

Wednesday, March 25<sup>th</sup>, 2009

The House met at 10 o'clock in the morning pursuant to adjournment.

The Sergeant-at-Arms announced the arrival of His Honour the Lieutenant Governor, the Honourable John C. Crosbie, P.C., OC, ONL, QC.

The Speaker left the Chair.

His Honour the Lieutenant Governor took the Chair.

The Speaker addressed His Honour as follows:

"It is my agreeable duty on behalf of Her Majesty's dutiful and loyal subjects, Her Faithful Commons in Newfoundland and Labrador, to present to Your Honour a Bill for the appropriation of Interim Supply granted in the present Session."

Whereupon the Clerk read the following Bill:

A Bill            "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 2010 And For Other Purposes Relating To The Public Service" (Bill No. 76).

His Honour the Lieutenant-Governor then said, "In Her Majesty's Name, I thank Her Loyal Subjects, I accept their benevolence, and I assent to this Bill".

His Honour the Lieutenant Governor was then pleased to make the following Speech:

**Mr. Speaker and Members of the Honourable House of Assembly:**

The First Session of the Forty-Sixth General Assembly of this Honourable House of Assembly is about to be prorogued, but before releasing you from your duties, I wish to thank you for the careful and sympathetic attention given to the important matters brought before you by My Ministers. Your commitment to your work and diligence deserve our appreciation and acknowledgment.

**Mr. Speaker and Members of the Honourable House of Assembly:**

Seventy-four pieces of legislation were enacted during this Session of the Honourable House of Assembly. In particular, legislative initiatives were taken in the areas of natural resources, health, education, government services, justice, culture, municipal affairs, innovation, labour and the House of Assembly.

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**Mr. Speaker and Members of the Honourable House of Assembly:**

As its very first order of business, My Government introduced and this House approved a significant amendment to the Labour Standards Act to provide employees with a right to unpaid leave to serve in the Reserve force of the Canadian Forces. Jobs of individuals who leave to serve their country are protected and available to them upon their return. My Government also brought forward an amendment to the Student Financial Assistance Act to ensure that Canadian Forces Reservists who are full time post-secondary students and intend to return to post-secondary after deployment, will be exempt from having to make payments on their student loans and will not be charged interest on their loans during the period when they are deployed. These measures reflect My Government's determination to stand by the women and men who bravely serve our country.

**Mr. Speaker and Members of the Honourable House of Assembly:**

Two years ago, in its 2007 Budget, My Government introduced a bill that reduced personal income taxes in Newfoundland and Labrador by the largest amount in the history of the Province. Income tax rates in Newfoundland and Labrador became the lowest in the Atlantic provinces. In the past year, My Government introduced several pieces of legislation to further reduce taxes for Newfoundlanders and Labradorians. An amendment to the Income Tax Act, 2000 has reduced the rate of personal income tax by one percentage point in each personal tax bracket, retroactive to January 1, 2008. An amendment to the Retail Sales Tax Act And The Tax Agreement Act has eliminated retail sales tax on insurance premiums. An amendment to the Health And Post-Secondary Education Tax Act has exempted the first \$1,000,000 of an employer's payroll, thereby eliminating the payroll tax for an additional 308 small and medium-sized businesses in our Province and reducing the tax burden for 578 others.

My Government also introduced legislation to amend the Income Tax Act, 2000 and repeal the Financial Corporations Capital Tax Act to provide for harmonization of the provincial capital tax with the federal capital tax.

It introduced an amendment to the Labour Relations Act to establish the Labour Management Arbitration Committee to improve the Province's labour relations framework.

My Government also brought forward an amendment to the Pension Benefits Act, 1997 to require a pension plan sponsor to fully fund a solvency deficiency on the wind-up of the plan, thereby providing greater protection for employees.

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Consistent with the recommendations of the Green Report, the House approved an amendment to the Members of the House of Assembly Retiring Allowances Act to repeal and replace the definition of MHA salary.

**Mr. Speaker and Members of the Honourable House of Assembly:**

This House approved an amendment to The City Of Mount Pearl Act, the City Of St. John's Act And The Municipalities Act, 1999 to allow St. John's, Mount Pearl and other municipalities to make regulations to control and manage the discharge of prohibited materials into the sanitary sewer and storm water sewer systems.

The House approved an amendment to extend the provisions of the Lobbyist Registration Act to the City of St. John's and its controlled entities, the St. John's Transportation Commission and St. John's Sport and Entertainment Limited.

The House approved An Act To Amend The Access To Information And Protection of Privacy Act to extend provisions respecting intergovernmental relations to the Nunatsiavut Government, the first self-governing Aboriginal body in Newfoundland and Labrador.

My Government brought forward An Act To Provide For The Protection Of Personal Health Information to establish a set of comprehensive privacy protection rules applicable to the collection, use, disclosure and disposition of personal health information by the public and private sector components of our health system.

Consistent with the reforms to the Province's justice system that have been made in light of the recommendations of the Lamer Inquiry report, My Government brought forward an amendment to the Legal Aid Act to ensure provision of the right to counsel of choice in certain circumstances – for example, when a person is charged with murder, manslaughter or infanticide.

In light of the Turner review and the Child and Youth Advocate's recommendations, My Government brought forward An Act To Amend The Child And Youth Advocate Act to provide expanded investigatory powers substantially in the same form as those afforded to the Office of the Citizens' Representative, and to add the four regional integrated health boards and the Office of the Chief Medical Examiner to the schedule of the Act to expand the Advocate's reach.

The House approved An Act To Amend The Fatal Accidents Act to ensure that a person impacted by the death of a common law spouse or partner will be given the same opportunity to commence an action under the legislation as a married husband or wife.

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My Government introduced an amendment to the Highway Traffic Act that, among other things, provides for periods of suspension where a driver's ability to operate a motor vehicle is impaired by a drug or a combination of a drug and alcohol, and also creates a separate offence and separate penalties related to speeding through a construction zone.

When My Government merged the Office of the Fire Commissioner and the Emergency Measures Organization in 2007, the new provincial agency known as Fire and Emergency Services – Newfoundland and Labrador undertook a line-by-line review of the Emergency Measures Act, in light of which My Government brought forward a new Emergency Services Act to provide the strong, comprehensive legislative framework required to ensure our readiness in the event of a major emergency or disaster.

My Government also brought forward a new Fire Protection Services Act to clarify and modernize the provisions under which Fire and Emergency Services – Newfoundland and Labrador and the Province's 300 fire departments operate as they work diligently and valiantly to protect the people of Newfoundland and Labrador.

**Mr. Speaker and Members of the Honourable House of Assembly:**

The House approved an amendment to the Real Estate Trading Act to remove the residency requirements that inhibit labour mobility for out-of-province real estate agents obtaining a license in the province. The amendment was required to bring the profession into compliance with Canada's Agreement on Internal Trade.

In consultation with the Arts Council of Newfoundland and Labrador, My Government brought forward an amendment to the Arts Council Act including changes to ensure the Council remains relevant to the arts community, to accentuate the Council's involvement in the creation of the arts and arts policy, and to emphasize the Council's operation as an autonomous organization.

My Government is proud to have brought forward An Act To Establish The Newfoundland And Labrador Research And Development Council to enable the creation of a new research and development crown corporation that will expand the amount of R&D taking place in our Province and ensure the necessary infrastructure and resources are available so that best-in-class expertise can be developed and our economy can continue to diversify and mature.

In 2007, this House passed the Energy Corporation Act to create the Province's new Energy Corporation with a broad mandate to pursue energy development within the Province, and in 2008, it passed legislation that will give the Energy Corporation some

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additional tools it needs to operate effectively on behalf of the people of Newfoundland and Labrador. Striking the proper balance between providing full accountability and protecting competitiveness, this amendment facilitates the establishment of subsidiaries of the corporation; provides safeguards for commercially sensitive information relating to the corporation, its subsidiaries and other corporations with which they have business dealings; and provides reporting requirements for the corporation and its subsidiaries.

My Government also brought forward An Act To Enable The Issuance Of Water Rights To The Energy Corporation Of Newfoundland And Labrador For The Lower Churchill River. This amendment, consistent with the Province's Energy Plan, provides the legal framework to issue Lower Churchill water rights to the Energy Corporation when requested.

**Mr. Speaker and Members of the Honourable House of Assembly:**

My Government also brought forward an amendment to the Forestry Act that gives the Province flexibility to issue cutting permits that could support the competitiveness of the sawmill sector and provide timber for emerging forest sector operations, both of which are significant rural employers. The legislation ensures that persons or companies who are using timber for the greatest good have optimal access to that timber.

One of the key achievements of the Session was enactment of An Act To Return To The Crown Certain Rights Relating To Timber And Water Use Vested In Abitibi-Consolidated And To Expropriate Assets And Lands Associated With The Generation Of Electricity Enabled By Those Water Use Rights, returning the timber and water rights to their rightful owners, the people of Newfoundland and Labrador.

**Mr. Speaker and Members of the Honourable House of Assembly:**

Among the other legislative measures enacted during this Session were: An Act Respecting Registered Nurses; An Act Respecting The Practice Of Dentistry; An Act Respecting Embalmers And Funeral Directors; An Act Respecting the Practice Of Engineering And Geoscience; An Act Respecting Architects And The Provision Of Architectural Services; An Act Respecting Chartered Accountants; An Act Respecting Certified General Accountants; An Act Respecting Certified Management Accountants; An Act To Amend The Student Financial Assistance Act; An Act To Amend The Management Of Information Act; two acts to amend the House Of Assembly Accountability, Integrity and Administration Act; two acts to amend the Rooms Act; two acts to amend the Provincial Court Act, 1991; An Act To Amend The Judicature Act; An Act To Amend The Law Society Act, 1999; An Act To Amend The Partnership Act; An

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Act To Amend The Support Orders Enforcement Act, 2006; An Act To Amend The Mental Health Care And Treatment Act; An Act To Amend The Mineral Act; An Act To Amend The Forestry Act; two acts to amend the Liquor Control Act; and An Act To Amend The Members Of The House Of Assembly Retiring Allowances Act, The Provincial Court Judges' Pension Plan Act, The Public Service Pensions Act, 1991, The Teachers' Pensions Act And The Uniformed Services Pensions Act, 1991. In addition, the House approved the repeal of more than a dozen acts no longer required.

**Mr. Speaker and Members of the Honourable House of Assembly:**

I thank you for the large measure of Supply you have granted. I assure you that the appropriations that you have granted have been and will be expended by My Ministers with care and efficiency.

**Mr. Speaker and Members of the Honourable House of Assembly:**

It is my pleasure that the First Session of the Forty-Sixth General Assembly now be prorogued and it is prorogued accordingly.

His Honour the Lieutenant Governor left the Chamber.

The Speaker resumed the Chair.

The Speaker then said, "It is the wish and pleasure of His Honour the Lieutenant Governor that this General Assembly be prorogued, and it is prorogued accordingly".

**William MacKenzie,**  
Clerk of the House of Assembly.