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Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Herménégilde Chiasson
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

Friday, November 30, 2007

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

Friday, November 30, 2007.

10 o'clock a.m.

Prayers.

Mr. Speaker informed the House that he had received notice of a request for an emergency debate from Mr. Volpé, Leader of the Opposition. Mr. Speaker advised the House he would review the matter and report back later in the sitting.

Mr. Speaker welcomed to the Chamber Mr. Yoram Elron, the Consul General of Israel and his Consul, Ms. Michèle Seguev.

The following Bills were introduced and read a first time.

By Hon. Mr. Doherty,

Bill 12, *An Act to Amend the Workers' Compensation Act.*

By Mr. Ashfield,

Bill 13, *An Act to Amend the Crown Lands and Forests Act.*

By Mr. Holder,

Bill 14, *An Act to Amend the Environmental Trust Fund Act.*

By Mr. Steeves,

Bill 15, *An Act to Amend the New Brunswick Income Tax Act.*

Bill 16, *An Act to Amend the Motor Vehicle Act*

By Mr. Betts,

Bill 17, *An Act to Amend the Assessment Act.*

On motion of the Honourable the Premier, seconded by Hon. Mr. Murphy:

RESOLVED, that Bill Fraser, the Member for the electoral district of Miramichi-Bay du Vin, be appointed Deputy Speaker.

On motion of the Hon. Mr. Murphy, seconded by the Honourable the Premier:

RESOLVED, that when the Assembly adjourns on Thursday, December 6, 2007, it shall stand adjourned until Friday, December 7, 2007, at 11 o'clock a.m.

Mr. C. Landry gave Notice of Motion 26 that on Thursday, December 6, 2007, he would move the following resolution, seconded by Mr. Fitch:

WHEREAS each region in New Brunswick has specific health care needs, priorities, and resources;

WHEREAS there are eight regional health authorities, each of which deals individually with health care needs, priorities, and resources;

WHEREAS the regional health authorities have brought participatory democracy to the New Brunswick health system by having elected members on their boards of directors;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to maintain the eight existing regional health authorities

AND BE IT FURTHER RESOLVED that the practice, in New Brunswick, of electing representatives to the boards of directors of these eight regional health authorities be maintained.

Mr. Volpé rose pursuant to Standing Rule 45(1) to propose that the House do now adjourn for the purpose of considering the following motion relating to matters of urgent public importance in the forest industry:

That this House do now adjourn so that we may engage in an emergency debate to consider the following

WHEREAS the forestry industry in the province of New Brunswick is in the midst of a crisis; and

WHEREAS New Brunswick is losing a significant number of direct and indirect jobs provided through the forestry industry; and

WHEREAS New Brunswick has seen an acceleration of permanent and temporary closures of mills throughout the province over the past twelve months; and

WHEREAS the Premier and Minister of Natural Resources have said that the report of the 2004 Select Committee on Wood Supply is no longer relevant and that we need to refocus; and

WHEREAS the Legislative Assembly of New Brunswick has a responsibility to proactively study issues that may have a serious impact on the province; and

WHEREAS there should be a forum for full public consultation prior to any further substantial decisions relative to the forest industry, including the sale of large amounts of forest land;

THEREFORE BE IT RESOLVED that this Legislative Assembly immediately convene a Select Committee on the Forest Industry in the province of New Brunswick.

Mr. Speaker stated he would take the matter under advisement and report back to the House following the dinner recess.

Hon. Mr. Murphy, Government House Leader, announced it was the intention of government that Bills 11, 10 and 8 be read a second time on Tuesday, December 4, 2007.

Hon. Mr. Murphy also announced that following second reading of Bills 5, 7 and 9, it was the intention of government that the House resume the adjourned debate on the motion for an Address in Reply to the Speech for the Throne.

It was agreed by unanimous consent to vary the hours of sitting, to recess at 12.40 o'clock p.m., to resume at 1.45 o'clock p.m., and to adjourn no later than 4.30 o'clock p.m.

At 12.40 o'clock p.m., the Speaker left the chair to resume again at 1.45 o'clock p.m.

1.45 o'clock p.m.

The House resumed with Mr. Speaker in the chair.

Mr. Speaker delivered the following ruling regarding Mr. Volpé's earlier request for an emergency debate:

STATEMENT BY SPEAKER

Honourable Members:

The Leader of the Opposition has asked leave to introduce a motion for an emergency debate for the purpose of considering urgent and critical matters related to the forestry industry. I received notice from the Member a few minutes before the start of the day's sitting.

I have had the opportunity to consider the matter proposed for debate. The forest industry in New Brunswick is, of course, of great importance to the economy of our province and to the well being of many New Brunswickers.

However, in considering whether to set aside the business of the House to consider the proposed motion, I must refer to Standing Rule 45(6), which states:

45(6) *In determining whether a matter should have urgent consideration, the Speaker shall have regard to the extent to which it concerns the administrative responsibilities of the government or could come within the scope of ministerial action and also shall have regard to the probability of the matter being brought before the House within a reasonable time by other means.*

There is no doubt that the very important subject matter of the forest industry in New Brunswick falls under the administrative responsibilities of government.

However, pursuant to Standing Rule 45(6), I must also have the regard to the probability of the matter being brought before the House within a reasonable time by other means.

Although the matters raised this morning by the Leader of the Opposition are clearly of importance to New Brunswickers, in the opinion of the Chair, the matter proposed for discussion does not satisfy the requirements of Standing Rule 46, in particular, paragraph (a).

The matter proposed for discussion does not, in my opinion, relate to a genuine emergency, calling for immediate and urgent consideration.

In view of the fact that this is an important matter, Members should be aware that other avenues are available by which a substantive motion to this effect might be introduced and brought before the House within a reasonable time, such as by introducing a Private Member's Motion with notice.

Accordingly, the matter will not go forward at this time, and it is not necessary for me to deal with the notice requirement of Standing Rule 45(2) which, from my interpretation of the rule, may not have been satisfied in this case.

Mr. Volpé requested the unanimous consent of the House to take into consideration the subject matter of his request for an emergency debate. Unanimous consent was denied.

The Order being read for second reading of Bill 5, *An Act to Amend the Natural Products Act*, a debate arose thereon.

And the debate being ended and the question being put that Bill 5 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 5, *An Act to Amend the Natural Products Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Order being read for second reading of Bill 7, *An Act to Amend the Motor Carrier Act*, a debate arose thereon.

And the debate being ended and the question being put that Bill 7 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 7, *An Act to Amend the Motor Carrier Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Order being read for second reading of Bill 9, *An Act to Amend the Off-Road Vehicle Act*, a debate arose thereon.

And the debate being ended and the question being put that Bill 9 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 9, *An Act to Amend the Off-Vehicle Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Assembly resumed the adjourned debate on the proposed motion of Mr. B. LeBlanc, seconded by Ms. MacAlpine-Stiles:

THAT the following Address be presented to His Honour the Lieutenant-Governor to offer the humble thanks of this House to His Honour for the gracious speech which he has been pleased to make to the Legislative Assembly, namely:

Fredericton, N.B.
November 27, 2007.

To His Honour,
The Honourable Herménégilde Chiasson,
Lieutenant-Governor of the Province of New Brunswick.

May It Please Your Honour:

We, Her Majesty's most dutiful and loyal subjects of the Legislative Assembly of the Province of New Brunswick, now in session, beg leave to extend our humble thanks to Your Honour for the gracious speech which Your Honour has addressed to us, and we assure Your Honour that all matters which may be submitted to us during the session will receive our most careful attention and consideration.

And the debate continuing,

After some time, due to the unavoidable absence of Mr. Speaker, Mr. Kenny, the Deputy Speaker took the chair as Acting Speaker.

And after some further time, Mr. Fraser, the Deputy Speaker took the chair as Acting Speaker.

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

On motion of Hon. Mr. Murphy, the further consideration thereof was adjourned over.

And then, 4.30 o'clock p.m., the House adjourned.