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No. 1

Wednesday, October 25, 1995.

PROCLAMATION

WHEREAS the Fourth session of the Fifty-second Legislative Assembly of this Province was dissolved on the twelfth day of August, 1995;

AND WHEREAS I have thought fit to call the First Session of the Fifty-third Legislative Assembly of this Province into session, I hereby issue a Proclamation that the same be called to meet on the twenty-fifth day of October, 1995.

Given under my hand and the Great Seal of the Province at Fredericton this twenty-eighth day of September, in the year of our Lord One Thousand Nine Hundred and Ninety-Five and in the forty-fourth year of Her Majesty's Reign.

BY COMMAND OF THE LIEUTENANT-GOVERNOR

Paul Duffie, Q.C. Margaret Norrie McCain

Attorney General Lieutenant-Governor

This being the day appointed for the opening of the First Session of the Fifty-third Legislative Assembly of the Province of New Brunswick for the dispatch of business pursuant to the proclamation hereinbefore annexed, and the oath having been already administered to the Members of the Legislative Assembly as named in the roll, delivered to the Clerk of the House by the Hon. Ann Breault, the Minister of Municipalities, Culture and Housing, the said Members took their seats in the House.

The Clerk of the Legislative Assembly then addressed herself to the House as follows:

Members of the Legislative Assembly:

I am commanded by His Honour, the Administrator, the Honourable William L. Hoyt, Chief Justice of New Brunswick, to inform you that he doth not think fit to declare the causes for which the Lieutenant-Governor has summoned this Legislative Assembly until a Speaker thereof shall have been chosen.

It is therefore His Honours will that you, the Members of the Legislative Assembly, do proceed forthwith to choose a fit and proper person to be your Speaker, and that you present the person so chosen to His Honour in this Assembly Chamber this afternoon for His Honours approbation.

The House paid tribute to former Speaker Shirley Dysart for her contribution to the Assembly and to the people of New Brunswick, noting that she was the first woman Speaker of the Legislative Assembly of New Brunswick.

Election of Speaker

The House then proceeded to the election of a Speaker pursuant to the provisions of Standing Rule 11.

The Clerk informed the House of the list of Members eligible for the first ballot as follows:

GAY, Danny

O'DONNELL, Greg

Pursuant to Standing Rule 11(8)(e), the Clerk then invited Members to cast their ballots.

The Clerk informed the House that all Members having voted, pursuant to the provisions of the Standing Rules, the Clerks-at-the Table would retire and proceed with the counting of the ballots. Before suspending the sitting, the Clerk brought to the attention of the honourable Members that when the counting of the ballots was completed, the bells to call the Members back to the House would sound for not more than five minutes.

At 2.57 o'clock p.m. the sitting was suspended during the counting of the ballots.

At 3.21 o'clock p.m. the sitting resumed.

Pursuant to Standing Rule 11(8)(g), the Clerk announced that Danny Gay, Member for the Electoral District of Miramichi Bay, had been duly elected as Speaker of the House.

Mr. O'DONNELL, Member for Memramcook-Dieppe and Mr. Robichaud, Member for Tracadie-Sheila, escorted Mr. Gay to the dais where, standing on the upper step, he addressed the House as follows:

Members of the Legislative Assembly, I have a few traditional words that I have to repeat, and I will follow that with a few comments as well.

Members of the Legislative Assembly:

It is my pleasure today to express my grateful and humble acknowledgment to the House for the great honour you have been pleased to confer on me by choosing me to be your Speaker.

Conscious as I am of my comparative inexperience of parliamentary procedure, I should have hesitated before accepting a position involving so much responsibility were it not for the fact that I shall be able at all times to rely with confidence upon the courtesy, forbearance and kindness of every member of the Assembly.

Again thanking you, I now submit myself to the House.

Those were traditional words, and they are very true words.

I would first like to congratulate my colleague and friend from Dieppe-Memramcook, who also ran for the office of Speaker of the Legislative Assembly here today.

I know that all honourable members of our Legislature join me in thanking my predecessor, Shirley Dysart, for presiding over the deliberations of the Legislature in a most exemplary manner, and I wish to add my congratulations and thanks to the words of the Premier today. I can tell you that she will be a tremendously difficult person to follow.

I would like to take this opportunity to thank our Clerk, her able assistant and the pages for the professional and efficient manner in which they conducted the proceedings here this afternoon.

Thanks to all of you, honourable colleagues from both sides of the House, for the support you have shown me today.

The tradition of being dragged and pushed by colleagues on taking the office of Speaker is well founded. The office of Speaker is such a great responsibility that no one feels thoroughly up to the job. I myself also feel unequal to these responsibilities of Speaker. I ask for your patience and cooperation, especially in the first days and weeks, as I gain experience. I will do my best to be worthy of the office.

The importance of allegiance to the Chamber by the Speaker was clearly demonstrated in 1642 when King Charles I burst into the Chamber and demanded the arrest of five of the members on a charge of treason. The Speaker, as guardian of the rights of the members, refused. Falling on his knees, he said to the King:

May it please Your Majesty, I have neither eyes to see, nor tongue to speak in this place, but as this House is pleased to direct me, whose servant I am here; and I humbly beg Your Majesty's pardon that I can give any other answer than this, to what Your Majesty is pleased to demand of me.

I hope I will never have to go that far in my duties as Speaker and in protecting the rights of our Chamber, but I can tell you that I will do my utmost to be fair and impartial in my rulings. The Speaker must also see that proper decorum, dignity and respect in the Chamber be upheld at all times. This respect toward one another can only be sustained by a commitment from all members to continue in the mode that I have observed over the past eight years.

I take this opportunity to congratulate you on your election victories in your ridings.

It is a special thing to win in our respective ridings, but it is very special to win when honourable colleagues from both sides of the House have seen fit to choose their Speaker. I again thank you for that. I would like to thank my wife, my children and my family for the steadfast support which they have shown me from Day One of my political involvement. I would also like to thank the voters of Miramichi

Bay for reelecting me to the Legislature on September 11. Again, thank you for the confidence you are showing in me.

Thank you very much.

Thereupon Mr. Gay took the chair, and the mace was placed upon the Clerks Table.

His Honour the Administrator then entered the House and took his seat in the chair upon the Throne.

The Speaker then addressed His Honour to the following effect:

May It Please Your Honour:

Your Honour having communicated your pleasure to the House, they proceeded to choose a Speaker. They have elected me to that important and honourable position, and I am now presented for Your Honour's approval.

The Clerk of the House then said:

Mr. Gay, I am commanded by His Honour the Administrator to declare to you that he is fully sensible of your zeal for the public service and of your sufficiency to execute the duties of the office to which you have been elected by the Legislative Assembly, and that he doth readily approve of their choice, and allow and confirm you to be their Speaker.

Mr. Speaker then addressed His Honour in the following words:

May It Please Your Honour:

Your Honour having been pleased to approve the choice of the Assembly in electing me to be their Speaker, it now becomes my duty in the name and on behalf of the Assembly, to claim and demand that they have all their ancient and accustomed rights and privileges, especially freedom from arrest, freedom of speech in debate, access to Your Honour when they think the public service requires it, and that the most favourable construction be put on all their proceedings and on my own behalf I have to request that any error of mine may not be imputed to the Assembly.

To which the Clerk of the House replied:

Mr. Speaker, His Honour hath the utmost confidence in the loyalty and attachment of this Assembly of Her Majesty's person and government and in the wisdom, temper and prudence which will accompany all their proceedings, and he doth most readily and willingly grant and allow them all their privileges in as full and ample a manner as they have at any time heretofore been granted and allowed.

With respect to yourself, Mr. Speaker, though His Honour is sensible that you do not stand in need of such assurance, His Honour will ever put the most favourable construction on your words and actions.

His Honour the Administrator then delivered the following speech:

Mr. Speaker and Honourable Members of the Legislative Assembly:

It is my great pleasure to greet you on behalf of Her Majesty the Queen.

My Government is not prepared to commence a legislative session at this time; however, you will be asked to consider a matter of

critical importance to this country, at today's sitting of the House.

My Government intends to propose a resolution asking that this Legislative Assembly, on behalf of the people of New Brunswick express its deep affection for and kinship with the people of Quebec, affirm its profound belief in the capacity of the Canadian federation to evolve in a way that fulfils the aspirations of the people of Quebec within Canada and, as an Assembly, resolve to vigorously support future measures which promote this evolution, including the recognition of Quebec as a distinct society within Canada.

Honourable Members of this most distinguished Assembly, I wish you success.

May Divine Providence guide you in your deliberations.

His Honour the Administrator then retired.

Mr. Speaker resumed the chair.

Government Motion Notice having been dispensed with by unanimous consent, Hon. Mr. McKenna moved the following resolution, seconded by Hon. Mr. Valcourt:

WHEREAS Quebec's presence and vitality have enriched this continent for centuries and have helped to dynamically shape this country for 128 years;

WHEREAS New Brunswick and Quebec were founding members of the Canadian federation and have historically favoured arrangements that protect the uniqueness of each;

WHEREAS New Brunswick takes pride in the respect which characterizes life within and between our two linguistic communities;

WHEREAS Quebecers and other Canadians take pride in the survival and flourishing of the French language, culture and unique institutions within Quebec;

WHEREAS New Brunswick has always recognized the distinctness of Quebec and fervently wishes that this distinctness be preserved and promoted as part of Canada;

WHEREAS the Canadian federation has repeatedly proven its inherent flexibility and its capacity to meet the diverse needs and aspirations of Canadians;

WHEREAS Quebecers have made magnificent contributions to the development of Canada and can feel deep pride in sharing Canada's internationally recognized reputation as the best country in the world in which to live;

WHEREAS New Brunswickers recognize that the people of Quebec face an historic decision on October 30th;

NOW THEREFORE this Legislative Assembly, on behalf of the people of New Brunswick expresses its deep affection for and kinship with the people of Quebec, affirms its profound belief in the capacity of the Canadian federation to evolve in a way that fulfils the aspirations of the people of Quebec within Canada and, as an Assembly, resolves to vigorously support future measures which promote this evolution, including the recognition of Quebec as a distinct society within Canada

Mr. Speaker, having read the motion, put the question, and a debate ensued.

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

Hon. Mr. Richard, Minister of State for Intergovernmental Affairs and Member for Shediac-Cap-Pelé, welcomed to the Chamber a delegation of South African parliamentarians.

The Clerk of the Legislative Assembly, Loredana Catalli Sonier, communicated to the House the following message from the Honourable William L. Hoyt, Chief Justice of New Brunswick, in his capacity as the Administrator :

Mr. Speaker and Members of the Legislative Assembly, I am commanded by His Honour the Administrator to inform you that it is the pleasure of Her Honour the Lieutenant-Governor that this Legislative Assembly attend before Her Honour in this Assembly Chamber at three o'clock p.m. on Tuesday, February 6, 1996, at which time Her Honour the Lieutenant-Governor will formally open the First Session of the Fifty-third Legislature of the Province of New Brunswick.