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# Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Herménégilde Chiasson  
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

Thursday, April 17, 2008

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

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Thursday, April 17, 2008.

*1 o'clock p.m.*

Prayers.

Mr. Volpé, Member for Madawaska-les-Lacs, rose on a question of privilege regarding accusations he claims were made during the previous day's proceedings and outside the House by the Minister of Health, referring to him and to Mr. Mockler, the Member for Restigouche-la-Vallée, as "the Madawaska Mafia running the party" and "the Sopranos of political theatre in New Brunswick."

Accordingly, he gave notice of his intention to move the following motion:

That the matter be referred to the Standing Committee on Privileges.

Mr. Speaker advised the House that, in accordance with the rules of the House, he would consider the matter in two hours time.

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Mr. Mockler laid upon the table of the House a revised petition signed by residents of the Grand Falls area urging the government to immediately reinstate Early French Immersion at John Caldwell School. (Petition 13)

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Following Oral Question, Mr. Speaker called Mr. Northrup to order for alluding to Members "not telling the truth."

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Mr. Carr gave Notice of Motion 70 that on Thursday, April 24, 2008, he would move the following resolution, seconded by Mr. Alward:

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 documentation related to the current per diem rates and the rates for 2006-07 and 2007-08 paid by the government of New Brunswick to each of the 62 nursing homes, listed by nursing home, the anticipated per diem rates for the new nursing home beds going forward, the number of approved beds in each of the 62 nursing homes, the anticipated number of approved beds for new nursing homes, and the current number of people on waiting lists for nursing home beds by region, and the number of people on the waiting lists for 2006-2007 and 2007-2008 by region.

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Mr. Speaker rose and reminded Members of Standing Rule 57 which states "Members shall not interrupt the business of the

House by engaging in private conversation.” Mr. Speaker asked all Members to abide by the Rules of the House.

Hon. Mr. Murphy, Government House Leader, announced that following consideration of Opposition Members’ Business, it was the intention of government that at 7 o’clock p.m., the House would resolve itself into a Committee of Supply to consider the estimates of the Department of Health; following which, Bills 42, 32 and 35 would be called for second reading.

The Government House Leader further announced that on Friday, April 18, 2008, it was the intention of the government that the House resolve itself into a Committee of Supply to consider the estimates of the Department of Tourism and Parks and the Department of Wellness, Culture and Sport; following which, certain Bills would be called for second reading.

Pursuant to Notice of Motion 63, Mr. C. LeBlanc moved, seconded by Mr. Fitch:

WHEREAS the revenue generated by property taxes in New Brunswick is determined by two variables, to wit, property tax rates and property assessments;

WHEREAS significant increases in property values generally increase tax revenues considerably, for both the provincial government and municipalities;

WHEREAS the New Brunswick government and the municipalities are never held accountable for additional revenues that may be generated by increased property assessments;

WHEREAS no one should have to pay higher property taxes without getting an explanation to justify the increase;

WHEREAS the New Brunswick government has a duty to be fair and transparent with regard to taxation;

BE IT THEREFORE RESOLVED that the Legislative Assembly ask the government to pass legislation to establish a system designed to lower property tax rates to reflect the increase in property values for assessment purposes;

AND BE IT FURTHER RESOLVED that the Legislative Assembly ask the government to establish a structure to promote transparency, so that anyone can find out how property tax revenues are spent.

And the question being put, a debate ensued.

And 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, Hon. V. Boudreau, seconded by Hon. Ms. Robichaud moved in amendment:

AMENDMENT

That Motion 63 be amended by:

In the 3rd whereas clause, delete the words “are never held accountable for” and replace with “may have, in the past, not readily acknowledged”

Delete the resolution clauses and replace them with:

BE IT THEREFORE RESOLVED that the Legislative Assembly ask the government to direct the commissioner on the future of local governance to take this into consideration in developing the action plan that is to be submitted to government in the fall of 2008.

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

And after some time, the debate being ended and the question being put, the amendment was carried.

Mr. Deputy Speaker put the question on Motion 63 as amended as follows:

WHEREAS the revenue generated by property taxes in New Brunswick is determined by two variables, to wit, property tax rates and property assessments;

WHEREAS significant increases in property values generally increase tax revenues considerably, for both the provincial government and municipalities;

WHEREAS the New Brunswick government and the municipalities may have, in the past, not readily acknowledged additional revenues that may be generated by increased property assessments;

WHEREAS no one should have to pay higher property taxes without getting an explanation to justify the increase;

BE IT THEREFORE RESOLVED that the Legislative Assembly ask the government to direct the commissioner on the future of local governance to take this into consideration in developing the action plan that is to be submitted to government in the fall of 2008.

And the question being put, Motion 63 as amended was resolved in the affirmative.

Pursuant to Notice of Motion 62, Mr. Volpé moved, seconded by Mr. Ashfield:

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

WHEREAS the importance and value of the forestry industry is of the utmost significance to the well being of the province's economic stability; and

WHEREAS thirty three of New Brunswick's sixty one mills have closed their doors during the last several months; and

WHEREAS the future of New Brunswick's forestry industry including silviculture, is in jeopardy, leaving thousands of New Brunswickers without employment and thousands more adversely affected by the economic downturn that will result; and

WHEREAS the government has helped organize and has actively participated in industry summits for agriculture and the fisheries;

BE IT THEREFORE RESOLVED that this Legislative Assembly calls upon the Government to immediately join with all parties interested in the future of New Brunswick's forests to organize a Forestry Summit in order to bring together all levels of government and all forestry stakeholders; and

BE IT FURTHER RESOLVED that the purpose of this Forestry Summit be to provide a forum for an open dialogue on the future of forestry in New Brunswick and how to get the best return for all New Brunswickers in terms of the economic, environmental, social and tourism factors; to engage the public in an open discussion, to examine potential solutions to the key challenges affecting New Brunswick's forests, and to ensure the survival and viability of this critically important component of New Brunswick's economy and the New Brunswick way of life.

And the question being put, a debate ensued.

And after some time, Mr. Speaker resumed the chair and interrupted proceedings and delivered the following ruling in regard to a question of privilege raised earlier in the sitting by Mr. Volpé.

#### STATEMENT OF SPEAKER

Honourable Members,

Earlier in the sitting the Leader of the Opposition rose on a question of privilege concerning certain accusations he claims were directed against him and the Member for Restigouche-la-Vallée by the Minister of Health. The Leader of the Opposition claimed the remarks were made both inside and outside the House. The Leader of the Opposition gave the required notice of motion proposing that the matter be referred to the Standing Committee on Privileges.

I have had an opportunity to review the matter and relevant Hansard transcripts for yesterday's sitting.

It is clear that the remarks complained of were made yesterday during consideration of the estimates in the Committee of Supply. According to well established parliamentary principles, committees are masters of their own procedure. When a question of order or privilege arises in Committee, it must be raised in committee. A question of privilege which is alleged to have occurred in committee must first be raised in committee. Once the Committee reports on the matter of privilege, the Speaker may consider it. Since this matter arose in the Committee of Supply, this is the proper forum for raising it. Therefore it is unnecessary to hear arguments at this time.

With regard to the alleged remarks made by the Minister of Health outside the House, the parliamentary authorities are clear: statements made outside of the House by a Member may not be used as the basis for a question of privilege.

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Debate resumed on Motion 62.

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

And after some further time, Hon. Mr. Arseneault, seconded by Hon. Mr. Foran, moved in amendment:

AMENDMENT

That Motion 62 be amended by:

In the 4th whereas clause, delete all words after "industry" and replace them with "is uncertain with thousands of New Brunswickers who work in forestry being currently adversely affected;"

Delete the 5th whereas clause.

Delete the two resolution clauses and replace them with the following:

“BE IT THEREFORE RESOLVED that the Legislative Assembly call upon the government to proceed with the planned release, reviews and response to the Wood Supply and Forest Diversity Task Force Report, to proceed with the global market assessment initiative, to support viable long-term initiatives, and to instruct various government departments to continue to work with respective stakeholders in developing solutions for making the forest sector more competitive; and

BE IT FURTHER RESOLVED that the Legislative Assembly asks the Cabinet Committee on Forestry to continue its active involvement in the issues that challenge the forest industry.”

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

And after some time, Mr. Kenny took the chair as Acting Speaker.

At 6 o'clock p.m., the Deputy Speaker left the chair to resume again at 7 o'clock p.m.

*7 o'clock p.m.*

Mr. Speaker resumed the chair.

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

Mr. Volpé rose on a question of privilege and submitted that during the previous day's proceedings of the Committee of Supply, the Minister of Health had referred to him and to Mr. Mockler using unparliamentary language. The Member for Madawaskales-Lacs requested that the matter be referred to the Speaker for consideration.

The Chairman delivered the following ruling:

STATEMENT BY CHAIR OF COMMITTEE OF SUPPLY

This matter clearly deals with language used in debate. The remarks were made during yesterday's proceedings of the Committee of Supply while I was in the chair.

A point of order was not raised at the time the remarks were made.

Now that the matter is before me, I plan to deal with it.

It is clear from the Hansard transcript of April 16, 2008 that the remarks complained of were made in Committee of Supply during

the morning part of yesterday's sitting at 11.49 a.m. There was ample time for the Leader of the Opposition to raise a point of order prior to the Committee breaking for the noon recess.

The Committee of Supply resumed at 2 p.m. and then continued its deliberations, until 6 p.m. at which time the House was adjourned for the day. A point of order was not raised.

As Members are aware, a point of order must be raised promptly at the time an alleged breach of order occurs.

In this case, there was ample time during yesterday's proceedings to raise the matter as a point or order.

I want to make a distinction between the situation that occurred yesterday and one where remarks are made late during a sitting day or where it is unclear what words were spoken. This is clearly not the case in the matter before me. The matter is therefore closed.

However, I want to make it very clear that in future, remarks such as those that were made yesterday will not be tolerated in the future.

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Mr. Volpé rose on a point of order and requested clarification regarding the amount of time that may pass before a point of order may still be raised. Mr. Fraser, the Chairman, advised the Member that the point of order must be raised at the earliest opportunity, at the moment the statements are made.

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

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And then, 10 o'clock p.m., the House adjourned.