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**JOURNALS**

OF THE

**LEGISLATIVE ASSEMBLY**

OF THE

**PROVINCE OF NEW BRUNSWICK**

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**THIRD SESSION OF THE FIFTY-THIRD**  
**LEGISLATIVE ASSEMBLY, 1997-1998**

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**THE HONOURABLE MARILYN TRENHOLME COUNSELL**  
**LIEUTENANT-GOVERNOR**

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Fredericton, N.B.

Tuesday, November 4, 1997.

*3 o'clock p.m.*

**PROCLAMATION**

**WHEREAS** the second session of the fifty-third Legislative Assembly of this Province was prorogued on the twenty-eighth day of February, 1997;

**AND WHEREAS** I have thought fit to call the third 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 fourth day of November, 1997.

Given under my hand and the Great Seal of the Province at Fredericton this twenty-third day of October, 1997, in the forty-sixth year of Her Majesty's reign.

**BY COMMAND OF THE LIEUTENANT-GOVERNOR**

James E. Lockyer, Q.C.  
Attorney General W. L. Hoyt  
Administrator

This being the day appointed for the opening of the Third 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 Members being present:

The Clerk of the Legislative Assembly, prior to the arrival of Her Honour the Lieutenant-Governor within the Chamber, arose in her place at the Table and addressed the Assembly as follows:

Members of the Legislative Assembly:

I have received from the Minister of Municipalities, Culture and Housing the certificate of the resignation of Mr. Speaker Danny Gay which reads as follows:

*This is to certify that pursuant to section 18 of the Legislative Assembly Act the Hon. Donald David Gay, Speaker of the Legislative Assembly of this province, resigned the said office by written resignation on the 22nd day of July, 1997.*

*Given under my hand and seal at Fredericton, the 28th day of October, A.D. 1997.*

(Sgd. :) Ann Breault  
Minister of Municipalities, Culture and Housing

I have informed the Lieutenant-Governor of the vacancy in the Office of Speaker, and I am commanded by Her Honour the Lieutenant-Governor to inform you that she doth not think fit to declare the causes for which she has summoned this Legislative Assembly until a Speaker thereof shall have been chosen.

It is therefore Her Honour's 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 Her Honour in this Assembly Chamber this afternoon for Her Honour's approbation.

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### **Election of Speaker**

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

ALLABY, Eric  
McKAY, John

The Clerk informed the House that pursuant to the provisions of Standing Rule 11 of the *Standing Rules of the Legislative Assembly*, it was her duty to preside over the election of Speaker.

The Clerk then proceeded to give an explanation of the process of election of Speaker:

I will briefly explain the election process. I will call all members forward to cast their ballots at either of the voting booths provided. After all members present have had an opportunity to cast their ballots, the sitting will be suspended and the Clerks will retire to count the ballots. After the ballots have been destroyed, the Clerks will return to the Chamber. If one candidate receives a majority of the votes cast, that candidate will be declared elected Speaker. If no candidate receives a majority of votes cast, a second, and if necessary, subsequent ballots will be conducted until a member has been elected.

The voting booths and ballot tables on either side of the throne are now open.

Members should proceed to the appropriate voting booth in accordance with the floor plan on their desk to pick up ballot papers and vote for the candidate of their choice by printing on the ballot the first and last name of the candidate. Members should deposit their ballots in the ballot box at the foot of the table.

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

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

At 3.49 o'clock p.m. the sitting resumed.

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

Mr. Eric Allaby, Member for Fundy Isles and Mr. Elvy Robichaud, Member for Tracadie-Sheila and Leader of the Opposition, escorted Mr. McKay to the dais where, standing on the upper step, he addressed the House as follows:

Ladies and gentlemen, Members of the Legislature, colleagues:

This is supposed to be a very dangerous office to hold. If you will bear with me, I will offer the House a few short remarks.

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

Conscious as I am of my comparative inexperience in 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.

I have had the privilege of being in this House and serving under six different Speakers. I have even had the privilege of being kicked out of this House by one of them. I am told that being evicted from the House once in one's career marks him as a fighter. Being evicted from this House more than once in his career marks him as a fool. I would ask honourable members to remember that.

The six Speakers with whom I am most familiar were all unique in their contributions to this House, and I hope that I shall be as worthy of your support and your respect.

At this time, I should also thank the Clerk, the Clerk Assistant, the Sergeant-at-Arms, and all of the staff of the Legislature for the very competent manner in which this facility is administered. I am certainly going to rely on them greatly for their support and their counsel.

As members, we are members of a very unique organization. Elected members have a responsibility and have responded to the highest calling in our society, since this House represents the collective will of the people. This Legislature is the guarantor of a democratic tradition which has evolved over the centuries. We must always be deserving of that responsibility and of the trust that people have placed in us. I would remind all honourable members of the comments of one of our great parliamentarians, Edward Blake, who, in 1873, said, "The privileges of Parliament are the privileges of the people, and the rights of Parliament are the rights of the people." As your Speaker, I am your servant. You, as parliamentarians, will have no greater defender of your authority than myself. All honourable members are equal under this roof, and it will be my humble privilege to serve you with fairness and impartiality.

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

Thereupon Mr. McKay took the chair, and the mace was placed upon the Clerk's Table.

The Arrival of Her Honour the Lieutenant-Governor was announced by the Sergeant-at-Arms.

The Speaker vacated the chair.

Her Honour the Lieutenant-Governor then entered the House and took her seat in the chair upon the Throne.

Mr. Speaker and the other House Officers reentered the Chamber and presented themselves before Her Honour.

The Speaker then addressed Her 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 replied on behalf of Her Honour as follows:

Mr. McKay, I am commanded by Her Honour the Lieutenant-Governor to declare to you that she 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 she doth readily approve of their choice, and allow and confirm you to be their Speaker.

Mr. Speaker then addressed Her 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, 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, though Her Honour is sensible that you do not stand in need of such assurance, Her Honour will ever put the most favourable construction on your words and actions.

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Her Honour the Lieutenant-Governor then delivered the following speech:

Mr. Speaker and honourable Members of the Legislative Assembly,

It is for me a great pleasure and a great privilege to greet you today on behalf of Her Majesty the Queen, and to wish all honourable members success in this most distinguished Assembly, and of course, Mr. Speaker, to wish you great success in the years ahead.

I wish you good luck in all your deliberations until the opening of the next parliamentary session.

The Clerk of the Legislative Assembly, Loredana Catalli Sonier, communicated to the House the following Message from Her Honour:

Members of the Legislative Assembly:

I am commanded by Her Honour the Lieutenant-Governor to inform you that it is Her Honour's pleasure that this Legislative Assembly attend before her in this Assembly Chamber at three o'clock p.m. on Tuesday, the 25th day of November, 1997, at which time Her Honour will formally open the Third Session of the Fifty-third Legislature of the Province of New Brunswick.

Her Honour the Lieutenant-Governor then retired.

Mr. Speaker resumed the chair.

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Hon. Mr. Frenette welcomed to the House Mr. Bernard Lord, Leader of the Progressive Conservative Party.

Mr. Robichaud, Member for Tracadie-Sheila and Leader of the Opposition, extended congratulations to the Member for Moncton East, Premier J. Raymond Frenette, on his becoming Premier.

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On motion of Hon. Mr. Frenette,

Resolved, that the House do now adjourn until 3 o'clock p.m. on Tuesday the 25th day of November, 1997.

And then, 4.12 o'clock p.m., the House adjourned.