

The House met at 9:00 A.M.

Prayers.

SPEAKER'S RULING

“Yesterday, I took under advisement a point of order by the Honourable Leader of the Opposition, who stated that the Honourable Minister of Health and Wellness tried to intimidate Members from asking questions by misrepresenting their intentions. Intimidating Members from asking questions would not only be unparliamentary; it could amount to a breach of the Members’ privilege.

Bosc and Gagnon, *House of Commons Procedure and Practice*, 3rd edition states at pp. 107-108 that “[a]ny form of intimidation of a Member with respect to the Member’s actions during a proceeding in Parliament could amount to a contempt.”

However, intimidation occurs when one frightens or threatens another, usually to compel the other to do something or to deter the other from doing something. Misrepresenting a persons’ intentions is not an act of intimidation, although doing so is itself an unparliamentary act. As Speaker Gosse ruled on April 4, 2013, “[i]t is unparliamentary and contrary to convention and usage for any Member to impute to another member bad motives or motives different from those acknowledged by that other Member with respect to anything said or done by that other Member.”

Accordingly, I have treated the point of order as alleging two distinct unparliamentary acts – intimidating the Members asking questions and misrepresenting the Members’ intentions in asking the questions – and reviewed the Minister’s replies to determine if either of these acts occurred.

In response to a question by the Honourable Member for Cole Harbour-Eastern Passage, the Minister of Health and Wellness stated:

‘I want to thank the public servants who, during this difficult last year, put in an incredible number of hours and helped protect Nova Scotians, particularly those on our long-term care team who made sure that we were prepared for a Wave 2 and kept COVID-19 out of long-term care facilities.

This is the second time that that member has used the personal name of somebody in the department – someone who works very hard and who’s very committed – and I think it’s very shameful when the Party opposite attacks our public servants

who've been putting in the hard work and doing the heavy lifting to protect Nova Scotians and implement key plans during the COVID-19 pandemic. Particularly considering that that Party hid under a rock for the last year while other people did all the work for them.

I would hope that that member at some point will apologize to the public servants whom she has attacked in this way.'

There is nothing in the Minister's response to that can be construed as intimidating or threatening. The statement that Member for Cole Harbour-Eastern Passage's party 'hid under a rock' was unparliamentary and the Minister retracted his unparliamentary comment after the Leader of the Opposition rose on this point of order following Question Period.

Other than that comment, which has already been addressed, there is nothing in the Minister's reply that can reasonably be taken as an attempt to threaten Members of the opposition or make them fearful of asking questions.

As for misrepresenting the Member for Cole Harbour-Eastern Passage's intentions, the Minister's reply does not characterize her intentions at all. It only characterizes her question as an attack on a public servant. Whether the Minister's characterization is accurate amounts to a disagreement of fact between the Minister and the Leader of the Opposition.

In response to a question by the Honourable Member for Dartmouth East, the Minister of Health and Wellness stated:

'Again, I'm not sure why the Party opposite targets our public servants in this way. They are not publicly elected officials. They serve the elected wing of government, and they serve us and Nova Scotians very well. That has been demonstrated every single day during this pandemic over the last year in particular.

I would encourage the members opposite to please stop this line of attack on our public servants because they are the backbone of what our response has been over the last year, and I personally want to thank them for their great work, and I want them to know that they have the confidence of the government, and I believe of the public.'

Again, there is nothing in the Minister's reply that can reasonably be taken as an attempt to threaten Members of the opposition or make them

fearful of asking questions. The Minister asked that the members opposite not engage in a particular line of questioning. Those members are free to ignore that request and continue to ask their questions. Nothing in the Minister's reply suggests any deleterious consequences for doing so.

The Minister did not impute any intentions to the Member for Dartmouth East. The Minister explicitly disclaimed any knowledge of the Member's intent in asking the question. As with the Minister's other impugned reply, all that exists here is a disagreement of fact between the Minister and Leader of the Opposition regarding the accuracy of the Minister's characterization of the question as being an attack on a public servant.

Accordingly, there is no point of order."

PRESENTING AND READING PETITIONS

A. Paon, Cape Breton-Richmond, tabled a petition asking for St. Peter's Fourchu Road to be repaved and to create a five-year plan for that highway.

TABLING REPORTS, REGULATIONS AND OTHER PAPERS

Hon. K. Murphy, Speaker, tabled the House of Assembly Management Commission 2020 Annual Report.

GOVERNMENT NOTICES OF MOTION

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

Res. No. 275 - Hon. S. Lohnes-Croft, Minister of Communities, Culture and Heritage - celebrating 100 years of the *Bluenose*'s reign.

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

Res. No. 276 - Hon. S. Lohnes-Croft, Minister of Communities, Culture and Heritage - recognizing the Sail Past Summer that enabled people throughout the province to view the *Bluenose II* last summer.

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

Res. No. 277 - Hon. K. Colwell, Minister of Fisheries and Aquaculture - recognizing all parties who came to the aid of the Atlantic Destiny crew when their vessel took on water.

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

Res. No. 278 - Hon. K. Colwell, Minister of Agriculture - congratulating Clever Fruit Products of Mahone Bay on winning the 2020 Wild Blueberry Solutions Challenge with their blueberry powder.

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

Res. No. 279 - Hon. K. Irving, Minister of Environment and Climate Change - recognizing Earth Hour and encouraging all to take part at 8:30 pm Saturday by switching off lights and electronics for one hour.

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

Res. No. 280 - Hon. L. Metlege Diab, Minister of Acadian Affairs and Francophonie - recognizing the impact of Covid-19 on post-secondary students with permanent disabilities and providing a one-time grant to help costs.

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

Res. No. 281 - Hon. R. Delorey, Minister of Justice - wishing Assistant Chief Electoral Officer Peter Gzowski a happy retirement.

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

TABLING REPORTS, REGULATIONS AND OTHER PAPERS

With unanimous consent of the House, the order of business reverted and Hon. R. Delorey, Minister of Justice, tabled amendments to the Nova Scotia Civil Procedure Rules, December 11, 2020.

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. 66. An Act to Optimize Virtual Healthcare

(S. Leblanc – Dartmouth North)

No. 67. An Act to Amend Chapter 197 of the Revised Statutes, 1989, the Health Services and Insurance Act, to Expand M.S.I. Coverage

(S. Leblanc – Dartmouth North)

No. 68. An Act to Amend Chapter 5 of the Acts of 2005, the Emergency Health Services Act

(S. Leblanc – Dartmouth North)

GOVERNMENT MOTIONS

Hon. G. MacLellan, Government House Leader, called the following resolution:

Res. No. 229 – Estimates: Committee of the Whole on Supply – Referral

The adjourned debate resumed with M. Ryan and C. Chender. There being no further debate, the Estimates were referred to the Committee of the Whole on Supply unto Her Majesty.

SUPPLY UNTO HER MAJESTY

On motion, the House resolved itself into a Committee of the Whole on Supply. The question being put by the Speaker, the motion carried nem com.

The Speaker left the Chair.

The Chairperson took the chair of the Committee.

On motion, the following Resolution was called:

No. E10, relating to the Department of Health and Wellness.
ADJOURNED.

On motion, the Committee rose and the Speaker resumed the Chair. The Chair reported that the Committee had made progress and begged leave to sit again.

ADJOURNMENT

The Speaker adjourned the House to meet Tuesday, March 30th at 1:00 P.M.