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No. 7

Thursday, December 5, 1996.

10 o'clock a.m.

Prayers.

Mr. Speaker informed the House that by tradition the day is reserved for the closing of the Throne Speech debate and that no other business is transacted other than second and third reading of Bills.

Government Motions re Business of House

Hon. Mr. Frenette apprised the House that it was the intention of the Government to proceed with the closing of the Throne Speech Debate, followed by second and third reading of Bills.

A Point of Order was raised by Mr. Robichaud, his Point of Order being that the Government House Leader had not indicated the government's intention on proceeding with Bill 23.

In responding to the Point of Order, Hon. Mr. Frenette advised that he would inform the House accordingly when the order for second reading was called.

On a Point of Order, Mr. Robichaud referred to Standing Rule 44(1) which states that on Tuesdays and Thursdays the first Order of the Day shall be Private Members' Public Business.

Mr. Speaker stated that by tradition the day is reserved for closing the Throne Speech debate and the only other business transacted is that which is most necessary. Mr. Speaker stated that traditionally motions are not debated and they will not be today.

Address

The Assembly resumed the adjourned debate on the proposed motion of Mr. Flynn, Member for York, seconded by Mr. A. Landry, Member for the Nepisiguit,

THAT the following Address be presented to Her Honour the Lieutenant-Governor to offer the humble thanks of this House to Her Honour for the gracious speech which she has been pleased to make to the Legislative Assembly, namely:

Fredericton, N.B.

November 26, 1996.

To Her Honour,

The Honourable Margaret Norrie McCain,

Lieutenant-Governor of the Province of New Brunswick.

May It Please Your Honour:

We, Her Majesty's most dutiful and loyal subjects of the Legislative Assembly of the Province of New Brunswick, now in session, beg leave to extend our humble thanks to Your Honour for the gracious speech which Your Honour has addressed to us, and we assure Your Honour that all matters which may be submitted to us during the session will receive our most careful attention and consideration.

And the debate continuing,

And the debate being ended and the question being put thereon, it was agreed to without amendment on the following recorded division:

Hon. Mr. Blanchard	Hon. Mr. Savoie	Ms. de Ste. Croix
Hon. Mr. McKenna	Mr. McAdam	Mr. Kavanaugh
Hon. Mr. Frenette	Mr. Kennedy	Mr. Olmstead
Hon. Mr. Graham	Hon. Mr. MacIntyre	Mr. Flynn
Hon. Mr. Lee	Hon. Mr. Doucet	Mr. DeGrâce
Hon. Mr. King	Hon. Mr. Richard	Mr. O'Donnell
Hon. Mr. Blaney	Hon. Mrs. Day	Mr. MacDonald
Mr. McKay	Mr. Allaby	Mr. Byrne
Hon. B. Thériault	Mr. Steeves	Mr. MacLeod
Hon. Mrs. Breault	Mr. Wilson	Mr. Doyle
Hon. C. Thériault	Mr. LeBlanc	Mr. D. Landry
Hon. Mr. Tyler	Mr. Jamieson	Mr. Armstrong
Hon. Mr. Lockyer	Mr. A. Landry	Mr. Devereux
Hon. Mrs. Mersereau	Mr. Johnson	Mrs. Kingston

NAYS - 7

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

Government Motions re Business of House

At the request of Hon. Mr. McKenna, Mr. Speaker reverted to the Order of Government Motions for the Ordering of the Business of the House.

On motion of Hon. Mr. McKenna, seconded by Hon. Mr. Blanchard,

RESOLVED that the Address in Reply to the Speech from the Throne be engrossed, signed by Mr. Speaker, and presented to Her Honour by a Committee of the House.

Ordered that Mr. Flynn, Mr. A. Landry and the Hon. Mr. McKenna be the Committee to wait upon Her Honour with the Address and present the same.

At the request of Hon. Mr. Frenette, Mr. Speaker reverted to the Order of Government Motions for the Ordering of the Business of the House.

Hon. Mr. Frenette announced that third reading of Bills would be stood until tomorrow and that second reading would proceed forthwith.

Leave was granted to stand all Bills scheduled for third reading on this day's Order and Notice Paper until Friday, December 6, 1996.

Second Reading

The following Bills were read the second time and ordered referred to the Committee of the Whole House:

Bill 19, *Statute Law Amendment Act 1996*.

Bill 20, *An Act to Repeal the Pension Fund Societies Act*.

Bill 21, *An Act to Amend the Loan and Trust Companies Act*.

Bill 22, *An Act Respecting Health Professionals*.

And the Order being read for second reading of Bill 23, *An Act to Amend the Municipal Assistance Act*, Hon. Mr. Valcourt arose on a Point of Order to request that Mr. Speaker direct the withdrawal of Bill 23, *An Act to Amend the Municipal Assistance Act*, because the Bill was not first recommended to the House by message of Her Honour the Lieutenant-Governor in the session in which it was proposed. In stating his Point of Order, the Honourable Leader of the Opposition referred to Standing Rule 107 and *Beauchesne's Parliamentary Rules and Forms Fifth Edition*, paragraphs 539 and 540 at page 181.

The Honourable Leader suggested that Bill 23 proposes to appropriate part of the public revenue to municipalities in New Brunswick and thus required a Recommendation by the Crown before it can be considered. He suggested that to consider the Bill without the appropriate message from Her Honour the Lieutenant-Governor would be a fundamental breach of Parliamentary rules and a violation of Standing Rule 107.

After hearing the comments of other Members on the Point of Order, Mr. Speaker took the matter under advisement.

Accordingly, leave was granted to defer Second Reading of Bill 23, *An Act to Amend the Municipal Assistance Act*, pending the decision of the Speaker.

And then, 11.38 o'clock a.m., the House adjourned.