

(The electronic version of the following Journal  
of the Legislative Assembly is for information purposes only.  
The printed version remains the official version.)

**No. 35**

Thursday, February 25, 1999.

*8.30 o'clock a.m.*

Prayers.

**Documents Tabled**

Hon. Mr. Richard laid upon the table of the House a document entitled Department of Education Policy 703, "Positive Learning Environment Policy."

---

During the Oral Question Period Mr. Speaker interrupted proceedings and requested that Hon. Mr. C. Thériault use more appropriate words. Hon. Mr. Thériault apologized for certain remarks he made.

---

**Bills Introduced**

The following Bills were introduced and read a first time:

By Hon. Mrs. Breault,

Bill 59, *An Act to Amend the Family Services Act.*

By Hon. Mr. Tyler,

Bill 60, *An Act to Amend the Gasoline, Diesel Oil and Home Heating Oil Pricing Act.*

Ordered that the said Bills be read the second time at the next sitting.

---

**Government Motions re Business of House**

Hon. Mr. Tyler announced it was the intention of the government that following Private Members' Motions, the House would resolve itself into a Committee of Supply to consider the estimates of the Department of Fisheries and Aquaculture, the Legislative Assembly, and the Department of the Environment.

---

**Private Members' Motions**

Debate resumed on Motion 25 by Mr. D. Landry, seconded by Mr. Johnson, as follows:

WHEREAS certain New Brunswickers have many problems with the new Employment Insurance policy;

WHEREAS most residents of the Acadian Peninsula and certain other areas of the province are seasonal workers;

WHEREAS the intensity rule reduces benefits for seasonal workers;

WHEREAS in certain cases the divisor reduces benefits for seasonal workers;

WHEREAS seasonal workers who do not manage to accumulate enough work hours or work weeks end up having to bridge a gap before returning to work;

BE IT RESOLVED THAT the New Brunswick government continue its efforts to call on the federal government to adhere to recommendations made at the Saskatoon conference and to change its Employment Insurance policy so that New Brunswick seasonal workers are not penalized.

And after some time, Hon. Mr. Gay raised a Point of Order to complain that Hon. Mr. Valcourt had used the words "toutes leurs rapaces" which he considered to be unparliamentary. Mr. Speaker advised that he had not heard any objectionable words. Hon. Mr. Gay asked that the Speaker check the transcripts.

And the debate continuing, Hon. Mr. Gay raised a Point of Order that Hon. Mr. Valcourt should refrain from referring to Members by name.

Mr. Speaker advised that Members should refer to each other by constituency name or by portfolio.

And after some further time, Hon. Mr. Valcourt, seconded by Mr. Mockler, moved in amendment:

#### AMENDMENT

That Motion 25 be amended by:

Deleting all after "RESOLVED" and replacing with: "That the Legislative Assembly strongly encourage the federal government to adopt the recommendations made at the Saskatoon conference and to change its Employment Insurance policy so that seasonal workers are not penalized."

And the question being put, a debate ensued.

And after some time, Mr. Speaker called Mr. Mockler to order for referring to the Minister of Intergovernmental Affairs in an unparliamentary manner, and asked Mr. Mockler to withdraw certain remarks, which he did.

And after some further time, Mr. Armstrong raised a Point of Order that Mr. Mockler was referring to Members by name. Mr. Speaker ruled the Point of Order was well taken.

And the debate continuing, Mr. Armstrong rose to complain that Mr. Mockler had used the remarks "to not having enough guts" which had earlier in the sitting been ruled to be unparliamentary. Mr. Speaker advised he had not heard the remark but would check the transcript and get back if necessary.

During the debate Mr. Speaker called Hon. Mr. B. Thériault to order and asked all Members to refrain from commenting on the physical attributes of other Members.

And after some further time, Mr. Speaker interrupted proceedings and advised that the time allotted for Private Members' Motions had expired.

---

Motion 100 by Mr. Robichaud was, by leave of the House, stood over to Tuesday, March 9, 1999.

Motions 118 and 119 by Mr. D. Graham were, by leave of the House withdrawn.

Motion 121 by Mr. Sherwood was, by leave of the House, stood over to Tuesday, March 2, 1999.

---

#### **Committee of Supply**

The House, according to Order, resolved itself into a Committee of Supply with Ms. de Ste. Croix in the chair.

And after some time, the Chairman declared it to be 12.30 o'clock p.m., and left the chair, to resume again at 2 o'clock p.m.

*2 o'clock p.m.*

The Committee resumed.

And after some time Mr. Flynn took the chair.

During consideration of the estimates of the Department of the Environment, Hon. Mr. Tyler raised a Point of Order stating that Mr. D. Graham should table a copy of a letter that he had quoted. Mr. Robichaud spoke on the Point of Order and referred to citation 495(6) of *Beauchesne's* which states that "a private Member has neither the right nor the obligation to table an official or any other document".

The Chairman reserved his ruling.

And after some time, the Chairman declared it to be 6 o'clock p.m., and left the chair to resume again at 7 o'clock p.m.

*7 o'clock p.m.*

The Committee resumed.

And after some time, the Chairman delivered the following ruling with respect to a point of order raised during the estimates of the Department of the Environment:

### **Chairman's Ruling**

Honourable Members, before we proceed with the next department, a point of order was raised during the estimates of the Department of the Environment, when a private member read from a letter or document and then proceeded to question the minister on the contents of that document. A point of order was raised asking the member to table the document.

Honourable members, the official tabling of documents can only be done in the House and not in committee. However, in the past, it has been the practice in this committee and other committees of this Legislature that when a member quotes from a letter, the member has provided a copy of the letter to the Chair or to another member, if so requested. If a member is unwilling to provide a copy of the letter from which he or she has purported to quote, then a minister would be justified if he or she chooses to refrain from commenting or answering such questions on that letter. In the situation we had with the Department of the Environment, the letter was subsequently provided to the minister and he proceeded to answer the questions.

And after some further time, Mr. Speaker resumed the Chair and Mr. Flynn, the Chairman, after requesting that Mr. Speaker revert to Presentations of Committee Reports, reported that the Committee had made some progress in the consideration of the matters referred to them, had passed several items, and asked leave to sit again.

Pursuant to Standing Rule 78.1, Mr. Speaker then 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.

The following are the items reported:

## MAIN ESTIMATES 1999 - 2000 ORDINARY ACCOUNT

### DEPARTMENT OF FISHERIES AND AQUACULTURE

Resolved, That there be granted to Her Majesty a sum not exceeding \$10,855,200 to defray the expenses of the Ordinary Account program allocations of the Department of Fisheries and Aquaculture for the fiscal year ending the 31st of March, 2000.

### DEPARTMENT OF THE ENVIRONMENT

Resolved, That there be granted to Her Majesty a sum not exceeding \$9,795,700 to defray the expenses of the Ordinary Account program allocations of the Department of the Environment for the fiscal year ending the 31st of March, 2000.

### DEPARTMENT OF INTERGOVERNMENTAL

### AND ABORIGINAL AFFAIRS

Resolved, That there be granted to Her Majesty a sum not exceeding \$2,685,600 to defray the expenses of the Ordinary Account program allocations of the Department of Intergovernmental and Aboriginal Affairs for the fiscal year ending the 31st of March, 2000.

### GENERAL GOVERNMENT

Voted, Supply in the following amounts to defray the expenses of the following programs:

32 29 Intergovernmental Conferences 27,700  
32 30 Council of Maritime Premiers 890,000

### LEGISLATIVE ASSEMBLY

Voted, Supply in the following amounts to defray the expenses of the following programs:

52 01 Members' Allowances and Committees 1,692,400  
50 02 Office of the Legislative Assembly 2,214,800  
52 04 Leaders of Registered Political Parties 914,200

CAPITAL ACCOUNT

Voted, Supply in the following amounts to defray the expenses of the following programs:

DEPARTMENT OF ENVIRONMENT

21 50 Clean Water Control Grants 2,361,000  
21 54 Solid Waste Management Program 5,150,000

LOANS AND ADVANCES

Voted, Supply in the following amounts to defray the expenses of the following programs:

30 70 Fisheries Development Act 3,000,000

WORKING CAPITAL - MAXIMUM BALANCES

1999-2000

Voted

INVENTORIES

Legislative Assembly 25,000

The said items were concurred in by the House.

---

**Government Motions re Business of House**

Hon. Mr. Tyler announced that it was the intention of the government that the House resolve itself into a Committee of the Whole to consider legislation.

---

**Committee of the Whole**

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

And after some time, Mr. Speaker resumed the chair and Mr. Flynn, the Chairman, after requesting Mr. Speaker revert to the Order of Presentations of Committee Reports, reported:

That the Committee had directed him to report the following Bills as agreed to:

Bill 46, *An Act to Amend the New Brunswick Municipal Finance Corporation Act.*  
Bill 57, *An Act to Amend the Liquor Control Act.*  
Bill 58, *An Act to Amend the Income Tax Act.*

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

Bill 35, *An Act to Amend the Gasoline and Motive Fuel Tax 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.

---

And then, 9.05 o'clock p.m., the House adjourned.

---

The following documents, having been deposited with the Clerk of the House, were deemed laid upon the table of the House pursuant to Standing Rule 39:

- Documents requested in Notices of Motions 118 and 119 February 23, 1999