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No. 15

Wednesday, December 17, 1997.

8.30 o'clock a.m.

Prayers.

Question of Privilege

Pursuant to Standing Rule 9(2), and with respect to a Question of Privilege which arose during the sitting of December 16, 1997, Hon. Mr. Richard, the Member for ShediacCap-Pelé, gave notice of his intention to move the following motion, seconded by Hon. Mr. Tyler:

That the House call upon the honourable member for Carleton to apologize unreservedly to the House for purporting to quote from a letter a statement that did not exist, and that the honourable member be called upon to unreservedly apologize to the House for bringing disrepute to all members, including himself.

Documents Tabled

Mr. D. Graham laid upon the table of the House the following correspondence:

1. Copy of correspondence dated September 24, 1997, from Dale Graham, M.L.A. to Hon. Bernard Richard, Minister of Education; and
2. Copy of correspondence dated November 27, 1997, from Hon. Bernard Richard, Minister of Education, to Dale Graham, M.L.A.

Hon. Mrs. Mersereau laid upon the table of the House a document entitled "On the Move! 1997 Canada /New Brunswick Guide to Youth Employment and Career Development Programs".

Government Motions re Business of House

Hon. Mr. Tyler announced that following the debate on Motion 73, it was the intention of the government that the House resolve itself into a Committee of the Whole to consider legislation; in particular, Bills 5, 3 and 14.

Government Motions

The required notice having been dispensed with by unanimous consent, Hon. Mr. Frenette moved the following resolution, seconded by Mr. Robichaud: (Motion 73)

WHEREAS on September 14, 1997, nine Premiers and two Territorial Leaders agreed to a Framework for Discussion of Canadian Unity, commonly known as the Calgary Declaration;

AND WHEREAS a Special Committee of the Legislative Assembly of New Brunswick has consulted with New Brunswickers and has found substantial support for the Framework;

AND WHEREAS the Framework in no way diminishes the rights presently enjoyed by Canadians;

AND WHEREAS an informed and historically literate citizenry is essential for constructive debate on proposals to strengthen the Canadian federation;

AND WHEREAS New Brunswickers believe a strong and effective federation is achieved through the cooperation of all levels of government working to meet the needs of Canadians;

AND WHEREAS the Legislative Assembly of New Brunswick has a tradition of making important and useful contributions to the cause of Canadian unity;

NOW THEREFORE the Legislative Assembly resolves that the following principles be endorsed as an expression of fundamental values of Canadian society:

1. All Canadians are equal and have rights protected by law.
2. All provinces while diverse in their characteristics, have equality of status.
3. Canada is graced by a diversity, tolerance, compassion and an equality of opportunity that is without rival in the world.
4. Canada's rich diversity includes Aboriginal peoples and cultures, the vitality of the English and French languages and a multicultural citizenry drawn from all parts of the world.
5. In Canada's federal system, where respect for diversity and equality underlies unity, the unique character of Quebec society, including its French speaking majority, its culture and its tradition of civil law, is fundamental to the well being of Canada. Consequently, the legislature and Government of Quebec have a role to protect and develop the unique character of Quebec society within Canada.
6. If any future constitutional amendment confers powers on one province, those powers must be available to all provinces.
7. Canada is a federal system where federal, provincial and territorial governments work in partnership while respecting each other's jurisdictions. Canadians want their governments to work cooperatively and with flexibility to ensure the efficiency and effectiveness of the federation. Canadians want their governments to work together particularly in the delivery of their social programs. Provinces and territories renew their commitment to work in partnership with the Government of Canada to best serve the needs of Canadians.

Mr. Speaker, having read the motion, put the question, and a debate ensued.

And the debate being ended and the question being put, Motion 73 was carried unanimously on the following recorded division after leave was granted to dispense with the ten-minute time allotted for the ringing of the bells:

AYES - 48

Hon. Mr. Lockyer	Hon. Mr. Gay	Mr. DeGrâce
Hon. Mr. Frenette	Hon. Mr. Jamieson	Mr. Volpé
Hon. Mr. Tyler	Mrs. Jarrett	Mr. Sherwood
Hon. Mr. Graham	Mr. McAdam	Mr. Robichaud
Hon. Mr. Lee	Mr. Kennedy	Mr. Mockler
Hon. Mr. King	Hon. Mrs. Kingston	Mr. O'Donnell
Hon. Mrs. Barry	Mr. Duffie	Mr. MacDonald
Hon. Mrs. Breault	Mr. Wilson	Mr. Devereux
Mr. Blaney	Mr. Smith	Mr. MacLeod
Hon. B. Thériault	Mr. Kavanaugh	Ms. Weir
Hon. Mr. MacIntyre	Mr. Steeves	Hon. Mr. Valcourt
Hon. C. Thériault	Mr. A. Landry	Mr. D. Graham
Hon. Mr. Richard	Mr. Johnson	Mr. D. Landry
Hon. Mrs. Mersereau	Ms. de Ste. Croix	Mr. Armstrong
Hon. Mrs. Day	Mr. Olmstead	Mr. J. Doyle
Hon. Mr. Savoie	Mr. Flynn	Mr. Mesheau

NAYS - 0

The House resolved itself into a Committee of the Whole with Mr. O'Donnell in the chair.

And after some time, the chairman 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.

During consideration of Bill 5, *An Act to Amend the Motor Vehicle Act*, Mr. Robichaud moved the following amendment to section 1:

AMENDMENT

In section 1, strike the words "or a rate of minimum speed" following the words "a rate of maximum speed".

The Chairman put the question and a debate ensued.

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

YEAS - 3

Mr. Sherwood	Mr. Robichaud	Mr. Mesheau
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NAYS - 25

Hon. Mr. Lockyer	Mr. McAdam	Mr. Olmstead
Hon. Mr. Tyler	Mr. Allaby	Mr. DeGrâce
Hon. Mr. Graham	Mr. Wilson	Mr. MacDonald
Hon. Mr. Lee	Mr. Smith	Mr. MacLeod
Mr. Blaney	Mr. Steeves	Ms. Weir
Hon. Mr. Richard	Mr. A. Landry	Mr. D. Landry
Hon. Mrs. Day	Mr. Johnson	Mr. Armstrong
Hon. Mr. Jamieson	Ms. de Ste. Croix	Mr. J. Doyle
Mrs. Jarrett		

During further consideration of Bill 5, *An Act to Amend the Motor Vehicle Act*, Mr. Robichaud moved the following amendment to section 3:

AMENDMENT

In section 3, subsection 72.1(1),(2)&(3), striking out the words "or interest, fees, or charges in relation to tolls" following the words "enforcement of the collection of tolls".

The Chairman put the question and a debate ensued.

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

YEAS - 5

Mr. Sherwood	Mr. Mockler	Mr. Mesheau
Mr. Robichaud	Ms. Weir	

NAYS - 31

Hon. Mr. Lockyer	Hon. Mr. Jamieson	Mr. Johnson
Hon. Mr. Tyler	Mrs. Jarrett	Ms. de Ste. Croix
Hon. Mr. Graham	Mr. McAdam	Mr. Olmstead
Hon. Mr. Lee	Hon. Mr. Byrne	Mr. Flynn
Hon. Mrs. Barry	Hon. Mrs. Kingston	Mr. DeGrâce
Mr. Blaney	Mr. Allaby	Mr. MacDonald
Hon. B. Thériault	Mr. Wilson	Mr. MacLeod
Hon. Mr. Richard	Mr. Smith	Mr. D. Landry
Hon. Mrs. Day	Mr. Steeves	Mr. Armstrong
Hon. Mr. Savoie	Mr. A. Landry	Mr. J. Doyle

During further consideration of Bill 5, *An Act to Amend the Motor Vehicle Act*, Mr. Robichaud moved the following amendment to section 5:

AMENDMENT

In section 5, subsection 143(1) by striking the words "or for any class of motor vehicles", after the words: "the speed limit prescribed for the highway".

The Chairman put the question and a debate ensued.

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

YEAS - 0

NAYS - 30

Hon. Mr. Tyler	Hon. Mr. Gay	Mr. A. Landry
Hon. Mr. Lee	Hon. Mr. Jamieson	Ms. de Ste. Croix
Hon. Mrs. Barry	Mrs. Jarrett	Mr. Olmstead
Mr. Blaney	Mr. McAdam	Mr. DeGrâce
Hon. B. Thériault	Mr. Kennedy	Mr. MacDonald
Hon. Mr. MacIntyre	Mr. Allaby	Mr. MacLeod
Hon. C. Thériault	Mr. Duffie	Ms. Weir
Hon. Mr. Richard	Mr. Wilson	Mr. D. Landry
Hon. Mrs. Day	Mr. Smith	Mr. Armstrong
Hon. Mr. Savoie	Mr. Steeves	Mr. J. Doyle

The Chairman put the question that he report Bill 5 as amended and the motion was carried on the following recorded division:

YEAS - 33

Hon. Mr. Lockyer	Hon. Mr. Savoie	Mr. Kavanaugh
Hon. Mr. Tyler	Hon. Mr. Gay	Mr. Steeves
Hon. Mr. Graham	Hon. Mr. Jamieson	Mr. A. Landry
Hon. Mr. Lee	Mrs. Jarrett	Ms. de Ste. Croix
Hon. Mrs. Barry	Mr. McAdam	Mr. Olmstead
Mr. Blaney	Mr. Kennedy	Mr. DeGrâce
Hon. B. Thériault	Hon. Mr. Byrne	Mr. MacDonald
Hon. Mr. MacIntyre	Hon. Mrs. Kingston	Mr. MacLeod
Hon. C. Thériault	Mr. Allaby	Mr. D. Landry
Hon. Mrs. Mersereau	Mr. Duffie	Mr. Armstrong
Hon. Mrs. Day	Mr. Wilson	Mr. J. Doyle

NAYS -5

Mr. Volpé	Mr. Mockler	Mr. Mesheau
Mr. Sherwood	Ms. Weir	

The Chairman having requested whether it was the pleasure of the Committee to take into consideration Bill 6, *An Act to Amend the Highway Act*, it was agreed, on the following recorded division:

YEAS - 33

Hon. Mr. Lockyer	Hon. Mr. Savoie	Mr. Steeves
Hon. Mr. Tyler	Hon. Mr. Gay	Mr. A. Landry
Hon. Mr. Graham	Hon. Mr. Jamieson	Ms. de Ste. Croix

Hon. Mr., Lee	Mr. McAdam	Mr. Olmstead
Hon. Mrs. Barry	Mr. Kennedy	Mr. DeGrâce
Mr. Blaney	Hon. Mr. Byrne	Mr. MacDonald
Hon. B. Thériault	Hon. Mrs. Kingston	Mr. MacLeod
Hon. Mr. MacIntyre	Mr. Allaby	Ms. Weir
Hon. C. Thériault	Mr. Duffie	Mr. D. Landry
Hon. Mrs. Mersereau	Mr. Wilson	Mr. Armstrong
Hon. Mrs. Day	Mr. Kavanaugh	Mr. Doyle

NAYS - 5

Mr. Volpé	Mr. Robichaud	Mr. Mesheau
Mr. Sherwood	Mr. Mockler	

Mr. MacDonald took the chair.

Accordingly, the Committee took under consideration Bill 6, *An Act to Amend the Highway Act*.

During consideration of Bill 6, Mr. Volpé moved the following amendment to section 1:

AMENDMENT

In section 1, add to definitions: "holding".

The Chairman ruled the amendment out of order.

During further consideration of Bill 6, *An Act to Amend the Highway Act*, Mr. Robichaud moved the following amendment to section 3:

AMENDMENT

In section 3, subsection 3, striking the words "and those highways under the administration and control of the New Brunswick Highway Corporation or a project company", following the words "section 186 of the *Municipalities Act*."

The Chairman put the question and a debate ensued.

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

YEAS - 8

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

NAYS -34

Hon. Mr. Lockyer	Hon. Mr. Jamieson	Mr. Johnson
Hon. Mr. Blanchard	Mrs. Jarrett	Ms. de Ste. Croix
Hon. Mr. Tyler	Mr. McAdam	Mr. H. Doyle
Hon. Mr. Graham	Mr. Kennedy	Mr. Olmstead
Hon. Mr. Lee	Hon. Mrs. Kingston	Mr. DeGrâce
Hon. Mrs. Breault	Mr. Allaby	Mr. O'Donnell
Mr. Blaney	Mr. Duffie	Mr. Devereux
Hon. B. Thériault	Mr. Wilson	Mr. MacLeod
Hon. Mr. MacIntyre	Mr. Smith	Mr. D. Landry
Hon. C. Thériault	Mr. Kavanaugh	Mr. Armstrong
Hon. Mr. Savoie	Mr. A. Landry	Mr. J. Doyle
Hon. Mr. Gay		

During further consideration of Bill 6, *An Act to Amend the Highway Act*, Mr. Robichaud moved the following amendment to section 2:

AMENDMENT

In section 2, subsection 2(2), by adding the words "and with the consent of the Legislative Assembly," following the words "the Minister may authorize in writing,".

The Chairman put the question and a debate ensued.

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

YEAS - 8

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

NAYS -32

Hon. Mr. Lockyer	Mrs. Jarrett	Mr. Johnson
Hon. Mr. Blanchard	Mr. McAdam	Mr. H. Doyle
Hon. Mr. Tyler	Mr. Kennedy	Mr. Olmstead
Hon. Mr. Lee	Hon. Mr. Byrne	Mr. DeGrâce
Hon. Mrs. Barry	Hon. Mrs. Kingston	Mr. O'Donnell
Hon. Mrs. Breault	Mr. Allaby	Mr. Devereux
Hon. B. Thériault	Mr. Duffie	Mr. MacLeod
Hon. C. Thériault	Mr. Wilson	Mr. D. Landry
Hon. Mr. Savoie	Mr. Smith	Mr. Armstrong
Hon. Mr. Gay	Mr. Kavanaugh	Mr. J. Doyle
Hon. Mr. Jamieson	Mr. A. Landry	

And after some further time, Mr. Speaker resumed the chair and Mr. MacDonald, the Chairman, after requesting Mr. Speaker revert to the Order of Presentations of Committee Reports, reported:

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

Bill 5, An Act to Amend the Motor Vehicle Act.

And that the Committee had directed him to report progress on the following Bill:

Bill 6, An Act to Amend the Highway Act.

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.

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