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Friday, December 12, 2003.

*10 o'clock a.m.*

Prayers.

Hon. Mr. Green, Minister of Justice, recognized the significant contribution to the development of the University of New Brunswick and to the educational system in Canada and abroad of the late Dr. Colin B. MacKay, O.C., a naval veteran of WWII, president (1953-1969) and president emeritus (1979-2003) of the University of New Brunswick.

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The Honourable the Premier paid tribute to the incoming Prime Minister, the Right Honourable Paul Martin, and to the Right Honourable Jean Chrétien on his retirement as Prime Minister of Canada (1993-2003).

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Mr. MacIntyre introduced Charles LeBlanc of Saint John, N.B., whose presence on the grounds of the Legislature for the past 180 days has brought attention to the concerns of children suffering from attention deficit disorders. Hon. E. Robichaud joined with Mr. MacIntyre in this regard.

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Mr. Burke, the Member for Fredericton North, laid upon the table of the House a petition signed by concerned citizens who agree that Ritalin is over-prescribed in this province. (Petition 14)

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Following Statements by Members Mr. Lamrock stood on a point of order and sought clarification on the guidelines for making Members' Statements since it was his understanding that rulings of this House and other jurisdictions made it clear that Members' Statements were not to be used to make personal attacks against other Members.

Mr. Speaker stated that he would take the matter under advisement.

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During Oral Questions, Mr. Speaker cautioned Members against taking parting shots at a Minister who had responded to a previous question.

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Mr. S. Graham raised a point of order that the Honourable the Premier had used the Order of Congratulatory Messages to criticize.

Mr. Speaker stated that he had not reverted to the Order of Congratulatory Messages.

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Following Oral Questions, Mr. Lamrock stood on a point of order and maintained that Ministers were responsible for their departments and that it was improper for a Minister to answer a question by stating that the Minister was relying on the advice of departmental staff.

Mr. Speaker ruled that Ministers are not obliged to answer questions; they may take questions under advisement or they may choose not to answer.

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It was agreed by unanimous consent to continue sitting through the noon recess and to adjourn at 4.30 o'clock p.m.

With leave of the House, Hon. Mr. Green moved, seconded by Mr. MacDonald: (Motion 59)

THAT by order of the House pursuant to Standing Rule 97, the Select Committee on Wood Supply be empowered to sit concurrently with the House on Wednesday, December 17, 2003, in the Legislative Council Chamber of the Legislative Assembly in order to conduct public hearings and such other business as the Committee deems necessary.

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

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Hon. Mr. Green advised that it was the intention of the government that the House resume the adjourned debate on the motion that Bill 9, *An Act to Amend the Municipal Assistance Act*, be now read a second time, following which, the House would continue with second reading of Bills 10 through 24.

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The House resumed the adjourned debate on the motion that Bill 9, *An Act to Amend the Municipal Assistance Act*, be now read a second time.

And after some time, Mr. Speaker called Mr. McGinley, the Member for Grand Lake, to order and advised that it was improper to refer to the presence of absence of Members from the House.

Mr. Branch stood on a point of privilege, pursuant to Standing Rule 49 c) and claimed that the Member for Kent South had implied that the Member for Nepisiguit was part of a protest in Saint-Sauveur in 1997.

Mr. Williams spoke to the point of order and maintained that he did not imply that the Member for Nepisiguit was part of the government during the period the protest took place.

Mr. Speaker briefly addressed the point of order and advised that he would deliver a more detailed ruling on Tuesday next.

Mr. Lamrock stood on a point of order and took exception to allegations made by the Member for Oromocto-Gagetown against the Member for York.

Mr. Speaker took the matter under advisement.

And the debate continuing,

And the debate being ended, and the question being put that Bill 9, An Act to Amend the *Municipal Assistance Act*, be now read a second time, the motion was carried on the following recorded division:

YEAS - 26

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

NAYS - 25

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

Accordingly, Bill 9, *An Act to Amend the Municipal Assistance Act*, was read a second time and referred to the Committee of the Whole House.

The order being read for second reading of Bill 10, *An Act Respecting the Real Property Tax on University Property*, a debate arose thereon.

And the debate being ended and the question being put that Bill 10 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 10, *An Act Respecting the Real Property Tax on University Property*, was read a second time and ordered referred to the Committee of the Whole House.

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The order being read for second reading of Bill 11, *An Act to Amend the Gasoline and Motive Fuel Tax Act*, a debate arose thereon.

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

Hon. Mr. Green rose on a point of order and submitted that it was improper for the Member for Nepisiguit to be using props in the House. Mr. Holder, the Deputy Speaker, ruled the point well taken.

Mr. Stiles rose on a point of order and submitted that the Member for Nepisiguit was imputing false or unavowed motives to the Minister of Transportation. Mr. Lamrock spoke to the point of order.

Mr. Holder, the Deputy Speaker, ruled that the matter involved a dispute over fact and that it was not the role of the Speaker to resolve disputes of fact and to determine which version of facts presented to the House was correct.

And the debate being ended and the question being put that Bill 11 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 11, *An Act to Amend the Gasoline and Motive Fuel Tax Act*, was read a second time and ordered referred to the Committee of the Whole House.

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

Bill 12, *An Act to Amend the Tobacco Tax Act*.

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The order being read for second reading of Bill 13, *An Act Respecting Mental Health and Public Health Services*, a debate arose thereon.

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

And the debate being ended and the question being put that Bill 13 be now read a second time, it was resolved in the affirmative.

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Accordingly, Bill 13, *An Act Respecting Mental Health and Public Health Services*, was read a second time and ordered referred to the Committee of the Whole House.

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

Bill 14, *An Act to Amend the Mental Health Act*.

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The order being read for second reading of Bill 15, *An Act to Amend An Act to Amend the Occupational Health and Safety Act*, a debate arose thereon.

And the debate being ended and the question being put that Bill 15 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 15, *An Act to Amend An Act to Amend the Occupational Health and Safety Act*, was read a second time and ordered referred to the Committee of the Whole House.

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The order being read for second reading of Bill 16, *An Act to Amend the Provincial Court Act*, a debate arose thereon.

And the debate being ended and the question being put that Bill 16 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 16, *An Act to Amend the Provincial Court Act*, was read a second time and ordered referred to the Committee of the Whole House.

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The order being read for second reading of Bill 17, *An Act to Amend the Crown Lands and Forests Act*, a debate arose thereon.

And after some time, the debate was, on motion of Hon. Mr. Ashfield, adjourned over.

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The order being read for second reading of Bill 18, *An Act to Amend the Fish and Wildlife Act*, a debate arose thereon.

And after some time, the debate was, on motion of Hon. Mr. Ashfield, adjourned over.

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

Bill 19, *An Act to Amend the Order of New Brunswick Act*.

Bill 20, *An Act Respecting Administrative Matters in Various Corporate Acts*.

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The order being read for second reading of Bill 21, *An Act to Amend the Family Services Act*, a debate arose thereon.

And the debate being ended and the question being put that Bill 15 be now read a second time, it was resolved in the affirmative.

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

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And then, at 4.35 o'clock p.m., the House adjourned.