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**No. 36**

Thursday, February 19, 1998.

8.30 o'clock a.m.

Prayers.

**Petitions**

Ms. Weir laid upon the table of the House a petition signed by residents of the Saint John area whose concern is the protection of the Rothesay Watershed and air quality. (Petition 7)

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**Documents Tabled**

Hon. Mr. Blanchard laid upon the table of the House a document entitled The New Brunswick Economy 1998, A Report to the Legislative Assembly.

Hon. Mrs. Barry laid upon the table of the House a document entitled Status of Women and Visible Racial Minorities in Policing in New Brunswick, October 31, 1997.

Hon. Mrs. Breault laid upon the table of the House a document entitled Affordable Homeownership in New Brunswick, A Discussion Paper to Stimulate Ideas and Partnerships.

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**Bills Introduced**

The following Bill was introduced and read the first time:

By Ms. Weir,

Bill 69, *An Act to Amend the Industrial Relations Act*.

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

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**Notices of Motions**

At the request of Mr. Mockler, it was agreed by unanimous consent that a correction be made to Motion 101 to delete the words "Wharf Inn" and to replace them with the words "Rod Inn."

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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 resolve itself into a Committee of Supply to consider the estimates of the New Brunswick Geographic Information Service and Service New Brunswick and then proceed to Committee of the Whole to consider Bills 28, 29 and 67. As agreed, the House would then proceed to the Order of Private Members' Motions. Continuing, Hon. Mr. Tyler advised that the House would then resolve itself into a Committee of Supply to consider the estimates of the Department of Human Resources Development-NB and the Department of Intergovernmental Affairs. The House would then proceed to Committee of the Whole to consider Bills 48, 60, 61, and 62.

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**Second Reading**

The following Private Bills were read the second time:

Bill 8, *An Act to Incorporate the Cosmetology Association of New Brunswick*.  
Bill 10, *An Act to Amend the City of Saint John Pension Act*.  
Bill 13, *An Act to Amend An Act Respecting Acadia Life*.  
Bill 16, *Pension Plan for Employees of the City of Moncton Act*.  
Bill 18, *An Act to Incorporate SBC Global Trust Corporation*.  
Bill 32, *Chartered Accountants Act 1998*.  
Bill 34, *An Act to Recognize and Register Agricultural Producers and to Provide Stable Funding for New Brunswick Agricultural Federations*.  
Bill 39, *An Act to Repeal An Act to Incorporate General Insurance Corporation of New Brunswick*.  
Bill 40, *An Act to Amend the Physiotherapy Act 1985*.  
Bill 49, *An Act to Incorporate St. Stephen's University*.  
Bill 50, *An Act to Amend An Act Respecting the New Brunswick Medical Society and the College of Physicians and Surgeons of New Brunswick*.

Pursuant to Standing Rule 121, Mr. Speaker ordered Private Bills 8, 10, 13, 16, 18, 32, 34, 39, 40, 49 and 50 for third reading forthwith.

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### **Third Reading**

The following Private Bills were read the third time:

Bill 8, *An Act to Incorporate the Cosmetology Association of New Brunswick*.  
Bill 10, *An Act to Amend the City of Saint John Pension Act*.  
Bill 13, *An Act to Amend An Act Respecting Acadia Life*.  
Bill 16, *Pension Plan for Employees of the City of Moncton Act*.  
Bill 18, *An Act to Incorporate SBC Global Trust Corporation*.  
Bill 32, *Chartered Accountants Act 1998*.  
Bill 34, *An Act to Recognize and Register Agricultural Producers and to Provide Stable Funding for New Brunswick Agricultural Federations*.  
Bill 39, *An Act to Repeal An Act to Incorporate General Insurance Corporation of New Brunswick*.  
Bill 40, *An Act to Amend the Physiotherapy Act 1985*.  
Bill 49, *An Act to Incorporate St. Stephen's University*.  
Bill 50, *An Act to Amend An Act Respecting the New Brunswick Medical Society and the College of Physicians and Surgeons of New Brunswick*.

Ordered that the said Bills pass.

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It was agreed by unanimous consent to vary the Orders of the Day and consider the estimates in the Committee of Supply, followed by consideration of Bills in the Committee of the Whole House, and then by Private Members' Motions.

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### **Committee of Supply**

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

And after some time, Mr. Speaker resumed the chair and Mr. O'Donnell, 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:

MAIN ESTIMATES - ORDINARY ACCOUNT  
1998 - 1999

#### **GENERAL GOVERNMENT**

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

32 23 Service New Brunswick 15,907,800  
32 24 Property Tax Assessment Provision 4,596,200  
32 26 New Brunswick Geographic Information Corporation 2,787,400

WORKING CAPITAL ADVANCES

New Brunswick Geographic Information Corporation - Assessment Services 900,000

PETTY CASH

New Brunswick Geographic Information Corporation - Service New Brunswick 17,000

The said items were concurred in by the House.

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**Committee of the Whole**

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

And after some further time, 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 29, *An Act to Amend the New Brunswick Geographic Information Corporation Act* .  
Bill 67, *An Act to Amend the Land Titles Act*.

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

Bill 28, *An Act to Amend the Assessment Act*.

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.

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**Private Members' Motions**

Debate resumed on Motion 87, moved by Mr. Robichaud, seconded by Mr. Volpé, as follows:

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 debate being ended, and the question being put, Motion 87 was negated on the following recorded division:

YEAS - 4

Mr. Sherwood	Mr. Mockler	Mr. D. Graham
Mr. Robichaud		

NAYS - 29

Hon. Mr. Tyler	Mrs. Jarrett	Mr. H. Doyle

Hon. Mr. Lee	Mr. McAdam	Mr. Olmstead
Hon. Mrs. Breault	Hon. Mr. LeBlanc	Mr. DeGrâce
Mr. Blaney	Mr. Allaby	Mr. O'Donnell
Hon. B. Thériault	Mr. Wilson	Mr. MacLeod
Hon. Mr. MacIntyre	Mr. Kavanaugh	Mr. D. Landry
Hon. Mrs. Mersereau	Mr. Steeves	Mr. Armstrong
Hon. Mrs. Day	Mr. A. Landry	Mr. J. Doyle
Hon. Mr. Gay	Mr. Johnson	Mr. Doucet
Hon. Mr. Jamieson	Ms. de Ste. Croix	

Motion 27 by Mr. D. Graham was, by leave of the House, withdrawn.

Motion 50 by Mr. Mesheau was, by leave of the House, withdrawn.

Motion 81 by Mr. Sherwood was, by leave of the House, withdrawn.

Motions 84 and 85 by Mr. Volpé were, by leave of the House, withdrawn.

Motion 88 by Mr. Mockler was, by leave of the House, withdrawn.

Motion 90 by Mr. Mesheau was, by leave of the House, withdrawn.

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Pursuant to Notice of Motion 91, Mr. Robichaud, seconded by Mr. Mesheau, moved:

WHEREAS a number of schools in the province have been experiencing structural problems or other problems related to their physical condition or ventilation; and

WHEREAS protecting the health of our province's young people must be a priority for government; and

WHEREAS parents and other citizens of the province are becoming increasingly concerned over the deteriorating state of many schools;

THEREFORE be it resolved that this Legislative Assembly urgently call upon the Department of Education to conduct a thorough and comprehensive inspection of each school in the province with respect to its physical condition, structural integrity, air and water quality and release the detailed results of its investigation to the people of New Brunswick and the Members of the Legislative Assembly at the earliest possible opportunity.

And the question being put, a debate ensued.

It then being 12.30 o'clock p.m., Mr. Speaker left the chair to resume again at 2 o'clock p.m.

*2 o'clock p.m.*

Mr. Speaker resumed the chair.

And after some time, Mr. Allaby, seconded by Hon. B. Thériault, moved in amendment:

#### AMENDMENT

That Motion 91 be amended by:

In the final paragraph of the motion delete the words "urgently call upon", and replace them with the following "endorse the plan of", and delete all the words following "water quality".

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.

Motion 93 by Mr. Sherwood was, by leave of the House, stood over until Thursday, March 19, 1998.

Motion 88 which had been withdrawn was, by leave of the House, restored on the Order and Notice Paper and then stood until Tuesday next.

Motions 97 and 98 by Mr. D. Graham were, by leave of the House, withdrawn.

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### **Committee of Supply**

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

And after some time, Mr. Speaker resumed the chair and Mr. O'Donnell, the Chairman, after requesting that Mr. Speaker revert to Presentations of Committee Reports, reported that the Committee had had under consideration of the matters referred to them, and had passed all remaining items.

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:

#### MAIN ESTIMATES - ORDINARY ACCOUNT 1998 - 1999

##### HUMAN RESOURCES DEVELOPMENT-NB

Resolved, That there be granted to Her Majesty a sum not exceeding \$306,840,800 to defray the expenses of the Ordinary Account program allocations of Human Resources Development-NB for the fiscal year ending the 31st day of March, 1999.

##### DEPARTMENT OF INTERGOVERNMENTAL AND ABORIGINAL AFFAIRS

Resolved, That there be granted to Her Majesty a sum not exceeding \$1,899,800 to defray the expenses of the Ordinary Account program allocations of the Department of Intergovernmental and Aboriginal Affairs for the fiscal year ending the 31st day of March, 1999.

##### GENERAL GOVERNMENT

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

32 20 Advisory Council on the Status of Women 427,200  
32 29 Intergovernmental Conferences 28,000  
32 30 Council of Maritime Premiers 899,100

#### WORKING CAPITAL - MAXIMUM BALANCES 1998-1999 Voted

##### WORKING CAPITAL ADVANCES

Human Resources Development-NB - Replacement Cheques 170,000

Human Resources Development-NB -Emergency Benefit Cheques 30,000

##### PETTY CASH ADVANCES

Human Resources Development-NB 8,000

The said items were concurred in by the House.

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### **Bills Introduced**

At the request of Hon. Mr. Blanchard, and with the unanimous consent of the House, Mr. Speaker reverted to the Order of Introduction of Bills.

The following Bill was introduced and read the first time:

By Hon. Mr. Blanchard,

Bill 70, *Appropriations Act 1998-99*.

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

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### **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 spent therein, 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 33, *An Act to Amend the Advisory Council on the Status of Women Act*.

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

Bill 62, *Greater Saint John Regional Facilities Commission Act*.

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

Bill 42, *Edmundston Act, 1998*.

Bill 60, *An Act to Amend the Elections Act*.

Bill 61, *An Act to Amend the Municipal Elections Act*.

Bill 63, *An Act to Amend the Police Act*.

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.

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

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

With leave of the House, Hon. Mr. Tyler moved the following resolution, seconded by Mr. Allaby:  
(Motion 103)

BE IT RESOLVED

(1) that the discussion paper on privacy legislation that is being prepared by the Department of Justice be filed with the Clerk of the House;

(2) that the discussion paper when filed will stand referred to the Standing Committee on Law Amendments;

(3) that the Committee examine, inquire into and make recommendations to the House with respect to the matter of privacy legislation, hold public hearings as it deems necessary and report to the House as soon as possible or following any adjournment or at the next following Session as the case may be.

In addition to the powers traditionally conferred upon the said Committee by the Standing Rules, the Committee shall have the following additional powers:

(a) to sit during any sittings of the House and during the recess after prorogation until the next following Session;

(b) to adjourn from place to place as may be convenient;

(c) to retain such personnel as required to assist the Committee;

(d) to release any reports during a period when the Legislative Assembly is adjourned or prorogued by depositing a copy with the Clerk of the Assembly, and upon the resumption of the sittings of the House, the Chairman of the Committee shall present all reports to the Legislative Assembly.

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

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And then, 6.03 o'clock p.m., the House adjourned.