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**No. 37**

Friday, February 20, 1998.

*8.30 o'clock a.m.*

Prayers.

During Introduction of Guests and Congratulatory Messages, Mr. Speaker interrupted proceedings and asked that Members respect the purpose traditionally reserved for this item of routine business which is to recognize and congratulate New Brunswick citizens or organizations on recent accomplishments.

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**Petitions**

Ms. Weir laid upon the table of the House a petition signed by residents of Petitcodiac and the surrounding areas regarding their opposition to the proposed toll highway from River Glade to Moncton. (Petition 8)

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**Documents Tabled**

Hon. Mr. Frenette laid upon the table of the House a document entitled A Discussion Paper on Amending the Right to Information Act.

Hon. Mr. Graham laid upon the table of the House a document entitled Electricity in New Brunswick Beyond 2000, Discussion Paper: February 1998.

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During Oral Questions, Hon. Mr. Tyler gave notice of his intention to raise a question of privilege in relation to remarks made by Mr. Mockler concerning the existence of a note pertaining to toll highways.

Mr. Mockler withdrew his remarks regarding the note.

Mr. Speaker advised that he would take the matter under consideration.

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**Notices of Motions**

Mr. D. Graham gave Notice of Motion 104 that on Tuesday, February 26, 1998, 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 the monthly report and statements submitted to the Department of Environment from the New Brunswick Liquor Corporation which states all recoveries by the New Brunswick Liquor Corporation since the start of the *Beverage Containers Act* in 1992.

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Mr. D. Graham gave Notice of Motion 105 that on Tuesday, February 26, 1998, 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 documents submitted by the New Brunswick Liquor Corporation for the recovery of their beverage containers since the start of the *Beverage Containers Act* in 1992, please include the date when these documents were received and who acknowledged their receipt.

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## Government Motions

With leave of the House, Hon. Mr. Tyler move the following resolution, seconded by Mr. Allaby: (Motion 106)

BE IT RESOLVED that the Standing Committee on Law Amendments examine, inquire into and make recommendations to the House with respect to the document entitled A Discussion Paper on Amending the *Right to Information Act*, to hold public hearings as it deems necessary and to report to the House as soon as possible, or following any adjournment, or at the next following Session, as the case may be.

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

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With leave of the House, Hon. Mr. Tyler moved the following resolution, seconded by Mr. Allaby: (Motion 107)

BE IT RESOLVED that this House appoint a Select Committee on Energy to examine, inquire into and make recommendations to the House with respect to the Discussion Paper entitled Electricity in New Brunswick Beyond 2000, to hold public hearings as it deems necessary and to 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

BE IT FURTHER RESOLVED that the said Committee be composed of:

(a) seven members of the Government caucus nominated by that caucus;

(b) three members from the Official Opposition caucus nominated by that caucus;

(c) one member from the New Democratic Party caucus, nominated by that caucus; and

BE IT FURTHER RESOLVED that the members nominated as hereinbefore provided shall be deemed to be members of the said Committee and shall be deemed to have been appointed by the House.

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

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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 the Whole to consider Bills 19, 22, 23, 41, 58, 35 and 68.

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Mr. Mockler apologized to the House for remarks made earlier regarding the existence of a note and withdrew any offending comments.

Hon. Mr. Tyler withdrew his notice of intention to raise a question of privilege regarding the remarks made by Mr. Mockler during Question Period.

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## Third Reading

The following Bills were read the third time.

Bill 28, *An Act to Amend the Assessment Act.*  
 Bill 29, *An Act to Amend the New Brunswick Geographic Information Corporation Act.*  
 Bill 33, *An Act to Amend the Advisory Council on the Status of Women Act.*  
 Bill 42, *Edmundston Act, 1998.*  
 Bill 48, *An Act to Amend the Arts Development Trust Fund Act.*  
 Bill 60, *An Act to Amend the Elections Act.*  
 Bill 61, *An Act to Amend the Municipal Elections Act.*  
 Bill 62, *Greater Saint John Regional Facilities Commission Act.*  
 Bill 63, *An Act to Amend the Police Act.*  
 Bill 67, *An Act to Amend the Land Titles Act.*

Ordered that the said Bills do pass.

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## Second Reading

The Order being read for second reading of Bill 69, *An Act to Amend the Industrial Relations Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 69 be now read a second time, it was negatived on the following recorded division:

YEAS - 1

Ms. Weir		
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NAYS - 29

Hon. Mr. Tyler	Mr. McAdam	Mr. deGr? ce
Hon. Mr. Graham	Mr. Allaby	Mr. Sherwood
Hon. Mrs. Barry	Mr. Wilson	Mr. Robichaud
Hon. Mrs. Breault	Mr. Kavanaugh	Mr. Mockler
Hon. Mr. MacIntyre	Mr. Steeves	Mr. O'Donnell
Hon. Mrs. Day	Mr. A. Landry	Mr. Devereux
Hon. Mr. Savoie	Mr. Johnson	Mr. D. Graham
Hon. Mr. Gay	Ms. de Ste. Croix	Mr. Armstrong
Hon. Mr. Jamieson	Mr. H. Doyle	Mr. J. Doyle
Mrs. Jarrett	Mr. Olmstead	

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The following Bill was read the second time and ordered referred to the Committee of the Whole House:

Bill 70, *Appropriations Act 1998-99.*

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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 19, *Conservation Easements Act*.  
Bill 22, *An Act to Amend the Motor Vehicle Act*.  
Bill 23, *An Act to Amend the Highway Act*.  
Bill 35, *An Act to Amend the Real Property Tax Act*.  
Bill 41, *An Act to Amend the Motor Carrier Act*.  
Bill 58, *An Act to Amend the Motor Vehicle Act*.  
Bill 68, *Livestock Operations 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. Kavanaugh: (Motion 108)

BE IT RESOLVED that the Standing Committee on Crown Corporations 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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With leave of the House, Hon. Mr. Tyler moved the following resolution, seconded by Mr. Allaby: (Motion 109)

BE IT RESOLVED that the Legislative Administration Committee examine, inquire into and make recommendations to the House on the matter of conflict of interest legislation, and in particular, without limiting the generality of the foregoing, examine the document entitled *Review and Recommendations of William L.M. Creaghan on the New Brunswick Conflict of Interest Act, June 1997* and to 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 and the *Legislative Assembly Act*, the Committee shall have the following additional powers:

- (a) to retain such personnel as required to assist the Committee; and
- (b) 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, 12.15 o'clock p.m., the House adjourned.

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

Documents requested in Notices of Motions 95, 97, 98, 100 - February 19, 1998