
Tuesday, June 28, 2005.

1 o'clock p.m.

Prayers.

The Honourable the Premier extended the condolences of the House to the family of Hon. Percy Mockler, Minister of Intergovernmental and International Affairs, on the death of his father in law, Mr. Roméo Soucy.

Mr. MacIntyre, Member for Saint John Champlain, laid upon the table of the House a petition signed by residents of the Saint John area urging the government to debate in the Legislative Assembly the issue of whether the Saint John City Council has the authority to give approval for tax concessions in the LNG matter. (Petition 50)

Mr. A. LeBlanc, Member for Saint John Lancaster, laid upon the table of the House a petition signed by residents of the Saint John area urging the government to debate in the Legislative Assembly the issue of whether the Saint John City Council has the authority to give approval for tax concessions in the LNG matter. (Petition 51)

Mr. Paulin, Member for Restigouche West, laid upon the table of the House, a petition signed by residents of his constituency urging the government to sign the bilateral agreement on day care services with the federal government prior to a federal election. (Petition 52)

During Statements by Ministers, Hon. Mr. Green rose on a point of order and submitted that Mr. Arseneault was in breach of Standing Rule 40(2) in that his response to the Minister of Tourism and Park's statement was not brief.

Mr. Lamrock also spoke on the point of order.

Mr. Speaker ruled the point well taken and stated that all statements and comments in reply should be brief.

The following Bills were introduced and read a first time:

By Hon. Mr. Green,

Bill 76, *An Act to Amend the Marriage Act*.

By Hon. Mr. Volpé,

Bill 77, *Appropriations Act 2005-2006*.

Bill 78, *Supplementary Appropriations Act 2004-2005 (2)*.

By Mr. Lamrock,

Bill 79, *Tuition Break for Students in New Brunswick Act*.

By Mr. Allaby,

Bill 80, *An Act Respecting Fair Residential Property Tax Assessment*.

With leave of the House, the order for referral of Bill 34, *Franchise Act*, to the Committee of the Whole House was discharged and the Bill was withdrawn.

The following Bill was introduced and read a first time:

By Mr. Haché,

Bill 81, *Franchise Act*.

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

Hon. Mr. Green, the Government House Leader, announced that following third and second reading of Bills, and the time reserved for Private Member's Motions, it was the intention of government that the House resolve itself into a Committee of the Whole to consider Bills 48, 55, 59, 50 and 72; and that Private Bill 52 be ordered for second reading.

The following Bills were read a third time:

Bill 39, *An Act to Amend the Emergency 911 Act*.

Bill 40, *An Act to Amend the Victims Services Act*.

Bill 43, *An Act to Repeal the Marine Insurance Act*.

Bill 60, *An Act to Amend the Assessment and Planning Appeal Board Act*.

Bill 63, *An Act to Amend the Liquor Control Act*.

Bill 73, *An Act to Amend the Crown Lands and Forests Act*.

Ordered that the said Bills do pass.

The following Private Bill was read a second time:

Bill 52, *An Act to Amend An Act Respecting Podiatry*.

Pursuant to Standing Rule 121, Mr. Speaker ordered Private Bill 52 for third reading forthwith.

The following Private Bill was read a third time:

Bill 52, *An Act to Amend An Act Respecting Podiatry*.

Ordered that the said Bill does pass.

The Order being read for second reading of Bill 74, *An Act to Amend the Medical Services Payment Act*, a debate arose thereon.

And the debate being ended and the question being put that Bill 74 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 74, *An Act to Amend the Medical Services Payment Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Order being read for second reading of Bill 75, *An Act Respecting Access to Community College*, a debate arose thereon.

And the debate being ended and the question being put that Bill 75 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 75, *An Act Respecting Access to Community College*, was read a second time and ordered referred to the Committee of the Whole House.

Pursuant to Notice of Motion 104, Mr. S. Graham, seconded by Mr. MacIntyre, moved:

WHEREAS the extension of the current Auditor General's mandate will allow the public to learn what happened during the orimulsion fiasco;

BE IT RESOLVED that the Legislative Assembly urge the Lieutenant-Governor in Council to, upon the expiry of the appointment of the current Auditor General, appoint Daryl Wilson to perform the duties of the Auditor General for a period not to exceed one hundred and twenty days.

And the question being put, a debate ensued.

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

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

And after some further time, Mr. Holder resumed the chair.

During the debate, Mr. Holder, the Deputy Speaker interrupted proceedings to remind Members that the word "corrupt" when used in reference to the Government or other Members may be deemed unparliamentary.

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

And the debate being ended and the question being put, the House divided as follows:

YEAS - 26

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

NAYS - 26

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. Sherwood	Hon. Mr. Huntjens	

There being an equality of votes upon a division in the House, pursuant to Standing Rule 14, Mr. Speaker cast his deciding vote in the negative.

Accordingly, Motion 104 was negatived.

At 4.59 o'clock p.m., Mr. Speaker declared a 10-minute recess and left the chair.

5.22 o'clock p.m.

Mr. Speaker resumed the chair.

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

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

That the Committee had directed that he report the following Bills agreed to as amended:

Bill 48, *Support Enforcement Act*.

Bill 55, *Public Trustee Act*.

Bill 59, *An Act to Amend the Aquaculture 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.

It was agreed by unanimous consent that Bills 77 and 78 be read a second time forthwith.

Accordingly, the following Bills were read a second time and ordered referred to the Committee of the Whole House.

Bill 77, *Appropriations Act 2005-2006*.

Bill 78, *Supplementary Appropriations Act 2004-2005 (2)*.

It was agreed by unanimous consent that the Order referring Bills 77, 78, 35, 56 and 57 to the Committee of the Whole House be discharged and that the Standing Rules of the House be suspended to dispense with Committee of the Whole House consideration of Bills 77, 78, 35, 56 and 57 and that the said Bills be read a third time forthwith.

The Order being read for third reading of Bill 77, *Appropriations Act 2005-2006*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 77 be now read a third time, the House divided as follows:

YEAS - 26

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. Sherwood	Hon. Mr. Huntjens	

NAYS - 26

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Mr. Jamieson	Mr. Ouellette	Mr. Kennedy
Mr. MacIntyre	Ms. Robichaud	Mr. A. LeBlanc
Mr. Allaby	Mr. Lamrock	Mr. Paulin
Mr. S. Graham	Mr. Targett	Mr. Doucet

Mr. Haché	Mr. Burke	Mr. R. Boudreau
Mr. Armstrong	Mr. Murphy	Mr. Brewer
Mr. Landry	Mr. Kenny	Mr. V. Boudreau
Mr. Branch	Mr. Arseneault	

There being an equality of votes upon a division in the House, pursuant to Standing Rule 14, Mr. Speaker cast his deciding vote in the affirmative.

Accordingly, Bill 77, *Appropriations Act 2005-2006*, was read a third time and passed.

Mr. Allaby rose on a point of order to request that the Speaker state his reasons for casting his vote in the affirmative.

Mr. Speaker stated that although he had not stated reasons or given a rationale for previous casting votes, on a motion of confidence in the government it was not up to the Speaker to go against the will of the people of the province and therefore the Speaker ought to vote in the affirmative.

The Order being read for third reading of Bill 78, *Supplementary Appropriations Act 2004-2005 (2)*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 78 be now read a third time, the House divided as follows:

YEAS - 26

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. Sherwood	Hon. Mr. Huntjens	

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Mr. Allaby	Mr. Lamrock	Mr. Paulin
Mr. S. Graham	Mr. Targett	Mr. Doucet
Mr. Haché	Mr. Burke	Mr. R. Boudreau
Mr. Armstrong	Mr. Murphy	Mr. Brewer
Mr. Landry	Mr. Kenny	Mr. V. Boudreau
Mr. Branch	Mr. Arseneault	

There being an equality of votes upon a division in the House, pursuant to Standing Rule 14, Mr. Speaker cast his deciding vote in the affirmative.

Accordingly, Bill 78, *Supplementary Appropriations Act 2004-2005 (2)*, was read a third time and passed.

The following Bill was read a third time and passed:

Bill 35, *Capital Appropriations Act 2005-2006*.

The Order being read for third reading of Bill 56, *Special Appropriation Act 2005*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 56 be now read a third time, the House divided as follows:

YEAS - 26

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. Sherwood	Hon. Mr. Huntjens	

NAYS - 26

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

There being an equality of votes upon a division in the House, pursuant to Standing Rule 14, Mr. Speaker cast his deciding vote in the affirmative.

Accordingly, Bill 56, *Special Appropriation Act 2005*, was read a third time and passed.

The following Bill was read a third time and passed:

Bill 57, *An Act to Amend the New Brunswick Income Tax Act.*

And then, 6.50 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 Notice of Motion 103	June 16, 2005
Documents requested in Notices of Motions 88, 89, 112	June 27, 2005
Annual Report 2004-2005, Atlantic Health Sciences Corporation	June 27, 2005