
Thursday, April 15, 2004.

1 o'clock p.m.

Prayers.

Hon. Mr. Green recognized the work of the Canadian Bar Association, New Brunswick Branch, in establishing a provincial Law Day to commemorate the signing of the Charter of Rights and Freedoms.

He also recognized this day as the 114th anniversary of Sir Pierre-Armand Landry's becoming the first Acadian judge in New Brunswick. Sir Landry was the first Acadian lawyer, the first Acadian provincial cabinet minister, the first Acadian Judge of the County Court, the first Acadian to serve on the Supreme Court of Kings Bench, and the first Acadian to become knighted by the King.

Following Oral Questions, Mr. Lamrock stood on a Point of Order and submitted that Hon. Mr. Fitch had used an unparliamentary term in responding to a question.

Hon. Mr. Fitch apologized to the House and withdrew the comment.

Mr. Allaby gave Notice of Motion 82 that on Thursday, April 22, 2004, he would move the following resolution, seconded by Mr. Boudreau:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House a description of the changes to snow clearing routes to take effect with the closure of snow sheds included with the Department of Transportation budget for 2004-2005 including snowplow assignments before the changes and plow assignments after the changes..

Mr. Murphy gave Notice of Motion 83 that on Thursday, April 22, 2004, he would move the following resolution, seconded by Mr. Boudreau:

That an address be presented to His Honour the Lieutenant-Governor praying that he cause to be laid upon the table of the House all correspondence including but not limited to e-mails, letters or memos between the Minister of Family and Community Services and regional Family and Community Services offices concerning any or all of the following: downsizing or layoffs, or capping of funds, or restrictions in funding, or any budgetary measures taken by

correspondence, to the offices, agents, workers or employees, or any other person affected by budgetary cuts or restrictions of his department since the tabling of the budget.

Mr. S. Graham gave Notice of Motion 84 that on Thursday, April 22, 2004, he would move the following resolution, seconded by Mr. Ouellette:

WHEREAS the mandate of the mission of the Auditor-General is to promote accountability by providing objective information to the people of New Brunswick through the Legislative Assembly;

WHEREAS the Auditor-General reports only to the people's representatives in the Legislative Assembly and not to government;

WHEREAS it is evident that this matter should be subject to independent, external investigation;

BE IT THEREFORE RESOLVED that the Legislature direct the government to refer this matter to the Auditor-General so that he might audit the decision-making process that took place at NB Power and within Government with respect to the refurbishment of Coleson Cove, the fuel delivery agreement and the proposed agreement to supply orimulsion to NB Power.

It was agreed by unanimous consent that Notice of Motion 84 be amended by deleting the word "direct" and substituting the word "urge."

Hon. Mr. Green announced that the government would agree to consider Private Members' Motion 84 forthwith, following which, it was the intention of government that the House consider Government Motion 77.

It was agreed by unanimous consent to vary the order of consideration of Private Members' Motions, to dispense with the notice requirement of the Standing Rules and to consider Motion 84 forthwith.

It was agreed by unanimous consent that the House recess for five minutes.

Accordingly, at 2.41 o'clock p.m., Mr. Speaker declared a five-minute recess and left the chair.

2.53 o'clock p.m.

Mr. Speaker resumed the chair.

Mr. S. Graham moved the following resolution, seconded by Mr. Ouellette (Motion 84):

WHEREAS the mandate of the mission of the Auditor-General is to promote accountability by providing objective information to the people of New Brunswick through the Legislative Assembly;

WHEREAS the Auditor-General reports only to the people's representatives in the Legislative Assembly and not to government;

WHEREAS it is evident that this matter should be subject to independent, external investigation;

BE IT THEREFORE RESOLVED that the Legislature urge the government to refer this matter to the Auditor-General so that he might audit the decision-making process that took place at NB Power and within Government with respect to the refurbishment of Coleson Cove, the fuel delivery agreement and the proposed agreement to supply orimulsion to NB Power.

And the question being put, a debate ensued.

And after some time, due to the unavoidable absence of Mr. Speaker, Mr. C. LeBlanc, the Deputy Speaker took the chair as Acting Speaker.

And after some further time, Mr. Speaker resumed the chair.

And the debate continuing, after some time Hon. Mr. Green stood on a Point of Order and submitted that Mr. Jamieson had suggested that another Member had misled the House. Mr. Jamieson subsequently apologized to the House and withdrew the comment.

And the debate being ended and the question being put, Motion 84 was negatived on the following recorded division:

YEAS - 19

Mr. McGinley	Mr. Lamrock	Mr. Foran
Mr. Jamieson	Mr. Targett	Mr. Albert
Mr. Allaby	Mr. Burke	Mr. Paulin
Mr. Landry	Mr. Murphy	Mr. Doucet
Mr. Branch	Mr. Kenny	Mr. Boudreau
Mr. Ouellette	Mr. Arseneault	Mr. Brewer
Ms. Robichaud		

NAYS - 25

Hon. Ms. Blaney	Hon. Ms. Dubé	Mr. Betts
Hon. E. Robichaud	Hon. Ms. Poirier	Mr. Malley
Hon. Mr. Mesheau	Hon. Mr. Ashfield	Mr. Williams
Hon. Mr. Volpé	Hon. Mr. Fitch	Mr. Carr
Hon. D. Graham	Hon. Ms. Fowlie	Mr. MacDonald
Hon. Mr. Mockler	Hon. P. Robichaud	Mr. Stiles
Hon. Ms. MacAlpine	Hon. Mr. Alward	Mr. Holder
Mr. Sherwood	Hon. Mr. Huntjens	Mr. C. LeBlanc
Hon. Mr. Steeves		

Pursuant to Notice of Motion 77, Hon. Mr. Alward moved the following resolution, seconded by Mr. P. Robichaud:

WHEREAS commercial fisheries are an essential part of the economic and cultural life of coastal New Brunswick;

WHEREAS on March 25th, 2004 the Federal Minister of Fisheries and Oceans announced his intention to stabilize the allocations for over 29 Atlantic fisheries, including Gulf Snow Crab and released a Policy Framework for the Management of Fisheries on Canada's East Coast, a comprehensive blueprint to guide fisheries management;

WHEREAS this Policy Framework states that fisheries management decision-making processes must be, and must be seen to be, fair, transparent and subject to clear and consistent rules and procedures;

WHEREAS in 2003, the Federal Minister of Fisheries and Oceans announced a three-year management plan for Gulf Snow Crab that set fleet and sector allocations and shares for 2003-2005 which recognized New Brunswick's provincial historic shares of the fishery;

WHEREAS on April 1st, 2004, the Federal Minister of Fisheries and Oceans unilaterally altered the three-year crab management plan at the expense of New Brunswick's provincial historic shares and in direct contradiction of the principles of the Atlantic Fisheries Policy Framework, and;

WHEREAS the effect of this decision is the reallocation of 320 tons of New Brunswick Gulf Snow Crab to another jurisdiction with a direct loss of \$2.1 M to New Brunswick fishermen and a loss of nearly \$6M in economic activity for the province for the year 2004 alone.

BE IT RESOLVED that the Legislative Assembly express its support for the principle of allocation decision-making processes being fair, transparent and subject to clear and consistent rules and procedures as contained in the Atlantic Fisheries Policy Framework.

BE IT FURTHER RESOLVED that the Legislative Assembly urge the federal government to reaffirm the provincial historic shares enshrined in the 2003-2005 Gulf Snow Crab management plan, respect prior commitments to this province and restore the 2003-2005 New Brunswick allocations so as to be consistent with the Atlantic Fisheries Policy Framework.

And the question being put, a debate ensued.

And after some time, due to the unavoidable absence of Mr. Speaker, Mr. Holder, the Deputy Speaker, took the chair as Acting Speaker.

And after some further time, the debate was interrupted by the expiration of time.

And then, 6 o'clock p.m., the House adjourned.