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TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 p.m. - 6:00 p.m.
THURSDAY, FEBRUARY 10, 1983

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 (Russell): Admit His Honour the Lieutenant-Governor.

LIEUTENANT-GOVERNOR: MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

The First Session of the Thirty-Ninth 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.

Sixty-eight pieces of legislation were enacted during this Session of the Honourable House of Assembly. Among the major legislative initiatives taken were those in the areas of the administration of justice, finance, municipal affairs, transportation and communications.

In the area of the administration of justice several significant legislative measures were enacted.

The Unified Family Court Act was originally enacted as a three year trial project. During the trial period, it became readily apparent that the Court represented a progressive step in the administration of justice. Consequently, in this Session, the Act was amended to make the Court a permanent institution. The Judicature Act was amended to increase the number of judges in the Trial Division of the Supreme Court from six to seven. A new section was added to The Jury Act that would provide the right of exemption from serving as a juror to people

LIEUTENANT-GOVERNOR: whose pastoral duties or beliefs would conflict with service as a juror. In order to facilitate the execution of releases of mortgages in this Province, The Conveyancing Act was amended whereby every non-resident mortgagee would be required to have an attorney in the Province who could execute a release of mortgage upon the payment of all money owed under the mortgage. The Parliamentary Commissioner (Ombudsman) Act was amended to include the Waterford Hospital as an agency for the purposes of the Act. As well, the Act was amended to provide for the independent review of complaints against any member of the Royal Newfoundland Constabulary by the Parliamentary Commissioner.

In order to protect the travelling public of the Province, my Government introduced major amendments to The Automobile Insurance Act. This Act was amended so that the compulsory limit of insurance would be increased from Seventy-five thousand dollars to Two hundred thousand dollars. Also the limitation period for the bringing of actions for damages arising out of motor vehicle accidents was changed from one year to two years. As well, in order to be consistent with other Canadian jurisdictions, the Act was further amended to extend the absolute liability provision to gratuitous passengers on the same basis as any other third party claimants.

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

In accordance with the recommendations of the Public Accounts Committee, to which my Government is constantly sensitive, the Department of Finance Act was amended to complete the separation of the administrative roles of the Comptroller and Deputy Minister of Finance. An Act entitled, The Financial Corporations Capital Tax Act was passed to impose a tax on the taxable paid-up capital of banks and loan and trust

LIEUTENANT-GOVERNOR: companies. The Conflict of Interest Act, 1973 was amended to enable guidelines and regulations to be made that would govern the standards to be observed by Ministers of the Crown and public employees in the conduct of their official duties so far as they relate to their private affairs in order to safeguard the public interest. In order to modernize and revise the pension plans of the members of the Royal Newfoundland Constabulary, the St. John's Fire Department and the staff of Her Majesty's Penitentiary, a new Uniformed Services Pension Act was passed during this Session. Both The Retail Sales Tax Act, 1978 and The Tobacco Tax Act, 1978 were amended to clarify the law and remove certain doubts. The Tobacco Tax Act, 1978 was further amended to provide inspectors with increased authority to investigate cases where tobacco is imported into the Province and the provincial tobacco tax has not been paid.

Throughout its office my Government has been very sensitive to the needs of persons on fixed incomes, particularly those whose main source of income is a pension. Consequently, pensions to former public servants were further increased during this Session.

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

My Government introduced substantial amendments to The Highway Traffic Act. Among those amendments were new provisions dealing with the suspension and cancellation of driver's licences and a new schedule of penalties for violations of the Act. The fines had not changed in over twenty years and in my Government's judgment were no longer a deterrent against violations of the Act.

During this Session, The Dangerous Goods Transportation Act was passed. This Act, when proclaimed into force, will regulate the handling of dangerous goods and their transportation in vehicles on the highways of our Province. The Act is complementary to legislation passed by the Federal Government and other provincial jurisdictions.

LIEUTENANT-GOVERNOR: My Government introduced amendments to The Public Utilities Act in order to permit the Board of Commissioners of Public Utilities to regulate telecommunications services that come within the legislative jurisdiction of this Province. These amendments also provide that my Government may express to the Board its policy on telecommunications and may order the Board to conduct studies into any aspect of telecommunications coming within the legislative jurisdiction of the Province. The Public Utilities Act was also amended to permit the Public Utilities Board to allow terminal attachments to the public utility operating telephone equipment under the jurisdiction of the Board.

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

In the area of municipal affairs, The Urban and Rural Planning Act was amended during this Session to consolidate and improve the appeal and administrative provisions of the Act and make it a more effective instrument for the planning and regulation of development in the Province. Among the more important provisions enacted were amendments to provide that in relation to certain types of development my Government may require a Development Certificate to be obtained. Another amendment provides that the Minister of Municipal Affairs may direct that certain applications be submitted to the Minister for a determination. In preparing for future controlled development of land, my Government introduced amendments to The Development Areas (Lands) Act whereby any transaction in relation to land in a Development Area under the Act has to be registered in the Registry of Deeds. Numerous amendments to The Municipalities Act were passed during this Session to further clarify the law.

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

In an effort to reopen the asbestos mine at Baie Verte my Government found it necessary to introduce an Act to Expropriate the Property of Advocate Mines Limited.

This Act was proclaimed into force on September 3rd, 1982. The mine is now operated by a new mining company.

As an indication of my Government's commitment to the tourist potential of this Province, An Act to Revise the Law Respecting Innkeepers was passed during this Session.

In response to the most tragic loss of the men on the Ocean Ranger last February, my Government introduced amendments to The Workers' Compensation Act to permit a worker or his dependant to claim compensation under the Act and to bring an action against a third party not covered by the Act. Before the amendment to the law, the worker or his dependant could only do one or the other. The amendments to the Act also permit the Workers' Compensation Board to be subrogated to the rights of a worker or his dependants. The Act was also amended to extend the limitation period within which a claim for compensation must be made.

In order to encourage the orderly management of and to discourage the desecration and depletion of our wild life resources, The Wild Life Act was amended to revise the penalties relating to moose and caribou offences. The Act was further amended to require the forfeiture of any thing used for the transportation of big game taken contrary to the law if the transportation device was operated by its owner. The Act was also amended to provide that any firearms and other items owned by a non-resident and held by the Department may be disposed of after one year if the non-resident does not appear before a court to answer the charge against him.

Among the other significant legislative measures enacted during this Session were An Act To Amend The Public Libraries Act, 1975, An Act To Amend The Department of Transportation Act, An Act To Amend The Newfoundland And Labrador Hydro Act, 1975, An Act To Amend The Law Society Act, 1977, An Act To Amend The Prisons Act, An Act To Amend The Bay St. George Community College Act, An Act To Amend The Mineral Act, 1976 and An Act To Amend The Newfoundland Industrial Development Corporation Act.

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

During this Session, Resolutions pertaining to matters of pressing and immediate public interest were introduced by my Government and fully debated. These Resolutions related to the issues of offshore resource and the transmission of hydro-electrical energy and were introduced in pursuance of my Government's unswerving determination to secure justice and equity in these matters for all people of the Province.

During this Session, a Select Committee of this Honourable House was struck, namely, the Select Committee to examine draft legislation on Elections, Controverted Elections and Election Financing. My Government looks forward to the report of this Committee being received by this Honourable House during this Assembly.

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-Ninth General Assembly now be prorogued and it is prorogued accordingly.

MR. SPEAKER (Russell): Pursuant to the speech of His Honour the Lieutenant-Governor, this First Session of the Thirty-Ninth General Assembly now stands prorogued.