

4



Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Herménégilde Chiasson
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

Friday, November 28, 2008

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

Friday, November 28, 2008.

10 o'clock a.m.

Prayers

The Honourable the Premier paid tribute to the victims of the terror attacks in Mumbai, India, conveying sympathy to the members of the Indo-Canadian community in New Brunswick and across Canada.

Mr. Cy LeBlanc, Member for Dieppe Centre-Lewisville, laid upon the table of the House a petition on behalf of parents and friends of the Club Sainte-Thérèse in Dieppe, which offers child care before and after school, urging that the Club be saved. (Petition 4)

Mr. Williams, Member for Kent-South, laid upon the table of the House a petition on behalf of residents of the province urging the government to make changes to legislation relating to uranium exploration in order to protect water, health and property rights. (Petition 5)

Mr. Speaker interrupted Oral Questions and advised the house that the line of questioning of the Leader of the Opposition may be out of order.

At 11.28 o'clock, Mr. Speaker declared a recess and left the chair.

11:58 o'clock a.m.

Mr. Speaker delivered the following Ruling:

STATEMENT BY SPEAKER

Prior to the recess, the Leader of the Opposition asked a question of the Premier. In the question, he quoted a question directly from an individual other than a member of the Legislature. I have serious questions about that. I have deep concerns. According to the rules of the House of Commons and the Legislature, only a member—and it can be a member from either side—is allowed to ask a question. Members may pose any question they want, according to the rules. However, it must be phrased as their question. The authorities are clear on this: Questions asked during question period should not be questions from constituents.

I would refer members to pages 416 to 433 of *House of Commons Procedure and Practice*, 2000 edition, for a thorough discussion of conduct during question period. I refer in particular to a 1994 decision of Speaker Parent, reported on pages 234 and 235 of the House of Commons Debates of January 24, 1994. He advised that a question should not be posed by persons who are not members. The book states that a question should not be a question from a constituent.

I am not questioning the importance of engaging the public. On the contrary, we have a right and even an obligation to represent people

from our ridings. However, their questions have to be from us, as members of this Legislature. We cannot quote individuals directly in our questions.

You cannot quote an individual directly in your question. Members have a forum whereby the rules can be changed, if need be. We have the Procedures Committee, if you need to go there to have the rules changed. We are looking at rules that have been in place for the last 200 years. All of a sudden, those rules are being questioned.

I reiterate: I am not trying to stifle anybody. I am just saying that questions have to be asked by us, as members of the Legislature. I will say again that we cannot quote somebody because, then, it is not our question we are asking; it is a question from an individual. This is not an open public forum.

This is a forum whereby we, as members of the Legislature, can ask questions of one another, and not questions of a third party from somewhere else. As I said, we have the right and the obligation to represent the people in our riding. If there are questions from people in our ridings, then we have the obligation to ask the questions, but they have to come from each individual in this House, man or woman. I would sincerely ask all members for their cooperation in this matter.

The following Bill was introduced and read a first time.

By Hon. Mr. Murphy,

Bill 10, *An Act to Amend the Political Process Financing Act.*

It was agreed by unanimous consent to vary the hours of sitting, to continue sitting through the noon recess, and to adjourn at 3.30 o'clock p.m.

The following Bill was introduced and read a first time.

By Hon. Mr. Stiles,

Bill 11, *An Act to Amend the Fish and Wildlife Act.*

Mr. Alward gave Notice of Motion 9 that on Thursday, December 4, 2008, he would move the following resolution, seconded by Mr. Holder:

WHEREAS decent, affordable housing and shelter is a basic human right; and

WHEREAS our homes influence our well-being, our sense of worth, and our ties to families, communities and work; and

WHEREAS good housing policies promote social justice, better health, higher educational attainment, and employment;

WHEREAS safe, adequate and affordable housing is a key determinant of health and supports the physical, psychological and social well-being essential for a healthy life;

WHEREAS available program funding is not adequate to meet the demands for those programs in New Brunswick; and

WHEREAS waiting lists for available housing programs are excessive;

THEREFORE BE IT RESOLVED that this Legislature establish a Select Committee on Housing to investigate the status of affordable housing in New Brunswick, including the role of NB Housing Corporation, and to make recommendations to the Legislature to ensure that all New Brunswickers have access to affordable housing opportunity.

Mr. Mockler gave Notice of Motion 10 that on Thursday, December 4, 2008, he would move the following resolution, seconded by Mr. Olscamp:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House of the House full itineraries and schedules of Premiers attending the Francophone Summit in Quebec City, a list of New Brunswick representatives in attendance, their expenses and their role at the summit, as well as a list of Premiers' meetings with representatives from different countries and a list of the countries or representatives that requested but did not have a meeting.

Ms. Dubé gave Notice of Motion 11 that on Thursday, December 4, 2008, she 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 information in the possession of government related to repatriation statistics, including the number of persons repatriated and the number of persons who have left the province since October 1, 2006.

Mr. Holder gave Notice of Motion 12 that on Thursday, December 4, 2008, he would move the following resolution, seconded by Mr. Jack Carr:

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 statistics in the possession of government regarding persons that left social assistance since October 2006, including all statistics relevant to the data referred to by Minister Schryer where she reported that 1433 households were no longer on social assistance, how those clients receive their revenue now, how many

have a job and the number of clients that have returned to social assistance since leaving.

Mr. Fitch gave Notice of Motion 13 that on Thursday, December 4, 2008, he would move the following resolution, seconded by Mr. Mockler:

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 information in the possession of government related to Premier Graham's Mission to China including all persons representing the Province of New Brunswick, schedules and itineraries of meetings, trip agenda and any memorandum, report or correspondence regarding the outcome of any meeting held during the mission.

Mr. Robichaud gave Notice of Motion 14 that on Thursday, December 4, 2008, he would move the following resolution, seconded by Mr. Fitch:

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, communication and information related to the province's deal with TransAlta for windmill energy production in the Moncton region, including any details related to the cost of electricity, total cost to the province, all fees and rates for energy generation, including all extra costs of any nature related to this project which will be assumed by the Province of New Brunswick, including any information to government subsidies for this source of power generation that were included in the deal.

Hon. Mr. Murphy, Government House Leader, gave notice that on Tuesday, December 2, 2008, it was the intention of government that Bills 10 and 22 be called for second reading; following which, the House would resume the adjourned debate on the motion for an Address in Reply to the Speech from the Throne.

The Order being read for second reading of Bill 2, *An Act to Amend the Electrical Installation and Inspection Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 2 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 2, *An Act to Amend the Electrical Installation and Inspection 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 3, *An Act to Amend the Provincial Court Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 3 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 3, *An Act to Amend the Provincial Court 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 4, *An Act to Repeal the Divorce Court Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 4 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 4, *An Act to Repeal the Divorce Court 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 5, *An Act to Repeal the Surety Bonds 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 Repeal the Surety Bonds 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 6, *Modernization of Benefits and Obligations Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 6 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 6, *Modernization of Benefits and Obligations 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, *Securities Transfer 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, *Securities Transfer 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 8, *An Act to Amend the Crop Insurance Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 8 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 8, *An Act to Amend the Crop Insurance 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 Clean Water 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 Clean Water 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 Ms. Robichaud, seconded by Mr. McGinley:

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 25, 2008.

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. Fraser, the Deputy Speaker took the chair as Acting Speaker.

And the debate continuing, after some further time, Mr. Deputy Speaker interrupted proceedings and advised that the hour of adjournment had arrived.

And then, 3.30 o'clock p.m., the House adjourned.