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No. 32

Thursday, February 12, 1998.

8.30 o'clock a.m.

Prayers.

Bills Introduced

The following Bills were introduced and read the first time:

By Hon. Mr. Blanchard,

Bill 51, *An Act to Amend the Income Tax Act.*

Bill 52, *An Act to Amend the Tobacco Tax Act.*

Bill 53, *Loan Act 1998.*

Bill 54, *An Act to Amend the Income Tax Act.*

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

Government Motions re Business of House

Hon. Mr. Tyler announced that following Private Members' Motions it was the intention of government to resume the adjourned debate on the motion for second reading of Bill 42; and with unanimous consent, Bill 42 would be considered during this day's sitting in Committee of the Whole as well as Bills 21, 20 and 9; the House would then resolve itself into a Committee of Supply to consider the estimates of the Department of the Environment.

Second Reading

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

Bill 44, *Canadian Judgments Act.*

Bill 45, *An Act to Amend the Reciprocal Enforcement of Judgments Act.*

Bill 46, *An Act to Amend the Provincial Court Act.*

Bill 47, *An Act to Amend the Lotteries Act.*

Bill 48, *An Act to Amend the Arts Development Trust Fund Act.*

Private Members' Motions

Debate resumed on the amendment to Motion 79 moved by Hon. Mr. Graham, seconded by Hon. Mr. Tyler, as follows:

AMENDMENT

That motion 79 be amended by:

Deleting the sixth WHEREAS clause; and

In the resolution clause, by deleting all the words after "government" on line 2 and substituting the following:

"to direct the Department of Advanced Education and Labour to discuss with the Federal Government the use of employment insurance funds to employ seasonal wardens and rangers to act as safety

officers on the N.B. snowmobile trail network."

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

Debate resumed on Motion 79 as amended, as follows:

WHEREAS Members of the Legislative Assembly of New Brunswick have received many representations from fellow citizens, expressing concerns about the safety of snowmobile, hiking, and all-terrain trails and the protection of wildlife, forest resources, and our environment;

WHEREAS Members are aware that some game wardens and deputy game wardens are employed by the Department of Natural Resources on a seasonal basis only;

WHEREAS Members are of the opinion that our forest resources, our wildlife, and our environment should be protected through enforcement of the *All-Terrain Vehicle Act*, the *Crown Lands Act*, the *Crown Lands and Forests Act*, the *Fish and Wildlife Act*, the *Clean Water Act*, and the *Clean Air Act* and the required supervision to enforce these *Acts* every day of the year;

WHEREAS Members are of the opinion that the presence of game wardens and deputy game wardens on snowmobile trails and their law enforcement ability would be a measure that would contribute to increased safety of the snowmobile trail network as mentioned in the special report on snowmobile safety; and

WHEREAS Members are aware that the greater majority of game wardens and deputy game wardens who only work on a seasonal basis for the Department of Natural Resources must resort to employment insurance and that this entails a significant cost at the federal level for the employment insurance fund;

BE IT RESOLVED that the Legislative Assembly ask the government to direct the Department of Advanced Education and Labour to discuss with the Federal Government the use of employment insurance funds to employ seasonal wardens and rangers to act as safety officers on the N.B. snowmobile trail network.

And the debate being ended and the question being put, motion 79 as amended was carried.

Motions 84 and 85 by Mr. Volpé were, by leave of the House, stood over until Tuesday, February 17, 1998.

Motion 86 by Mr. Robichaud was, by leave of the House, stood over until Tuesday, February 24, 1998.

Pursuant to Notice of Motion 87, Mr. Robichaud, seconded by Mr. Volpé, moved:

WHEREAS this Government has a record of failed public-private partnerships; and

WHEREAS those failed deals have cost the taxpayers of New Brunswick millions of dollars; and

WHEREAS the Auditor General reports that government departments lack a systematic approach for identifying appropriate areas or programs for privatization; and

WHEREAS the Justice Minister has attributed public-private partnership failures to the lack of a clear and firm understanding of the goals, objectives, complexity and assignments of responsibilities;

BE IT RESOLVED THAT the Legislative Assembly ask the government to consider drafting a legislative protocol in which public-private partnership projects can be publicly analyzed and further consider a moratorium on any public-private partnerships now under consideration until the protocol is established.

And the question being put, a debate ensued.

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

Adjourned Debates

The Order of the Day for resuming the adjourned debate on the motion,

That Bill 42, *Edmundston Act, 1998*, be now read a second time, having been read,

The debate was resumed.

Mr. Speaker declared it 12.30 o'clock p.m. and left the chair to resume again at 2 o'clock p.m.

2 o'clock p.m.

Mr. Speaker resumed the Chair.

Debate continued on the motion for second reading of Bill 42.

And after some time, Hon. Mr. Savoie rose on a Point of Order, his point being that it was unparliamentary for Mr. Mockler to have made reference to a Member's physical stature.

Mr. Speaker ruled the Point of Order well taken and stated that it was not appropriate in the House for Members to make references to another Member's physical characteristics.

And the debate being ended, and the question being put, it was resolved in the affirmative on the following recorded division:

YEAS - 25

Hon. Mr. Lockyer	Mrs. Jarrett	Mr. H. Doyle
Hon. Mr. Tyler	Mr. McAdam	Mr. Olmstead
Hon. Mrs. Breault	Mr. Wilson	Mr. DeGr?ce
Mr. Blaney	Mr. Smith	Mr. Devereux
Hon. Mr. MacIntyre	Mr. Steeves	Mr. MacLeod
Hon. Mr. C. Th?riault	Mr. A. Landry	Mr. D. Landry
Hon. Mrs. Day	Mr. Johnson	Mr. Armstrong
Hon. Mr. Savoie	Ms. de Ste. Croix	Mr. J. Doyle
Hon. Mr. Jamieson		

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

Accordingly, Bill 42, *Edmundston Act, 1998* was read a second time and ordered referred to the Committee of the whole House.

At the request of Hon. Mr. Tyler, it was agreed by unanimous consent to consider Bill 42 in Committee of the Whole during this day's sitting.

Committee of the Whole

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

And after some time, the Chairman cautioned Members with regard to reading newspapers in the Chamber.

And after some further time spent in Committee of the Whole, Mr. Speaker resumed the chair and Mr. O'Donnell, 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 Bills as agreed to:

Bill 9, *An Act to Amend the Labour Market Research Act*.
Bill 20, *An Act to Amend the Bioler and Pressure Vessel Act*.

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

Bill 21, *An Act to Amend the Workers' Compensation Act*.
Bill 42, *Edmundston Act, 1998*.

And the Committee asked leave to make a further report.

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.

Government Motions re Business of House

Hon. Mr. Tyler announced that it was the intention of the government that the House resolve itself into a Committee of Supply to consider the estimates of the Department of the Environment, the Department of Agriculture and Rural Development, and the Supplementary Estimates 1997-1998 Volumes II and III.

It was agreed by unanimous consent that Bill 42, *Edmundston Act, 1998*, be read a third time forthwith.

Third Reading

The Order being read for third reading of Bill 42, *Edmundston Act, 1998*, and the question being put that Bill 42 be now read a third time, it was resolved in the affirmative on the following recorded division:

YEAS - 24

Hon. Mr. Lockyer	Mr. McAdam	Mr. Olmstead
Hon. Mr. Blanchard	Hon. Mrs. Kingston	Mr. DeGr?ce
Hon. Mr. Tyler	Mr. Smith	Mr. O'Donnell
Hon. Mrs. Breault	Mr. Steeves	Mr. Devereux
Mr. Blaney	Mr. A. Landry	Mr. MacLeod
Hon. Mrs. Day	Mr. Johnson	Mr. D. Landry
Hon. Mr. Savoie	Ms. de Ste. Croix	Mr. J. Doyle
Hon. Mr. Jamieson	Mr. H. Doyle	Mr. Doucet

NAYS - 7

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

Accordingly, Bill 42, *Edmundston Act, 1998*, was read a third time and passed.

Committee of Supply

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

After some time spent therein, it then being 6 o'clock p.m., the Chairman left the chair to resume again at 7 o'clock p.m.

7 o'clock p.m.

The Committee resumed with Mr. O'Donnell in the chair.

And after some time spent therein, Mr. Mockler rose on a Point of Order, his point being that a certain remark made by the Hon. Mrs. Kingston was unparliamentary, and should be withdrawn.

The Chairman ruled the Point of Order well taken and advised that it was not appropriate to comment in the House on a particular person's appearance.

Hon. Mrs. Kingston withdrew the remark.

And after some time, Mr. MacDonald took the chair.

And after some further time, Mr. Speaker resumed the chair and Mr. MacDonald, the Chairman, after requesting that Mr. Speaker revert to Presentations of Committee Reports, reported that the Committee had made some progress in the consideration of the matters referred to them, had passed several items, and asked leave to sit again.

Pursuant to Standing Rule 78.1, Mr. 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.

The following are the items reported:

SUPPLEMENTARY ESTIMATES 1997 - 1998
VOLUME II
ORDINARY ACCOUNT

Voted, supply in the following amounts to defray the expenses of the following programs:

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

10 03 Marketing and Rural Development 0

DEPARTMENT OF EDUCATION

20 03 Educational Financial Services 2,000,000

DEPARTMENT OF FINANCE

25 01 Financial and Human Resource Management 0

DEPARTMENT OF HEALTH AND COMMUNITY SERVICES

35 01 Administrative Services 0

35 03 Institutional Services 0

HUMAN RESOURCES DEVELOPMENT-NB

76 02 Income Security 0

DEPARTMENT OF MUNICIPALITIES,

CULTURE AND HOUSING

55 05 Community and Regional Services 6,586,300

DEPARTMENT OF NATURAL RESOURCES

AND ENERGY

60 08 Parks Management 2,500,000

DEPARTMENT OF TRANSPORTATION

40 03 Maintenance 0

CAPITAL ACCOUNT

Voted, supply in the following amounts to defray the expenses of the following programs:

MUNICIPALITIES, CULTURE AND HOUSING

55 60 Canada/ New Brunswick Infrastructure Program 6,700,000

LOANS AND ADVANCES

Voted, supply in the following amounts to defray the expenses of the following programs:

DEPARTMENT OF THE SOLICITOR GENERAL

78 70 Greater Moncton Area Transitional Policing 4,500,000

DEPARTMENT OF TRANSPORTATION

40 85 Unsatisfied Judgement Fund 144,300

SUPPLEMENTARY ESTIMATES 1997 - 1998

VOLUME III

ORDINARY ACCOUNT

Voted, supply in the following amounts to defray the expenses of the following programs:

DEPARTMENT OF TRANSPORTATION

40 04 Winter Maintenance 10,000,000

MAIN ESTIMATES - ORDINARY ACCOUNT

1998 - 1999

DEPARTMENT OF THE ENVIRONMENT

Resolved, That there be granted to Her Majesty a sum not exceeding \$10,050,900 to defray the expenses of the Ordinary Account program allocations of the Department of the Environment for the fiscal year ending the 31st day of March, 1999.

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

Resolved, That there be granted to Her Majesty a sum not exceeding \$23,151,000 to defray the expenses of the Ordinary Account program allocations of the Department of Agriculture and Rural Development for the fiscal year ending the 31st day of March, 1999.

CAPITAL ACCOUNT

Voted, Supply in the following amounts to defray the expenses of the following programs:

DEPARTMENT OF ENVIRONMENT

21 50 Clean Water Control Grants 850,000

21 54 Solid Waste Management Program 5,150,000

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

10 50 Capital Improvements 300,000

LOANS AND ADVANCES

Voted, Supply in the following amounts to defray the expenses of the following programs:

WORKING CAPITAL - MAXIMUM BALANCES
1998-1999 Voted

PETTY CASH

Other (small departments) 15,000

INVENTORIES

Agricultural and Rural Development 4,825,000

The said items were concurred in by the House.

Mr. Mockler rose on a Question of Privilege pursuant to Standing Rule 9(1), with respect to certain comments made by Hon. Mrs. Kingston during consideration of the estimates of the Department of the Environment in the Committee of Supply.

Mr. Speaker, having heard several Members on the Question of Privilege, indicated that he would invite comment from other Members at the next day's sitting before rendering a decision.

And then, 10.29 o'clock p.m., the House adjourned.

The following documents, having been deposited with the Clerk of the House, were deemed laid before the table of the House pursuant to Standing Rule 39:

Annual Report of the Department of Agriculture and Rural Development - February 11, 1998

Annual Report of the Human Rights Commission - February 11, 1998