



Province of Newfoundland and Labrador

FORTY-EIGHTH GENERAL ASSEMBLY  
OF  
NEWFOUNDLAND AND LABRADOR

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HANSARD

*Speaker: Honourable Perry Trimper, MHA*

Tuesday

April 2, 2019

The House met at 1:30 p.m.

**SERGEANT-AT-ARMS:** All rise.

**MR. SPEAKER (Trimper):** Order, please!

Admit strangers.

Please be seated.

**SERGEANT-AT-ARMS:** Mr. Speaker, her Honour the Lieutenant-Governor has arrived.

**MR. SPEAKER:** Admit her Honour the Lieutenant-Governor of Newfoundland and Labrador.

All rise, please.

**SERGEANT-AT-ARMS:** All rise.

(Mr. Speaker leaves the Chair.)

(Her Honour the Lieutenant-Governor takes the Chair.)

**SERGEANT-AT-ARMS:** It is the wish of her Honour the Lieutenant-Governor that all present be seated.

**MR. SPEAKER:** May it please your Honour, the General Assembly of the province has at its present session passed certain bills to which, in the name and on behalf of the General Assembly, I respectfully request your Honour's Assent.

**CLERK (Barnes):** A bill, "An Act To Establish An Oil And Gas Corporation For The Province." (Bill 42)

A bill, "An Act To Amend The Marriage Act." (Bill 46)

A bill, "An Act To Amend The Fishing Industry Collective Bargaining Act." (Bill 48)

A bill, "An Act To Amend The Historic Resources Act." (Bill 49)

A bill, "An Act To Amend The Public Bodies Reporting Act." (Bill 50)

A bill, "An Act To Amend The Forestry Act." (Bill 51)

A bill, "An Act Respecting Student Financial Assistance." (Bill 52)

A bill, "An Act To Amend The Loan And Guarantee Act, 1957." (Bill 53)

A bill, "An Act To Remove Anomalies And Errors In The Statute Law." (Bill 54)

A bill, "An Act Respecting A Pension Plan For Employees Of The Government Of The Province And Others." (Bill 56)

A bill, "An Act To Amend The Registered Nurses Act, 2008." (Bill 57)

A bill, "An Act To Amend The Regional Service Boards Act, 2012." (Bill 58)

A bill, "An Act To Amend The Interpretation Act." (Bill 59)

**HER HONOUR THE LIEUTENANT-GOVERNOR (Judy May Foote, PC, ONL):** In Her Majesty's name, I assent to these bills.

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

The Third Session of the Forty-Eighth General Assembly of this hon. House of Assembly is about to be prorogued.

Before releasing you from your duties, I wish to express gratitude for the care and consideration that you have given to important matters brought to you by our ministers.

During this third session, 57 pieces of legislation were debated and passed in this hon. House.

In this session, legislation was focused on advancing better outcomes for Newfoundlanders and Labradorians, and maximizing opportunities that can provide bright futures for all in our province.

### Maximizing Economic Opportunity

In some cases this meant bringing forward new legislation to make our province an ideal place for economic growth and investment.

For example, An Act to Establish an Oil and Gas Corporation for the Province will help realize the goals of Advance 2030 – a plan that was developed by our government and industry to grow our offshore oil and gas sector in ways that will benefit current and future generations.

The new corporation will drive exploration. It will attract new investment. It will maximize returns through equity investments, and enhance local supply chain opportunities.

Establishing this new corporation responds to the needs of industry, and positions this province as a globally preferred location for exploration and long-term investment.

An example of legislation that protects the public while creating the right environment for pursuing a new and unprecedented economic opportunity would be An Act Respecting the Control and Sale of Cannabis.

This legislation sets out the statutory framework for cannabis in the province, which includes: creating a licensing structure; providing an inspection procedure; setting out restrictions on the sale, purchase, consumption, transportation, advertising and promotion of cannabis; and setting out offences and penalties.

This legislation helped prepare our province for one of the most significant policy shifts since Newfoundland and Labrador joined Canada.

It also maximized the opportunity for generating benefits here at home from the production and sale of cannabis.

The industry has already generated approximately \$12 million in retail sales since October. Our province has the third largest supply rate per capita in the country, and a significant number of buyers have been taken out of the illegal market.

In addition to setting out a framework for commercial activity involving cannabis,

amendments to the *Highway Traffic Act* further strengthened impaired driving legislation in the province in anticipation of legalization.

Upon legalization of cannabis by the federal government, changes to our legislation ensured: zero tolerance for drugs for novice drivers, drivers under age 22, and commercial drivers; seven day vehicle impoundment for the presence of drugs, or a combination of drugs and alcohol for novice drivers, drivers under age 22 and commercial drivers; seven-day vehicle impoundment for all drivers deemed impaired based on Standardized Field Sobriety Test/approved testing device and/or Drug Recognition Expert; 30-day vehicle impoundment for all drivers for refusal or failure to comply with a demand, consistent with alcohol; and, medical exemption provisions, subject to confirmation of legally authorization and the individual not being impaired.

These proposed amendments, and more specifically zero tolerance for novice drivers under age 22, were supported by Mothers Against Drunk Driving as well as the Royal Newfoundland Constabulary and the Royal Canadian Mounted Police.

Our government also put the right legislation in place to maximize buying and selling energy off island.

A bill to amend the *Electricity Power Control Act, 1994* and the *Public Utilities Act* put in place the legislation needed to adopt an open access transmission framework for the province's high-voltage electricity transmission system.

Adopting an open access transmission framework was necessary as the province became fully interconnected with the North American grid.

Making these changes facilitated our province's participation in both import and export electricity markets.

With new transmission connections in place, Newfoundland and Labrador has the ability to transmit power directly to the Maritimes and beyond, including the Northeast United States.

Access to these markets can provide additional options for rate mitigation to export sales in off-island purchases.

Just as our government put legislation in place to facilitate development involving oil and gas, cannabis and energy, legislation was also put in place to pursue savings.

An Act Respecting the Restraint of Salary and Extinguishment of Severance Pay for Non-Represented Public Sector Employees and Statutory Officers of the Province eliminated severance for the public service, and put in place a wage freeze, to expire on March 31, 2020.

With this legislation, employees with at least one year of continuous service are paid one week of salary to a maximum of 20 years to eliminate severance obligations.

Overall, the elimination of severance across the public sector is expected to result in \$25 million in annual savings.

Through this legislation, quality government services were maintained, the contributions of the public sector workforce were respected, consumer spending was stimulated and our government achieved a more affordable public service.

### **Advancing Better Outcomes**

Our government also delivered on its province to advance legislation that enhances the quality of life in our province, and respects and protects the rights of individuals.

For example, our government introduced new public health legislation to support the well-being of people living in communities throughout Newfoundland and Labrador.

An Act Respecting the Protection and Promotion of Public Health enabled our government to address gaps in existing legislation, which was originally enacted 50 years ago.

The act is similar to actions being taken in other Canadian jurisdictions, allowing this province to adopt best practices that are effectively working in other provinces and territories.

This new legislation helps the public health workforce in this province respond quickly to emerging challenges, such as the potential for fast-moving infectious diseases.

With this legislation, our government continues to enhance the standard of care that Newfoundlanders and Labradorians receive each day.

Continuing with the theme of improving on past practices, An Act Respecting Children, Youth and Families repealed and replaced the Children and Youth Care and Protection Act to make many necessary changes. Highlights of the improvements included: recognizing the role of family in promoting the safety and well-being of children and youth; removing restrictions so that all youth under a youth services agreement can receive services until he or she reaches the age of 21; requiring that a cultural connection plan for an Indigenous child or Indigenous youth who is removed from his or her family be included in the plan that is filed with the court for the Indigenous child or Indigenous youth; establishing the ability for Indigenous representatives of prescribed Indigenous governments or organizations to be heard in court; requiring specific placement considerations for Indigenous children and Indigenous youth who are in the care or custody of a manager; establishing a licensing process for agencies, family-based placement providers and residential placement providers; and providing authority to delegate functions and services under the act to an Indigenous government or organization.

In passing this legislation our government has created the opportunity to forever enhance the outcomes for children, youth and their families who receive our services.

An Act to Amend the Family Violence Prevention Act enabled our government to better support adult victims of domestic violence and their children by expanding the definition of family violence to include emotional, psychological and financial harm.

These are important changes, as the new definition makes it easier for victims of family violence to seek an Emergency Protection Order to protect themselves and their children.

Our government recognizes the importance of taking action to end violence in all forms, and breaking down the barriers victims face when encountering the justice system.

Continuing with our efforts to protect people in vulnerable circumstances, our government brought forward An Act Respecting the Protection of Intimate Images.

This legislation provides an additional legal option for those who have had private and sensitive intimate images shared without their consent.

Should people find themselves victimized in this way the new law establishes a means for individuals to pursue the matter in civil court.

A lawsuit may result in: an order for the payment of damages; the payment of any profits made from the distribution; removal of the intimate image from the Internet; and other orders the court considers appropriate to stop further victimization.

This legislation gives power back to victims. It holds people accountable for their actions and, hopefully, it will deter this kind of behaviour in others.

An Act Respecting Tenancies of Residential Premises finally brought about a long-awaited repeal and replacement of Newfoundland and Labrador's Residential Tenancies Act.

One key enhancement was a new provision allowing victims of domestic violence escaping an unfair situation to terminate a lease with only 30 days' notice without financial penalty.

Other highlights included changes to penalties under the act, rental increase notification, group eviction notices, the ability to deliver and receive documentation electronically and the inclusion of boarding houses under the act.

In establishing this legislation, our government responded to the needs of both landlords and tenants and improved the quality of life for many different people throughout our province.

Continuing with legislation that addresses quality of life, our government brought forward

An Act to Amend the Workplace Health, Safety and Compensation Act, which provided presumptive coverage for work-related, post-traumatic stress disorder for workers covered under the act.

This means that a worker who experiences a traumatic event or multiple events at work will now be presumed to have developed their diagnosed PTSD as a result of their work.

This progressive legislation simplifies the claim process, and allows the workers' compensation system to help injured workers receive the assistance they need earlier.

This will lead to better outcomes in improving people's overall health and well-being, as well as their options for returning to work when appropriate.

With this new legislation, our government is recognizing the impact that a workplace can have on any worker, in any occupation.

Presumptive coverage for post-traumatic stress disorder will benefit many individuals who may have previously suffered in silence.

Our government believes in putting supports in place that are responsive to the needs of vulnerable populations.

Our government also believes in recognizing individuals whose efforts help residents when they are most vulnerable.

An Act to Amend the Income Tax Act, 2000 introduced a new Search and Rescue Volunteer Tax Credit that allows eligible volunteers to claim a \$3,000 non-refundable tax credit on their provincial income tax starting this year.

Search and Rescue volunteers with at least 200 hours of service are eligible for the credit.

In establishing this legislation, our government recognized the contributions of Search and Rescue volunteers, and expanded its support for volunteer first responders in Newfoundland and Labrador.

Continuing with the theme of lowering taxes where possible, our government also brought

forward An Act to Amend the Revenue Administration Act which ensures a minimum 5 per cent reduction in the tax on automobile insurance over the next four years.

Work continues in the area of automobile insurance, and also with respect to making further tax and fee reductions as the province's fiscal situation improves.

In summary, the legislative initiatives advanced in this session have advanced our government's vision of a strong, diversified province that offers a high standard of living for all of its residents.

I thank you for the large measure of Supply granted.

I assure the appropriations granted have been and will be expended by our ministers with care and efficiency.

It is my pleasure that the Third Session of the Forty-Eighth General Assembly of the hon. House of Assembly now be prorogued, and it is prorogued accordingly.

Thank you very much.

**SERGEANT-AT-ARMS:** All rise.

(Her Honour the Lieutenant-Governor leaves the Chamber.)

(Mr. Speaker returns to the Chair.)

**MR. SPEAKER:** Order, please!

Pursuant to the Speech of her Honour, this House now stands prorogued.