

Tuesday, August 5, 2003.

1 o'clock p.m.

Prayers.

Mr. Branch, the Member for Nepisiguit, laid upon the table of the House a petition signed by residents of Maisonnette urging the government to repair the dangerously unsafe road "chemin des Chalets." (Petition 6)

Mr. Branch, the Member for Nepisiguit, laid upon the table of the House a petition signed by residents of Middle River urging the government to repair Blue Jay Lane so that it remains passable year round. (Petition 7)

Mr. Branch, the Member for Nepisiguit, laid upon the table of the House a petition signed by residents of New Brunswick urging the government to take into consideration the project of Mr. Roland Chiasson, which concerns the cutting of wood with horses, while respecting the fauna and the environment. (Petition 8)

The following Bills were introduced and read a first time:

By Mr. S. Graham:

Bill 5, *An Act to Amend the Workers' Compensation Act.*

Bill 6, *An Act to Amend the Public Utilities Act.*

Bill 7, *An Act to Amend the Insurance Act.*

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

Mr. Doucet gave Notice of Motion 28 that on Tuesday, August 12, 2003, he would move the following resolution, seconded by Mr. S. Graham:

That an address be presented to her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House all correspondence, memos, e-mails and/or reports regarding a proposed project for power generation in the area of Belledune.

Mr. Branch gave Notice of Motion 29 that on Tuesday, August 12, 2003, he would move the following resolution, seconded by Mr. S. Graham:

WHEREAS our people of rural New Brunswick voiced rejection of the government's plan for another level of government with a hidden

agenda of an extra tax burden which our people of rural New Brunswick cannot afford;

WHEREAS this government has clearly stated its intention to have the provincially provided services of transportation and policing paid for in unincorporated New Brunswick entirely out of rural property taxes; and

WHEREAS the tax base of unincorporated New Brunswick cannot cover these costs without a major property tax rate increase; and

WHEREAS the people of rural New Brunswick already pay toward transportation costs through gasoline tax which this government has stated is directed entirely into the budget of the Department of Transportation;

BE IT THEREFORE RESOLVED that this Legislature urge the government to abandon its plan to increase the base rate for rural property taxes to cover the entire cost of transportation and policing in unincorporated New Brunswick and abandon its plan to create rural municipal government with another layer of property tax.

With leave of the House, the Honourable the Premier moved, seconded by Mr. S. Graham: (Motion No. 30)

WHEREAS fair, affordable and accessible automobile insurance is a concern for all New Brunswickers; and

WHEREAS the government of New Brunswick has been pro-active and is committed to bringing about relief for New Brunswick drivers faced with increasing automobile insurance premiums; and

WHEREAS public automobile insurance has been suggested as a model that could bring relief for New Brunswick drivers; and

WHEREAS there are many models of public insurance that contain numerous options and in the interest of informed public debate these models and options should be explored in the New Brunswick context; and

WHEREAS there is already an Atlantic Canada Task Force conducting a comprehensive study of the full cost-benefit, legal and trade implications of establishing an Atlantic Canada public automobile insurance system;

BE IT RESOLVED THAT this House appoint a Select Committee on Public Automobile Insurance to examine into and inquire on the most suitable form of public insurance system for New Brunswick should the province conclude that a public system is required. Without

limiting the scope of the study, this Select Committee will be charged with the responsibility of inquiring into and identifying:

- 1) the most suitable model of public automobile insurance to ensure fair, affordable and accessible public automobile insurance for all New Brunswickers, including:
 - a) the type of public automobile, insurance system to be recommended (i.e. tort, full no-fault, partial no-fault, choice or hybrid systems, etc.);
 - b) the types of coverage and benefits to be offered;
 - c) a proper risk rating system for establishing individual premiums;
 - d) the method of distribution (i.e. through brokers, public means, or both)
 - e) the types of insurers (i.e. participation of private sector and government within the public model)
- 2) the start-up costs for establishing the proposed model, including infrastructure, office equipment, payroll, initial provision for losses, etc.;
- 3) the fixed and recurring costs of operating the proposed model;
- 4) the legal and trade implications involved in setting up the proposed model;
- 5) the downstream impact of the proposed model on the legal community, the physiotherapists and other therapists, as well as on the brokers, independent adjusters, automotive repair shops and other trades or professions;
- 6) the impact on provincial finances with respect to the health services levy, premium tax; cost recovery of the PUB and the Superintendent, and the impact on medicare;
- 7) the benefits of common interprovincial and regional approaches; and
- 8) the creation of a basic automobile insurance policy within a public system,

and, also consider such other matters or materials to be referred by the Minister of Justice, including a discussion paper on public insurance options.

BE IT FURTHER RESOLVED THAT the Select Committee on Public Automobile Insurance will also be responsible for hearing from members of the general public, interest groups, and others, any such information which they may so wish to present. The Committee may set appropriate rules for the receiving of said submissions.

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

- to sit during sittings of the House and during the recess after prorogation until the next following Session;
- to adjourn from place to place as may be convenient;
- to retain such personnel as required to assist the Committee;

BE IT FURTHER RESOLVED THAT during a period when the Legislative Assembly is adjourned or prorogued, the Committee may release a report by depositing a copy with the Clerk of the Legislative Assembly, and upon the resumption of the sittings of the House, the Chairperson shall present the report to the Legislative Assembly;

BE IT FURTHER RESOLVED THAT the said Committee be composed of Ms. Weir, Mr. Stiles, Mr. C. LeBlanc, Mr. Sherwood, Mr. MacDonald, Mr. Williams, Mr. Betts, Mr. Malley, Mr. Burke, Mr. Haché, Mr. Doucet, Mr. Richard.

And the question being put, the motion was carried.

Hon. Mr. Green announced that following second reading, and Private Members' Motions, it was the intention of the government that the House resume the adjourned debate on the motion for an Address in Reply to the Speech from the Throne.

On motion of Hon. Mr. Green, seconded by Hon. P. Robichaud:

Resolved, that when the House adjourns at the end of this sitting day, it stand adjourned until tomorrow at 2 o'clock p.m.

The Order being read for second reading of Bill 3, *Construction Labour Mobility Act*, a debate arose thereon.

And after some time, on motion of Hon. Mr. Mockler, the debate was adjourned over on the following recorded division:

YEAS - 28

Hon. Ms. Blaney	Hon. Mr. Steeves	Mr. Betts
Hon. E. Robichaud	Hon. Ms. Dubé	Mr. Malley
Hon. Mr. Mesheau	Hon. Ms. Poirier	Mr. Williams
Hon. Mr. Volpé	Hon. Mr. Ashfield	Mr. Carr
Hon. Mr. Lord	Hon. Mr. Fitch	Mr. MacDonald
Hon. Mr. Green	Hon. Ms. Fowlie	Mr. Stiles
Hon. Mr. Graham	Hon. P. Robichaud	Mr. Holder

Hon. Mr. Mockler	Hon. Mr. Alward	Mr. C. LeBlanc
Hon. Ms. MacAlpine	Hon. Mr. Huntjens	Ms. Weir
Mr. Sherwood		

NAYS - 26

Mr. McGinley	Mr. Kennedy	Mr. Foran
Mr. Jamieson	Mr. Ouellette	Mr. Albert
Mr. Haché	Mr. Lamrock	Mr. A. LeBlanc
Mr. MacIntyre	Ms. Robichaud	Mr. Paulin
Mr. S. Graham	Mr. Targett	Mr. Doucet
Mr. Richard	Mr. Burke	Mr. Boudreau
Mr. Allaby	Mr. Murphy	Mr. Brewer
Mr. Landry	Mr. Kenny	Mr. Arseneault
Mr. Branch	Mr. Armstrong	

The Order being read for second reading of Bill 4, *An Act to Amend the Electricity Act*, a debate arose thereon.

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

AMENDMENT

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

Bill 4, *An Act to Amend the Electricity Act*, be not now read a second time but that the order for second reading be discharged and the subject matter of the Bill referred to the Standing Committee on Law Amendments.

And the question being put, the House divided as follows:

YEAS - 27

Mr. McGinley	Ms. Weir	Mr. Armstrong
Mr. Jamieson	Mr. Kennedy	Mr. Foran
Mr. Haché	Mr. Ouellette	Mr. Albert
Mr. MacIntyre	Mr. Lamrock	Mr. A. LeBlanc
Mr. S. Graham	Ms. Robichaud	Mr. Paulin
Mr. Richard	Mr. Targett	Mr. Doucet
Mr. Allaby	Mr. Burke	Mr. Boudreau
Mr. Landry	Mr. Murphy	Mr. Brewer
Mr. Branch	Mr. Kenny	Mr. Arseneault

NAYS - 27

Hon. Ms. Blaney	Mr. Sherwood	Hon. Mr. Huntjens
Hon. E. Robichaud	Hon. Mr. Steeves	Mr. Betts
Hon. Mr. Mesheau	Hon. Ms. Dubé	Mr. Malley

Hon. Mr. Volpé	Hon. Ms. Poirier	Mr. Williams
Hon. Mr. Lord	Hon. Mr. Ashfield	Mr. Carr
Hon. Mr. Green	Hon. Mr. Fitch	Mr. MacDonald
Hon. D. Graham	Hon. Ms. Fowlie	Mr. Stiles
Hon. Mr. Mockler	Hon. P. Robichaud	Mr. Holder
Hon. Ms. MacAlpine	Hon. Mr. Alward	Mr. C. LeBlanc

Mr. Speaker advised that when there is an equality of votes following a division in the House, the Speaker is obligated to cast the deciding vote in accordance with Standing Rule 14.

With respect to the amendment moved by the Leader of the Opposition to the second reading motion (Bill 4), the general principle applied to amendments is that decisions should not be taken except by a majority and that where there is no majority, the main motion should be left in its existing form.

Accordingly, Mr. Speaker cast his vote in the negative and declared the amendment defeated.

Debate resumed on the motion that Bill 4, *An Act to Amend the Electricity Act*, be now read a second time.

And after some time, on motion of Hon. Mr. Fitch, the debate was adjourned on the following recorded division:

YEAS - 27

Hon. Ms. Blaney	Mr. Sherwood	Hon. Mr. Huntjens
Hon. E. Robichaud	Hon. Mr. Steeves	Mr. Betts
Hon. Mr. Mesheau	Hon. Ms. Dubé	Mr. Malley
Hon. Mr. Volpé	Hon. Ms. Poirier	Mr. Williams
Hon. Mr. Lord	Hon. Mr. Ashfield	Mr. Carr
Hon. Mr. Green	Hon. Mr. Fitch	Mr. MacDonald
Hon. D. Graham	Hon. Ms. Fowlie	Mr. Stiles
Hon. Mr. Mockler	Hon. P. Robichaud	Mr. Holder
Hon. Ms. MacAlpine	Hon. Mr. Alward	Mr. C. LeBlanc

NAYS - 26

Mr. McGinley	Mr. Kennedy	Mr. Foran
Mr. Jamieson	Mr. Ouellette	Mr. Albert
Mr. Haché	Mr. Lamrock	Mr. A. LeBlanc
Mr. MacIntyre	Ms. Robichaud	Mr. Paulin
Mr. S. Graham	Mr. Targett	Mr. Doucet
Mr. Richard	Mr. Burke	Mr. Boudreau
Mr. Allaby	Mr. Murphy	Mr. Brewer
Mr. Landry	Mr. Kenny	Mr. Arseneault
Mr. Branch	Mr. Armstrong	

It was agreed by unanimous consent that, prior to taking into consideration Private Members' Motions, the House would resume the adjourned debate on the motion for an Address in Reply to the Speech from the Throne.

Accordingly, the Assembly resumed the adjourned debate on the proposed motion of Mr. Carr, seconded by Mr. Williams:

THAT the following Address be presented to Her Honour the Lieutenant-Governor to offer the humble thanks of this House to Her Honour for the gracious speech which she has been pleased to make to the Legislative Assembly, namely:

Fredericton, N.B.
July 29, 2003.

To Her Honour,
The Honourable Marilyn Trenholme Counsell,
Lieutenant-Governor of the Province of New Brunswick.

May It Please Your Honour:

We, Her Majesty's most dutiful and loyal subjects of the Legislative Assembly of the Province of New Brunswick, now in session, beg leave to extend our humble thanks to Your Honour for the gracious speech which Your Honour has addressed to us, and we assure Your Honour that all matters which may be submitted to us during the session will receive our most careful attention and consideration.

And the debate continuing,

After some time, due to the unavoidable absence of Mr. Speaker, Mr. C. LeBlanc, the Deputy Speaker, took the chair as Acting Speaker.

At 5 o'clock p.m., Mr. Speaker resumed the chair, declared a recess, and left the chair.

5.13 o'clock p.m.

Mr. Speaker resumed the chair.

And the debate continuing, after some time it was, on motion of Hon. Mr. Green, on behalf of Hon. Mr. Lord, adjourned over.

Pursuant to Notice of Motion 1, Mr. S. Graham, seconded by Mr. Richard, moved:

WHEREAS the 2003-2004 provincial budget called for a small surplus of \$7 million;

WHEREAS the provincial Minister of Finance has asked that departments cut \$49 million out of their budgets;

WHEREAS the provincial government has already depleted the Fiscal Stabilization Fund;

AND WHEREAS the Premier made numerous significant financial commitments in recent months;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the Minister of Finance to bring forward a revised economic outlook for New Brunswick and an updated budget forecast within two weeks for the 2003-2004 fiscal year.

And the question being put, a debate ensued.

After some time, due to the unavoidable absence of Mr. Speaker, Mr. Holder, the Deputy Speaker, took the chair as Acting Speaker.

Mr. Richard rose on a point of order and requested that the Minister of Finance refer to the Leader of the Opposition by his correct title.

Mr. Holder, the Deputy Speaker, ruled the point well taken.

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

And after some further time, Mr. Speaker interrupted proceedings and advised that the ordinary time of daily adjournment had arrived.

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