

The House met at 7:00 P.M.

Prayers.

### **SPEAKER'S RULING**

“Members will remember that on Friday I raised the question of tabling multiple identical petitions. As I recall, there was a past ruling about this. I consulted with the Chief Clerk and he advised me that there was a previous Speaker's Ruling in 1995 that a member who had multiple copies of what is the exact same petition should table them collectively, rather than individually.

I recognize that petitions often come from members from interest groups and sometimes they are not all delivered to them at once, and it is understandable that this could lead to more than one tabling by a member.

The Chief Clerk advises me also that in the past there have been occasions when a member has presented different copies of the same petition on different days, notwithstanding there is a ruling that says they should be tabled as one item. The underlying principle is that the House only has so much time for its business and members should not waste that time. I'm just going to suggest to members that they be mindful of the ruling and that if they are in possession of multiple copies of the same petition, that they please do whatever they can to table them together rather than waste the time of the House. Thank you.”

“The second issue - on Friday there was a point of privilege. On Friday the Honourable Progressive Conservative House Leader rose on a point of privilege. He asked me to rule on whether a letter from the Attorney General to the recent Electoral Boundaries Commission breached his privilege as a member of the House of Assembly.

He pointed to a letter dated February 28, 2012, in which I advised the chairman of the Electoral Boundaries Commission that the terms of reference established for that commission by the Select Committee on Establishing an Electoral Boundaries Commission constituted the totality of the direction to the commission and that no person was entitled to give further direction. The Honourable Member put forward the position that the Attorney General breached his privileges by sending a letter dated June 4, 2012, to the commission requesting that the commission revise its interim report dated May 31, 2012, as the report ‘. . . did not follow the requirements set out in the terms of reference in the final report of the Select Committee.’

In his letter, the Attorney General wrote: 'I've been advised by the Chief Legislative Counsel of the House of Assembly that the terms of reference are legally binding upon the Commission, and that the interim report is therefore null and void.' He went on to point out that it was '... necessary that the Commission follow its legally binding terms of reference.'

I have considered this matter very carefully and have come to the conclusion that the letter from the Attorney General to the commission was not a breach of privileges of the Honourable Member or the House. The letter advised the chairman of the commission that the commission was legally required to follow the terms of reference established for it by a committee of this House of Assembly. The will of the House of Assembly was expressed through a duly constituted committee of this House of Assembly and had to be followed by the commission.

He had been advised by the Chief Legislative Counsel for the House that the first interim report was null and void. Had the Attorney General given some direction to the commission that was in some way different from or an expansion of the terms of reference, this might have been a breach of privilege, but that is not what happened. The Attorney General advised the commission that it had to follow its legally binding terms of reference established by the select committee. That did not contravene the will of the Assembly expressed through its committee; it drew the attention of the commission to that will. Accordingly, it is my ruling that there is not a prima facie breach of privilege.

I want to point out to all members that one of the requirements of a point of privilege is it should be raised at the first opportunity after it has occurred. Generally, with respect to matters that have arisen while the House is adjourned, the point of privilege should be raised on the first day the House resumes its business - although this would not be expected on a ceremonial day. There may be exceptional circumstances in a particular situation that allow the Speaker to accept a question of privilege at a later date, but I just wanted to draw that requirement to members' attention.

This point was raised on our second day back, and it may be that the Honourable Member was waiting to see the form of legislation introduced by the government but, for future references, if something that a member believes is a breach of privilege that occurs during a period of adjournment, the expectation is that it should be raised on the first business day when the House resumes. Thank you."

**PRESENTING AND READING PETITIONS**

G. Ramey, Lunenburg West, tabled a petition requesting the paving of Mt. Pleasant Road in Lunenburg County.

L. Glavine, Kings West, tabled a petition calling on the Nova Scotia House of Assembly to use its powers over the Board of Commissioners of Public Utilities to deny any General Rate Application presented by Nova Scotia Power Incorporate requesting a rate increase in 2013, 2014 and 2015.

**GOVERNMENT NOTICES OF MOTION**

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

Res. No. 1481 – Hon. D. Dexter, Premier – recognizing and congratulating the Nova Scotia Mi'Kmaq on a successful Mi'Kmaq History Month, and 12 Mi'Kmaq elders and youth recognized for their community involvements.

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

Res. No. 1482 – Hon. M. Smith, Minister of Transportation and Infrastructure Renewal, on behalf of Hon. R. Landry, Minister of Justice – supporting the Neighbours, Friends and Families education program and the Transition House Association of Nova Scotia.

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

**(Hon. R. Jennex – Minister of Education)**

**No. 103. An Act to Ensure Accountability in Providing Economic Development Assistance in Nova Scotia**

(Hon. S. McNeil – Annapolis)

**No. 104. An Act to Provide for the Establishment of an Entrepreneur Stream under the Nova Scotia Nominee Program**

(D. Whalen – Halifax Clayton Park)

**NOTICES OF MOTION**

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

Res. No. 1483 – Hon. K. Casey, Colchester North – congratulating Rebecca Taylor and Pearl & Daisy Natural Soap Company on their Export Achievement Award, the award for Best New Product and was an official gift lounge sponsor.

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

Res. No. 1484 – Hon. J. Baillie, Cumberland South – sending prayers for the crew members of the HMS Bounty especially those not yet accounted for after her sinking off North Carolina during Hurricane Sandy.

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

Res. No. 1485 – P. Birdsall, Lunenburg – congratulating the students at Bayview Community School on speaking out against cyberbullying and raising awareness about its devastating effects.

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

Res. No. 1486 – Hon. K. Colwell, Preston – recognizing the positive projects the Annie V. Johnson Chapter IODE hosts for the youth.

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

Res. No. 1487 – A. MacMaster, Inverness – acknowledging Father Hughie D. MacDonald for his 60 years of service as a priest and a friend to everyone.

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

Res. No. 1488 – Hon. Manning MacDonald, Cape Breton South - asking the member for Guysborough-Sheet Harbour to urge the Premier to rethink his failed model of corporate handouts and begin growing the economies.

Res. No. 1489 – E. Orrell, Cape Breton North – congratulating Ronnie Williams for taking the initiative to restore Smelt Brook Park to some of its past glory.

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

Res. No. 1490 – L. Glavine, Kings West – congratulating Leonard Siller on receiving the PANS Distinguished Service Award for exceptional service.

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

Res. No. 1491 – K. Bain, Victoria-The Lakes – congratulating Karina and Kylee Kuchta and the Nova Scotia team for their achievements on the Under-15 and Under-17 basketball team.

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

Res. No. 1492 – D. Whalen, Halifax Clayton Park – congratulating Susan Wedlake on receiving the 2012 Craig Ennett Award.

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

Res. No. 1493 – Hon. C. d'Entremont, Argyle – congratulating Coastal Financial Credit Union on their grand opening of their new facility.

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

Res. No. 1494 – Hon. K. Casey, Colchester North – congratulating North Colchester River Restoration Association and the Millbrook First Nation on taking responsibility for the environmental concerns.

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

Res. No. 1495 – A. MacMaster, Inverness – acknowledging the Sisters in Spirit campaign and the efforts put forth by the organizers.

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

Res. No. 1496 – K. Regan, Bedford-Birch Cove – congratulating Georges Hébert on being inducted in the New Brunswick Country Music 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. 1497 – E. Orrell, Cape Breton North – thanking the members of the Armstrong Memorial Branch 19 Royal Canadian Legion on 85 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. 1498 – A. Younger, Dartmouth East – congratulating Jeff Wheaton on his contributions to Atlantic Canada's cinema landscape.

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

Res. No. 1499 – K. Bain, Victoria-The Lakes – thanking Brother Milne for his years of generosity to his community and congratulate him for his Special Recognition Award from the Cabot Trail Lions Club.

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

Res. No. 1500 – Z. Churchill, Yarmouth – congratulating Yarmouth Peewee AA Gateways on winning 2012 Peewee AA Atlantic Baseball Championship.

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

Res. No. 1501 – Hon. C. d'Entremont, Argyle – encouraging Nova

Scotians to the awareness of risk factors associated with strokes and the warning signs.

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

Res. No. 1502 – G. MacLellan, Glace Bay – thanking the 2013 host committee for taking on the epic tournament and wishing the Colonels well as they prepare to win their sixth national baseball title.

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

Res. No. 1503 – L. Glavine, Kings West – congratulating Gerard Ansems on growing a 783.4 kg pumpkin and winning the \$1,000 prize for his pumpkin.

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

Res. No. 1504 – Hon. K. Colwell, Preston – thanking and congratulating Mary-Anne (Beaver) Bailey for the contributions she has made to Nova Scotia in the fight to eradicate cancer.

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

Res. No. 1505 – K. Regan, Bedford-Birch Cove – supporting the passage of Bill C-442 to work towards ensuring the recognition, diagnosis and treatment of Lyme disease.

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

Res. No. 1506 – D. Whalen, Halifax Clayton Park – asking the member for Halifax-Chebucto to remind the Premier because of their mismanagement that more Nova Scotians are facing lay-offs and job insecurity.

## **PUBLIC BILLS**

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

**No. 94. House of Assembly Act**

The debate resumed with Hon. C. d'Entremont, Hon. L. Preyra, Hon. S. McNeil and K. Bain, who adjourned debate.

**ADJOURNMENT**

Mr. Speaker adjourned the House to meet Tuesday, October 30<sup>th</sup> at 2:00 P.M.

**NOTICES OF MOTION UNDER RULE 32**

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

Res. No. 1507 – G. MacLellan, Glace Bay – congratulating Graham MacKenzie on receiving the 2012 Takeda Magnum Opus Award and extending our appreciation in bringing quality health care services to the residents of Cape Breton.

Res. No. 1508 – A. Younger, Dartmouth East – congratulating Joanne Bernard, her staff and board of directors on winning the 2012 Donner Award.

Res. No. 1509 – Z. Churchill, Yarmouth – congratulating the players in Chicks With Sticks female hockey tournament and thanking the volunteers who helped organize this exciting event.

Res. No. 1510 – Hon. J. Baillie, Cumberland South – extending condolences to the family and loved ones of Ruth Goldbloom and showing gratitude for her extraordinary contributions to the arts and culture of Nova Scotia.

Res. No. 1511 – Hon. J. Baillie, Cumberland South - applauding Bruce Blacklock and his Phoenix Agritech staff for their ingenious products and international success.

Res. No. 1512 – Hon. J. Baillie, Cumberland South - recognizing this week as Patient Safety Week and encouraging patients and professionals across the province to communicate effectively with each other.