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No. 11

Wednesday, December 10, 1997.

8.30 o'clock a.m.

Prayers.

Bills Introduced

The following Bills were introduced and read the first time:

By Hon. Mrs. Breault,

Bill 14, *An Act to Amend the Municipalities Act*.

By Hon. Mr. Richard,

Bill 15, *An Act to Amend the Education Act*.

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

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

By Mr. MacLeod,

Bill 16, *Pension Plan for Employees of the City of Moncton Act*.

Ordered referred to the Standing Committee on Private Bills.

Notices of Motions

Mr. Robichaud gave Notice of Motion 49 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 the revised "Deaths by Sex, Age and Health Region of Residence, New Brunswick", referred to as Table 15B in the *Annual Statistical Report 1995* of the Department of Health and Community Services, for the calendar year 1997.

Mr. Mesheau gave Notice of Motion 50 that on Thursday, December 18, 1997, he would move the following resolution, seconded by Mr. Mockler:

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 of all fundraising activities and initiatives undertaken by all hospitals and hospital corporations and by any service group, individual or others on behalf of the hospital or hospital corporation in each fiscal year beginning with 1988/89, including the following details: name of hospital, locations and hospital corporation; fundraising event; date; name of group, organization or individuals involved; amount of money raised; details on what the money was spent on.

Mr. Mesheau gave Notice of Motion 51 that on Tuesday, December 16, 1997, he would move the following resolution, seconded by Mr. Sherwood:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House the revised "Deaths by Age and Sex according to Intermediate List of

Mortality Causes, New Brunswick", referred to as Table 18 in the *Annual Statistical Report 1995* of the Department of Health and Community Services, for the calendar year 1997.

Mr. Sherwood gave Notice of Motion 52 that on Thursday, December 18, 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 copies of any and all documents in the possession of the Department of Justice or any other government department relating to the death of Gladys Marie Parker on September 24, 1977, including but not limited to copies of any reports conducted with respect to this case, among them the report conducted by Inspector H.H. Robicheau and the report concerning an examination of the actions of the prosecutorial authorities involved in the case.

Mr. Sherwood gave Notice of Motion 53 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 the revised "Deaths from Leading Causes by Sex, with Percent Distribution and Rates per 100,000 Population, New Brunswick", referred to as Table 16 in the *Annual Statistical Report 1995* of the Department of Health and Community Services, for the calendar year 1997.

Mr. Robichaud gave Notice of Motion 54 that on Thursday, December 18, 1997, he would move the following resolution, seconded by Mr. Sherwood:

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 advertisements or announcements containing the name of any Cabinet Minister paid for by the government of New Brunswick whether with or without a photograph including the date, cost, and purpose of the advertisement or announcement since January 1, 1997.

Mr. D. Graham gave Notice of Motion 55 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 the revised "Deaths from Leading Causes by Age, with Percent Distribution and Rates per 100,000 Population, New Brunswick", referred to as Table 17 in the *Annual Statistical Report 1995* of the Department of Health and Community Services, for the calendar year 1997.

Government Motions re Business of House

Hon. Mr. Tyler announced that it was the intention of the government to resume the budget debate followed by resumption of debate on the motion for second reading of Bill 7. The House would then proceed to the Committee of the Whole to consider legislation.

With leave of the House, Hon. Mr. Tyler moved the following resolution, seconded by Mr. Allaby:

That the membership of the Standing Committee on Private Bills be amended by substituting the name of Mr. Mesheau for Mr. Sherwood:

That the membership of the Standing Committee on Law Amendments be amended by substituting the names of Mr. J. Doyle for Mr. Allaby, and Mr. Mesheau for Mr. Robichaud; and

That the membership of the Standing Committee on Public Accounts be amended by adding the name of Mr. J. Doyle, and by substituting the name of Mr. Mesheau for Hon. Mr. Valcourt.

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

Budget Debate

The Order of the Day for resuming the adjourned debate on the motion (Motion 21),

That this House approves in general the budgetary policy of the government, having been read,

The debate was resumed.

And after some time, on motion of Mr. Sherwood, the consideration thereof was adjourned over.

Second Reading

Debate resumed on the motion that Bill 7, *An Act to Amend the New Brunswick Highway Corporation Act*, be now read a second time.

And after some time, Hon. Mr. Tyler rose on a Point of Order, his point of order being that the Member for Madawaska-la-Vallée was not speaking on the principle of the Bill.

Mr. Speaker ruled that although debate on the principle of the Bill at second reading is considerably far reaching, it does not allow for an in-depth discussion on a clause-by-clause basis, which is reserved for Committee of the Whole. Mr. Speaker stated that he would continue to monitor the debate.

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

AMENDMENT

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

Bill No. 7, *An Act to Amend the New Brunswick Highway Corporation Act*, be not now read a second time but that it be read a second time this day six months hence.

And the question being put, a debate ensued.

And after some time, Hon. Mr. Tyler rose on a Point of Order, his point of order being that the debate at second reading should not deal with the different sections of the Bill as the Minister does not have the opportunity to respond accordingly.

Mr. Speaker ruled that all members have an equal opportunity to speak and an equal opportunity to be heard and that no member is restricted from participating in debate.

And after some time, Mr. Speaker reminded members that they were not now debating the principle of the Bill before the House but were dealing with a very specific amendment to the motion for second reading.

And after some further time, Mr. Speaker requested that members refrain from standing and holding conversations within the Chamber while another member has the floor.

At 12.30 o'clock p.m., Mr. Speaker left the chair to return again at 2 o'clock p.m.

2 o'clock p.m.

Mr. Speaker resumed the chair.

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

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

YEAS - 7

Mr. Volpé	Mr. Mockler	Mr. D. Graham
Mr. Sherwood	Ms. Weir	Mr. Mesheau
Robichaud		

NAYS - 30

Hon. Mr. Tyler	Mrs. Jarrett	Mr. H. Doyle
Hon. Mr. Lee	Mr. McAdam	Mr. Olmstead
Hon. Mrs. Barry	Mr. Kennedy	Mr. Flynn

Hon. Mrs. Breault	Hon. Mrs. Kingston	Mr. DeGrâce
Hon. Mr. Blaney	Mr. Allaby	Mr. O'Donnell
Hon. Mr. C. Thériault	Mr. Smith	Mr. MacDonald
Hon. Mr. Richard	Mr. Kavanaugh	Mr. Devereux
Hon. Mr. Gay	Mr. Steeves	Mr. MacLeod
Hon. Mrs. Day	Mr. A. Landry	Mr. Armstrong
Hon. Mr. Jamieson	Mr. Johnson	Mr. J. Doyle

Debate resumed on the motion that Bill 7, *An Act to Amend the New Brunswick Highway Corporation Act*, be now read a second time.

After some time, Mr. D. Graham moved in amendment, seconded by Mr. Mesheau:

AMENDMENT

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

Bill 7, *An Act to Amend the New Brunswick Highway Corporation 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 Standing Committee on Law Amendments.

And the question being put, a debate ensued.

And after some time, Mr. Speaker rose to advise Mr. Sherwood that discussion is limited to the purpose of the amendment and that the member need not speak on the powers of the Law Amendments Committee as these powers are well known by all members of the House.

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

YEAS - 7

Mr. Volpé	Mr. Mockler	Mr. D. Graham
Mr. Sherwood	Ms. Weir	Mr. Mesheau
Mr. Robichaud		

NAYS - 27

Hon. Mr. Tyler	Mr. Kennedy	Mr. Olmstead
Hon. Mr. Lee	Hon. Mrs. Kingston	Mr. DeGrâce
Hon. Mrs. Barry	Mr. Allaby	Mr. O'Donnell
Hon. Mr. Richard	Mr. Wilson	Mr. MacDonald
Hon. Mrs. Day	Mr. Smith	Mr. Devereux
Hon. Mr. Savoie	Mr. Steeves	Mr. MacLeod
Hon. Mr. Gay	Mr. A. Landry	Mr. D. Landry
Hon. Mr. Jamieson	Mr. Johnson	Mr. Armstrong
Mr. McAdam	Mr. H. Doyle	Mr. J. Doyle

And then, 6 o'clock p.m., the House adjourned.