

Monday, March 21st, 2011

The House met at 10 o'clock in the morning pursuant to the adjournment motion adopted on December 16th, 2010.

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.

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

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

The Third 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 express gratitude for the careful and sympathetic attention you have given to the important matters brought before you by My Ministers.

During this Session, forty-seven pieces of legislation were enacted and several resolutions were passed, including one appointing Mr. Ed Ring as the Information and Privacy Commissioner and another appointing Ms. Carol A. Chafe as the Child and Youth Advocate.

As its first Bill, My Government introduced the new *Children and Youth Care and Protection Act* to provide a strong foundation on which to build a new child protection system in Newfoundland and Labrador, based on a culture of accountability and excellence.

In fact, much of the legislation My Government introduced in this Session is focused on protecting people.

Amendments to the *Fatal Accidents Act* allow for an award of damages for the loss of care, guidance and companionship suffered by a loved one because of the death of a family member.

Amendments to the *Highway Traffic Act* enhance the powers of the RNC and the RCMP to address impaired driving and other serious offences such as driving while suspended and driving without insurance. This Bill strengthens provisions against distracted driving by extending the ban on the use of cellular telephones while driving to texting and the use of newer electronic devices and increases penalties for speeding in school zones.

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A new Act Respecting Court Security advances efforts to prevent prohibited weapons and other dangerous items from being brought into a court area, providing greater protection to the public, to those who work in our courts, and to the victims of crimes.

Changes to the *Small Claims Act* expand the jurisdiction of the court to grant non-monetary remedies and amend the regulations to increase the monetary jurisdiction of the court to give Newfoundlanders and Labradorians greater access to the more-simplified and less-costly Small Claims Court process.

Many pieces of legislation enacted in this Session significantly enhance protections for consumers in our province.

My Government brought forward three Bills to amend the *Insurance Companies Act*. The first enables Government to prohibit insurance companies from refusing to provide homeowners insurance for reasons unrelated to the risk they are taking on and to prohibit unfair practices in the determination of the premium to be charged. The second streamlines and harmonizes all classes of insurance. The third, together with related amendments, is focused on protecting consumers from fraud.

Two other Bills are also focused on protecting people from fraud: one amending the *Securities Act*, and another amending the *Insurance Adjusters, Agents and Brokers Act*.

A Bill amends the *Prepaid Funeral Services Act* to ensure that money paid in advance by an individual to a funeral home for a funeral is held securely in a trust account.

Three Bills amend the *Consumer Protection and Business Practices Act*. One is related to the cost of consumer credit disclosure. Another adds regulation-making authority respecting gift cards or gift certificates to better protect consumers. A third is designed to prohibit unfair and unconscionable business transactions by manufacturers.

Amendments to the *Mortgage Brokers Act* provide greater enforcement abilities to the Department of Government Services to protect consumers from malicious mortgage brokers.

My Government has been diligent in seeking public input and expert advice on key pieces of legislation. Following a period of public consultation, it brought forward a new *Human Rights Act, 2010* to replace the Human Rights Code that first came into force in 1971. Following a review of best practices and a period of intensive consultations, My Government brought forward *An Act Respecting The Health and Protection Of Animals*, which provides for the appointment of inspectors to enforce live animal legislation; provides new inspection and search and seizure provisions; prescribes codes of practice and standards of care in regulations; requires veterinarians to report suspected

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cases of animal neglect or abuse to the Chief Veterinary Officer; consolidates and amends legislation respecting nuisance animals; provides new prohibitions; increases penalties and provides for restitution orders; and enables a Provincial Court judge to order a lifetime ban on ownership of animals if deemed appropriate.

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

My Government brought forward a Bill to amend the *Income Tax Act, 2000*, reducing the personal income tax rate, increasing the age amount in the non-refundable tax credit reference, increasing the dividend tax credit, and reducing the small business corporate income tax rate.

Another Bill amends this Act to provide clarification with respect to the amount a taxpayer may claim for charitable and other donations, to clarify when a claim for the research and development tax credit must be made and to remove an ambiguity as to whether tax credits may be applied against the capital tax payable.

To promote health living, My Government brought forward an amendment to the *Revenue Administration Act* to increase the rate of tobacco tax.

Amendments to the *Portability of Pensions Act* provide a fair mechanism for employees to transfer their pensionable service between five public sector pension plans: the *Public Service Pension Plan*, the *Teachers' Pension Plan*, the *Uniformed Services Pension Plan*, the *Members of the House of Assembly Pension Plan*, and the *Memorial University Pension Plan*. The change ensures consistency in costs relating to the crediting of service under a plan.

To facilitate regional cooperation, My Government brought forward an amendment to the *Municipalities Act, 1999*, to provide an alternate governance structure on a transitional basis until an amalgamated town reaches the point where it can elect a council under the usual structure defined in the Act.

My Government also brought forward a new *Pedestrian Trails Liability Protection Act* and an amendment to the *Grand Concourse Authority Act*.

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

Several pieces of legislation enacted in this Session have strengthened our health care system.

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My Government brought forward *An Act To Amend The Regional Health Authorities Act* to enable an authority to acquire goods and services through a group purchasing organization of which it is a member in order to achieve savings that will now be redirected for other important health care purposes.

A new *Health Professions Act* allows for the governance of multiple health professions under one Health Professions Council. The Act currently applies to acupuncturists, audiologists, dental hygienists, medical laboratory technologists, midwives, respiratory therapists and speech language pathologists; but other health professions can also be included as the need arises. Among other things, the Act provides for the establishment of a quality assurance program to promote high standards of practice.

My Government brought forward a new *Social Workers Act* to enhance public accountability by ensuring appropriate public representation on the respective licensing boards and providing a defined and transparent disciplinary process.

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

My Government also introduced amendments to the *Fishing Industry Collective Bargaining Act* to enhance the model of collective bargaining for the benefit of both parties. The Bill provides for greater accountability; it provides for a demonstration that collective bargaining has occurred; it establishes mechanisms to support the setting of fish prices early in the season; and it places limits on the reconsideration process to provide an improved structure for all stakeholders.

Among the other legislative measures enacted during this Session were *An Act to Amend The Provincial Court Act, 1991*; *An Act To Amend The Loan and Guarantee Act, 1957*; *An Act To Amend The Real Estate Trading Act*; *An Act To Amend The Judicature Act*; *An Act To Amend The Abitibi-Consolidated Rights And Assets Act*; *An Act To Amend The Justices And Public Authorities Protection Act*; *An Act To Amend The Private Investigation And Security Services Act*; *An Act To Amend The Commissioners For Oaths Act*; *An Act To Amend The Notaries Public Act*; *An Act To Amend The Statutes Act*; *An Act To Amend The Public Safety Act*; *An Act To Amend The Architects Act, 2008*; *An Act To Amend The Licensed Practical Nurses Act, 2005*; and *An Act To Implement The Comprehensive Integrated Tax Coordination Agreement Between The Government of Canada And The Government Of Newfoundland And Labrador*.

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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 the appropriations you have granted have been and will be expended by My Ministers with care and efficiency.

It is my pleasure that the Third 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.