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Thursday, January 10, 2002.

8.30 o'clock a.m.

Prayers.

Mr. Laforest, Member for Grand Falls Region, laid upon the table of the House a petition signed by residents of his constituency who request financial assistance for a gymnasium and a cafeteria at l'École Marie-Immaculée. (Petition 6)

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Mr. Williams, from the Select Committee on Local Governance and Regional Collaboration, presented the First Report of the Committee which was read and is as follows:

January 9, 2002.

To the Honourable  
The Legislative Assembly of  
The Province of New Brunswick.

Mr. Speaker:

Your Select Committee on Local Governance and Regional Collaboration begs leave to submit this, their First Report.

Pursuant to Standing Rule 99, the Clerk of the House convened a meeting of the Select Committee on Local Governance and Regional Collaboration on Tuesday, January 8, 2002, in the Legislative Council Chamber and presided over the election of a Chairperson and a Vice-chairperson.

On motion of Mr. MacKenzie, seconded by Mr. Carr, Mr. Williams was elected Chair of the Committee and on motion of Mr. Moore, seconded by Ms. M. Dubé, Mr. Sherwood was elected Vice-chair.

And your Committee begs leave to make a further report.

(Sgd. :) Claude Williams, M.L.A.  
Chairperson.

Ordered that the Report be received, that leave be granted and the Committee continued.

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Hon. Mr. Green, the Government House Leader, announced that with the consent of the House to dispense with Private Members' Motions, it was the intention of the government that following third reading the House would resolve into a Committee of the Whole to consider legislation; namely, Bills 19 and 21; and that there was agreement to reduce the noon recess to 30 minutes and to adjourn the House at 6.30 o'clock p.m.

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The order being read for third reading of Bill 17, *Regional Health Authorities Act*, a debate arose thereon.

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

AMENDMENT

THAT the motion for third reading be amended by deleting all the words after the word “that” and substituting the following:

Bill No. 17 be not now read a third time but that the order for third reading be discharged and the Bill be recommitted to the Committee of the Whole to reconsider the amendment:

By adding after paragraph 34(c)

(d) health services are delivered in accordance with the *Official Languages Act*.

And the question being put, a debate arose thereon.

Hon. E. Robichaud stood on a point of order and submitted that the amendment was out of order.

At 9.48 o'clock a.m., Mr. Speaker declared a recess to consider the matter and left the chair.

10.10 o'clock p.m.

Mr. Speaker resumed the chair and delivered the following statement:

STATEMENT BY SPEAKER

Honourable members, I have considered the amendment to the third reading motion, moved by the member for Fundy Isles. It is an unusual proposal for us, but it is not unusual in the Canadian context.

First, let me say that it is clear that the House maintains the right to recommit a bill back to committee, with specific instructions. This can be done by an amendment to the motion for third reading. I will quote from *Beauchesne's Parliamentary Rules & Forms*:

**§737.** (1) A bill may be recommitted to a Committee of the Whole or to a committee by a Member moving an amendment to the third reading motion.

(2) Any Member may move to recommit a bill for one of the following purposes:

(b) to enable the committee to reconsider amendments that have previously been made.

**§738.** Only that part of the bill as is specified in the order for recommitment is considered in the committee. If a bill is recommitted in respect of specified amendment to a clause, only those amendments and amendments that are relevant to them may be moved.

**§739.** *A bill may be recommitted a number of times with or without limitations.*

That is somewhat definitive. I do not think it is necessary to also read from *Marleau and Montpetit*, which says in different words and reiterates the same thing. This precedent has been used relatively recently in Saskatchewan with respect to the budget. It is not totally unheard of.

The amendment will stand.

And the debate continuing,

And the debate being ended and the question being put, the amendment was negated.

Debate resumed on the motion that Bill 17, *Regional Health Authorities Act*, be now read a third time.

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

Accordingly, Bill 17, *Regional Health Authorities Act*, was read a third time and passed.

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The following Bills were read a third time:

Bill 18, *An Act Respecting the Regional Health Authorities Act.*

Bill 23, *An Act to Amend the Motor Vehicle Act.*

Bill 25, *An Act to Amend the Electric Power Act.*

Ordered that the said Bills do pass.

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It was agreed by unanimous consent to dispense with the order of Private Members' Motions.

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

At 12.30 o'clock, the Chairman left the chair to resume again at 1 o'clock p.m.

*1 o'clock p.m.*

The Committee resumed with Mr. Ashfield in the chair.

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

And after some further time, Mr. J. Betts took the chair as Acting Chairman.

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

Following consideration of Bill 21, *An Act to Amend the Gasoline and Motive Fuel Tax Act*, the Chairman put the question that he report the

Bill as agreed to and the motion was carried on the following recorded division:

	YEAS - 25	
Hon. Mr. Green	Mr. Cosman	Mr. Huntjens
Hon. E. Robichaud	Mr. Carr	Mr. Savoie
Mr. Sherwood	Mr. Jordan	Mr. MacKenzie
Hon. Mrs. Jardine	Mr. Malley	Ms. Dubé
Hon. Mr. Volpé	Mr. MacDonald	Mr. Alward
Hon. Mr. Weston	Mr. Holder	Mr. Dubé
Mr. J. Betts	Mr. Kinney	Mr. Moore
Mrs. Fowlie	Mr. Laforest	Mr. Williams
Mr. LeBlanc		
	NAYS - 4	
Mr. Richard	Mr. S. Graham	Ms. Weir
Mr. Haché		

And after some further time spent in Committee of the Whole, Mr. Speaker resumed the chair and Mr. Bernard, 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 the following Bill agreed to as presented:

Bill 21, *An Act to Amend the Gasoline and Motive Fuel Tax Act.*

And that the Committee had directed him to report the following Bill agreed to as amended:

Bill 19, *An Act to Amend the Assessment 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.

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Mr. Speaker, at the request of Hon. Mr. Green, reverted to the order of Government Motions for the Ordering of the Business of the House.

On motion of Hon. Mr. Green, seconded by the Hon. Mr. Lord:

RESOLVED, that when the House adjourns, it stand adjourned until Friday, January 11, 2002, at 9.30 o'clock a.m.

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And then, 4.30 o'clock p.m., the House adjourned.