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**No. 6**

Tuesday, December 2, 1997.

*10 o'clock a.m.*

Prayers.

**Bills Introduced**

The following Bills were introduced and read the first time:

By Ms. Weir,

Bill 11, *An Act Respecting Gasoline and Diesel Oil Fair Marketing Practices.*

By Hon. Mr. King,

Bill 12, *An Act to Amend the Prescription Drug Payment Act.*

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

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**Notices of Motions**

Mr. D. Graham gave Notice of Motion 27 that on Tuesday, December 16, 1997, he would move the following resolution, seconded by Mr. Robichaud:

That an address be presented to Her Honour the Lieutenant Governor, praying that she cause to be laid upon the table of the house a comprehensive listing by school, location, and riding of all fundraising activities and initiatives undertaken by the schools, from January 1997 through December 1997, including: name of school, location, and riding; fundraising event; date; student and parent involvement; amount of money raised; what the money was spent on.

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Mr. D. Graham gave Notice of Motion 28 that on Tuesday, December 16, 1997, he would move the following resolution, seconded by Mr. Volpé:

That an address be presented to her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House a copy of all studies, reports, and recommendations reviewed in the decision to abolish school boards and to introduce Parent Advisory Committees.

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Mr. Robichaud gave Notice of Motion 29 that on Tuesday, December 16, 1997, he would move the following resolution, seconded by Mr. D. Graham:

That an address be presented to her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House a copy of the School Improvement Plan for each and every school in the province, as referred to in Section 33(1) of the *Education Act*.

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Mr. Volpé gave Notice of Motion 30 that on Tuesday, December 16, 1997, he would move the following resolution, seconded by Mr. D. Graham:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House a copy of all budgetary and financial information related to the abolishing of school boards and the introduction of Parent Advisory Committees.

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Mr. Volpé gave Notice of Motion 31 that on Tuesday, December 16, 1997, he would move the following resolution, seconded by Mr. Robichaud:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House a copy of all letters and correspondence to the SPACs, DPACs, Boards of Education, and Minister of Education from parents or others, and from SPACs, DPACs, and Boards of Education to the Minister of Education regarding the Advisory Councils and the system of Advisory Councils.

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### **Government Motions re Business of House**

Hon. Mr. Tyler announced that it was the intention of the government that the House resume debate on the motion for an Address in Reply to the Speech from the Throne, followed by Private Members Motions, and second reading of Bills.

It was agreed by unanimous consent to vary the Order of consideration of Private Members Motions.

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### **Address**

The Assembly resumed the adjourned debate on the proposed motion of Mr. Kavanaugh, seconded by Mr. D. Landry:

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 25, 1997.

To Her Honour,  
The Honourable Marilyn Trenholme Counsell,  
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 it being 12.30 o'clock p.m., Hon. Mr. Tyler requested that the House recess until 2 o'clock p.m.

Mr. Speaker informed the House that this being a Tuesday, there is no provision in the rules to provide for a noon recess. Unanimous consent to recess was denied.

And the debate continuing,

Hon. Mr. Tyler sought the unanimous consent of the House to recess until 2 o'clock p.m. It was agreed.

Mr. Speaker left the Chair at 1.16 o'clock p.m.

*2 o'clock p.m.*

Mr. Speaker resumed the chair.

Debate continued on the motion for an Address in Reply to the Speech from the Throne and, after some further time, it was, on motion of Mr. Mockler, adjourned over.

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### **Private Members' Motions**

Pursuant to Notice of Motion 1, Mr. Robichaud, seconded by Mr. D. Graham, moved:

WHEREAS this government made a commitment to Excellence in Education in the report of its Commission in 1992; and

WHEREAS this Excellence in Education Commission recommended effective steps be taken to strengthen the role and responsibility of school boards in the setting of goals, managing the resources and assessing the achievements of the schools in their communities, as well as to create a closer partnership between schools and the communities they serve; and

WHEREAS this government has ignored this recommendation, abolishing school boards and centralizing all control over education with the minister;

BE IT RESOLVED THAT the Legislative Assembly ask the Department of Education to consider restoring real decision making power over local schools to the communities they serve.

And the question being put, a debate ensued.

And after some time, Mr. Mockler rose on a Point of Order and requested the Member for Riverview to withdraw a certain remark. Mr. Speaker cautioned Members to avoid referring in a negative way to individuals who are not present in the House. Mr. Kavanaugh withdrew the remark.

And after some time, Hon. Mr. Richard, seconded by Mr. Kavanaugh, moved in amendment:

#### AMENDMENT

That Motion 1 be amended by:

1. By deleting the third paragraph of the motion and replacing it by the following "WHEREAS the Government has met this challenge by creating a strong role for parents in the education system through School Parent Advisory Committees and District Parent Advisory Councils and the Provincial Boards of Education":

2. In paragraph 4, by replacing the word "ask" with the word "urge" and by deleting the words "consider restoring real decision making power over local schools to the communities they serve" and replacing them with the words "continue to develop and support the role created for parents in shaping schools to benefit their children".

Mr. Speaker put the question on the amendment and a debate ensued.

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

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#### Second Reading

The Order being read for second reading of Bill 7, *An Act to Amend the New Brunswick Highway Corporation Act*, a debate arose thereon.

And after some time, Ms. Weir, seconded by Mr. D. Graham, moved in amendment:

#### AMENDMENT

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

The House declines to give second reading to Bill No. 7, *An Act to Amend the New Brunswick Highway Corporation Act*, for the following reason:

Bill 7 inappropriately delegates the responsibilities of the Minister of Transportation to private interests, and, in addition,

Bill 7 establishes the power to set tolls by regulation, thereby severely limiting the capacity of Members of the Legislative Assembly to ensure accountability.

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

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

YEAS - 6

Mr. Volpé

Mr. Robichaud

Ms. Weir

Mr. Sherwood

Mr. Mockler

Mr. D. Graham

NAYS - 24

Hon. Mr. Lockyer	Hon. Mrs. Mersereau	Mr. Wilson
Hon. Mr. Tyler	Hon. Mrs. Day	Mr. Steeves
Hon. Mr. Lee	Hon. Mr. Savoie	Mr. A. Landry
Hon. Mr. King	Hon. Mr. Gay	Mr. Johnson
Hon. Mrs. Breault	Mr. McAdam	Ms. de Ste. Croix
Hon. B. Thériault	Hon. Mr. LeBlanc	Mr. O'Donnell
Hon. Mr. MacIntyre	Hon. Mrs. Kingston	Mr. MacDonald
Hon. C. Thériault	Mr. Allaby	Mr. Devereux

Debate was resumed on the motion for second reading of Bill 7, *An Act to Amend the New Brunswick Highway Corporation Act*.

And then, 5.57 o'clock p.m., the House adjourned.