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No. 35

Friday, April 19, 1996

8.30 o'clock a.m.

Prayers.

Petitions

Mr. Doyle, Member for Albert, laid upon the table of the House, a petition on behalf of New Brunswick residents who support the retention of the Alma Consolidated School serving the K-8 student population. (Petition 8)

Mr. Sherwood, Member for Grand Bay-Westfield, laid upon the table of the House, a petition on behalf of Fredericton and Chaleur region residents urging the government to reverse the decision to extend Sunday shopping to the month of August. (Petition 9)

Documents Tabled

Hon. Mrs. Breault laid upon the table of the House a document entitled *Electoral Reform in New Brunswick: A Discussion Paper*.

During Oral Questions Hon. Mr. King rose to clarify remarks he made earlier in response to a question posed by Mr. Robichaud. Hon. Mr. King apologized to the Honourable Member for the remark.

Government Motions re Business of House

With leave of the House to dispense with Notice, Hon. Mr. McKenna moved the following resolution, seconded by Hon. Mr. Valcourt: (Motion 40)

WHEREAS Samuel Field has served as Supervisor of Political Financing since July 26, 1978;

AND WHEREAS he has carried out his duties with a very high degree of integrity and competence;

AND WHEREAS his appointment has expired;

BE IT THEREFORE RESOLVED THAT the Legislative Assembly recommend to the Lieutenant-Governor-in-Council that Samuel Field be reappointed Supervisor of Political Financing for a term of 5 years.

And the question being put, it was resolved in the affirmative.

Hon. Mr. Frenette moved, seconded by Hon. A. Doucet:

THAT the document entitled *Business Plan 1996-2001, New Brunswick Power Corporation*, tabled in the House on April 17, 1996 be referred to the Standing Committee on Crown Corporations.

And the question being put, it was resolved in the affirmative.

Hon. Mr. Frenette moved, seconded by Hon. Mr. King:

THAT the document entitled *Hospital Corporation Accountability* tabled in the House on March 26, 1996 be referred to the Standing Committee on Law Amendments.

And the question being put, it was resolved in the affirmative.

With leave of the House to dispense with Notice, Hon. Mr. Frenette moved the following resolution, seconded by Hon. Mrs. Breault: (Motion 41)

WHEREAS fundamental reform of election legislation has not been undertaken since 1967; and

WHEREAS the *Elections Act* and related legislation contain many provisions which need to be reviewed; and

WHEREAS there exists a possibility for greater harmonization of election procedures at the municipal, provincial and federal levels;

WHEREAS the government is committed to changes to elections legislation and to public consultation thereon; and

WHEREAS the Government has tabled a document entitled *Electoral Reform in New Brunswick: A Discussion Paper*;

BE IT THEREFORE RESOLVED that this House appoint a Select Committee on Electoral Reform to examine, inquire into and make recommendations to the House with respect to the said document entitled *Electoral Reform in New Brunswick: A Discussion Paper*, to hold public hearings as it deems necessary and to report to the House as soon as possible or following any adjournment or at the next following Session as the case may be.

In addition to the powers traditionally conferred upon the said Committee by the Standing Rules, the Committee shall have the following additional powers;

(a) to sit during any sittings of the House and during the recess after prorogation until the next following Session;

(b) to adjourn from place to place as may be convenient;

© to retain such personnel as required to assist the Committee; and

BE IT FURTHER RESOLVED that the said Committee be composed of: Hon. B. Thériault, Mr. Mockler, Hon. B. Richard, Mr. Wilson, Mr. Doyle, Mrs. Jarrett, Mr. DeGrâce, Mr. Sherwood and Ms. Weir.

And the question being put, it was resolved in the affirmative.

Hon. Mr. Frenette advised that it was the intention of government to resume debate on the motion for second reading of Bill 41, *An Act to Amend the Elections Act*, and to introduce an amendment to refer the said Bill to the Select Committee on Electoral Reform.

Hon. Mr. Frenette apprised the House that a discussion paper that would lead to privacy legislation was being prepared and that he had discussed the matter with the Members of the Opposition who had indicated their agreement that the said document be referred to the Standing Committee on Law Amendments for review.

The Honourable House Leader also announced that the Order of Business for today would be consideration of estimates in Committee of Supply followed by legislation in the Committee of the Whole House.

The House agreed by unanimous consent:

1. That the discussion paper on proposed privacy legislation for New Brunswick being prepared by the Department of Justice be filed with the Clerk of the House when it is completed.
2. That the discussion paper when filed will stand referred to the Committee on Law Amendments.
3. That the Committee examine and inquire into the matter of privacy legislation.

4. That the Committee conduct public hearings into the matter.

5. That the committee report back to the House.

Third Reading

The following Bills were read a third time:

Bill 21, *An Act to Amend the Assessment Act*.

Bill 22, *An Act to Amend the Libraries Act*.

Bill 54, *An Act to Amend the Motor Vehicle Act*.

Bill 63, *An Act to Amend the Motor Vehicle Act*.

Bill 64, *An Act to Amend the Municipalities Act*.

Bill 67, *An Act to Amend the Municipalities Act*.

Bill 74, *An Act to Amend The Residential Tenancies Act*.

Bill 77, *An Act to Amend the Evidence Act*.

Bill 79, *An Act to Amend the Provincial Court Act*.

Ordered that the said Bills do pass.

Second Reading

As Mr. Speaker called for the resumption of the adjourned debate on the motion that Bill 41, *An Act to Amend the Elections Act*, be now read a second time, Hon. Mr. Frenette moved in amendment thereto, seconded by Hon. Mr. Tyler:

AMENDMENT

THAT the motion for second reading be amended by deleting all the words after the word "that" and substituting the following:

Bill 41, *An Act to Amend the Elections Act*, be not now read a second time but that the order for second reading be discharged and the subject matter of the Bill referred to the Select Committee on Electoral Reform.

And the question being put, a debate ensued.

And the debate being ended and the question being put, the amendment was carried.

Committee of Supply

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

At 11.07 o'clock a.m. the Chairman declared a five-minute recess.

11.12 o'clock a.m.

The Committee resumed.

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 and had passed all remaining items.

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.

The following are the items reported:

1996 - 1997

DEPARTMENT OF ADVANCED EDUCATION AND LABOUR

Resolved, That there be granted to Her Majesty a sum not exceeding \$124,000,700 to defray the expenses of the Ordinary Account program allocations of the Department of Advanced Education and Labour for the fiscal year ending the 31st day of March, 1997.

MARITIME PROVINCES HIGHER EDUCATION COMMISSION

Resolved, That there be granted to Her Majesty a sum not exceeding \$167,904,200 to defray the expenses of the Ordinary Account program allocations of the Maritime Provinces Higher Education Commission for the fiscal year ending the 31st day of March, 1997.

GENERAL GOVERNMENT

Voted, Supply in the following amount to defray the expenses of the following program:

32 21 Labour and Employment Board 548,200

WORKING CAPITAL - MAXIMUM BALANCES

1996 - 1997

WORKING CAPITAL ADVANCES

Advanced Education and Labour - Training Services 2,000,000

Workers Compensation Board 1,080,000

PETTY CASH ADVANCES

Advanced Education and Labour 20,000

INVENTORIES

Advanced Education and Labour 1,250,000

The said items were concurred in by the House.

Bills Introduced

Hon. Mr. Frenette requested that Mr. Speaker revert to the Order of Introduction of Bills, and the following Bill was introduced and read a first time:

By Hon. Mr. Blanchard,

Bill 91, *Appropriations Act 1996-97*.

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

Committee of the Whole

The House, according to Order, resolved itself into a Committee of the Whole with Mr. O'Donnell in the Chair.

And after some time spent therein, Hon. Mr. Frenette apprised the House that he believed there was agreement to sit past 12.30 o'clock p.m.

The Chairman ascertained the unanimous consent of the Committee to sit past 12.30 o'clock p.m.

After some further time spent in Committee of the Whole, due to the unavoidable absence of Mr. Speaker, Mr. MacDonald, the Deputy Speaker took the chair and Mr. O'Donnell, the Chairman, after requesting that Mr. Deputy Speaker revert to Presentations of Committee Reports, reported that the Committee had directed him to report the following Bills as agreed to:

Bill 25, *An Act to Amend the Highway Act*.

Bill 33, *Supplementary Appropriations Act 1995-96*.

Bill 34, *Supplementary Capital Appropriations Act 1995-96*.

Bill 35, *Capital Appropriations Act 1996-97*.

Bill 42, *Loan Act 1996*.

Bill 43, *An Act to Amend the Revenue Administration Act*.

Bill 44, *An Act to Amend the Liquor Control Act*.

Bill 45, *An Act to Amend the Lotteries Act*.

Bill 52, *An Act to Amend the Liquor Control Act*.

Bill 55, *An Act to Amend the Provincial Loans Act*.

Bill 61, *An Act to Amend the Highway Act*.

Bill 62, *An Act to Amend the New Brunswick Highway Corporation*.

Bill 68, *An Act to Amend the Real Property Tax Act*.

Bill 87, *Supplementary Capital Appropriations Act 1994-95 (2)*.

Bill 88, *Supplementary Appropriations Act 1994-95 (2)*.

Bill 89, *Supplementary Appropriations Act 1995-96 (2)*.

And the Committee had directed him to report the following Bill as amended:

Bill 73, *Agricultural Land Protection and Development Act*.

And the Committee asked leave to make a further report.

Pursuant to Standing Rule 78.1, Mr. Deputy Speaker then 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 the House revert to Government Motions for the Ordering of the Business of the House and, with leave of the House, moved the following resolution, seconded by Hon. A. Graham: (Motion 42)

THAT WHEREAS there is a general dissatisfaction with the level of gasoline pricing in New Brunswick compared with neighbouring jurisdictions;

BE IT THEREFORE RESOLVED that this House appoint a Select Committee on Gasoline Pricing to examine, inquire into and make recommendations to the House with respect to gasoline pricing in New Brunswick and, in particular, without limiting the generality of the foregoing to:

- 1) carry out an in-depth pricing review of all price components, price and taxation levels relative to other jurisdictions, profit margins and distribution efficiencies;
- 2) examine all price components including costs related to crude oil, refining, transportation, taxation levels, marketing, retail and wholesale margins and promotions;
- 3) examine the gasoline pricing structure within the province and its relationship to reasonable profits, pricing differences between the province and surrounding jurisdictions and the extent of and reasons for price differentials within the province;
- 4) invite the participation of and public discussion with the Committee of representatives of the petroleum companies (downstream industry) as well as the Petroleum Retailers Association and any other stakeholders; and
- 5) make an interim report to the government of New Brunswick, through the Clerk's Office, and a further full report to the next sitting of the Legislative Assembly.

In addition to the powers traditionally conferred upon the said Committee by the Standing Rules, the Committee shall have the following additional powers;

a) to sit during any sittings of the House and during the recess after prorogation until the next following Session;

b) to adjourn from place to place as may be convenient;

c) to retain such personnel as required to assist the Committee; and

d) to release any reports during a period when the Legislative Assembly is adjourned or prorogued by depositing a copy with the Clerk of the Assembly, and upon the resumption of the sittings of the House, the Chairman of the Committee shall present all reports to the Legislative Assembly.

BE IT FURTHER RESOLVED that the said Committee be composed of: Mr. Byrne, Mrs. Jarrett, Mr. LeBlanc, Mr. A. Landry, Mr. Johnson, Hon. Mr. Valcourt, Mr. D. Graham, and Ms. Weir.

And the question being put, a debate ensued.

And the debate being ended, and the question being put, it was resolved in the affirmative.

And then, 3.18 o'clock p.m., the House adjourned.