



Province of Newfoundland

THIRTY-NINTH GENERAL ASSEMBLY
OF
NEWFOUNDLAND

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Third Session

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VERBATIM REPORT
(Hansard)

Speaker: Honourable James Russell

Tuesday

26 February 1985

The House met at 3:00 p.m.

MR. SPEAKER (Russell):
Order, please!

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

MR. SPEAKER:
Admit His Honour the Lieutenant-Governor.

Ladies and Gentlemen, it is the wish of His Honour the Lieutenant-Governor that all present be seated.

HON. W. A. PADDON
(Lieutenant-Governor):
MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

Since the last sitting of this Honourable House, the Province and this Assembly were saddened by the death of the Honourable Member for Humber Valley. The Honourable Wallace House served in this Assembly and the Ministry of this Province with dedication and distinction. The Province has lost a distinguished Newfoundlander who dedicated his life to public service. On behalf of all, I wish to mark his passing and to extend formal sympathies from this historic Assembly on behalf of all honourable members and the entire Province to the family of the late Honourable Member for Humber Valley.

I ask you to rise for a moment of silence to the late Honourable Wallace House.

Moment of Silence

The Third Session of the 39th
General Assembly of this

Honourable House of Assembly is about to be prorogued. Before relieving you from your duties, I wish to convey to you appreciation for the careful and sympathetic attention given to the important matters brought before you to my Ministers.

Forty-six pieces of legislation were enacted during this Session of the Honourable House of Assembly. Major legislative initiatives were taken in the administration of justice, labour, public works, development and education.

In the area of the administration of justice, several significant legislative measures were enacted. For the first time since 1889, a new Judicature Act was passed. This Act, upon proclamation, will revise the law relating to the superior courts of the Province. The Act will create a separate Supreme Court and a separate Court of Appeal. The Act will also provide for the making of new Rules of both Superior Courts and for the merger of what is now the Trial Division of the Supreme Court with the District Court. It is my Government's hope that the services of the Supreme Court will, upon merger, be brought closer to people in the rural areas of our Province. In addition, the existing District Court Act was amended to provide for the appointment of a second District Court Judge in the City of Corner Brook.

As an indication of my Government's desire to implement the reform of our laws to conform with the Canadian Charter of Rights and Freedoms and extend full rights to all members of society, The Newfoundland Human Rights Code was amended to include

the words "mental disability" in the existing heads of discrimination that are prohibited by the Code. The reform of our law will be completed during the next Session of this Honourable House.

The Companies Act was amended to provide for the issuance of certificates of continuance and discontinuance of companies under our law.

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

In order to ensure that employers, prospective employers and most importantly, employees in this Province understand their rights, The Labour Standards Act was amended to make a clear distinction with respect to temporary lay-offs and termination of employment.

After many months of negotiations, my Government was overjoyed to conclude an agreement with Kruger Incorporated whereby that company took over the operation of the Corner Brook Newsprint Mill. An Act To Ratify, Confirm and Adopt Certain Agreements entered into between the Government of the Province and Kruger Incorporated respecting the future operation and modernization of the Corner Brook Newsprint Mill was enacted during this Session. Also, during this Session, An Act to govern collective bargaining between the Government and Interns and Residents was enacted.

As an indication of my Government's commitment to the workers of this Province, my Government introduced amendments to The Occupational Health and Safety Act to provide for the making of regulations respecting

the health and safety of workers in the mines of this Province. This authority was previously vested in The Regulation of Mines Act which was considered an ineffective instrument to deal with occupational health and safety matters of miners.

The Elevators Act was amended to bring tower cranes and overhead travelling cranes within the ambit of the Act from which they had previously been excluded.

As a further indication of my Government's commitment to the future of our young people and the fishery resources of this Province, my Government introduced an Act Respecting the Establishment and Operation of the Newfoundland and Labrador Institute of Fisheries and Marine Technology. The new facility will be completed this Fall and the old Fisheries College on Parade Street in St. John's will be abandoned. During this Session, The Schools Act was amended to increase the proportion of elected members to school boards from one-third to two-thirds. This amendment will provide for elections to school boards to be held on the same day as general elections of municipalities.

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

During this past year, my Government reorganized a portion of the public service, in particular career development, advanced studies and matters relating to consumer affairs and communications. To this end, the following new Department Acts were passed by this Legislature: The Department of Career Development and Advanced Studies Act, The Department of Labour Act, The

Department of Consumer Affairs and Communications Act and The Department of Education Act.

On April 2, 1984, the Government of Canada proclaimed into force the new Young Offenders Act. Therefore, it was necessary for this Province to revise the law respecting juvenile delinquents. The Young Persons Offences Act was passed during this Session as complementary legislation to the Federal Act. It replaces The Welfare of Children Act which has served well the young people of this Province since 1944.

In the area of consumer affairs, a new Act respecting collection agencies and collectors was passed. Upon proclamation, this Act will repeal and replace The Collection Agencies Act of 1973.

Some time ago, my Government announced that the Newfoundland and Labrador Award for Bravery would be established to honour those who show exemplary courage and place themselves in peril while rendering assistance to persons in distress. This Honourable House has recognized this award by passing The Bravery Award Act.

My Government has been concerned for some time that our past be preserved for future generations. The Heritage Foundation Act was passed to stimulate an understanding of and an appreciation for the architectural and historical heritage of this Province as well as to support and contribute to the preservation and restoration of historical buildings.

In the area of agriculture, my Government introduced an amendment to The Livestock Act so that an

owner of livestock would be liable for damage to property caused by livestock that is roaming at large.

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

In 1974, the first Public Tender Act was passed by this Honourable House. My Government thought that it was now necessary, given the experience of the past ten years and the recommendations of the Report of the Commission of Enquiry into Purchasing Procedures of the Department of Public Works and Services, that the legislation be strengthened by a new Public Tender Act. This new Act will provide for the calling of tenders for the execution of public works and the acquisition of goods and services by not only the Departments of Government but by all Government funded bodies. When the new Act is shortly proclaimed into force, it will also bring into force The Provincial Preference Act. This Act will provide for the calculation and consideration of the provincial content factor in the awarding of tenders by Departments of Government and Government funded bodies. These two new Acts are bold steps on my Government's part to provide for a rigid calling of public tenders and the implementation of provincial preference.

Among the other significant legislative measures enacted during this Session were An Act To Amend The Quarry Materials Act, 1976, An Act To Amend The Education (Teachers' Pensions) Act, An Act To Amend The Boiler, Pressure Vessel and Compressed Gas Act, An Act To Amend The Dispensing Opticians Act, An Act To Amend The Medical Act, 1974, An Act To Amend The Financial

Administration Act, 1973, An Act To Amend The Public Service (Pensions) Act, An Act To Repeal The Gander Development Corporation Act, 1975, and An Act to Provide for the Exemption of Baie Verte Mines Inc. from Taxes imposed by The Retail Sales Tax Act, 1978.

is prorogued accordingly.

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

During this Session, The House of Assembly Act was amended to implement without alteration the recommendations of the Report of the Newfoundland Electoral Districts Boundaries Commission as tabled in this Honourable House of Assembly by the Honourable Minister of Justice on April 13, 1984.

The Select Committee of this Honourable House, which was struck during the last Session to recommend draft legislation relating to the Certified General Accountants Association presented its Report. As a result of the recommendations of the Report, The Certified General Accountants Act was passed during this Session. Another Select Committee of this Honourable House, which was struck during the last Session to examine food prices throughout the Province, presented its Report to this Honourable House.

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 Third Session of this 39th General Assembly now be prorogued and it