

(The electronic version of the following Journal of the Legislative Assembly is for information purposes only.
The printed version remains the official version.)

Daily Sitting 62

Tuesday, June 13, 2000.

1 o'clock p.m.

Prayers.

Due to the unavoidable absence of Mr. Speaker, Mr. Ashfield, the Deputy Speaker, took the chair as Acting Speaker.

Hon. Mr. Mockler paid tribute to the contribution to New Brunswick provincial politics of Raymond J. Frenette, Liberal Member for Moncton East (1974-1998) and Premier of New Brunswick (1997-1998).

Hon. Mr. Furlong laid upon the table of the House a document entitled *Understanding Canada's Health Care Costs - Interim Report - Provincial and Territorial Ministers of Health - June 2000*.

Mr. Blanchard rose on a Point of Order, relating to the statement by the Minister of Finance that Board of Management had approved a transfer of \$5.7 million to the Department of Business New Brunswick from the Supplementary Funding Program, claiming that supplementary estimates should have been introduced instead.

Mr. Acting Speaker heard from several members on the point of order.

Mr. Acting Speaker ruled that the matter as raised related to the business of supply and that it should be raised during the Committee of Supply as the Main Estimates had been referred to the Committee.

The following Bills were introduced and read the first time:

By Hon. Mr. McFarlane,

Bill 54, *An Act to Amend the Workers' Compensation Act*.

By Hon. Mr. Green,

Bill 55, *An Act to Amend the Infirm Persons Act*.

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

Mr. Forbes gave Notice of Motion 152 that on Tuesday, June 20, 2000, he would move the following resolution, seconded by Mr. Ashfield:

WHEREAS the federal government has decided to divest itself of responsibility for airports in Canada, and has subsequently turned over to private interests all airports in New Brunswick with the exception of the Fredericton Regional Airport; and

WHEREAS the federal government has not been able to reach an equitable and fair solution which will support the Greater Fredericton Airport Authority going forward as a privately viable public airport; and

WHEREAS the Greater Fredericton Airport Authority has demonstrated due diligence in setting its minimal conditions to take over the Fredericton Regional Airport from the Federal Government, which includes the need for a runway extension, improvements to the airport terminal building, and other related improvements; and

WHEREAS the federal government had allowed the Fredericton Regional Airport's general infrastructure to fall behind other similar airport facilities during the course of the past several years; and

WHEREAS the current conditions of the infrastructure of the Fredericton Regional Airport are directly related to safety concerns for air travellers and has resulted in a very high percentage of flights leaving Greater Fredericton airspace under restriction; and

WHEREAS the viability of the Fredericton Regional Airport and its potential for future growth will have a significant impact upon the entire economy of the Greater Fredericton Region and the Upper Saint John River Valley communities, especially in light of the fact that this region supports a great proportion of New Brunswick-based consultants and high tech industries;

BE IT THEREFORE RESOLVED THAT the Legislative Assembly of New Brunswick call upon the federal government to meet its responsibilities in the divestiture process of the Fredericton Regional Airport by negotiating in good faith for proper infrastructure investment, including a lengthened runway and improved terminal facilities.

Hon. Mr. Green announced that it was the intention of government that following Private Members' Motions, the House would resolve itself into a Committee of Supply to consider the estimates of the Department of Business New Brunswick.

The Order being read for third reading of Bill 37, *An Act Respecting a Day of Mourning for Persons Killed or Injured in the Workplace*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 37 be now read a third time, it was resolved in the affirmative.

Accordingly, Bill 37, *An Act Respecting a Day of Mourning for Persons Killed or Injured in the Workplace*, was read the third time.

The following Bills were read a third time:

Bill 38, *Degree Granting Act*.
Bill 39, *An Act to Repeal Unproclaimed Public Acts and Parts of Public Acts*.
Bill 41, *An Act to Amend the Interprovincial Subpoena Act*.
Bill 42, *An Act to Amend The Residential Tenancies Act*.
Bill 43, *Canadian Judgments Act*.

Ordered that the said Bills do pass.

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

Bill 46, *An Act to Amend the Lotteries Act*.
Bill 47, *An Act to Amend the Income Tax Act*.
Bill 48, *An Act to Amend the Teachers' Pension Act*.
Bill 49, *Loan Act 2000*.
Bill 50, *An Act to Amend the Police Act*.
Bill 52, *An Act to Amend the Assessment Act*.
Bill 53, *An Act to Amend the Assessment Act*.

Debate resumed on Motion 144, moved by Ms. Weir, seconded by Mr. Richard, as follows:

WHEREAS Alberta's Bill 11 legislation that will permit the contracting out of publicly-funded surgeries to private sector hospitals will set the stage for two-tier American-style health care by establishing access to health services based on whether you can pay, not what services you need, and

WHEREAS Bill 11 erodes the fundamental principles of Medicare by allowing richer patients to receive care before those who can't pay the price, and

WHEREAS trade experts have raised concerns that Bill 11 will trigger NAFTA, opening our Canadian health care system to U.S. for-profit corporations

THEREFORE BE IT RESOLVED THAT all Members of this House join in urging the Prime Minister to refer Bill 11 to the Supreme Court of Canada, and further call on the Federal Government to institute a ban on private for-profit hospitals.

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

YEAS - 9

Mr. Blanchard	Mr. Lee	Mrs. Mersereau
Mr. Allaby	Mr. Haché	Mr. Richard
Mr. C. Thériault	Mr. S. Graham	Ms. Weir

Hon. Mr. E. Robichaud	Mr. Cosman	Mr. Laforest
Hon. Mr. N. Betts	Mr. Weston	Ms. Keddy
Hon. Mr. Green	Mr. Stiles	Mr. Huntjens
Hon. Mr. McFarlane	Mr. MacDonald	Mr. Savoie
Hon. Mr. Volpé	Mr. Forbes	Mr. Cyr
Hon. Mr. Sherwood	Mr. Holder	Mr. Bernard
Hon. Mrs. MacAlpine	Mr. Kinney	Mr. MacKenzie
Hon. Mr. P. Robichaud	Mr. McGraw	Ms. Crossman
Mrs. Fowlie	Mr. Steeves	Ms. Dubé
Mr. LeBlanc	Mr. Jordan	Mr. Alward
Ms. Poirier	Mr. Landry	

It was agreed by unanimous consent to waive the balance of time allotted for Private Members' Motions and proceed directly to consideration of the estimates in the Committee of Supply.

The House, according to order, resolved itself into a Committee of Supply with Mr. Bernard in the chair.

Prior to the consideration of the estimates of Business New Brunswick, Mr. Blanchard rose on a Point of Order in relation to the announcement by the Minister of Finance that \$5.7 million was to be transferred by the authority of the Board of Management from the Supplementary Funding Program to Business New Brunswick.

Mr. Blanchard submitted that the process being followed was inadequate and that the appropriate procedure would be to have two estimates tabled in the House, one reducing the vote under General Government by \$5.7 million and another supplementary estimate increasing the amount under Business New Brunswick.

Hon. Mr. N. Betts spoke on the Point of Order.

At 3.48 o'clock p.m., the Chairman declared a recess and left the chair.

4.35 o'clock p.m.

The Committee resumed with Mr. Bernard in the chair.

The Chairman delivered the following ruling with respect to the point of order raised earlier by Mr. Blanchard.

STATEMENT BY CHAIRMAN

First of all, I would like to thank the Minister of Finance and the Member for Campbellton for their comments. Although a number of issues have been raised with the point of order, I believe the main issue relates to whether the committee is being asked to increase the amount of the vote for the Department of Business New Brunswick as the result of the statement made by the Minister of Finance earlier today.

The Minister of Finance announced that the Board of Management would be transferring \$5.7 million from the supplementary funding program of General Government to the Department of Business New Brunswick.

The Member for Campbellton referred to a passage at page 736 of the *House of Commons Procedure and Practice*, Edition 2000. I will quote from that reference again.

A committee may not increase the amount of a Vote, change the destination of a grant or change the destination or purpose of a subsidy, as this would exceed the term of the royal recommendation and infringe on the financial initiative of the Crown. A committee may move to reduce a Vote by an amount equal to that set aside in the Estimates for a program or activity to which the committee is opposed.

In the opinion of the chair, the committee is not being asked either to increase or decrease a vote, or to change the destination of a grant or change the destination or purpose of a subsidy relating to the estimates of Business New Brunswick, or to those of the General Government program entitled Supplementary Funding. What we are considering today are the estimates of the Department of Business New Brunswick as contained in the *Main Estimates 2000-2001*. In my view, this matter relates to the interpretation of the expenditures authorized by the Supplementary Funding Program under General Government.

Under the *Financial Administration Act*, the Minister of Finance has the responsibility for the management of the Consolidated Fund and the public debt and the supervision, control and direction in matters relating to the financial affairs of the province.

According to the Act, no payment is to be made out of the Consolidated Fund without the authority of the Legislature. The one exception is the special warrant provision. This appropriation bill, which will be introduced once the Main Estimates have been approved, will give legal authority for the appropriation and the expenditures as contained in the Main Estimates. The responsibility for determining whether a specific expenditure has been authorized by the Legislature through the *Appropriation Act* rests, in my view, with the Minister of Finance and the government. Thank you.

Subsequent to the above ruling and in response to a question by Mr. C. Thériault, the Chairman advised that it would be proper during consideration of the estimates of Business New Brunswick to ask questions relating to the \$5.7 million being transferred from the Supplementary Funding Program to that department.

And after some further time, the Chairman declared it to be 6 o'clock p.m., and left the chair to resume again at 7 o'clock p.m.

7 o'clock p.m.

The Committee resumed with Mr. J. Betts in the chair.

Mr. C. Thériault rose on a Point of Order and asked for clarification of the ruling given earlier by the chair, specifically, whether questions could be asked to the Minister of Business New Brunswick regarding the amounts being transferred from the general government program "Supplementary Funding Provision."

The Acting Chairman, Mr. Betts, advised that the Chairman had earlier ruled that such questions were in order.

And after some time, Mr. Bernard assumed the chair.

And after some further time, Mr. Acting Speaker resumed the chair, and Mr. Bernard, the Chairman, after requesting that the Acting 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. Acting 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.

The following are the items reported:

MAIN ESTIMATES 2000 - 2001

ORDINARY ACCOUNT

DEPARTMENT OF BUSINESS NEW BRUNSWICK

Resolved, That there be granted to Her Majesty a sum not exceeding \$22,932,000 to defray the expenses of the Ordinary Account program allocations of the Department of Business New Brunswick for the fiscal year ending the 31st of March, 2001.

CAPITAL ACCOUNT

DEPARTMENT OF BUSINESS NEW BRUNSWICK

Resolved, That there be granted to Her Majesty a sum not exceeding \$500,000 to defray the expenses of the Capital Account program allocations of the Department of Business New Brunswick for the fiscal year ending the 31st of March, 2001.

LOANS AND ADVANCES

Voted, Supply in the following amounts to defray the expenses of the following programs:
Business New Brunswick 58,800,000

WORKING CAPITAL - MAXIMUM BALANCES

2000-2001 Voted

PETTY CASH ADVANCES

Business New Brunswick 19,000

INVENTORIES

Business New Brunswick 137,000

The said items were concurred in by the House.

And then, 10.20 o'clock p.m., the House adjourned.

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 138, 139, 140 and 148 - June 8, 2000