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Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Herménégilde Chiasson
Lieutenant-Governor

Speaker: Hon. Eugene McGinley

Thursday, April 12, 2007

**First Session of the 56th Legislative Assembly
Fredericton, New Brunswick**

Thursday, April 12, 2007.

1 o'clock p.m.

Prayers.

Mr. Holder rose to correct a statement he made during the previous sitting day, in which he referenced remarks purportedly made by the Minister of Finance. Mr. Holder apologized for having made the statement.

The Honourable the Premier paid tribute to the two New Brunswick soldiers killed on April 11 in Afghanistan: Trooper Patrick James Pentland, 23, of Geary; and Master Corporal Allan Stewart, 30, originally of Newcastle.

The House observed a moment of silence in honour of the fallen soldiers.

Mr. Carr, Member for Oromocto, joined with the Premier in extending condolences to the families of the deceased soldiers.

Hon. Mr. Burke, the Minister of Justice, laid upon the table of the House the following documents:

Article appearing on page 3 of the April 12, 2007, edition of *The Daily Gleaner*, entitled "Credit Unions Superintendent at Centre of Political Brouhaha."

Transcript of a meeting between Members of the Official Opposition and departmental officials of the Office of the Superintendent of Credit Unions, with the names of certain participants deleted as noted by the Minister.

Hon. Mr. Jamieson, Government House Leader, announced that following the two hours reserved for Private Members' Motions, it was the intention of government that the House resolve itself into a Committee of Supply to consider the estimates of the Department of Natural Resources.

Mr. Speaker ruled on the point of order raised by Mr. Harrison during the previous sitting day, regarding the propriety of using the services of a page to distribute a cartoon in the House. Mr. Speaker stated that this was a waste of time and resources and asked all Members to use proper judgment in utilizing the services of the House.

Pursuant to Notice of Motion 40, Mr. Northrup, seconded by Mr. Fitch, moved the following resolution:

WHEREAS the Government made a clear campaign commitment to keep energy costs in New Brunswick affordable and low; and

WHEREAS the Government stated unequivocally that they would refund the taxpayers the full 8% Harmonized Sales Tax paid for electricity to the consumers of New Brunswick; and

WHEREAS the Charter for Change states "*We will give consumers real control over energy costs and we will put more money back in New Brunswickers' pockets. As energy prices fluctuate worldwide, a Liberal Government will work to protect consumers here at home*"; and

WHEREAS the Government was adamant during their time in opposition that any increase power rates would be counter-productive to making housing more affordable to New Brunswick's low income earners; and

WHEREAS the Government House Leader stated on June 20th, 2006 that "When you see the raise in power rates, nothing affects rural New Brunswickers more than the raise in power rates"; therefore

BE IT RESOLVED that this Legislative Assembly call upon the government to protect the consumers of New Brunswick from any massive energy price increases; and that this government reassure the ratepayers and principal shareholders that rate shock is unacceptable and unreasonable from a publicly owned utility.

And the question being put, a debate ensued.

And after some time, Hon. Mr. Keir, seconded by Hon. Mr. Jamieson, moved in amendment:

AMENDMENT

That Motion 40 be amended as follows:

By deleting the second Whereas clause.

By adding, after the third Whereas clause, the following:

"WHEREAS the best control over energy costs and the best way to protect consumers is to reduce the dependence on electricity; and"

By adding, after the fourth Whereas clause, the following:

"WHEREAS the best way to help low income earners keep their housing electricity costs affordable in times of global energy cost increases is to reduce the electricity needs of the housing of the low income earners of New Brunswick, and"

By adding, after the fifth Whereas clause, the following:

“WHEREAS on June 20th, 2006, the former government was doing little to assist New Brunswick people deal with the long term problem of increasing energy costs; therefore”

In the resolution clause, by deleting all the words after “New Brunswick” and substituting the following:

“from the long term effects of massive energy cost increases through helping New Brunswickers reduce the amount of electricity needed by New Brunswick homes and industry, and that this government reassure the ratepayers and principle shareholders of an ongoing commitment to assist our publicly owned utility to diversify its energy sources for long term avoidance of unacceptable and unreasonable rate shock.”

And the question being put on the proposed amendment, Mr. Mockler rose on a point of order and submitted that the amendment was out of order in that it was foreign to the original motion and changed its intent. The Member also submitted the amendment should be in both official languages.

At 2.58 o'clock p.m., Mr. Speaker declared a recess and left the chair.

3.21 o'clock p.m.

Mr. Speaker resumed the chair and delivered the following ruling:

STATEMENT BY SPEAKER

Mr. Speaker: Members, I have reviewed the original motion and the amendment proposed by the Minister of Energy. While I agree with the member for Restigouche-la-Vallée that the amendment proposes a number of changes, I do find it to be in order, for the following reasons.

The subject matter of the proposed amendment is not foreign to the original motion. Both address essentially the same subject matter, that is, the protection of consumers from energy cost increases. As stated in Beauchesne's *Parliamentary Rules and Forms*, paragraph 567:

The object of an amendment may be either to modify a question in such a way as to increase its acceptability or to present to the House a different proposition as an alternative to the original question.

The same principle is cited on page 452 of the *House of Commons Procedure and Practice*.

I find that the amendment does not negative the intent of the original motion. Rather, it does propose an alternative proposal for

the consideration of the House. Accordingly, I find the amendment itself to be in order.

On the second point raised by the member for Restigouche-la-Vallée, as to the language in which the amendment was presented, I understand the *Official Languages Act* and the Charter to provide that any member can address the House, respond to an address in the House, present a motion, or amend a motion in the language of his or her choice, be it English or French. The amendment was proposed in the English language, and I find that it is not offensive that it was not provided in both languages.

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

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

And after some further time, Mr. Fitch, seconded by Mr. Northrup, moved the following sub-amendment:

SUB-AMENDMENT

That the amendment to Motion 40 be amended:

By deleting:

“By adding after the fifth WHEREAS clause, the following:

“WHEREAS on June 20th, 2006, the former government was doing little to assist New Brunswick people deal with the long term problem of increasing energy costs, therefore”

And the question being put, a debate ensued.

And the debate being ended and the question being put on the sub-amendment, it was resolved in the affirmative.

Mr. Speaker put the question on the amendment as amended and it was resolved in the affirmative.

Mr. Speaker put the question on Motion 40 as amended as follows:

WHEREAS the Government made a clear campaign commitment to keep energy costs in New Brunswick affordable and low; and

WHEREAS the Charter for Change states that “*We will give consumers real control over energy costs and we will put more money back in New Brunswickers’ pockets. As energy prices fluctuate worldwide, a Liberal Government will work to protect consumers here at home*”; and

WHEREAS the best control over energy costs and the best way to protect consumers is to reduce the dependence on electricity; and WHEREAS the Government was adamant during their time in opposition that any increase power rates would be counter-productive to making housing more affordable to New Brunswick's low income earners; and

WHEREAS the best way to help low income earners keep their housing electricity costs affordable in times of global energy cost increases is to reduce the electricity needs of the housing of the low income earners of New Brunswick, and"

WHEREAS the Government House Leader stated on June 20th, 2006 that "When you see the raise in power rates, nothing affects rural New Brunswickers more than the raise in power rates"; therefore

BE IT RESOLVED that this Legislative Assembly call upon the government to protect the consumers of New Brunswick from the long term effects of massive energy cost increases through helping New Brunswickers reduce the amount of electricity needed by New Brunswick homes and industry, and that this government reassure the ratepayers and principle shareholders of an ongoing commitment to assist our publicly owned utility to diversify its energy sources for long term avoidance of unacceptable and unreasonable rate shock.

And the question being put, Motion 40 as amended was carried.

The House, according to Order, resolved itself into a Committee of Supply with Mr. R. Boudreau in the chair.

And after some time, Mr. Speaker resumed the chair and Mr. R. Boudreau, the Chairman, after requesting that Mr. Speaker revert to Presentations of Committee Reports, reported that the Committee had had under consideration the matters referred to them, had made some progress therein, 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.

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