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No. 30

Thursday, April 11, 1996.

8.30 o'clock a.m.

Prayers.

Documents Tabled

Hon. Mr. MacIntyre laid upon the table of the House a document entitled *Report to Honourable J.R. MacIntyre, Minister of Advanced Education and Labour, Province of New Brunswick, on the Strike by Communications, Energy and Paperworkers Union, Local 691 Against Irving Oil Limited, Saint John New Brunswick - Innis Christie, Commissioner of Inquiry, April 9, 1996.*

In response to a question, Hon. Mr. Smith laid upon the table of the House a document entitled *Record of Employment (ROE) / Relevé d'emploi (RE) of Sandra McKay* dated April 1, 1996.

Bills Introduced

The following Private Bill was introduced and read a first time:

By Mr. McAdam,

Bill 82, *An Act to Amend the City of Saint John Pension Act.*

Ordered referred to the Standing Committee on Private Bills.

The following Bill was introduced and read a first time:

By Hon. Mr. Blaney,

Bill 83, *Clean Air Act.*

Ordered that the said Bill be read a second time at the next sitting.

Government Motions re Business of House

Hon. Mr. Frenette announced that following Private Members' Motions, the House would resolve itself into a Committee of Supply to continue with consideration of the estimates.

The House Leader asked for unanimous consent to continue sitting through the noon recess until 1.30 o'clock p.m.; then to recess until 3 o'clock p.m. to allow Members to attend the funeral of the father of the Minister of Health and Community Services.

Hon. Mr. Valcourt raised a Point of Order stating that negotiation of sitting hours should not be done on the floor of the House. Mr. Speaker asked if there was agreement to Hon. Mr. Frenette's request and it was denied.

Second Reading

The Order being read for second reading of Bill 81, *An Act to Amend the Insurance Act*, a debate arose thereon.

During the debate, Hon. Mr. Valcourt stood on a point of privilege, claiming he had received a note calling him a "slime." He proceeded to read the note; then submitted it to the Speaker.

Mr. Speaker advised the House that he considered this to be a serious matter, and that he would take it under advisement and report back to the House.

Mr. Armstrong objected to the Leader of the Opposition's assertion that the note had been sent to him by backbenchers.

Mr. Speaker advised that he had taken the matter under advisement.

Debate continued on the motion for second reading of Bill 81, *An Act to Amend the Insurance Act*, and after some time, Hon. Mr. Frenette rose and interrupted debate and asked Mr. Speaker to revert to Government Motions for the Ordering of the Business of the House.

Hon. Mr. Valcourt rose on a Point of Order and claimed that he could not be interrupted when he had the floor for the purpose of reverting to other business.

In speaking to the Point of Order, Hon. Mr. Frenette submitted that it was common practice for Members to request an interruption in proceedings to revert momentarily to a specific item of business. He further advised that it was his intention to propose a motion pursuant to Standing Rule 34(1) to continue the sitting through the ordinary dinner hour.

Mr. Speaker ruled the Point of Order well taken and advised that although Members have, in the past, interrupted proceedings for the purpose of reverting to various items of business, it is not in order to interrupt a Member who legitimately has the floor.

Hon. Mr. Frenette rose on a Point of Order stating that he accepted the Speaker's ruling but would like some research to be done to determine how the rights given to Members to move a motion under Standing Rule 34(1) are ensured and protected under such circumstances.

Mr. Speaker acknowledged that sometimes there arises under the rules conflicting procedures and rights and that he would undertake to give it some research.

Debate continued, and after some further time, Mr. Speaker declared it to be 12.30 o'clock p.m. and left the Chair to resume again at 2 o'clock p.m.

2 o'clock p.m.

Due to the unavoidable absence of Mr. Speaker, Mr. MacDonald, the Deputy Speaker, took the Chair.

Debate continued on the motion for second reading of Bill 81, *An Act to Amend the Insurance Act*.

And after some time, Hon. Mr. Valcourt moved in amendment, seconded by Mr. Robichaud, as follows:

AMENDMENT

THAT the motion for second reading be amended by striking out everything after the word "that" and substituting the following:

Bill 81 not be read a second time and that it be referred to the Standing Committee on Law Amendments.

And the question being put, and a debate arising thereon, Hon. Mr. Valcourt rose on a Point of Order, his Point of Order being that Hon. Mr. Duffie was not speaking to the amendment.

Mr. Deputy Speaker ruled that the Member was speaking to the amendment and that he would remain attentive in listening to the debate.

And the debate being ended and the question being put, the amendment was negatived on the following recorded division:

AYES - 7

Mr. Sherwood Mr. Mockler Mr. Volpé

Mr. Robichaud Ms. Weir Mr. D. Graham

Hon. Mr. Valcourt

Hon. Mr. Duffie Mr. McAdam Mr. Olmstead
 Hon. Mr. Frenette Hon. Mrs. Day Mr. Flynn
 Hon. Mr. Graham Mr. Allaby Mr. O'Donnell
 Hon. B. Thériault Mr. Steeves Mr. Byrne
 Hon. Mrs. Breault Mr. LeBlanc Mr. Doyle
 Hon. Mr. Tyler Mr. Jamieson Mr. D. Landry
 Hon. Mrs. Mersereau Mr. Johnson Mr. Armstrong
 Hon. Mrs. Trenholme Ms. de Ste. Croix Mr. Devereux
 Hon. Mr. Savoie Mr. Kavanaugh Mrs. Kingston
 Mrs. Jarrett

The question was then put on the motion for second reading of Bill 81, *An Act to Amend the Insurance Act*, and it was resolved in the affirmative on the following recorded division:

YEAS - 31

Hon. Mr. Duffie Hon. Mr. Savoie Mr. Kavanaugh
 Hon. Mr. Blanchard Mrs. Jarrett Mr. Olmstead
 Hon. Mr. Frenette Mr. McAdam Mr. Flynn
 Hon. Mr. Graham Hon. Ms. Day Mr. O'Donnell
 Hon. Mr. Blaney Mr. Allaby Mr. Byrne
 Mr. McKay Mr. Steeves Mr. Doyle
 Hon. B. Thériault Mr. LeBlanc Mr. D. Landry
 Hon. Mrs. Breault Mr. Jamieson Mr. Armstrong
 Hon. Mr. Tyler Mr. Johnson Mr. Devereux
 Hon. Mrs. Mersereau Ms. de Ste. Croix Mrs. Kingston
 Hon. Mr. Smith

NAYS - 6

Mr. Sherwood Hon. Mr. Valcourt Mr. Volpé
 Mr. Robichaud Mr. Mockler Mr. D. Graham

Accordingly, Bill 81, *An Act to Amend the Insurance Act*, was read a second time and ordered referred to the Committee of the Whole House.

Mr. Speaker apprised the House of an error in addition of the previous recorded vote, the correct figure being 28 Nays and 7 Yeas.

Private Members' Motions

Debate resumed on Motion 34, proposed by Mr. Mockler, seconded by Mr. Robichaud, as follows:

WHEREAS the government has made the objective of the Balanced Budget Legislation the cornerstone of its "cut and slash" economic and fiscal policy;

WHEREAS this government should always be mindful of the need for fiscal restraint in discharging its responsibilities towards New Brunswickers;

WHEREAS this government has undertaken major reforms in various departments with the view of streamlining them and making them more efficient, yet it has not addressed these same issues in the structure of government;

BE IT RESOLVED THAT to allocate the impact of cuts to public services this Assembly recommend to the Government that it consider, among other measures, reducing the size of cabinet significantly with the view of making government more efficient and less costly to New Brunswickers.

And after some time, Mr. Deputy Speaker reminded Members that only one Member may have the floor at a time and asked all Members to respect the rights of the Member speaking.

And after some time, Hon. Mr. Blanchard moved in amendment, seconded by Hon. Mr. Frenette, as follows:

AMENDMENT

THAT Motion 34 be amended by:

1. Striking the words "the cornerstone of its 'cut and slash'" and substituting "a component of its" in the first whereas clause.
2. Deleting the second whereas clause.
3. Striking everything after the word "efficient" in the third whereas clause.
4. Inserting the word "fairly" after the word "to" in the first line of the resolution clause.
5. Striking the words "consider among other measures, reducing the size of cabinet significantly with the view of" in the second and third lines of the resolution clause and substituting "continue its efforts at".

And the question being put on the proposed amendment, a debate ensued.

Mr. Speaker resumed the Chair.

And after some further time, Mr. Speaker declared it to be 6 o'clock p.m. and left the Chair to resume again at 8 o'clock p.m.

8 o'clock p.m.

Mr. Speaker resumed the Chair.

Debate continued on the proposed amendment to Motion 34.

And after some time, Mr. Speaker interrupted proceedings and advised that the time allotted for Private Members' Motions had expired.

Committee of Supply

The House, according to Order, resolved itself into a Committee of Supply with Mr. MacDonald in the Chair.

And after some time, Mr. O'Donnell took the Chair.

And after some further time spent in Committee of Supply, Mr. Speaker resumed the Chair and Mr. O'Donnell, the Chairman, after requesting that Mr. Speaker revert to Presentations of Committee Reports, reported that the Committee had had under consideration the matters referred to them, had made some progress therein, and asked leave to sit again.

Pursuant to Standing Rule 78.1, Mr. Speaker put the question on the motion deemed to be before the House, that the report be concurred in, and it was resolved in the affirmative.

Government Motions re Business of House

Hon. Mr. Frenette requested Mr. Speaker revert to Government Motions for the Ordering of the Business of the House and announced that it was the intention of the government that Private Bills 32, 38 and 39 be read a second time at tomorrow's sitting of the House.

And then, 10.58 o'clock p.m., the House adjourned.