
Wednesday, December 11, 2002.

10 o'clock a.m.

Prayers.

Mr. Malley, Member for Miramichi-Baie du Vin, laid upon the table of the House a petition signed by residents of the Miramichi region asking the province to consider the construction of a facility dedicated to Alzheimer's care in their region. (Petition 5)

Hon. Mr. Volpé laid upon the table of the House a document entitled *New Brunswick Crown Forests: Assessment of Stewardship and Management - November 2002*

Mr. Richard requested the unanimous consent of the House to extend the period allotted for Oral Questions, and unanimous consent was denied.

The following Bill was introduced and read a first time:

By Hon. Mr. Mesheau,
Bill 22, *Supplementary Appropriation Act 2001-02 (3)*.

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

Hon. Mr. Green announced that it was the intention of government that following third and second reading of Bills, the House would resolve itself into a Committee of the Whole to consider legislation; namely, Bills 14, 13, 18 and 19.

The following Bills were read a third time:

Bill 15, *An Act to Amend the Fish and Wildlife Act*.
Bill 16, *An Act to Amend the Forest Fires Act*.

Ordered that the said Bills do pass.

The Order being read for second reading of Bill 20, *An Act to Amend the Public Utilities Act*, a debate arose thereon.

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

At 12.30 o'clock p.m., the Acting Speaker left the chair, to resume again at 2 o'clock p.m.

2 o'clock p.m.

Mr. Speaker resumed the chair.

At the request of Mr. Shawn Graham, Mr. Speaker reverted to the Order of Notices of Motions.

Mr. Shawn Graham gave Notice of Motion 66 that on Tuesday, December 17, 2002, he would move the following resolution, seconded by Mr. Haché:

WHEREAS highway infrastructure has been cited as a key to economic development in Northern New Brunswick;

WHEREAS Routes 17 and 11 are critical components of this infrastructure;

WHEREAS the Premier has stated his willingness to seek a 50-50 federal-provincial agreement for improving this highway;

BE IT THEREFORE RESOLVED that the Legislative Assembly support in principle a 50-50 federal-provincial agreement of \$180 million for the improvement of Route 17 and Route 11.

Debate resumed on the motion for second reading of Bill 20, *An Act to Amend the Public Utilities Act*.

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

And after some time, Mr. Richard moved in amendment, seconded by Mr. Shawn Graham:

AMENDMENT

THAT the motion for second reading be amended by deleting all the words after the word "that" and substituting the following:

Bill 20, *An Act to Amend the Public Utilities Act*, be not now read a second time but that the order for second reading be discharged and the subject matter of the Bill be referred to the Standing Committee on Law Amendments.

And the question being put, and a debate arising,

Ms. Fowlie raised a point of order, quoting citation 676 in Beauchesne's *Parliamentary Rules & Forms, 6th Edition*, that stated that an amendment to defer second reading of a Bill until the subject matter has been considered by a committee is out of order in that it does not oppose the principle of the Bill but merely attaches a condition.

At 3.30, Mr. Bernard, the Acting Speaker, declared a recess and left the chair.

3.40 o'clock p.m.

Mr. Bernard, the Acting Speaker, resumed the chair and ruled the proposed amendment did not contain any condition and, as a dilatory motion to refer the subject matter to a committee, was in order.

Debate resumed on the proposed amendment.

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

YEAS - 6

Mrs. Mersereau	Mr. Shawn Graham	Mr. Kennedy
Mr. Richard	Mr. Haché	Ms. Weir

NAYS - 30

Hon. Mr. Betts	Mr. Carr	Mr. Laforest
Hon. Mr. Green	Mr. Malley	Ms. Keddy
Mr. Sherwood	Mr. Stiles	Mr. Huntjens
Hon. Mr. McFarlane	Mr. MacDonald	Mr. Savoie
Hon. Mrs. Jardine	Mr. Forbes	Mr. Ashfield
Hon. Mr. Volpé	Mr. Holder	Mr. MacKenzie
Mr. John Betts	Mr. Kinney	Ms. Dubé
Ms. Fowlie	Mr. McGraw	Mr. Alward
Mr. LeBlanc	Mr. Steeves	Mr. Dubé
Ms. Poirier	Mr. Landry	Mr. Moore

Debate resumed on the motion that Bill 20, *An Act to Amend the Public Utilities Act*, be now read a second time.

And the debate being ended, and the question being put that Bill 20 be now read a second time, it was resolved in the negative on the following recorded division:

YEAS - 6

Mrs. Mersereau	Mr. Shawn Graham	Mr. Kennedy
Mr. Richard	Mr. Haché	Ms. Weir

NAYS - 25

Hon. N. Betts	Mr. Cosman	Mr. McGraw
Hon. Mr. Green	Mr. Carr	Mr. Steeves
Mr. Sherwood	Mr. Malley	Mr. Landry
Hon. Mrs. Jardine	Mr. Stiles	Mr. Savoie
Hon. Mr. Volpé	Mr. MacDonald	Mr. Ashfield
Hon. Mr. Weston	Mr. Forbes	Mr. MacKenzie

Mr. John Betts	Mr. Holder	Ms. Dubé
Ms. Fowlie	Mr. Kinney	Mr. Alward
Ms. Poirier		

The Order being read for second reading of Bill 21, *An Act to Amend the Potato Disease Eradication Act*, a debate arose thereon.

And the debate being ended and the question being put that Bill 21 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 21, *An Act to Amend the Potato Disease Eradication Act*, was read a second time and ordered referred to the Committee of the Whole House.

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

During consideration of Bill 14, *Protected Natural Areas Act*, Mr. Haché moved the following amendment:

AMENDMENT

That Bill 14, *Protected Natural Areas Act*, be amended as follows:

The Bill is amended by repealing paragraphs 5(3)(a) and 5(3)(b) and substituting them with

5(3)(a) in the case of a protected natural area that is 750 hectares or less or in the case of a protected natural area that is 200 hectares or less that is adjacent to private property, undertake such consultation as the Minister considers appropriate, or

5(3)(b) in the case of a protected natural area that is greater than 750 hectares or in the case of a protected natural area that is greater than 200 hectares and that is adjacent to private property, undertake consultations in accordance with the regulations.

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 - 4

Mrs. Mersereau	Mr. Haché	Mr. Kennedy
Mr. Richard		

NAYS - 20

Hon. Mr. Green	Mr. Malley	Mr. Savoie
Hon. Mrs. Jardine	Mr. Holder	Mr. Bernard
Hon. Mr. Volpé	Mr. Kinney	Mr. MacKenzie

Hon. Mr. Weston	Mr. McGraw	Mr. Alward
Ms. Fowlie	Mr. Steeves	Mr. Dubé
Mr. LeBlanc	Mr. Landry	Mr. Williams
Mr. Cosman	Mr. Huntjens	

And after some time, Mr. Speaker resumed the chair and Mr. Ashfield, 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, *Protected Natural Areas 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.

On motion of Hon. Mr. Green, seconded by Hon. Norman Betts:

RESOLVED, that when the House adjourns, it stand adjourned until Thursday, December 12, 2002, at 3 o'clock p.m.

And then, 6 o'clock p.m., the House adjourned.

The following document, having been deposited with the Clerk of the House since the last sitting of the House, was deemed laid upon the table of the House pursuant to Standing Rule 39:

Annual Report Department of
Supply and Services 2001-2002

December 10, 2002