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HOUSE OF ASSEMBLY
FOR THE PERIOD
3:00 p.m. ~ 6:00 p.m.
THURSDAY, FEBRUARY 27, 1980

The House met at 3:00 p.m.

Mr. Speaker in the Chair.

Sergeant-at-Arms: Mr. Speaker, His Honour the Lieutenant-Governor has arrived.

MR. SPEAKER (Simms): Admit His Honour the Lieutenant-Governor.

HON. GORDON A. WINTER (Lieutenant-Governor):

MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

The First Session of the Thirty-Eighth General Assembly of this Honourable House of Assembly is about to be prorogued. But before releasing you from your duties I wish to convey to you my appreciation for the careful and sympathetic attention you have given to the important matters brought before you by my Ministers.

Forty-two pieces of legislation were enacted during this Session of the Honourable House of Assembly. Major legislative initiatives were taken in the areas of matrimonial property law, the administration of justice, municipal law, health, education and pensions.

The Matrimonial Property Act was passed with the purpose of reforming the law with respect to the property of married persons. Among the important provisions contained in this Act are the principles that each spouse has a one-half interest in the matrimonial home and that matrimonial assets acquired during a marriage are to be divided equally. The Act gives jurisdiction to the court to vary a division of assets if an equal division would be grossly unjust or unconscionable. The Act also provides that persons may enter into marriage contracts to deal with their relationship and such contracts would take them outside the Act. This Act is an important step forward in reforming the existing law.

MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

This Session has seen advances in the area of the administration of justice. The Small Claims Act was enacted providing the framework within which practice and procedure rules may be designed specifically for small claims. The jurisdiction of Provincial Court judges is limited under that Act to one thousand dollars. As well during this Session a new Summary Proceedings Act was passed. This Act deals with provincial offences and provincial court inquiries. Both of these Acts repeal, replace and modernize the provisions of The Summary Jurisdiction Act. Also in this Session, The Provincial Court Act was amended to change the reference of Magistrates to Provincial Court judges.

Several existing pieces of legislation were also amended in this Session by The Human Rights Anti-Discrimination Act, 1979. This Act was passed to remove anomalies in provincial legislation that may be construed as discriminatory.

MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

Substantial progress was made in the area of municipal government. The Municipalities Act was passed to amend, revise and consolidate the law relating to the establishment and administration of municipal government in the province.

Also in this Session, The Lower Churchill Development Act was passed to facilitate the development of the hydro-electric power potential of the Lower Churchill River.

A new Provincial Anthem Act was enacted in this Session, providing legislative recognition of the words and the music of the provincial anthem, the "Ode to Newfoundland".

MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

This Session has seen another advance in the area of health. The Generic Drugs Act was passed to provide for the substituting of prescribed drugs by their lowest cost generic equivalent, unless otherwise specifically directed by a doctor. The Pharmaceutical Association Act was amended to remove the requirement that the governing body of the association have at least eight councillors from St. John's and also to provide for regional representation on the council. The Medical Act was amended to provide that the Registrar of the Newfoundland Medical Board could be a medical practitioner who is not a member of the Board.

In the area of education there were amendments in this Session to The Schools Act requiring School Boards to organize special classes for handicapped children within their school systems or by arrangements with extra-provincial or inter-provincial educational authorities. Amendments to that Act also provided that capital expenditure for native education, which is shared by Canada and the province, would be excluded from the traditional arrangement that apportions capital grants on a per capita basis.

In this Session amendments were made to The Workers' Compensation Act that removed the limitation on compensation payable to a Newfoundland worker who is employed outside the province for a period in excess of eight months. The amendments also permit my Government to increase compensation by Order in Council. Amendments were made to The Occupational Health and Safety Act enabling the making of electrical regulations, adopting electrical codes or standards and providing for the appointment of advisory committees on technical matters.

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Important amendments were made to The Public Service (Pensions) Act. These amendments enable the Pension Plan to be funded and provide it with the authority to absorb existing pension funds of employees who are brought into the Pension Plan by regulation. The increase of Pensions Act, 1979 provides increases in pensions to public servants.

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 will be expended by my Ministers with care and efficiency.

It is my pleasure that the First Session of this Thirty-Eighth General Assembly now be prorogued and it is prorogued accordingly.

MR. SPEAKER (Simms):

Order, please!

pursuant to the speech of His Honour, this House stands prorogued.