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Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Herménégilde Chiasson
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

Thursday, June 11, 2009

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

Thursday, June 11, 2009.

10 o'clock a.m.

Prayers.

Due to the unavoidable absence of Mr. Speaker, Mr. Fraser, the Deputy Speaker, took the chair as Acting Speaker.

It was agreed by unanimous consent to defer Routine Proceedings and Opposition Members' Business until 1 o'clock p.m.

Hon. Mr. Murphy, Government House Leader, announced that it was the intention of government that Bills 90 and 92 be called for second reading; following which, Bills 90 and 66 would be considered in Committee of the Whole, following which, at 1 o'clock p.m., the House would resume Routine Proceedings and Opposition Members' Business.

It was agreed by unanimous consent that the House recess at 12 o'clock p.m., and resume at 1 o'clock p.m.

The following Bills were read a third time:

Bill 27, *An Act to Amend the Gasoline and Motive Fuel Tax Act.*

Bill 58, *An Act to Amend the Crown Lands and Forests Act.*

Bill 76, *An Act to Amend the Mining Act.*

Bill 83, *Loan Act 2009.*

Bill 87, *Pay Equity Act, 2009.*

Ordered that the said Bills do pass.

The Order being read for second reading of Bill 90, *Firefighters' Compensation Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 90 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 90, *Firefighters' Compensation 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 92, *An Act to Amend the Gaming Control Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 92 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 92, *An Act to Amend the Gaming Control Act*, was read a second time and ordered referred to the Committee of the Whole House.

It was agreed by unanimous consent that Bill 90 be considered in Committee of the Whole forthwith.

The House resolved itself into a Committee of the Whole with Ms. Robichaud in the chair.

And after some time, Ms. Lavoie took the chair.

And after some further time, Ms. Robichaud resumed the chair.

And after some time, Mr. Fraser, the Deputy Speaker resumed the chair and Ms. Robichaud, the Chair, after requesting that the Deputy Speaker revert to Presentations of Committee Reports, reported:

And that the Committee had directed that she report the following Bill as agreed to:

Bill 90, *Firefighters' Compensation Act*.

And that the Committee had directed that she report progress on the following Bill:

Bill 66, *An Act to Repeal the Small Claims Act*.

And the Committee asked leave to make a further report.

Pursuant to Standing Rule 78.1, the Deputy Speaker 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.

At 11.52, Mr. Fraser, the Deputy Speaker, left the chair to resume again at 1 o'clock p.m.

1 o'clock p.m.

Mr. Fraser, the Deputy Speaker resumed the chair.

Mr. Alward, Member for Woodstock, laid upon the table of the House a petition on behalf of citizens of different areas of the province urging the government to pay for the services provided in special care homes. (Petition 79)

Mr. Alward, Member for Woodstock, laid upon the table of the House a petition on behalf of a number of residents of special care homes urging the government to continue to financially contribute to residents in special care homes who do not have the means to pay for accommodations and food. (Petition 80)

Mr. Alward, Member for Woodstock, laid upon the table of the House a petition on behalf of young drivers requesting that the government repeal the legislation implementing a curfew on new drivers between midnight and 5 o'clock a.m. (Petition 81)

Mr. Steeves, Member for Albert, laid upon the table of the House a petition on behalf of residents of the southeast region of the province urging the government to allocate funds toward a new K-8 school in Riverview to replace the Gunningsville Elementary and Lower Coverdale Schools. (Petition 82)

Mr. C. LeBlanc, Member for Dieppe Centre-Lewisville, laid upon the table of the House a petition on behalf of residents of the Memramcook area urging the government to reverse its decision to cut the Memramcook government garage to a winter only operation. (Petition 83)

Mr. C. Landry, Member for Tracadie-Sheila, laid upon the table of the House a petition on behalf of residents of the Tracadie-Sheila area urging the government to reverse its decision to cut the Tracadie-Sheila government garage to a winter only operation. (Petition 84)

Mr. Williams, Member for Kent South, laid upon the table of the House a petition on behalf of residents of the Millville and Hoyt areas of the province urging the government to reverse its decision to cut the Millville government garage to a winter only operation. (Petition 85)

Ms. Poirier, Member for Rogersville-Kouchibouguac, laid upon the table of the House a petition on behalf of residents of the Acadieville area urging the government to reverse its decision to cut the Acadieville government garage to a winter only operation. (Petition 86)

Ms. Poirier, Member for Rogersville-Kouchibouguac, laid upon the table of the House a petition on behalf of residents of the Rogersville area urging the government to reverse its decision to cut the Rogersville government garage to a winter only operation. (Petition 87)

Hon. Mr. Haché laid upon the table of the House a document entitled "New Brunswick Air Quality Monitoring Results, Environmental Reporting Series, Report for 2007."

Hon. Mr. Murphy rose on a point of order and submitted that Ms. Blaney had used unparliamentary language when she accused the Premier of characterizing a group of individuals as “liars.” The Deputy Speaker took the matter under advisement.

It was agreed by unanimous consent to vary the order of consideration of Opposition Members’ Business as follows: second reading of Bill 74; Motion 65; second reading of Bills 50 and 53; and Motions 59 and 54.

The Order being read for second reading of Bill 74, *An Act to Amend the Motor Vehicle Act*, a debate arose thereon.

And after some time, the debate being ended and the question being put, the motion for second reading of Bill 74 was defeated.

Pursuant to Notice of Motion 65, Mr. Fitch, on behalf of Mr. Alward moved, seconded by Mr. Fitch:

WHEREAS the government and the taxpayers of New Brunswick have assumed a significant amount of risk in undertaking the Point Lepreau Nuclear refurbishment project; and

WHEREAS the Point Lepreau nuclear generating station provides a significant portion of the NB Power generation capacity available to NB Power customers; and

WHEREAS the importance of this project being completed in a timely and fiscally responsible manner is extremely important to the taxpayers of New Brunswick and the ratepayers of NB Power; and

WHEREAS in recent months there have been significant delays and cost overruns impeding the completion of the Point Lepreau Refurbishment project; therefore

BE IT RESOLVED that this Legislative Assembly form a special all-party committee to be briefed by NB Power and project managers on a monthly basis and to monitor the progress, successes and difficulties of this essential project as it pertains to New Brunswickers as the shareholders of this important project.

And the question being put, a debate ensued.

And after some time, Ms. Robichaud, the Deputy Speaker, took the chair as Acting Speaker.

And the debate continuing, after some time, the debate being ended and the question being put, Motion 65 was negatived.

The Order being read for second reading of Bill 50, *Uranium Moratorium Act*, a debate arose thereon.

And after some time, the debate being ended and the question being put, the motion for second reading of Bill 50 was defeated.

Mr. Fraser, the Deputy Speaker, delivered the following ruling in relation to the point of order raised by Hon. Mr. Murphy earlier in the sitting:

STATEMENT BY DEPUTY SPEAKER

Honourable Members:

Following Question Period today, the Government House Leader rose on a point of order and claimed that the Member for Rothesay had used unparliamentary language during a question to the Premier when the Member stated that the “Premier had called physicians liars”.

I did have concerns when I first heard the remarks during question period. I indicated after the point of order was raised that the remarks appeared unparliamentary. However, I wanted to review the transcript prior to dealing with the matter.

I have since reviewed the transcript and found several instances where the Member for Rothesay stated or inferred that the Premier had called the doctors liars.

Honourable Members, I will refer to a ruling by given Speaker Boudreau earlier this session on April 23rd.

In this ruling, the Speaker quotes Marleau and Montpetit’s House of Commons Procedure and Practice” at page 526, and I quote:

“In dealing with unparliamentary language, the Speaker takes into account the tone, manner and intention of the Member speaking; the person to whom the words were directed; the degree of provocation; and, most importantly, whether or not the remarks created disorder in the Chamber.”

Members, in the instance before me I found the language and tone used by the Member for Rothesay to be inflammatory. I find there was a high degree of provocation in the remarks and that the Member would be aware that such words, particularly when used repeatedly and directed at the Premier, were likely to cause disorder.

It has been stated many times that we must treat all Members in this House as Honourable and our choice of language in debate should reflect this.

I find the remarks made by the Member for Rothesay during Question Period to be unparliamentary and I would ask the Member to withdraw the remarks.

Ms. Blaney, the Member for Rothesay, withdrew the remarks.

At the request of Hon. Mr. Murphy, the House reverted to the order of Government Business for the Ordering of the Business of the House.

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

RESOLVED, THAT notwithstanding Motion 66 adopted June 5, 2009, when the Assembly adjourns at the end of this sitting day, it shall stand adjourned until 10 a.m. tomorrow.

And the question being put, it was resolved in the affirmative.

Debate resumed on the amendment to the motion for second reading of Bill 53, *Lobbyists Registration Act*, moved by Mr. D. Graham, seconded by Mr. Holder, as follows:

AMENDMENT

That the motion for second reading be amended by deleting all the words after the word “that” and substituting the following:

Bill 53, *Lobbyists Registration Act*, be not now read a second time but that the order for second reading be discharged and the subject matter of the Bill be referred to the Standing Committee on Law Amendments.

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

And then, 5.50 o'clock p.m., the House adjourned.

The following documents, having been deposited with the Clerk of the House, were deemed laid upon the table of the House, pursuant to Standing Rule 39:

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| Response to Petition No. 51 | June 3, 2009 |
| Response to Petitions No. 53, 54, 55, 56, 57, 59, 60, 61, 62, 63, and 66 | June 5, 2009 |
| Response to Petition No. 64 | June 11, 2009 |
| Annual Report 2008-2009 | |
| New Brunswick Advisory Council on Youth | April 2, 2009 |
| Documents requested in Notices of Motions 45 and 50 | June 9, 2009 |
| Documents requested in Notice of Motion 3 | June 11, 2009 |