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HANSARD

Speaker: Honourable Ross Wiseman, MHA

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(Prorogation)

The House met at 11:00 a.m.

MR. SPEAKER (Wiseman): Order, please!

Admit strangers.

Today I have the pleasure of following through on an established tradition as we welcome new members to the House of Assembly. There was a by-election in the District of Carbonear – Harbour Grace on November 26, 2013. Mr. Sam Slade is present today to take his seat. I understand from the Clerk that he has made the Oath of Office, and I welcome Mr. Slade.

[The new member, escorted by the Leader of the Official Opposition, enters the Chamber and approaches the Chair.]

MR. BALL: Mr. Speaker, I present Mr. Sam Slade, the Member for Carbonear – Harbour Grace, who claims the right to take his seat.

MR. SPEAKER: Welcome, Sir. Please take your seat.

[Applause]

MR. SPEAKER: Order, please!

SERGEANT-AT-ARMS: Mr. Speaker, His Honour the Administrator has arrived.

MR. SPEAKER: Please admit His Honour the Administrator.

SERGEANT-AT-ARMS: All rise.

[Mr. Speaker leaves the Chair]

[His Honour the Administrator takes the Chair]

SERGEANT-AT-ARMS: It is the request of His Honour the Administrator that all present be seated.

**HIS HONOUR THE ADMINISTRATOR
(Chief Justice J. Derek Green):**

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

Good morning, everyone.

The Second Session of the Forty-Seventh General Assembly of the 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 that you have given to important matters brought to you by My Ministers.

During this Session, Members passed 25 pieces of legislation. A prominent theme of My Government's 2013 legislative agenda, from the first bill to the last, is public safety.

Bill 1 has amended the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act* to strengthen occupational health and safety. The bill's legislative changes are the culmination of years of work by the provincial and federal governments, the Canada-Newfoundland and Labrador Offshore Petroleum Board, industry stakeholders and the workers themselves. Through these amendments, the principles and practices of a modern, comprehensive occupational health and safety regime have been embedded directly in the Atlantic Accord, benefitting all who work in our offshore petroleum industry.

Bill 6 has addressed the concerns about personal safety of emergency personnel and peace officers when they are stopped at roadsides to perform their duties. The bill has amended the *Highway Traffic Act* to require drivers to reduce speed and move over when safe to do so upon passing an emergency vehicle or a designated vehicle that is stopped on or along a roadway. The bill defines an emergency or designated vehicle and indicates that these vehicles must have flashing or rotational lights activated or other warning or safety signs and equipment in use. Failure to apply the safe driving practices outlined under the new legislation may result in fines ranging from \$300 to \$900 and having four demerit points assessed against the driver's record in the event of a conviction.

Bill 13 has amended the *Highway Traffic Act* to enhance safety in several ways. It clarifies

speeding in a school zone. It prohibits slow-moving vehicles from being driven on a highway with a speed limit of greater than 80 kilometres an hour, with limited exceptions. It requires emergency vehicles to stop at a red light or a stop sign before proceeding, thereby reducing the risk of a collision. It limits the number of occupants in a vehicle to the number of seat belts in the vehicle so that each passenger can buckle up. It prohibits passengers from riding on a portion of a vehicle that is not designed or normally used for carrying passengers.

Bill 22 has given our province a new *Food Premises Act*, which governs the more than 4,000 food premises throughout the province, including restaurants, grocery stores, convenience stores and mobile food vendors. The Act provides a clear, unambiguous definition of food that is unfit for human consumption and, therefore, cannot be sold or distributed in the province. It also enhances the enforcement capacity of inspectors to ensure public safety. To promote “open government” through transparency and public accountability, My Government makes the results of these inspections available to the public on the website of Service NL. By maintaining the highest standards of inspection and enforcement, My Government is demonstrating the strength of its commitment to public protection and giving the people of our province greater confidence that the food they purchase is indeed safe to eat.

Bill 28 has amended the *Schools Act, 1997* to address bullying by requiring teachers, principals, school councils, school boards and directors to promote a safe and caring learning environment. The bill requires every school to have a code of conduct, a definition of bullying as stated in the Safe and Caring Schools policy, well-defined procedures for taking action when bullying occurs, and a process for keeping records of violence including bullying. It also allows the Education Minister to issue policy directives related to a safe and caring learning environment.

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

Other legislative amendments brought forward by My Government advance social justice in the province to benefit Newfoundlanders and Labradorians who are particularly vulnerable.

Bill 10 reflects My Government’s determination to ensure that medications are more affordable for those who need them. Under the province’s generic drug pricing strategy, the maximum price that drug manufacturers may charge for a generic drug product listed in the province’s drug formulary is 25 per cent of the equivalent brand name drug price. A manufacturer may seek an exemption to this policy, but the government may determine an exemption is unwarranted. Bill 10 has amended the *Pharmaceutical Services Act* to enable the Health Minister to remove a drug from the formulary where the manufacturer does not comply with pricing requirements. This change gives the province greater leverage when negotiating better prices for the medications our people need.

Bill 17 has amended the *Labour Standards Act* to make it easier for working parents to deal with tragic circumstances in relation to their children. Specifically, the bill has established two new categories of leave without pay for employees: a category for parents of a child who is critically ill, and another category for parents of a child who has disappeared or died as a result of a crime. Critically ill child care leave provides up to 37 weeks of leave so the parent can provide care or support to the child. Crime-related child death or disappearance leave provides up to 52 weeks of leave for the parent of a child who disappears as a result of a probable Criminal Code offence, and up to 104 weeks of leave for the parent of a child who dies as a result of a probable Criminal Code offence.

As the Minister responsible for the Labour Relations Agency stated in introducing the bill, these options support parents who find themselves in the most difficult and trying circumstances imaginable. They allow working parents to address the needs of their families, secure in the knowledge that their jobs are protected. The legislation is progressive, grounded in compassion, empathy and a

determination to stand with parents in their time of need.

Bill 25 has amended the *Human Rights Act, 2010* to add gender identity and gender expression as prohibited grounds of discrimination. While complaints of discrimination against people based on gender identity and gender expression were already covered in this Act under the prohibited ground of sex, the amendment further clarifies and strengthens the Act. Making explicit the prohibition of discrimination based on gender identity and gender expression promotes inclusion and open discussion around gender-based issues while protecting those who may be vulnerable.

Bill 27 has created a new *Adoption Act, 2013* to help streamline and expedite the adoption process, to ensure the adoption program is progressive, to clarify and modernize the law respecting adoptions, and to align principles with the *Children and Youth Care and Protection Act*, where appropriate. For example, the bill expands the definition of relative to include a parent, grandparent, sibling, aunt, uncle, or first cousin of a birth parent or a child by birth or adoption. It removes the requirement that a prospective adoptive parent reside in the Province for at least six months prior to applying to adopt a child. It allows a person who has permanent custody of a child and who has the custody of that child under a temporary or permanent custody order for at least two years to adopt that child in the same manner as a relative or step-parent adoption.

My Government recognizes the importance of finding permanent and stable homes for children who cannot be safely reunited with their families. This legislation is the product of public consultation in 2013 and focuses on the best interests of the child by valuing the connections and existing relationships in children's lives, respecting the child's opinions and wishes when planning for adoption, creating permanency for children, and ensuring the child's safety and well-being in the adoption process.

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

Still other legislative amendments have improved the way the government and the courts function.

Bill 14 has replaced the position of Registrar of the Supreme Court with the new position of Chief Executive Officer of the Supreme Court and reallocated various functions to improve administration of the Supreme Court. The bill makes the system more efficient while doing nothing to compromise the necessary independence of the judiciary from politics and government.

Bill 26 has paved the way for the elimination of the Newfoundland and Labrador Health Boards Association in light of a review that shows its functions can be carried out more effectively and efficiently elsewhere within the health care system and the government. As the Health Minister stated in introducing the bill, My Government is committed to ensuring that the people of Newfoundland and Labrador get the maximum value for every dollar spent on health care. Repealing the *Health Care Association Act* means that the association's annual budget of some \$1.5 million will be redirected to high-priority areas such as frontline health care.

Among the other legislative measures enacted during this session were four bills to amend the *Revenue Administration Act*, two Supplementary Supply bills, a *Loan and Guarantee Act, 1957*, a standard housekeeping bill to remove anomalies and errors in the statute law, and bills to amend the *Services Charges Act*, the *Commissioners For Oaths Act*, the *Proceedings Against The Crown Act*, the *Insurance Adjusters, Agents And Brokers Act*, and the *Law Society Act, 1999*.

In summary, My Government's legislative initiatives in 2013 enhance public safety, advance social justice, protect the vulnerable and improve the way public services are administered and delivered to those who need them.

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 Second Session of the Forty-Seventh General Assembly now be prorogued and it is prorogued accordingly.

SERGEANT-AT-ARMS: All rise.

[His Honour the Administrator leaves the Chamber]

[Mr. Speaker returns to the Chair]

MR. SPEAKER: Please be seated.

Pursuant to the Speech by His Honour the Administrator, this House now stands prorogued.