
Daily sitting 14

Friday, December 18, 2020

9 o'clock a.m.

Prayers.

Mr. Turner, from the Standing Committee on Economic Policy, presented the Fifth Report of the Committee for the session which was read and is as follows:

December 18, 2020

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

Mr. Speaker:

Your Standing Committee on Economic Policy begs leave to submit this, their fifth report.

Your Committee met on December 17 and had under consideration:

Bill 13, *An Act to Amend the Motor Vehicle Act*;
Bill 14, *An Act Respecting the Enduring Powers of Attorney Act and the Wills Act*;
Bill 22, *An Act to Amend the Liquor Control Act*;

and have agreed to the same.

And your Committee begs leave to make a further report.

(Sgd. :) Greg Turner, M.L.A.
Chair

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.

Ms. Anderson-Mason, from the Legislative Administration Committee, presented the First Report of the Committee for the session which was read and is as follows:

December 18, 2020

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

Mr. Speaker:

Your Committee on Legislative Administration begs leave to submit this their First Report.

On October 26, 2020, Mr. Donald J. Forestell informed the Speaker of the Legislative Assembly of his decision to retire as Clerk of the Legislative Assembly effective November 13, 2020.

Mr. Forestell began his career at the Legislative Assembly in 1993 as Clerk Assistant. He was appointed Clerk of the Legislative Assembly by resolution of the House on June 7, 2012.

The Committee wishes to express its sincere appreciation to the Clerk of the Legislative Assembly, Mr. Forestell, for his professionalism, dedication, and exemplary service to the Legislative Assembly and the Province.

The Clerk of the Legislative Assembly is the chief permanent officer of the Legislature and the principal authority on the laws, practices and privileges of Parliament. The Clerk's responsibilities include advising the Speaker and Members on questions of parliamentary law, procedure, and interpretation of the rules and practices of the House. The Clerk is also responsible for the overall administration of the Legislative Assembly and is Secretary of the Legislative Administration Committee. The Clerk serves all Members equally, regardless of party affiliation, and must act with impartiality and discretion.

At a meeting held December 17, 2020, the Committee agreed that Mr. Shayne Davies, Acting Clerk of the Legislative Assembly, had the necessary qualifications and 20 years of experience at the Table to serve as the next Clerk of the House.

Your Committee therefore recommends to the House that Shayne Davies be appointed Clerk of the Legislative Assembly effective December 18, 2020.

And your Committee asks leave to make a further report.

(Sgd.): Andrea Anderson-Mason, Q.C., M.L.A.
Deputy Speaker and Member of the
Legislative Administration Committee

Ordered that the report be received, and leave granted.

With leave of the House, the Honourable the Premier moved, seconded by Mr. Melanson: (Motion 27)

WHEREAS Donald J. Forestell, was appointed Clerk of the Legislative Assembly by resolution of the House adopted June 7, 2012;

WHEREAS Mr. Forestell retired as Clerk of the Legislative Assembly on November 13, 2020;

WHEREAS the Clerk of the Legislative Assembly shall be appointed by the Legislative Assembly on the recommendation of the Legislative Administration Committee pursuant to subsection 41(2) of the *Legislative Assembly Act*;

WHEREAS the Legislative Administration Committee has recommended the appointment of Shayne Davies as Clerk of the Legislative Assembly;

BE IT THEREFORE RESOLVED that this Assembly appoint Shayne Davies, Clerk of the Legislative Assembly, effective this day, Friday, December 18, 2020.

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

It was agreed by unanimous consent that Bills 13, 14 and 22 be ordered for third reading.

Hon. Mr. Savoie, Government House Leader, announced that following third reading, it was the intention of government that the House consider an adjournment motion; following which Royal Assent would take place.

The following Bills were read a third time:

Bill 6, *Family Law Act*.

Bill 7, *An Act Respecting the Family Law Act*.

Bill 8, *An Act to Amend the Executive Council Act*.

Bill 12, *Construction Remedies Act*.

Ordered that the said Bills do pass.

The Order being read for third reading of Bill 13, *An Act to Amend the Motor Vehicle Act*, a debate arose thereon.

And after some time, Mr. Arseneau, seconded by Ms. Mitton, 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 13, *An Act to Amend the Motor Vehicle Act*, be not now read a third time but that the order for third reading be discharged and the subject matter of the Bill referred to the Standing Committee on Law Amendments.”

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

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

YEAS - 19

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

NAYS - 27

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	Ms. Conroy

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

Accordingly, Bill 13, *An Act to Amend the Motor Vehicle Act*, was read a third time and passed.

The following Bills were read a third time:

Bill 14, *An Act Respecting the Enduring Powers of Attorney Act and the Wills Act*.

Bill 22, *An Act to Amend the Liquor Control Act*.

Bill 23, *An Act to Amend the Municipal Elections Act*.

Bill 24, *An Act to Amend the Electricity Act*.

Ordered that the said Bills do pass.

On motion of Hon. Mr. Savoie, seconded by the Honourable the Premier:

RESOLVED, that when the Assembly adjourns at the end of this sitting day, it stand adjourned until Friday, February 12, 2021, provided always that if it appears to the satisfaction of Mr. Speaker, after consultation with the Government, that the public interest requires that the House should meet at an earlier time during the adjournment or that the adjournment should continue beyond Friday, February 12, 2021, Mr. Speaker may give notice that he is so satisfied and in such notice may state a time at which the House shall meet, and thereupon the House shall meet at the time so stated and shall transact its business as if it has been duly adjourned to that time, or in such notice may state that the adjournment shall continue until further notice is given by the Speaker, and

THAT in the event of Mr. Speaker being unable to act owing to illness or other cause, either of the Deputy Speakers shall act in his stead for the purpose of this order.

Her Honour, the Lieutenant-Governor, was announced, and having been bidden to enter, took her seat in the chair upon the Throne.

Mr. Speaker addressed Her Honour as follows:

May It Please Your Honour:

The Legislative Assembly of the Province of New Brunswick has passed several Bills at the present sittings of the Legislature to which, in the name and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

The Clerk then read the titles of the Bills as follows:

- Bill 2, *An Act to Amend the Climate Change Act.*
- Bill 4, *An Act to Amend the Assessment Act.*
- Bill 5, *An Act to Amend the Assessment Act.*
- Bill 6, *Family Law Act.*
- Bill 7, *An Act Respecting the Family Law Act.*
- Bill 8, *An Act to Amend the Executive Council Act.*
- Bill 9, *Gunshot and Stab Wound Mandatory Reporting Act.*
- Bill 10, *An Act to Amend the Coroners Act.*
- Bill 11, *An Act to Amend the Queen's Counsel and Precedence Act.*
- Bill 12, *Construction Remedies Act.*

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- Bill 13, *An Act to Amend the Motor Vehicle Act.*
Bill 14, *An Act Respecting the Enduring Powers of Attorney Act and the Wills Act.*
Bill 21, *An Act to Amend the Industrial Relations Act.*
Bill 22, *An Act to Amend the Liquor Control Act.*
Bill 23, *An Act to Amend the Municipal Elections Act.*
Bill 24, *An Act to Amend the Electricity Act.*
Bill 25, *An Act to Remove Certain Restrictive Covenants on Title to Certain Lands in The City of Saint John vested in Plazacorp Property Holdings Inc.*
Bill 30, *Supplementary Appropriations Act 2018-2019 (1).*
Bill 31, *Supplementary Appropriations Act 2020-2021 (1).*

Her Honour signified Her Assent as follows:

It is the Queen's wish. La reine le veut.

To these Bills, Her Honour's assent was announced by the Clerk of the Legislative Assembly in the following words:

In Her Majesty's name, Her Honour the Lieutenant-Governor assents to these Bills, enacting the same and ordering them to be enrolled.

Her Honour then retired and Mr. Speaker resumed the chair.

And then, 11.42 a.m., the House adjourned.