

Wednesday, December 21, 2005.  
10 o'clock a.m.

Prayers.

Hon. Mr. Ashfield laid upon the table of the House a document entitled *State of the Forest Report 2005*.

The following Bill was introduced and read a first time.

By Hon. Mr. Alward,  
Bill 26, *An Act to Amend the Aquaculture Act*.

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

Hon. Mr. Volpé gave Notice of Motion 28 that on Tuesday, March 28, 2006, he would move the following resolution, seconded by the Honourable the Premier:

THAT this House approves in general the budgetary policy of the government. (Budget Motion)

Mr. Lamrock gave Notice of Motion 29 that on Tuesday, December 27, 2005, he would move the following resolution, seconded by Mr. Haché:

That an address be presented to His Honour the Lieutenant-Governor praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research related to the approval of the International Business Practice Entrepreneurship College as an adult training facility for eligibility under the Youth Assistance Act.

Mr. Lamrock gave Notice of Motion 30 that on Tuesday, December 27, 2005, he would move the following resolution, seconded by Mr. S. Graham:

WHEREAS the government has approved two private colleges to be eligible for public student loans; and

WHEREAS innocent New Brunswickers have been hurt by these colleges;

BE IT RESOLVED THAT the Legislative Assembly ask the Auditor General to review the approval process for private training institutions.

Mr. Foran gave Notice of Motion 31 that on Tuesday, December 27, 2005, he would move the following resolution, seconded by Mr. Brewer:

That an address be presented to His Honour the Lieutenant-Governor praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, analysis, research and reports pertaining to the investigation that was conducted by Dr. Badley, for the Miramichi Regional Health Authority that was released in 2005 regarding the internal concerns at the Miramichi Regional Hospital following the resignation of Dr. McAvinue.

Mr. V. Boudreau gave Notice of Motion 32 that on Tuesday, December 27, 2005, he would move the following resolution, seconded by Mr. Arseneault:

That an address be presented to His Honour the Lieutenant-Governor praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research since January 1, 2003, pertaining to the tendering process for the Parlee Beach Provincial Park campground, as well as the awarding of any and all contracts for the operations of that campground.

Mr. V. Boudreau gave Notice of Motion 33 that on Tuesday, December 27, 2005, he would move the following resolution, seconded by Mr. Arseneault:

That an address be presented to His Honour the Lieutenant-Governor praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research since January 1, 2005, pertaining to the purchase of the former Gilligan's Beach Bar and Grill at Parlee Beach Provincial Park by the Government of New Brunswick including but not limited to the purchase and sale agreement and the operational budget of the restaurant for the 2005 season.

Mr. Paulin gave Notice of Motion 34 that on Tuesday, December 27, 2005, he would move the following resolution, seconded by Mr. Arseneault:

That an address be presented to His Honour the Lieutenant-Governor praying that he cause to be laid upon the table of the House all information about the possible closure of Le Rendez-vous-des-Jeunes School in Saint-Arthur including memos, reports, faxes, minutes of meetings, etc.

Hon. Mr. Green, Government House Leader, announced that following second reading of Bill 25, the House would resume the adjourned debate on Motion 19, following which the House would resolve itself into a Committee of Supply to consider the Capital Estimates of the Department of Education.

The Order being read for second reading of Bill 25, *An Act to Amend the Child and Youth Advocate Act*, a debate arose thereon.

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

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

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

2 o'clock p.m.

Due to the unavoidable absence of Mr. Speaker, Mr. C. LeBlanc, the Deputy Speaker, took the chair as Acting Speaker.

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

And the debate being ended and the question being put that Bill 25, *An Act to Amend the Child and Youth Advocate Act*, be now read a second time, the House divided as follows:

YEAS - 27

Hon. Ms. Blaney	Mr. Sherwood	Mr. Huntjens
Hon. E. Robichaud	Hon. Mr. Steeves	Ms. Fowlie
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. Mr. Holder	Mr. Stiles
Hon. Mr. Mockler	Hon. P. Robichaud	Mr. Betts
Hon. Ms. M <sup>ac</sup> Alpine-Stiles	Hon. Mr. Alward	Mr. C. LeBlanc

NAYS - 27

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

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 and the motion was adopted.

Mr. Speaker delivered the following statement:

STATEMENT

The Clerk has informed me that there is an equality of votes on the motion. As a result, I will cast my vote in the affirmative. The motion and bill are part of government policy and part of its direction, as indicated to the people of New Brunswick. Thus, I declare the motion carried.

Mr. Speaker having been requested by the Leader of the Opposition to give further clarification as to his reasoning, stated as follows:

STATEMENT

On the question of clarification, in the past, I have indicated that it is the Speaker's prerogative to cast the vote as he or she sees fit. In this case, as in others, I have done that. I gave a brief rationale in this particular case, because it is an obvious part of the government mandate or policy.

Accordingly, Bill 25, *An Act to Amend the Child and Youth Advocate Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Order of the Day for resuming the debate on the amendment to the Motion (Motion 19), THAT this House approves in general the capital budgetary policy of the government, proposed by Mr. Lamrock and seconded by Mr. S. Graham, as follows:

AMENDMENT

That Motion 19 be amended by adding after the word "government" the following:

"and that this House urge the government to consider the advisability of adding a clear plan for Route 8 improvements in this fiscal year."

The debate was resumed.

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

YEAS - 27

Mr. McGinley  
Mr. Jamieson  
Mr. MacIntyre

Mr. Doherty  
Mr. Albert  
Mr. Ouellette

Mr. Arseneault  
Mr. Foran  
Mr. Kennedy

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

NAYS - 27

Hon. Ms. Blaney	Mr. Sherwood	Mr. Huntjens
Hon. E. Robichaud	Hon. Mr. Steeves	Ms. Fowlie
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. Mr. Holder	Mr. Stiles
Hon. Mr. Mockler	Hon. P. Robichaud	Mr. Betts
Hon. Ms. M <sup>ac</sup> Alpine-Stiles	Hon. Mr. Alward	Mr. C. LeBlanc

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 and the amendment was defeated. Mr. Speaker delivered the following statement:

#### STATEMENT

The Clerk has announced that there is an equality of votes. I will be voting against the amendment in order to maintain the motion in its original form, thus maintaining the status quo. Therefore, I declare the motion lost.

Mr. Speaker put the question on Motion 19, THAT this House approves in general the capital budgetary policy of the government, and it was resolved in the affirmative.

Accordingly, Motion 19 was carried.

Hon. Mr. Green, after requesting that the House revert to Government Motions for the Ordering of the Business of the House, announced that it was the intention of the government that the House resolve itself into a Committee of Supply to be granted to her Majesty forthwith.

The House, according to Order, resolved itself into a Committee of Supply with Mr. C. LeBlanc, in the chair.

And after some time spent therein, 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 proceeding in the matter under consideration, had passed the following resolution:

RESOLVED, that the Supply be granted to Her Majesty.

And he was directed to ask leave to sit again.

Mr. C. LeBlanc moved, seconded by Hon. Mr. Lord,

THAT the House does concur with the Committee of Supply in its report and agrees in its resolution that Supply be granted to Her Majesty.

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

Hon. Mr. Green, after requesting that Mr. Speaker revert to Government Motions for the Ordering of the Business of the House, moved, seconded by Hon. Mr. Lord,

THAT consideration of Estimates in Committee of Supply be added to the Orders of the Day until such time as they are dispatched.

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

The House, according to Order, resolved itself into a Committee of Supply with Mr. C. LeBlanc in the chair.

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

And after some further time, Mr. C. LeBlanc resumed the chair.

And after some further time spent in Committee of Supply, 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 had under consideration the matters referred to them, had made some progress therein, had passed one item, and asked leave to sit again.

Pursuant to Standing Rule 78.1, Mr. Speaker then 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.

The following is the item reported:

CAPITAL ESTIMATES 2006-2007 Voted

DEPARTMENT OF EDUCATION

Resolved, That there be granted to Her Majesty a sum not exceeding \$1,000,000 to defray the expenses of the following program:

Public Schools - Capital Equipment .....1,000,000

The said item was concurred in by the House.

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