

Royal Gazette

Part II Regulations under the Regulations Act

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In force date of regulations: As of March 4, 2005*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

N.S. Reg. 65/2006

Made: May 4, 2006

Filed: May 5, 2006

Proclamation – General Assembly

General Assembly
Proclamation dated May 4, 2006

PROVINCE OF NOVA SCOTIA

Sgd: Myra A. Freeman

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS we have been advised by Our Executive Council that it is in the public interest that the First Session of the Fifty-Ninth General Assembly should be prorogued this 4th day of May, A.D., 2006, and that the Second Session of the Fifty-Ninth General Assembly should meet on Thursday, the 4th day of May, A.D., 2006, at two o'clock in the afternoon, for the dispatch of business:

NOW KNOW YE THAT WE, by and with the advice of Our Executive Council, have thought fit to prorogue the First Session of the Fifty-Ninth General Assembly on the 4th day of May, A.D., 2006, and to summon the said General Assembly and do hereby summon the said General Assembly to meet on Thursday, the 4th day of May, A.D., 2006, at two o'clock in the afternoon, for the dispatch of business, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 4th day of May, in the year of
Our Lord two thousand and six and in the fifty-
fifth year of Our Reign.

BY COMMAND:

Sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 66/2006

Made: May 4, 2006

Filed: May 5, 2006

Business Registry Regulations

Order in Council 2006-216 dated May 4, 2006
Amendment to regulations made by the Governor in Council
pursuant to Section 4 of the *Business Electronic Filing Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations and the Minister responsible for the Nova Scotia Liquor Corporation and the *Liquor Control Act* dated April 6, 2006, and pursuant to Section 4 of Chapter 3 of the Acts of 1995-96, the *Business Electronic Filing Act*, is pleased, effective on and after May 4, 2006, to amend the *Business Registry Regulations*, N.S. Reg. 14/2000, made by the Governor in Council by Order in Council 2000-24 dated February 2, 2000, by adding the following clauses immediately after clause 3(k):

- (ka) Section 75 of the *Liquor Control Act*;
- (kb) Sections 41, 45 and 46 of the *Nova Scotia Liquor Corporation Regulations*;

N.S. Reg. 67/2006

Made: May 4, 2006

Filed: May 5, 2006

Child Maintenance Guidelines

Order in Council 2006-219 dated May 4, 2006
Amendment to regulations made by the Governor in Council
pursuant to Section 55 of the *Maintenance and Custody Act*

The Governor in Council on the report and recommendation of the Minister of Justice, dated April 18, 2006, and pursuant to Section 55 of Chapter 160 of the Revised Statutes of Nova Scotia, 1989, the *Maintenance and Custody Act*, is pleased to amend the *Child Maintenance Guidelines*, N.S. Reg. 53/98, made by the Governor in Council by Order in Council 1998-386 dated August 5, 1998, to reflect amendments made to the *Federal Child Support Guidelines*, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 1, 2006.

Schedule "A"

**Amendment to the *Child Maintenance Guidelines* made by the
Governor in Council pursuant to Section 55 of Chapter 160
of the Revised Statutes of Nova Scotia, 1989,
the *Maintenance and Custody Act***

1 The *Child Maintenance Guidelines*, N.S. Reg 53/98, made by the Governor in Council by Order in Council 1998-386 dated August 5, 1998, are amended by adding the following subsection immediately after subsection 7(1):

- (1A) For the purposes of clauses (1)(d) and (f), "extraordinary expenses" means

- (a) expenses that exceed those that the spouse requesting an amount for the extraordinary expenses can reasonably cover, taking into account that spouse's income and the amount that the spouse would receive under the applicable table or, if the court has determined that the table amount is inappropriate, the amount that the court has otherwise determined is appropriate; or
- (b) if clause (a) is not applicable, expenses that the court considers are extraordinary, taking into account all of the following:
 - (i) the amount of the expense in relation to the income of the spouse requesting the amount, including the amount that the spouse would receive under the applicable table or, if the court has determined that the table amount is inappropriate, the amount that the court has otherwise determined is appropriate,
 - (ii) the nature and number of the educational programs and extracurricular activities,
 - (iii) any special needs and talents of the child or children,
 - (iv) the overall cost of the programs and activities,
 - (v) any other similar factor that the court considers relevant.

2 Section 20 of the Guidelines is repealed and the following Section substituted:

- 20 (1)** Except as provided in subsection (2), if a spouse is a non-resident of Canada, the spouse's annual income is determined as though the spouse were a resident of Canada.
- (2)** If a spouse is a non-resident of Canada and resides in a country that has effective rates of income tax that are significantly higher than those applicable in the province in which the other spouse ordinarily resides, the spouse's annual income is the amount that the court determines to be appropriate taking those rates into consideration.

N.S. Reg. 68/2006 to 69/2006

Made: May 4, 2006

Filed: May 5, 2006

General Civil Service Regulations and
Car Kilometrage Rates, Monthly Car Allowances and Transportation Allowances Regulations

Order in Council 2006-221 dated May 4, 2006

Amendment to regulations and regulations made by the Civil Service Commission
and approved by the Governor in Council pursuant to Section 45 of the *Civil Service Act*

The Governor in Council on the report and recommendation of the Minister of Human Resources, dated May 1, 2006, and pursuant to Section 45 of Chapter 70 of the Revised Statutes of Nova Scotia, 1989, the *Civil Service Act*, is pleased, effective on and after May 4, 2006, to approve:

- (a) the repeal by the Public Service Commission of Sections 41 and 42 of the general regulations respecting the civil service, N.S. Reg. 20/81, made by the Commission and approved by the Governor in Council by Order in Council 81-268 dated March 3, 1981; **[N.S. Reg. 68/2006]**

- (b) the repeal by the Public Service Commission of the *Car Kilometrage Rates and Monthly Allowance Regulations*, N.S. Reg. 63/2002, made by the Public Service Commission and approved by the Governor in Council by Order in Council 2002-243 dated May 24, 2002; and
- (c) new regulations respecting car kilometrage rates, monthly car allowances and transportation allowances made by the Public Service Commission in the form set out in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

The Public Service Commission, pursuant to Section 45 of Chapter 70 of the Revised Statutes of Nova Scotia, the *Civil Service Act*, hereby

- (a) repeals Sections 41 and 42 of the general civil service regulations, N.S. Reg. 20/81, made by the Public Service Commission and approved by the Governor in Council by Order in Council 81-268 dated March 3, 1981; and [N.S. Reg. 68/2006]
- (b) repeals the *Car Kilometrage Rates and Monthly Allowances Regulations*, N.S. Reg. 63/2002, made by the Public Service Commission and approved by the Governor in Council by Order in Council 2002-243 dated May 24, 2002, and makes new regulations respecting car kilometrage rates, monthly car allowances and transportation allowances in the form attached.

Dated at Halifax, Nova Scotia, May 1, 2006.

Sgd.: *Ron Russell*
Honourable Ronald S. Russell
Minister of Human Resources

N.S. Reg. 69/2006

Car Kilometrage Rates, Monthly Car Allowances and Transportation Allowances Regulations

**Regulations Respecting Car Kilometrage Rates, Monthly Car Allowances
and Transportation Allowances
made pursuant to Section 45 of Chapter 70 of the Revised Statutes
of Nova Scotia, 1989, the *Civil Service Act***

Citation

- 1 These regulations may be cited as the *Car Kilometrage Rates, Monthly Car Allowances and Transportation Allowances Regulations*.

Definitions

- 2 In these regulations,
- (a) “Act” means the *Civil Service Act*;
 - (b) “former regulations” means the *Car Kilometrage Rates and Monthly Allowances Regulations*, N.S. Reg. 63/2002, made under the Act by the Public Service Commission and approved by the Governor in Council by Order in Council 2002-243 dated May 24, 2002.

Prior rates and allowances

- 3 Car kilometrage rates and allowances as authorized by the former regulations must not be paid after March 31, 2004.

Kilometrage rates

- 4 Except as provided in Section 5, effective April 1, 2004, employees must be paid in accordance with the rates set out in the following table for all kilometres driven in connection with employment:

Kilometres Driven	Rate		
	April 1, 2004	April 1, 2005	April 1, 2006
0 -16 000 km	36.81 cents/km	37.32 cents/km	38.85 cents/km
16 000.1 - 24 000 km	32.48 cents/km	32.93 cents/km	34.28 cents/km
over 24 000 km	24.90 cents/km	25.24 cents/km	26.28 cents/km

Monthly car allowances

- 5 (1) Effective April 1, 2004, an employee of the Department of Transportation and Public Works who holds the position of Engineering Survey Technician or Project Engineer must be paid a monthly car allowance instead of the kilometrage rates set out in Section 4 in accordance with the following table:

	Monthly Car Allowance
April 1, 2004	\$769.73
April 1, 2005	\$780.35
April 1, 2006	\$812.35

- (2) Effective April 1, 2004, scale house operators (Motor Vehicle Registry), road transport inspectors in the Department of Transportation and Public Works and motor carrier inspectors in the Public Passenger Division, Nova Scotia Utility and Review Board must be paid a monthly car allowance instead of the kilometrage rates set out in Section 4 in accordance with the following table:

Kilometres Driven	Monthly Car Allowance		
	April 1, 2004	April 1, 2005	April 1, 2006
8 - 24 km	\$57.38	\$58.17	\$60.55
24 - 48.3 km	\$87.43	\$88.64	\$92.27
over 48.3 km	\$147.55	\$149.58	\$155.72

- (3) An employee who has been designated by the Commission as belonging to a class of employment for which availability of a motor vehicle is deemed to be a condition of employment may opt to receive a monthly car allowance in accordance with subsection (4) instead of the kilometrage rates set out in Section 4.
- (4) Effective April 1, 2004, an employee who has opted to receive a monthly car allowance under subsection (3) must be paid a monthly car allowance for all kilometres driven in connection with employment in accordance with the following table:

	Monthly Car Allowance
April 1, 2004	\$286.14 plus 21.11 cents/km
April 1, 2005	\$290.09 plus 21.40 cents/km
April 1, 2006	\$301.98 plus 22.28 cents/km

Request for change - kilometrage or allowance

6 If an employee who has the option of receiving a monthly car allowance under subsection 5(3) wishes to change from a monthly car allowance to the kilometrage rates under Section 4 or from the kilometrage rates to the monthly car allowance under subsection 5(4), the employee must notify the Public Service Commission in writing

- (a) no later than April 30th of the year ~~of the year~~ for which the change is requested; or
- (b) no later than 30 days after they become eligible to make the option.

Guidelines for determining when vehicle is condition of employment

7 The Public Service Commission must use the guidelines set out in Appendix "A" when designating employees as belonging to a class of employment for which availability of a motor vehicle is deemed to be a condition of employment.

Reductions in monthly car allowance

8 (1) An employee's monthly car allowance paid under Section 5 must not be reduced as a result of any of the following:

- (a) vacation;
 - (b) special leave with pay for 30 days or less;
 - (c) sick leave for 30 days or less.
- (2) A monthly car allowance paid under Section 5 for an employee who is on special leave without pay must be reduced in proportion to the number of compensation days in the month for which the special leave was granted.
- (3) If the Minister or a departmental official delegated by the Minister directs that an employee travel outside of their regular district and receive kilometrage rates under Section 4 for that travel, the employee's monthly car allowance paid under subsection 5(1) or (2) must be reduced in proportion to the number of compensation days in the month that the employee is assigned out of their regular district, and the employee must be paid at the kilometrage rates set out in Section 4 for the kilometres travelled outside of their regular district in connection with employment.

No government vehicle for employee receiving monthly car allowance

9 An employee who receives a monthly car allowance under these regulations must not be assigned a government-owned motor vehicle.

Personal use of government-owned motor vehicle

10 (1) An employee must obtain proper authorization before using a government-owned motor vehicle for personal use.

- (2) In this Section, “personal use” means use of a vehicle on other than government business and any kilometres driven for personal use must be repaid to the Province at the rate of 24.34 cents/km.

Approval required for other payments

- 11 (1) If specific requirements by departments, boards, agencies and commissions cannot be accommodated under Section 4 or 5, the Minister may approve payment for using a privately-owned motor vehicle on a basis other than as prescribed by Section 4 or 5 to address specific operating requirements.
- (2) A payment approved by the Minister under subsection (1) must be approved by the Executive Council.

Transportation allowances

- 12 (1) Effective April 1, 2004, an employee who is called back to work must be reimbursed for transportation to and from the place of work to a maximum of \$8.76 per call.
- (2) Effective April 1, 2004, an employee who is required to travel to and from work between midnight and six o'clock in the morning must be reimbursed for actual transportation expenses incurred to a maximum of \$7.25 per shift.

Appendix “A”

Guidelines for Designating Employees as Belonging to a Class of Employment That is Deemed to Require a Motor Vehicle

The Public Service Commission must use the following factors to determine whether to designate an employee as belonging to a class of employment for which availability of a motor vehicle is deemed to be a condition of employment:

1. The Commission should not make the designation if the employee can travel more economically by other means without substantial impairment to the efficiency of service.
2. If the number of kilometres driven by the employee in connection with employment is 3218.6 km or less per year, the designation of the employee normally should not be granted.
3. If the number of kilometres driven by the employee in connection with employment is more than 3218.6 km per year but less than 16 000 km per year, the decision to designate the employee must be based on criteria established by the applicable department and the department's recommendation that using a privately-owned motor vehicle is the most efficient manner of providing transportation to fulfil the job function, particularly as it relates to providing services to the public.
4. If the number of kilometres driven by the employee in connection with employment is 16 000 km or more per year, the designation of the employee normally should be granted on the recommendation of the Deputy Minister of the applicable department to the Commission.
5. A recommendation for designation of an employee by a department or the Deputy Minister of a department should take into consideration the nature of the job function performed by the employee and any requirements for transportation that could be met by other means of transportation, such as a privately-owned vehicle, a rental vehicle, public transportation, etc.

6. Whether an employee has control over the demand for transportation and whether the demand for transportation can and does occur at any time, as in areas of personal service, protection, etc. should be considered when determining whether to designate the employee.
 7. Whether an employee must have transportation available, as well as how often transportation is needed should be considered when determining whether to designate the employee.
-

N.S. Reg. 70/2006

Made: May 4, 2006

Filed: May 5, 2006

Provincial Parks Regulations

Order in Council 2006-226 dated May 4, 2006
Amendment to regulations made by the Governor in Council
pursuant to Section 37 of the *Provincial Parks Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated April 6, 2006, and pursuant to clauses 37(1)(i) and (j) and subsection 37(2) of Chapter 367 of the Revised Statutes of Nova Scotia, 1989, the *Provincial Parks Act*, is pleased to amend the *Provincial Parks Regulations*, N.S. Reg. 69/89, made by Order in Council 89-579 dated May 16, 1989, to revise bunkhouse camping fees in Cape Chignecto Provincial Park in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after May 4, 2006.

Schedule "A"

**Amendments to the *Provincial Parks Regulations* made by the
Governor in Council pursuant to Section 37 of Chapter 367
of the Revised Statutes of Nova Scotia, 1989,
the *Provincial Parks Act***

Subsection 16A(3) of the *Provincial Parks Regulations*, N.S. Reg. 69/89, made by the Governor in Council by Order in Council 89-579 dated May 16, 1989, is repealed and the following subsection substituted:

- (3) Despite the fees prescribed in clauses 16(1)(a) and (b), the following fees, inclusive of any applicable tax, shall apply in Cape Chignecto Provincial Park:
- | | |
|--------------------------------------|---|
| (a) campsite permit | \$18.00 per day; |
| (b) bunkhouse or cabin permit rental | \$50.00 per night for up to 4 people, and an additional \$10.00 per person per night for up to 4 additional people. |

N.S. Reg. 71/2006

Made: May 4, 2006

Filed: May 5, 2006

Proclamation, S. 34, S.N.S. 2005, c. 45

Order in Council 2006-228 dated May 4, 2006
Proclamation made by the Governor in Council
pursuant to Section 34
of the *Professional Planners Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated May 2, 2006, pursuant to Section 34 of Chapter 45 of the Acts of 2005, the *Professional Planners Act*, is pleased to order and declare by proclamation that Chapter 45 of the Acts of 2005, the *Professional Planners Act*, do come into force on and not before May 4, 2006.

PROVINCE OF NOVA SCOTIA

Sgd: Myra A. Freeman

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 34 of Chapter 45 of the Acts of 2005, the *Professional Planners Act*, it is enacted as follows:

- 34** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 45 of the Acts of 2005, the *Professional Planners Act*, come into force on and not before May 4, 2006;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 45 of the Acts of 2005, the *Professional Planners Act*, come into force on and not before May 4, 2006, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 4th day of May, in the year of Our Lord two thousand and six and in the fifty-fifth year of Our Reign.

BY COMMAND:

Sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 72/2006

Made: May 12, 2006

Filed: May 15, 2006

Tariff of Fees and Expenses Regulations

Order in Council 2006-240 dated May 12, 2006
Regulations made by the Governor in Council
pursuant to Section 174 of the *Elections Act*

The Governor in Council on the report and recommendation of the Minister responsible for the *Elections Act*, dated May 5, 2006, and on the recommendation of the Chief Electoral Officer, and pursuant to Section 174 of Chapter 140 of the Revised Statutes of Nova Scotia, 1989, the *Elections Act*, is pleased to

- (a) repeal the regulations respecting a tariff of fees and expenses, N.S. Reg. 105/2003, made by the Governor in Council by Order in Council 2003-211 dated May 9, 2003; and
- (b) make new regulations respecting a tariff of fees and expenses in the form set out in Schedule “A” attached to and forming part of the report and recommendation,

effective on and after May 12, 2006.

Schedule “A”

**Regulations Respecting the Tariff of Fees and Expenses
made by the Governor in Council pursuant to
Section 174 of Chapter 140 of the Revised Statutes
of Nova Scotia, 1989, the *Elections Act***

Interpretation

Citation

1 These regulations may be cited as the *Tariff of Fees and Expenses Regulations*.

Definitions

2 In these regulations,

- (a) “Act” means the *Elections Act*;

- (b) “certificate to vote” means a certificate in the prescribed form that is provided to a person who registers as an elector at an advance poll, a special poll or an ordinary poll or at the returning office on a day before ordinary polling day;
- (c) “voter information card” means a card in the prescribed form that contains an elector’s name, address and polling station.

Fees for Election Officials

Returning officers (between elections)

- 3 (1) The Chief Electoral Officer may pay a returning officer an annual fee of up to \$500.00 for services provided by the returning officer between elections.
- (2) An annual fee paid to a returning officer is paid at the sole discretion of the Chief Electoral Officer and any payment may be prorated at the sole discretion of the Chief Electoral Officer.
- (3) In addition to an annual fee paid to a returning officer, the Chief Electoral Officer may pay a returning officer a wage of \$20.00 per hour for services provided by the returning officer between elections at the request of the Chief Electoral Officer that are beyond the standard duties of a returning officer.
- (4) For the purposes of subsection (3), the Chief Electoral Officer determines whether services provided by a returning officer are beyond the standard duties of a returning officer.
- (5) The fee for a returning officer to store election documents and supplies between elections at the request of the Chief Electoral Officer is, per month, \$50.00

Returning officers (during election)

- 4 The fee for services provided by a returning officer during an election, including receiving the candidates’ expenses, is,
- (a) if a poll is held \$4350.00
plus \$0.15 per name on the official list of electors and \$0.15 per name for names added to the list by certificates to vote; or
 - (b) if no poll is held, 50% of the amount payable under clause (a).

Assistant returning officers

- 5 The fee for services provided by an assistant returning officer during an election is,
- (a) if a poll is held \$4350.00
plus \$0.15 per name on the official list of electors and \$0.15 per name for names added to the list by certificates to vote; or
 - (b) if no poll is held, 50% of the amount payable under clause (a).

Election clerks

- 6 The fee for services provided by an election clerk during an election is,
- (a) if a poll is held \$3000.00
plus \$0.10 per name on the official list of electors and \$0.15 per name for names added to the list by certificates to vote; or

(b) if no poll is held, 50% of the amount payable under clause (a).

Assistant election clerks

- 7 (1) The fee for services provided by an assistant election clerk during an election is,
- (a) if a poll is held \$3000.00
 - (b) if no poll is held, 50% of the amount payable under clause (a).
- (2) The fee for an assistant election clerk acting as a revision assistant or presiding officer for write-in ballots is \$500.00

Attendance at recounts

8 The fee for services provided by a returning officer or an election clerk who attends a recount is, per day, \$125.00

Revision assistant or presiding officer for write-in ballots

- 9 The fee for services provided by a revision assistant or presiding officer for the write-in ballot poll during an election is,
- (a) if a poll is held \$2800.00
plus \$0.10 per name on the official list of electors and \$0.10 per name for names added to the list by certificate to vote; or
 - (b) if no poll is held, 50% of the amount payable under clause (a).

Attendance at courses and meetings

- 10 (1) The fee for a returning officer, an assistant returning officer, an election clerk or an assistant election clerk who, at the direction of the Chief Electoral Officer, attends a course on election procedure or on computer training for elections or attends a meeting arranged by the Chief Electoral Officer is, per day \$125.00
- (2) A returning officer, an assistant returning officer, an election clerk or an assistant election clerk who is required to attend training or a meeting in accordance with subsection (1), is entitled to an allowance of \$125 for each day they are required to be absent from their place of residence, excluding the days of attendance covered under subsection (1).

Enumerators

- 11 (1) The fee for services provided by enumerators is \$125.00 plus, for each elector or address properly added to, confirmed on or removed from the enumerator's index sheets,
- (a) \$0.70 per name for an urban polling division; or
 - (b) \$0.90 per name for a rural polling division.
- (2) For the purposes of subsection (1), the Chief Electoral Officer determines whether a polling division is urban or rural.
- (3) The fee for an enumerator to attend and receive instructions and training from a returning officer is \$50.00

Revising agents

- 12 (1) The fee for services provided by a revising agent is \$125.00
plus \$0.82 per name for each elector or address properly added to, confirmed on or removed from the
revising agent's index sheets.
- (2) The fee for travel expenses for a revising agent is the amount authorized by clause 29(a),
to a maximum of \$100.00
- (3) The fee for a revising agent to attend and receive instructions and training from a
returning officer is \$50.00

Supervising deputy returning officers

- 13 (1) The fee for services provided by a supervising deputy returning officer is \$154.00
- (2) The fee for a supervising deputy returning officer to attend and receive instructions from
a returning officer is \$35.00

Presiding officers (special poll)

- 14 (1) The fee for services provided by a presiding officer for a special poll is \$576.00
- (2) The fee for a presiding officer to attend and receive instructions from a returning
officer is \$35.00
- (3) The fee for a presiding officer for a special poll to attend and count the votes on
ordinary polling day is \$25.00

Deputy presiding officers (special poll)

- 15 (1) The fee for services provided by a deputy presiding officer for a special poll is \$480.00
- (2) The fee for a deputy presiding officer for a special poll to attend and receive instructions
from a returning officer is \$35.00
- (3) The fee for a deputy presiding officer for a special poll to attend and count the votes on
ordinary polling day is \$25.00

Deputy returning officers (advance poll)

- 16 (1) The fee for services provided by a deputy returning officer for an advance poll is \$288.00
- (2) The fee for a deputy returning officer for an advance poll to attend and receive
instructions from a returning officer is \$35.00
- (3) The fee for a deputy returning officer for an advance poll to attend and count the votes
on ordinary polling day is \$25.00

Poll clerks (advance poll)

- 17 (1) The fee for services provided by a poll clerk for an advance poll is \$240.00
- (2) The fee for a poll clerk for an advance poll to attend and receive instructions from
a returning officer is \$35.00
- (3) The fee for a poll clerk for an advance poll to attend and count the votes on
ordinary polling day is \$25.00

Deputy returning officers (ordinary poll)

- 18** (1) The fee for services provided by a deputy returning officer for an ordinary poll is \$144.00
- (2) The fee for a deputy returning officer for an ordinary poll to attend and receive instructions from a returning officer is \$35.00
- (3) If a deputy returning officer acts as a polling day revision assistant, the fee for the services of the deputy returning officer, including attending to receive instructions from a returning officer, is \$30.00 in addition to the fees set out in subsections (1) and (2).

Poll clerks (ordinary poll)

- 19** (1) The fee for services provided by a poll clerk for an ordinary poll is \$120.00
- (2) The fee for a poll clerk for an ordinary poll to attend and receive instructions from a returning officer is \$35.00
- (3) The fee for a poll clerk for an ordinary poll to assist a deputy returning officer who is a polling day revision assistant is \$30.00 in addition to the fees set out in subsections (1) and (2).

Deputy returning officer (mobile poll)

- 20** (1) The fee for services provided by a deputy returning officer on ordinary polling day, including counting the ballots, is
- (a) for 1 mobile poll only \$72.00
- (b) for 2 or 3 mobile polls \$144.00
- (2) The fee for a deputy returning officer for a mobile poll to attend and receive instructions from a returning officer is \$35.00
- (3) The fee for a deputy returning officer who, at the direction of a returning officer, acts as a polling day revision assistant and adds electors who complete a certificate to vote to the list of electors, including attending to receive instructions from a returning officer, is \$30.00 in addition to the fees in subsections (1) and (2).

Poll clerk (mobile poll)

- 21** (1) The fee for all services provided by a poll clerk on ordinary polling day is
- (a) for 1 mobile poll only \$60.00
- (b) for 2 or 3 mobile polls \$120.00
- (2) The fee for a poll clerk for a mobile poll to attend and receive instructions from a returning officer is \$35.00
- (3) The fee for a poll clerk who assists a deputy returning officer who is acting as a polling day revision assistant and adds electors who complete a certificate to vote to the list of electors, including attending to receive instructions from a returning officer, is \$30.00 in addition to the fees set out in subsections (1) and (2).

Standby deputy returning officers and poll clerks

- 22 (1) The fee for a standby deputy returning officer or standby poll clerk attending to receive instructions from a returning officer is \$35.00
- (2) The fee for a standby deputy returning officer or standby poll clerk to be available on ordinary polling day in case their services are required is \$35.00

Polling day revision assistants (advance poll)

- 23 (1) The fee for services provided by a polling day revision assistant for an advance poll is \$288.00
- (2) The fee for a polling day revision assistant for an advance poll to attend and receive instructions from a returning officer is \$35.00

Polling day revision assistants (ordinary poll and write-in ballot)

- 24 (1) The fee for services provided by a polling day revision assistant for an ordinary poll is \$144.00
- (2) The fee for a polling day revision assistant for an ordinary poll to attend and receive instructions from a returning officer is \$35.00

Deputy presiding officer (ordinary poll and write-in ballot)

- 25 (1) The fee for the services of a deputy presiding officer to verify the declaration envelopes and count the ballots on ordinary polling day as directed by a returning officer is, per hour, \$12.00
- (2) The fee for the services of a deputy presiding officer to verify and count write-in ballots, including attending to receive instructions from a returning officer, is \$35.00

Enumeration and confirmation for entire electoral district

- 26 (1) The fee for the services provided between elections for an entire electoral district by a returning officer, an assistant returning officer, an election clerk, an assistant election clerk or a revision assistant when conducting an enumeration or a confirmation or conducting an enumeration and a confirmation is
- (a) for a returning officer or an assistant returning officer \$3000.00 plus \$0.15 per elector who is enumerated or confirmed;
- (b) if the Chief Electoral Officer considers their services necessary, for an election clerk or assistant election clerk \$1975.00 plus \$0.10 per elector who is enumerated or confirmed;
- (c) if the Chief Electoral Officer considers their services necessary, for a revision assistant \$1625.00 plus \$0.10 per elector who is enumerated or confirmed.
- (2) The fee for the services provided during an election for an entire electoral district by a returning officer, an assistant returning officer, an election clerk, an assistant election clerk or revision assistant when conducting an enumeration or a confirmation or conducting an enumeration and a confirmation is
- (a) for a returning officer or an assistant returning officer \$3000.00
- (b) for an election clerk \$1975.00

- (c) for a revision assistant \$1625.00

Constables

- 27 (1) The fee for services provided by a constable at an ordinary poll, an advance poll or the returning office is, per hour, \$10.00
- (2) If the services of uniformed peace officers are required as constables, with the prior approval of the Chief Electoral Officer, the fee for their services is the actual and reasonable costs of their services, supported by statements of expenses.

Collecting ballot boxes

- 28 (1) The fee for the services of a person appointed by a returning officer to collect ballot boxes following the close of the polls is, per hour \$10.00
- (2) The fee for travel expenses for a person appointed by a returning officer to collect ballot boxes following the close of the polls is the amount authorized by clause 29(a), to a maximum of \$50.00

Authorized Expenses

Expenses for travel, meals and accommodation

- 29 The fees for a person who is authorized by the Chief Electoral Officer to be paid a travel allowance are as follows:
- (a) for distance actually travelled by private car, supported by an itemized statement, the car kilometrage rate paid to public servants of the Province;
- (b) for travel by other means of transportation, the expenses necessarily and reasonably incurred, supported by statements of expenses;
- (c) for expenses for meals and accommodation, in accordance with the rate paid to public servants of the Province.

Use of building as polling station

- 30 (1) For polling locations with 1 ordinary polling station, the fee for the use of a building, or part of a building, including fuel, lights, cleaning services and furniture, is \$150.00
- (2) For polling locations with 2 or more ordinary polling stations, the fee for the use of a building, or part of a building, including fuel, lights, cleaning services and furniture is per polling station, \$80.00
- (3) For an advance polling station, the fee for the use of a building or part of a building, including fuel, lights, cleaning services and furniture, for the 2 days that the advance poll is open and the counting of the votes on ordinary polling day, is \$300.00

Headquarters of returning officers

- 31 (1) The fee for the rental, in accordance with the policies of the Chief Electoral Officer, of an office as a headquarters for a returning officer during an election is the amount reasonably and actually paid, supported by a signed lease in the form prescribed by the Chief Electoral Officer.
- (2) If the Chief Electoral Officer approves the rental of an office as a headquarters for a returning officer between elections to perform services at the request of the Chief Electoral Officer, or before

a writ of election is issued to secure space for a headquarters, the fee for the rental, in accordance with the policies of the Chief Electoral Officer, is the amount reasonably and actually paid, supported by a signed lease in the form prescribed by the Chief Electoral Officer.

- (3) If the Chief Electoral Officer approves the use of the residence of a returning officer as a headquarters, the fee for the use of the residence is \$275.00
- (4) If the Chief Electoral Officer approves the use of the business premises of a returning officer as a headquarters, the fee for the use of the business premises is \$330.00

Office supplies, equipment and rental of premises

32 The fee for office supplies and equipment, rental of premises, and other expenses necessary in conducting an election is the amount actually and reasonably spent, supported by vouchers.

Printing allowance

- 33** (1) The fees for the printing and binding or stitching of ballot papers for a special poll are as follows:
- (a) for the first 1000 ballot papers \$230.00
- (b) for each additional 1000 ballot papers after the first 1000 \$53.00
- (2) The fees for the printing, numbering and binding or stitching of ballot papers for an advance or ordinary poll are as follows:
- (a) for the first 6000 ballot papers \$600.00
- (b) for each additional 1000 ballot papers after the first 6000 \$70.00

Printing allowance for voter information card

- 34** (1) The fees for creating voter information cards are as follows:
- (a) to prepare a voter information card template for each electoral district \$125.00
- (b) for overprinting the voter information cards for an electoral district, per poll, \$30.00
- (2) The fee for printing an elector's name and civic address directly on the voter information card, per card, is \$0.02
- (3) If the printer cannot print an elector's name or civic address directly on the voter information card, the fees for supplying, printing and affixing labels with the missing information directly on the voter information card are
- (a) for the first 6000 cards \$275.00
- (b) for each additional card \$0.046

Audit

- 35** The fee for reimbursement of an official agent of a candidate for the actual expenses of an audit required by Section 191 of the Act, is
- (a) the cost of the audit to a maximum of \$300.00; or

- (b) 1% of the candidate's actual election expenses, to a maximum of \$500.00

Electors called as witnesses

- 36 (1)** The fee for the services of an elector who, at the request of a returning officer, witnesses an official addition of the votes at a polling station in which no candidate is present or represented, is \$35.00
- (2)** The fee for the services of an elector who, at the request of a deputy returning officer, presiding officer or returning officer witnesses a count of the votes at a polling station in which there are no candidate's agents present is \$20.00
- (3)** The fee for the services of an elector who, at the request of a returning officer, witnesses a verification and count of the votes for a write-in ballot when there are no candidate's agents present is, per hour \$8.00

Data entry and processing

- 37 (1)** The fee for all services by a person appointed by a returning officer to provide data processing services, as directed by the returning officer or the revision assistant, is, per hour, \$13.25
- (2)** The fee for the services of a person to enter elector information from certificates to vote onto the list of electors, when directed by the Chief Electoral Officer is, per certificate \$0.663

Clerical office work

- 38** The fee for all services provided by a person appointed by a returning officer to perform clerical office duties, with the approval of the Chief Electoral Officer, as determined by the returning officer, is, per hour, \$10.00

Crossing off names from list of electors

- 39** The fee for the services of a person to cross off the names of electors who have voted on ordinary polling day from the list of electors, when directed by the Chief Electoral Officer is, per voter, \$0.016

Extended Election Period

Compensation during an extended election period

- 41 (1)** If there are more than 34 days between the date of the writ and the date of the ordinary polling day, the Chief Electoral Officer may pay the following hourly wages for services performed at the request of the Chief Electoral Officer or a returning officer on any day after the 34th day after the writ is issued:
- (a) for a returning officer or an assistant returning officer, per hour \$21.00
- (b) for an election clerk or an assistant election clerk, per hour \$16.50
- (c) for a revision assistant, per hour \$15.75
- (2)** A fee paid to an election official under subsection (1) is in addition to other amounts payable under these regulations.

N.S. Reg. 73/2006

Made: May 12, 2006

Filed: May 15, 2006

Children and Family Services Regulations

Order in Council 2006-244 dated May 12, 2006
 Amendment to regulations made by the Governor in Council
 pursuant to Section 99 of the *Children and Family Services Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated May 10, 2006, and pursuant to Section 99 of [Chapter 5 of] the Acts of 1990, the *Children and Family Services Act*, is pleased to amend the *Children and Family Services Regulations*, N.S. Reg. 183/91, made by the Governor in Council by Order in Council 91-954 dated August 15, 1991, by repealing Section 77A, effective on and after May 9, 2006.

N.S. Reg. 74/2006

Made: May 12, 2006

Filed: May 15, 2006

Proclamation, S. 24, S.N.S. 2004, c. 29

Order in Council 2006-245 dated May 12, 2006
 Proclamation made by the Governor in Council
 pursuant to Section 24 of the *Mandatory Testing and Disclosure Act*

The Governor in Council on the report and recommendation of the Minister of Health Promotion and Protection dated May 11, 2006, pursuant to Section 24 of Chapter 29 of the Acts of 2004, the *Mandatory Testing and Disclosure Act*, is pleased to order and declare by proclamation that Chapter 29 of the Acts of 2004, the *Mandatory Testing and Disclosure Act*, do come into force on and not before June 1, 2006.

PROVINCE OF NOVA SCOTIA

Sgd: Myra A. Freeman

G/S

ELIZABETH THE SECOND, by the Grace of God,
 of the United Kingdom, Canada and Her Other
 Realms and Territories, Queen, Head of the
 Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
 CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 24 of Chapter 29 of the Acts of 2004, the *Mandatory Testing and Disclosure Act*, it is enacted as follows:

- 24** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 29 of the Acts of 2004, the *Mandatory Testing and Disclosure Act*, come into force on and not before June 1, 2006;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 29 of the Acts of 2004, the *Mandatory Testing and Disclosure Act*, come into force on and not before June 1, 2006, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Myra A. Freeman, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 12th day of May, in the year of Our Lord two thousand and six and in the fifty-fifth year of Our Reign.

BY COMMAND:

Sgd: Murray Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 75/2006

Made: May 12, 2006

Filed: May 15, 2006

Mandatory Testing and Disclosure Regulations

Order in Council 2006-246 dated May 12, 2006
Regulations made by the Governor in Council
pursuant to Section 23 of the *Mandatory Testing and Disclosure Act*

The Governor in Council on the report and recommendation of the Minister of Health Promotion and Protection dated May 11, 2006, and pursuant to Section 23 of Chapter 29 of the Acts of 2004, the *Mandatory Testing and Disclosure Act*, is pleased to make regulations respecting mandatory testing and disclosure in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after June 1, 2006.

Schedule "A"

**Regulations Respecting Mandatory Testing and Disclosure made by
the Governor in Council pursuant to Section 23 of Chapter 29
of the Acts of 2004, the *Mandatory Testing and Disclosure Act***

Citation

1 These regulations may be cited as the *Mandatory Testing and Disclosure Regulations*.

Definitions

- 2** (1) In these regulations, “Act” means the *Mandatory Testing and Disclosure Act*.
- (2) In the Act and these regulations,
- (a) “emergency first aid” means first aid services performed by
 - (i) a volunteer under the *Volunteer Service Act*, or
 - (ii) a person trained to provide first aid, including a registered pre-hospital first responder as defined in the *Emergency Health Services Act*;
 - (b) “emergency health care services” means services performed by a registered paramedic while on duty;
 - (c) “local registrar” means a clerk of the court;
 - (d) “peace officer” includes all of the following:
 - (i) sheriff, deputy sheriff, and sheriff’s officer,
 - (ii) a person employed to provide correctional services,
 - (iii) a police officer;
 - (e) “person employed to provide correctional services” means any of the following:
 - (i) a member of the Correctional Service of Canada who is designated as a peace officer under Part 1 of the *Corrections and Conditional Release Act* (Canada),
 - (ii) an employee of the Correctional Services Division of the Department of Justice and includes an assistant probation officer;
 - (f) “police officer” means
 - (i) a member of the Royal Canadian Mounted Police,
 - (ii) a member, special constable or by-law enforcement officer of a municipal police department appointed under subsection 37(4) of the *Police Act*,
 - (iii) a chief officer of a municipal police department appointed under subsection 38(1) of the *Police Act*, and
 - (iv) a member of the Nova Scotia Provincial Police appointed under Section 28 of the *Police Act*;
 - (g) “registered paramedic” means a registered paramedic as defined in the *Emergency Health Services Act*.

Communicable diseases

- 3** All of the following diseases and conditions are prescribed as communicable diseases under the Act:

- (a) hepatitis B;
- (b) hepatitis C;
- (c) human immunodeficiency virus (HIV).

Physician report

- 4 A physician report must be in the form set out in Schedule A and must be completed by a physician licensed under the *Medical Act*.

Schedule A

Physician Report
Mandatory Testing and Disclosure Act

Note to Physicians: The *Mandatory Testing and Disclosure Act* permits an individual who meets the criteria outlined in the legislation and who is exposed to bodily fluids (the “exposed person”) to ask a court to order the individual who is the source of the bodily fluids (the “source individual”) to be tested for HIV, Hepatitis B and Hepatitis C. The exposed person must give the court a report from a physician as part of this process. This is the physician report form that is prescribed in the *Mandatory Testing and Disclosure Regulations*.

Compensation for physicians for completion of this form shall be paid on a sessional fee basis up to one hour. Invoices should be mailed in envelopes marked “Private and Confidential” to: Department of Health Promotion and Protection, Office of Chief Medical Officer of Health, PO Box 488, Halifax, N.S. B3J 2R8.

Exposed Person		
<i>(please print)</i>		
Surname: _____	First name: _____	Middle name _____
Date of birth (<i>year/month/day</i>): _____		
Age: _____	Occupation: _____	
Address: _____		
Description of Exposure		
1. Date of exposure: _____		
2. Location of injury or nature of exposure:		

Information on Exposed Person

Has the exposed person:

(1) been assessed post-exposure? yes _____ no _____ unknown _____

(2) received counselling post-exposure? yes _____ no _____ unknown _____

(3) had baseline testing for:

HIV:	yes _____	no _____	unknown _____
HBV:	yes _____	no _____	unknown _____
HCV:	yes _____	no _____	unknown _____

If yes, what are the results?

HIV:	pos _____	neg _____	unknown _____	declines to disclose _____
HBV: HbsAg	pos _____	neg _____	unknown _____	declines to disclose _____
Anti HBs	pos _____	neg _____	unknown _____	declines to disclose _____
HCV:	pos _____	neg _____	unknown _____	declines to disclose _____

(4) had Hepatitis B immunization? yes _____ no _____

If yes: # of doses _____ date(s) _____

(5) been offered post-exposure prophylaxis?

Antiretroviral drugs:	offered _____	received _____	refused _____
Hepatitis B immune globulin:	offered _____	received _____	refused _____
Vaccination for Hepatitis B:	offered _____	received _____	refused _____

Pertinent History and Physical Findings

Assessment of Risk

Based on your assessment of the exposure and the susceptibility of the exposed person, do you consider the exposed person to be at risk for:

HIV: yes _____ no _____
HBV: yes _____ no _____
HCV: yes _____ no _____

Necessity of Testing Order

In your view, is testing the source individual necessary to decrease or eliminate the risk to the exposed person's health resulting from the exposure to bodily fluids from the source of the individual:

yes _____ no _____

Other Comments

Physician Completing Report

(please print)

Surname: _____ First name: _____

Specialty: _____ Office phone # _____

Office address:

Other contact information: _____

Date: _____ Signature: _____

N.S. Reg. 76/2006

Made: May 13, 2006

Filed: May 16, 2006

Proclamation – Dissolution of General Assembly, Fixing Date of Writs of Election
and Fixing Date of Ordinary Polling Day

Order in Council 2006-255 dated May 13, 2006

Proclamation made by the Lieutenant Governor

The Lieutenant Governor of the Province of Nova Scotia by and with the advice of the Executive Council of Nova Scotia is pleased to order that this present General Assembly of Nova Scotia be dissolved and that an election be instituted in all of the Electoral Districts of Nova Scotia and is further pleased to fix the date of the Writs of Election as Saturday, May 13, 2006, and to fix the date of ordinary polling day as Tuesday, June 13, 2006, and to order that a Proclamation do issue accordingly.

PROVINCE OF NOVA SCOTIA

Sgd: Myra A. Freeman

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS we have thought fit by and with the advice of Our Executive Council for Nova Scotia to dissolve this present General Assembly, We do for that end publish this Our Royal Proclamation and do hereby dissolve the said General Assembly accordingly, and the Members of the House of Assembly are discharged from their meeting and attendance;

AND WE, being desirous and resolved as soon as may be to meet Our People of Our Province of Nova Scotia, and to have their advice in General Assembly, do hereby make known Our Royal Will and Pleasure to call a General Assembly, and do hereby further declare that by and with the advice of Our said Executive Council, We have this day given orders for the issuing of Our Writs in due form for the election of Members to serve in the House of Assembly for the several Electoral Districts of the Province, which Writs are to bear date the 13th day of May, 2006, and the date of ordinary polling day to be Tuesday, the 13th day of June, 2006.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 13th day of May, in the year of Our Lord two thousand and six and in the 55th year of Our Reign.

BY COMMAND:

Sgd: Murray K. Scott
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 77/2006

Made: November 17 and 18, 2005

Filed: May 15, 2006

Species at Risk List Regulations

Order dated November 17 and 18, 2005

Amendment to regulations made by the Nova Scotia Species-at-risk Working Group pursuant to Sections 10 and 12 of the *Endangered Species Act*

The Species-at-risk Working Group, pursuant to Sections 10 and 12 of Chapter 11 of the Acts of 1998, the *Endangered Species Act*, on 17 and 18 November, 2005,

Hereby lists by category species at risk in the Province of Nova Scotia, which are in addition to those listed in the Species at Risk List Regulations made by Order dated June 5, 2000, in N.S. Reg. 109/2000 and 14 June 2001 in N.S. Reg. 82/2001 and N.S. Reg. 119/2002 and 25 September 2003 in N.S. Reg. 186/2003:

Eastern White Cedar	<i>Thuja occidentalis</i>	Vulnerable
Lileopsis	<i>Lileopsis chinensis</i>	Vulnerable
Prototype quillwort	<i>Isoetes prototypus</i>	Vulnerable
Yellow lamp mussel	<i>Lampsilis cariosa</i>	Threatened
Sea Mink	<i>Mustela macrodon</i>	Extinct
Great Auk	<i>Pinguinus impennis</i>	Extinct
Labrador Duck	<i>Camptorynchus labradonius</i>	Extinct
Passenger Pigeon	<i>Ectopistes migratorius</i>	Extinct
Eelgrass Limpet	<i>Lottia alveus alveus</i>	Extinct
Eastern Wolf	<i>Canis lupis</i>	Extirpated
Woodland Caribou	<i>Rangifer tarandus</i>	Extirpated
Atlantic Walrus	<i>Odobenus rosmarus rosmarus</i>	Extirpated

Sgd: Dr. J. Sherman Boates