

Daily sitting 9

Thursday, December 10, 2020

10 o'clock a.m.

Prayers.

Following Oral Questions, Hon. Mr. Savoie rose on a point of order and submitted that Mr. Melanson used unparliamentary language when he stated that Hon. Mr. Fitch had not answered questions “in a truthful manner”. Mr. Melanson withdrew the remark.

Hon. Mr. Flemming laid upon the table of the House documents entitled *Annual Report 2018, Office of the Chief Coroner* and *Annual Report 2019, Office of the Chief Coroner*.

The following Bill was introduced and read a first time:

By Mr. Gauvin,

Bill 26, *An Act to Amend The Residential Tenancies Act*.

Hon. Mr. Savoie, Government House Leader, announced that it was the intention of government that Bill 21 be called for second reading until 12 p.m.; following which the House would resume at 2.30 p.m. for Opposition Members' Business.

Debate resumed on the adjourned debate on the amendment to the motion that Bill 21, *An Act to Amend the Industrial Relations Act*, be now read a second time, moved by Mr. Coon, seconded by Ms. Mitton, on Wednesday, December 9, 2020.

And the debate being ended, and the question being put, the amendment was defeated on the following recorded division:

YEAS - 21

Mr. Arseneault
Ms. Thériault
Mr. Melanson
Mr. McKee
Ms. Landry
Ms. Harris
Mr. Coon

Mr. LeBlanc
Mr. K. Chiasson
Mr. C. Chiasson
Mr. Bourque
Mr. LePage
Mr. D'Amours
Ms. Mitton

Ms. Conroy
Mr. Legacy
Mr. Guitard
Mr. Gauvin
Mr. Mallet
Mr. Landry
Mr. Arseneau

 NAYS - 26

Hon. Mr. Holder	Hon. Mr. Holland	Ms. Bockus
Hon. Mr. Savoie	Hon. Ms. Green	Mr. Cullins
Hon. Mr. Higgs	Hon. Ms. Dunn	Ms. Anderson-Mason
Hon. Mr. Steeves	Hon. Mr. Cardy	Mr. Hogan
Hon. Ms. Shephard	Hon. Ms. Scott-Wallace	Mr. Stewart
Hon. Mr. Flemming	Hon. Mr. Allain	Mr. Ames
Hon. Mr. Fitch	Hon. Ms. Johnson	Mr. Carr
Hon. Ms. M. Wilson	Mr. Wetmore	Mr. Turner
Hon. Mr. Crossman	Ms. S. Wilson	

And the debate being ended, and the question being put that Bill 21 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 21, *An Act to Amend the Industrial Relations Act*, was read a second time and ordered referred to the Standing Committee on Economic Policy, as designated by the Government House Leader.

At 12 p.m. the House recessed. At 2.47 p.m. the House resumed.

Mr. Speaker delivered the following ruling:

STATEMENT BY SPEAKER

Members,

There is a long-standing convention in our House and in other legislatures across Canada and the Commonwealth, that the use of props is not permitted.

To quote the *House of Commons Procedure and Practice*, Third Edition, at page 617:

Speakers have consistently ruled that visual displays or demonstrations of any kind used by Members to illustrate their remarks or emphasize their positions are out of order. Similarly, props of any kind have always been found to be unacceptable in the Chamber.

Today, it has been brought to my attention that we have a number of Members in the Chamber who are wearing masks with a message that is causing some disorder with other Members. As such, while the nature of the message is certainly a matter of great importance, and I respect the Members for their compassion, I would ask that the Members please remove and replace the masks in question.

Mr. Coon requested clarification on the acceptability of certain masks. Mr. Speaker advised that masks which may cause disruption or could be perceived as problematic with other Members would not be allowed.

Pursuant to Notice of Motion 3, Ms. Harris moved, seconded by Mr. Arseneault:

WHEREAS the chiefs of the Wolastoqey and Mi'kmaq First Nations have written to the Premier asking for an inquiry into systemic racism in New Brunswick criminal justice and policing;

WHEREAS the information and recommendations from an inquiry should provide valuable insight into what measures can be adopted to best address the serious issue of racism in our criminal justice and policing systems;

WHEREAS the Premier of Nova Scotia has recently apologized for systemic racism in that province's justice system, that province has introduced significant reforms, and it has committed to additional reforms;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to appoint a commission of inquiry into systemic racism in New Brunswick criminal justice and policing under section 2 of the *Inquires Act*;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to appoint Indigenous commissioners and use the terms of reference developed by Indigenous leaders in the constitution of this inquiry;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to implement all of the recommendations of this inquiry.

And the question being put, a debate ensued.

And after some time, Hon. Ms. Dunn, seconded by the Honourable the Premier, moved in amendment:

AMENDMENT

That Motion 3 be amended by striking out all three resolution clauses and substituting the following:

“BE IT THEREFORE RESOLVED that the Legislative Assembly acknowledge the existence of systemic racism and the need to undertake vital steps to eliminate it in all its forms;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to continue consultations with First Nations communities to identify a plan to address systemic racism;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to take immediate and tangible actions to ensure that the fundamental equality of all persons is promoted and celebrated;

BE IT FURTHER RESOLVED that the Legislative Assembly support the work of the All Nations and Parties Working Group on Truth and Reconciliation, which is a committee that includes members from the Mi'kmaq, Wolastoqey and Peskotomuhkati Nations and all four political parties represented in the Legislative Assembly.”

Mr. Speaker put the question on the proposed amendment and a debate ensued.

At 3.23 p.m. the House recessed. At 3.30 p.m. the House resumed

Mr. Arseneault rose on a point of order and submitted that the amendment was out of order as it negated the intent of the motion. Mr. Speaker ruled the point not well taken.

Mr. Arseneault rose on a point of order and submitted that based on the previous ruling, the Speaker appeared to have received a copy of the amendment in advance of the Opposition. Mr. Speaker advised that amendments are often submitted to the Clerk's Office for review prior to their introduction in the House.

And after some time, Ms. Anderson-Mason, the Deputy Speaker, took the chair as Acting Speaker.

And after some further time, Mr. McKee, seconded by Mr. Arseneault, moved a sub-amendment:

SUB-AMENDMENT

That the amendment to Motion 3 be amended by adding the following after the last resolution clause:

“BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to appoint a commission of inquiry into systemic racism in the New Brunswick criminal justice and policing systems under section 2 of the *Inquiries Act* using the term of reference developed by Indigenous leaders, with Indigenous commissioners appointed to the commission.”

Hon. Mr. Savoie rose on a point of order and submitted that the sub-amendment was out of order as it reintroduced the wording that the amendment proposed to remove.

At 3.53 p.m. the House recessed. At 4.02 p.m. the House resumed

Madam Deputy Speaker ruled the point well taken and advised the House that the sub-amendment was out of order as it was clearly an attempt to negate the amendment under consideration.

And after some time, Mr. Coon, seconded by Ms. Mitton, moved a sub-amendment:

SUB-AMENDMENT

That the amendment to Motion 3 be amended in the first resolution clause by adding after “forms” the following: “, including investigations of a form agreed to by Wolastoqey, Mi’kmaw and Peskotomuhkati Chiefs”.

Madam Deputy Speaker put the question on the proposed sub-amendment and a debate ensued.

At 4.29 p.m. the House recessed. At 4.35 p.m. the House resumed

And the debate being ended, and the question being put, the sub-amendment was defeated on the following recorded division:

YEAS - 23

Mr. Arseneault	Mr. LeBlanc	Mr. Legacy
Ms. Thériault	Mr. K. Chiasson	Mr. Guitard
Mr. Melanson	Mr. C. Chiasson	Mr. Gauvin
Mr. McKee	Mr. Bourque	Mr. Mallet
Ms. Landry	Mr. LePage	Mr. Landry
Ms. Harris	Mr. D'Amours	Mr. Arseneau
Mr. Coon	Ms. Mitton	Mr. Stewart
Mr. Austin	Ms. Conroy	

NAYS - 24

Hon. Mr. Holder	Hon. Mr. Crossman	Mr. Wetmore
Hon. Mr. Savoie	Hon. Mr. Holland	Ms. S. Wilson
Hon. Mr. Higgs	Hon. Ms. Green	Ms. Bockus
Hon. Mr. Steeves	Hon. Ms. Dunn	Mr. Cullins
Hon. Ms. Shephard	Hon. Mr. Cardy	Mr. Hogan
Hon. Mr. Flemming	Hon. Ms. Scott-Wallace	Mr. Ames
Hon. Mr. Fitch	Hon. Mr. Allain	Mr. Carr
Hon. Ms. M. Wilson	Hon. Ms. Johnson	Mr. Turner

Madam Deputy Speaker put the question on the amendment and it was adopted.

Madam Deputy Speaker put the question on Motion 3 as amended as follows:

WHEREAS the chiefs of the Wolastoqey and Mi'kmaq First Nations have written to the Premier asking for an inquiry into systemic racism in New Brunswick criminal justice and policing;

WHEREAS the information and recommendations from an inquiry should provide valuable insight into what measures can be adopted to best address the serious issue of racism in our criminal justice and policing systems;

WHEREAS the Premier of Nova Scotia has recently apologized for systemic racism in that province's justice system, that province has introduced significant reforms, and it has committed to additional reforms;

BE IT THEREFORE RESOLVED that the Legislative Assembly acknowledge the existence of systemic racism and the need to undertake vital steps to eliminate it in all its forms;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to continue consultations with First Nations communities to identify a plan to address systemic racism;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to take immediate and tangible actions to ensure that the fundamental equality of all persons is promoted and celebrated;

BE IT FURTHER RESOLVED that the Legislative Assembly support the work of the All Nations and Parties Working Group on Truth and Reconciliation, which is a committee that includes members from the Mi'kmaq, Wolastoqey and Peskotomuhkati Nations and all four political parties represented in the Legislative Assembly.

And the question being put, Motion 3 as amended was resolved in the affirmative on the following recorded division:

YEAS - 24

Hon. Mr. Holder	Hon. Mr. Crossman	Mr. Wetmore
Hon. Mr. Savoie	Hon. Mr. Holland	Ms. S. Wilson
Hon. Mr. Higgs	Hon. Ms. Green	Ms. Bockus
Hon. Mr. Steeves	Hon. Ms. Dunn	Mr. Cullins
Hon. Ms. Shephard	Hon. Mr. Cardy	Mr. Hogan
Hon. Mr. Flemming	Hon. Ms. Scott-Wallace	Mr. Ames
Hon. Mr. Fitch	Hon. Mr. Allain	Mr. Carr
Hon. Ms. M. Wilson	Hon. Ms. Johnson	Mr. Turner

NAYS - 23

Mr. Arseneault	Mr. LeBlanc	Mr. Legacy
Ms. Thériault	Mr. K. Chiasson	Mr. Guitard
Mr. Melanson	Mr. C. Chiasson	Mr. Gauvin
Mr. McKee	Mr. Bourque	Mr. Mallet
Ms. Landry	Mr. LePage	Mr. Landry
Ms. Harris	Mr. D'Amours	Mr. Arseneau
Mr. Coon	Ms. Mitton	Mr. Stewart
Mr. Austin	Ms. Conroy	

And then, 5.56 p.m., the House adjourned.