Hon. P. Paris, Minister of African Nova Scotian Affairs – congratulating African-Canadian women leaders on their contributions to the public service.

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

Res. No. 2630 – Hon. P. Paris, Minister of Economic and Rural Development and Tourism – congratulating all the recipients of the 2011 National Awards for Tourism Excellence.

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. 121. An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act

(Hon. R. Jennex – Minister of Education)

No. 122. An Act to Amend Chapter 1 of the Acts of 1994-95, the Environmental Act

(Hon. S. Belliveau – Minister of Environment)

NOTICES OF MOTION

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

Res. No. 2631 – E. Orrell, Cape Breton North – congratulating Warden Jim Thurber and award recipients at Digby Board of Trade.

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

Res. No. 2632 – Hon. Maureen MacDonald, Halifax Needham –

remembering the Halifax Explosion as the 94th anniversary draws near.

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

Res. No. 2633 – Z. Churchill, Yarmouth – thanking everyone connected to the Movember Team known as Zach Churchill and friends.

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

Res. No. 2634 – V. Conrad, Queens – congratulating White Point Beach Resort and staff on receiving the CTHRC Award for Excellence.

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

Res. No. 2635 – Hon. R. Jennex, Kings South – commending the co-owners of Saraj Bakery and Café and wishing them continued success.

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

Res. No. 2636 – Hon. S. Belliveau, Shelburne – congratulating Bill and Sherri Harris of Don Atkinson Trucking Ltd. on being named Business of the Year at the Business Excellence Award.

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

Res. No. 2637 – Hon. D. Wilson, Sackville-Cobequid – commending Evan Muise for participating in Destination Imagination.

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

Res. No. 2638 – Hon. C. Parker, Pictou West – congratulating Ahead of Hair and Eva Sutherland on winning Pictou County People's Choice Award.

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

Res. No. 2639 – Hon. J. MacDonell, Hants East – sending

condolences to the family of Keith Miller on his passing.

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

Res. No. 2640 – B. Kent, Cole Harbour-Eastern Passage – congratulating Marie Morash's 10-year Monarch Certificate of Service.

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

Res. No. 2641 – C. MacKinnon, Pictou East – recognizing Phillip MacKenzie's contributions to the historical inventory of Pictou County photographs.

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

Res. No. 2642 – B. Skabar, Cumberland North – congratulating Ken Casey on 25 years of service and Paul Mundle and Brent Wilson on 20 years of service with Pugwash District Fire Department.

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

Res. No. 2643 – M. Whynott, Hammonds Plains-Upper Sackville – congratulating Sackville Masonic Lodge 137 on reaching their 25th anniversary.

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

Res. No. 2644 – J. Morton, Kings North – congratulating Foote's Farm Market on their 10th anniversary.

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

Res. No. 2645 – P. Birdsall, Lunenburg – congratulating Howard Keeping, organizer of the Santa Claus Parade in Lunenburg.

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

Res. No. 2646 – J. Boudreau, Guysborough-Sheet Harbour – congratulating Alexander “Braz” Ellsworth Ryan on his 107th birthday.

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

Res. No. 2647 – G. Burrill, Colchester-Musquodoboit Valley – applauding Heather Logan on receiving the NSAC Faculty Award for Teaching Excellence.

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

Res. No. 2648 – Hon. J. MacDonell, Hants East – congratulating postmistress Pam Starratt and the Noel post office with a cancellation stamp recognizing their special link to the Christmas season.

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

Res. No. 2649 – Hon. S. Belliveau, Shelburne – congratulating Kenney and Ross Limited on receiving the 2011 Export Achievement Award.

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

Res. No. 2650 – Hon. D. Wilson, Sackville-Cobequid – congratulating Taylor Stutely on winning the under-16 National Midget Championship in discus throwing.

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

Res. No. 2651 – Hon. C. Parker, Pictou West – congratulating Andrew Green for his award at the 2011 Annual Provincial 4-H Show.

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

Res. No. 2652 – B. Kent, Eastern Passage-Cole Harbour – congratulating Kaye MacCaull on receiving the Nova Scotia Foundation Life Membership.

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

Res. No. 2653 – V. Conrad, Queens – congratulating Queens Manor on 30 years of continual service.

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

Res. No. 2654 - J. Morton, Kings North – congratulating the Salvation Army Kentville Corps on their 125 years of service.

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

Res. No. 2655 – P. Birdsall, Lunenburg – congratulating Maurice Guitton on receiving the James C. Ford Award.

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

Res. No. 2656 – J. Boudreau, Guysborough-Sheet Harbour – congratulating the participants from Sheet Harbour who took part in the Terry Fox Run.

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

POINT OF PRIVILEGE

Hon. Manning MacDonald, Cape Breton South, rose on a point of privilege concerning procedures being followed in Law Amendments Committee.

Hon. The Speaker took the matter under advisement.

OPPOSITION MEMBERS' BUSINESS

Hon. Manning MacDonald, Opposition House Leader, called the following Resolution:

Res. No. 1110 – NSP – Rate Increase: NDP Gov't. – Oppose

A debate ensued during which the following took part: A. Younger,

V. Conrad and C. Porter.

SPEAKER'S RULING

"I would like to now make a ruling with respect to the points of order raised earlier by the members for Cape Breton South and Argyle, both House Leaders for their respective Parties. I have now had the opportunity to review Beauchesne and previous Speakers' Rulings.

The question of the Speaker's authority over the proceedings in committees generally is dealt with in those authorities. Simply put, the Speaker does not exercise procedural control over the committees. A previous Speaker ruled on this very issue with respect to a dispute over proceedings in the Law Amendments Committee. I have that ruling here and I will read two passages from it:

"It is a fundamental proposition that problems arising in a committee of the House should be dealt with within that committee and, only after the proper procedures that have been followed in the committee, should a matter come to this House.

This issue is also canvassed in Beauchesne, which states on Page 222:

'The Speaker has ruled on many occasions that it is not competent for the Speaker to exercise procedural controls over the committees. Committees are and must remain masters of their own procedure.'"

There is also a practical problem with that I hope that members will recognize - the meeting of the Law Amendments Committee has not happened yet. While it may come to pass that tonight is the last time for the presenters on Bill No. 102, that has not yet happened, so I'm being asked to rule on something that may not happen. The proper sequence, should that occur, is for the members of the committee to raise the procedural issues at the meeting that is taking place this afternoon. The proper forum for this is in the committee itself. If the Law Amendments Committee votes to not hear further presenters, an appeal of that decision may be made to the House pursuant to Rule 61.2.

Accordingly, I rule that the circumstances do not give rise to a valid point of order and I encourage the members of the Law Amendments Committee to deal with these concerns at that committee."

OPPOSITION MEMBERS' BUSINESS

On motion, the debate on the following Resolution was then resumed:

Res. No. 1110 – NSP – Rate Increase: NDP Gov't. – Oppose

The debate continued with Hon. S. McNeil. The debate was deemed to be adjourned.

Hon. Manning MacDonald, Opposition House Leader, called the following Resolution:

Res. No. 1857 – NDP Gov't.: Taxes: - Stop

A debate ensued during which the following took part: D. Whalen, M. Raymond, E. Orrell and L. Glavine. The debate was deemed to be adjourned.

ADJOURNMENT

Mr. Speaker adjourned the House to meet Thursday, December 1st at 12:00 Noon.

MOTIONS UNDER RULE 5(5)

Mr. Speaker interrupted the business having received notices of motion under Rule 5(5). The topic of late debate as submitted by S. Prest, Eastern Shore:

“Therefore be it resolved that the House of Assembly recognize and appreciate that the serious challenges facing the forestry industry in Nova Scotia today stem largely from a lack of appropriate action on the part of previous governments to demonstrate proper stewardship of a key natural resource, our forests.”

A debate ensued during which the following took part: S. Prest, L. Glavine and A. MacMaster.

NOTICES OF MOTION UNDER RULE 32

The following notices were passed in at the Clerk's table:

Res. No. 2657 – Hon. K. Casey, Colchester North – congratulating

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Brooke Densmore on receiving the female Nova Scotia School Athletic Federation Sport Award 2010-2011.