

December 2009 Legislative Update

JURISDICTION	PARLIAMENT	BILL #	TITLE	GOVERNMENT/ MEMBERS BILL	STATUS	EXPLANATORY NOTE
<u>Nova Scotia</u>	61st General Assembly – 1 st Session	1	<i>Motor Vehicle Act (amended)</i>	Estabrooks	<u>Royal Assent – November 5, 2009</u>	This Bill (a) provides that no person shall drive a vehicle on a highway at a speed greater than 60 kilometres per hour when passing a stopped emergency vehicle with lights flashing unless travelling on the other side of a median; (b) requires a vehicle passing a stopped emergency vehicle with lights flashing to leave a completely empty lane between it and the emergency vehicle if another lane is available or, if not, move over one lane, so long as, in either case, it is safe to do so; and (c) provides for double fines.
		2	<i>Motor Vehicle Act (amended)</i>	Estabrooks	<u>Royal Assent – November 5, 2009</u>	This Bill increases the roadside suspension for a blood alcohol level of .05 or more from 24 hours to 7 days for a first suspension, 15 days for a second suspension and 30 days for a third suspension, within ten years.
		<u>7</u>	<u><i>Trade Union Act (Amended)</i></u>	<u>More</u>	<u>Royal Assent – November 5, 2009</u>	<u>The Bill expands the protection given to persons performing various dispute-resolution roles under the Trade Union Act from being compelled to give evidence in Court about information received in the carrying out of those roles. It also corrects an incorrect cross-reference in the Act, as well as establishes a new mediation-arbitration option to resolve grievances.</u>
		<u>14</u>	<u><i>Judicature Act (Amended)</i></u>	<u>Landry</u>	<u>Royal Assent – November 5, 2009</u>	<u>The purpose of this Bill is to empower the Supreme Court of Nova Scotia and the Nova Scotia Court of Appeal to prevent a vexatious litigant from starting new proceedings or continuing existing proceedings.</u>
		<u>16</u>	<u><i>Motor Vehicles Act (Amended)</i></u>	<u>Jennex</u>	<u>Royal Assent – November 5, 2009</u>	<u>This Bill amends the Motor Vehicle Act to authorize regulations to broaden the classes of people licensed outside of Nova Scotia who are allowed to drive a motor vehicle upon a highway in Nova Scotia without having to obtain a Nova Scotia driver's licence.</u>
		<u>22</u>	<u><i>Motor Vehicle Act (Amended)</i></u>	<u>Porter</u>	<u>First Reading – September 28, 2009</u>	<u>This Bill prohibits any form of solicitation, including the selling of goods, on 100 Series Highways.</u>
		<u>25</u>	<u><i>Motor Vehicle Act (Amended)</i></u>	<u>Jennex</u>	<u>Royal Assent – November 5, 2009</u>	<u>This Bill requires dealers to pay the appropriate fee for the issuance of a certificate of registration in the dealer's name or for the transfer of a motor vehicle permit registration number plate to a licensed dealer.</u>

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<u>27</u>	<u>Occupational Health and Safety Act (Amended) More</u>	<u>Royal Assent – November 5, 2009</u>	<u>This Bill streamlines the appeal process for discriminatory action decisions. The amendments eliminate an initial appeal to the Director of Occupational Health and Safety and send appeals directly to the Occupational Health and Safety Appeal Panel.</u>
<u>29</u>	<u>Financial Measures (2009) Steele Act</u>	<u>Royal Assent – November 5, 2009</u>	<p><u>Clause 1 sets out the short title of the Act.</u></p> <p><u>Clause 2 increases fees payable under the Companies Act.</u> <u>Clause 3 changes fees payable under Section 12 of the Corporations Registration Act.</u></p> <p><u>Clauses 4 to 8 extend the application of the Equity Tax Credit Act from December 31, 2009, to December 31, 2011 and increase the equity tax credit from 30% to 35%. Clause 23 increases the maximum annual deduction for the Equity Tax Credit as a result of increasing the rate from 30 to 35 per cent.</u></p> <p><u>Clause 9 corrects an error. Clause 10 freezes cost of living increases payable pursuant to Section 45A of the House of Assembly Act until 2012 and provides that no inquiry and report is to be undertaken pursuant to that Section before September 1, 2011.</u></p> <p><u>Clauses 11 and 12 defer implementation of the Transit Tax Credit. Clauses 16 to 20 make changes necessary as a result of the change made in Clause 11.</u></p> <p><u>Clauses 13, 14 and 15 provide for the continuation of the Healthy Living Tax Credit for children's sport and recreational activities and defer the extension of the tax credit to adults.</u></p> <p><u>Clauses 21 and 22 replace the Graduate Tax Credit with a new Graduate Retention Rebate.</u></p> <p><u>Clause 24 provides for an increase in the re-instatement fee for the restoration of a driver's licence following a revocation for an alcohol-related offence.</u></p> <p><u>Clause 25 provides for a cost of living increase in the registration fees under the Personal Property Security Act.</u></p> <p><u>Clause 26 increases the taxes paid under subsection 87(2) of the Probate Act.</u></p>

				<p><u>Clause 27 removes the prohibition on the Minister of Finance from tabling a budget that estimates a deficit. Clause 28 removes, after the 2008-2009 fiscal year, the prohibition on including offshore offset revenues in calculating the annual revenue of the Province for a fiscal year. Clause 29 removes the obligation to recover a deficit occurring in a fiscal year in a subsequent fiscal year.</u></p> <p><u>Clause 30 increases the contributions to the Public Service Superannuation Fund. Clause 31 increases the tax on tobacco. Clauses 32 to 34 increase fees under the Summary Proceedings Act. Clause 35 increases fees under Section 16A of the Trust and Loan Companies Act.</u></p> <p><u>Clause 36 sets out the effective dates for the Act.</u></p>
33	<u>Public Service Act (Amended)</u>	<u>MacLeod</u>	<u>First Reading – October 7, 2009</u>	<u>This Bill requires all public servants, unionized and non-unionized, to be treated equally with respect to pay increases.</u>
35	<u>Elections Act (Amended)</u>	<u>Scott</u>	<u>First Reading – October 8, 2009</u>	<u>This Bill permits the Chief Electoral Officer, on the advice of the Election Commission, to make regulations to allow for electronic and internet voting.</u>
40	<u>Labour Standards Code (Amended)</u>	<u>More</u>	<u>Royal Assent – November 5, 2009</u>	<u>This Bill creates an unpaid emergency leave for employees in cases of public health or other declared emergencies.</u>
46	<u>Employment Support and Income Assistance Act (amended)</u>	<u>McNeil</u>	<u>First Reading – October 21, 2009</u>	<u>This Bill amends the Employment Support and Income Assistance Act to provide that the Minister cannot consider the caregiver allowance when determining the eligibility of a person for assistance or the level of assistance for that person under the Act or any other enactment.</u>
48	<u>Pension Benefits Act (amended)</u>	<u>More</u>	<u>Royal Assent – November 5, 2009</u>	<u>This Bill amends the Pension Benefits Act to permit a pension plan to offer phased retirement to members of the plan by permitting payments of up to 60% of accrued pension to be paid to eligible members without the members retiring and with or without a reduction in their work hours.</u>
61	<u>Workers' Compensation Act (amended)</u>	<u>Glavine</u>	<u>First Reading – November 2, 2009</u>	<u>This Bill permits survivor benefits that were discontinued on remarriage pursuant to the former Act to be reinstated to a dependent spouse back to the time the benefits were discontinued.</u>

63 *Elections Act (amended)* McNeil

First Reading –
November 4, 2009

This Bill adds definitions of "third party" and "third party direct endorsement advertising" to the Elections Act. It also adds registered sponsors to those eligible to advertise during an election. Finally, it sets out the parameters for sponsorship of election advertising.