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**Daily Sitting 21**

Tuesday, December 19, 2000.

12 o'clock noon

Prayers.

The Honourable the Premier paid tribute to the memory of Paul Ouellette, mayor of Bathurst, recently deceased.

Mr. McGraw from the Standing Committee on Private Bills, presented the Second Report of the Committee for the session which was read and is as follows:

December 19, 2000.

To The Honourable  
The Legislative Assembly of  
The Province of New Brunswick.

Mr. Speaker:

Your Standing Committee on Private Bills begs leave to submit this their Second Report of the session.

Your Committee on Private Bills met on December 19, 2000, in the Legislative Council Chamber and had under consideration:

*Bill 17, An Act Respecting the Canadian Information Processing Society of New Brunswick*

and have made certain progress therein.

Your Committee also had under consideration:

*Bill 27, An Act to Incorporate the Fredericton Community Foundation Inc.*

which they recommend to the favourable consideration of the House with amendments.

And your Committee begs leave to make a further report.

I move, seconded by Mr. Huntjens, that the report be concurred in by the House.

(Sgd. :) Louis-Philippe McGraw, M.L.A.  
Chairman.

Mr. Speaker put the question on the motion of concurrence in the Report of the Committee, and it was resolved in the affirmative.

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Mr. S. Graham gave Notice of Motion 38 that on Tuesday, December 26, 2000, he would move the following resolution, seconded by Mr. Thériault:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House copies of all documents, including but not limited to memos, letters, correspondence, electronic mail, minutes of meetings or reports pertaining to the composting facility in South Branch, New Brunswick between government officials and/or the proponent or Dallaire Equipment Ltd.

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Mr. Richard, on behalf of Mrs. Mersereau, gave Notice of Motion 39 that on Tuesday, December 26, 2000, she would move the following resolution, seconded by Mr. Richard:

WHEREAS substantive changes in education would flow from amendments proposed for New Brunswick education in Bill 13, *An Act to Amend the Education Act*;

AND WHEREAS some of these changes affecting minority linguistic education rights may be inconsistent with the *Charter of Rights and Freedoms*;

AND WHEREAS should sections of the amended Bill be found to be in conflict with the *Charter of Rights and Freedoms*, in which case the amended Bill would be in many aspects inoperative;

BE IT RESOLVED THAT the House urge the government not to proclaim any sections of the amended Act relating to minority linguistic education rights prior to a reference of the amended Bill to the New Brunswick Court of Appeal.

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On motion of Hon. Mr. Green, seconded by Hon. Mr. Lord:

RESOLVED, that when the House adjourns on Wednesday, December 20, 2000, it stands adjourned until Thursday, December 21, 2000, at 10 o'clock a.m.

Hon. Mr. Green announced that following third reading of Bills and Private Members' Motions, the House would resolve itself into a Committee of the Whole to consider legislation; namely, Bill 14, and that it was the intention of the government that Private Bill 27 be read a second time at the next sitting.

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The following Bills were read a third time:

Bill 16, *An Act to Amend the Beaverbrook Auditorium Act*.  
Bill 18, *Order of New Brunswick Act*.

Ordered that the said Bills do pass.

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The Order being read for third reading of Bill 20, *An Act to Amend the Provincial Court Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 20 be now read a third time, it was resolved in the affirmative.

Accordingly, Bill 20, *An Act to Amend the Provincial Court Act*, was read a third time and passed.

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The following Bills were read a third time:

Bill 21, *An Act to Amend the Employment Standards Act*.  
Bill 22, *An Act to Amend the Assessment Act*.  
Bill 24, *Supplementary Appropriations Act 1999-2000 (2)*.  
Bill 25, *Capital Appropriations Act 2001-02*.  
Bill 26, *An Act to Amend the Family Services Act*.  
Bill 28, *Supplementary Appropriations Act 2000-01*.

Ordered that the said Bills do pass.

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Debate resumed on the amendment to Motion 4, moved by Mr. Thériault, seconded by Mr. Allaby, as follows:

#### AMENDMENT

THAT motion 4 be amended by:

In the resolution clause, after the word "lives" add, "and that their decisions be binding upon this Government".

And after some time, due to the unavoidable absence of Mr. Speaker, Mr. Ashfield, the Deputy Speaker, took the chair as Acting Speaker.

And after some further time, Mr. Jordan took the chair as Acting Speaker.

And after some further time, Mr. Bernard, the Deputy Speaker, took the chair as Acting Speaker.

And after some time, Mr. Steeves raised a point of order regarding Mr. S. Graham's mention of the absence of a Member.

Mr. Deputy Speaker stated that it was not in keeping with the practices of the House to refer to the absence of a Member from the chamber.

Mr. S. Graham apologized for his remarks.

And after some time, Mr. Speaker resumed the chair.

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

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The House resolved itself into a Committee of the Whole with Mr. Ashfield in the chair.

And after some time, Mr. Alward rose on a point of order and submitted that a Member opposite had referred to deliberations which took place during an in-camera meeting of the Standing Committee on Crown Corporations.

Several Members spoke on the point of order.

The Chairman ruled that he could not make a determination on the source of the comments.

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

And after some further time spent in consideration of Bill 14, *New Brunswick Income Tax*, Mr. Richard moved the following amendment to section 14:

#### AMENDMENT

By adding new subsections 14(3) and 14(4) as follows:

14(3) That the taxable income thresholds and ceilings as defined in 14(1)(a), 14(1)(b) and 14(1)(c) be fully indexed consistent with the Consumer Price Index of Canada.

14(4) The ceilings and thresholds as established under the *New Brunswick Income Tax Act* be indexed consistent with the Consumer Price Index of Canada.

And the question being put, 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. Allaby	Mr. Richard	Mr. Kennedy
Mr. Thériault	Mr. Haché	Ms. Weir
Mr. Lee	Mr. S. Graham	????

#### NAYS - 24

Hon. Mr. Betts	Mr. LeBlanc	Mr. Laforest
Hon. Mr. Green	Ms. Poirier	Ms. Keddy
Hon. Mr. Mesheau	Mr. Malley	Mr. Huntjens
Hon. Mr. McFarlane	Mr. Stiles	Mr. Savoie
Hon. Mrs. Jardine	Mr. MacDonald	Mr. MacKenzie
Hon. Mrs. MacAlpine	Mr. Forbes	Mr. Weston
Mr. J. Betts	Mr. McGraw	Ms. Dubé
Mrs. Fowlie	Mr. Steeves	Mr. Alward

During further consideration of Bill 14, *New Brunswick Income Tax Act*, Mr. Richard moved the following amendment to section 14:

#### AMENDMENT

By adding after subsection 14(2) the following:

14(3) That the taxable income thresholds and ceilings as defined in 14(2)(a), 14(2)(b) and 14(2)(c) be fully indexed consistent with the Consumer Price Index of Canada.

And the question being put, a debate ensued.

And the debate being ended and the question being put, and a recorded vote having been requested, it was agreed by unanimous consent that the division bells be rung for two minutes.

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

	YEAS - 7	
Mr. Allaby	Mr. Richard	Mr. S. Graham
Mr. Thériault	Mr. Haché	Ms. Weir
Mr. Lee	??	????
	NAYS - 21	
Hon. Mr. Betts	Ms. Poirier	Mr. Laforest
Hon. Mr. Green	Mr. Jordan	Ms. Keddy
Hon. Mrs. Jardine	Mr. Malley	Mr. Huntjens
Hon. Mr. Sherwood	Mr. Stiles	Mr. Savoie
Mr. J. Betts	Mr. MacDonald	Mr. MacKenzie
Mrs. Fowlie	Mr. Forbes	Mr. Weston
Mr. LeBlanc	Mr. Steeves	Mr. Alward

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

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

Bill 14, *New Brunswick Income Tax 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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And then, 6 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 Notice of Motion 11 - December 15, 2000  
Annual Report Natural Resources and Energy 1999-2000 - December 15, 2000  
Annual Report Legal Aid New Brunswick 1999-2000 - December 15, 2000