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Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Graydon Nicholas
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

Wednesday, November 25, 2009

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

Wednesday, November 25, 2009.

10 o'clock a.m.

Prayers.

Mr. Speaker welcomed to the House Mr. Hiroaki Isobe, Consul General of Japan at Montreal and Mr. Hiroki Sugiyama, Vice-Consul.

Mr. Kennedy, Member for Victoria-Tobique, laid upon the table of the house a petition on behalf of residents of New Denmark urging the government to adopt the precautionary principle in determining a proper setback distance for wind turbines to be placed from residential dwellings; and that no wind energy turbines be permitted to be erected closer than 2,000 meters from any residence, school, place of business or health care facility. (Petition 10)

Mr. Alward, Member for Woodstock, laid upon the table of the House a petition on behalf of the Woodstock area schools initiative committee urging the government to commit to the replacement of Woodstock Middle School. (Petition 11)

Mr. D. Graham, Member for Carleton, laid upon the table of the House a petition on behalf of nursing home workers at River View Manor, urging the government to honour the tentative agreement ratified in March. (Petition 12)

Mr. Olscamp, Member for Tantramar, laid upon the table of the House a petition on behalf of residents of the Minto, Chipman, Ripples, Hardwood Ridge and surrounding areas who oppose the sale of NBPower to Hydro-Québec. (Petition 13)

Mr. Steeves, Member for Albert, laid upon the table of the House a petition on behalf of residents of the Minto, Midland, Iron Bound Cove, Chipman and surrounding areas who oppose the sale of NBPower to Hydro-Québec. (Petition 14)

Mr. Betts, Member for Moncton Crescent, laid upon the table of the House a petition on behalf of residents of the Minto, Lakeville Corner, Scotchtown, Briggs Corner, Hardwood Ridge and surrounding areas who oppose the sale of NBPower to Hydro-Québec. (Petition 15)

Mr. Williams, Member for Kent South, laid upon the table of the House a petition on behalf of residents in the Nepisiguit riding who oppose the use of chip seal on their roads. (Petition 16)

Ms. Poirier, Member for Rogersville-Kouchibouguac, laid upon the table of the House a petition on behalf of nursing home workers at Villa Maria, urging the government to honour the tentative agreement ratified in March. (Petition 17)

Mr. Northrup, Member for Kings-East, laid upon the table of the House a petition on behalf of residents of the Sussex, Norton, Penobsquis, Kars, Apohaqui, Wards Creek, Keirsteadville and surrounding areas urging the government to proclaim a plebiscite/ referendum on whether the province should sell NB Power. (Petition 18)

Hon. Mr. Miles laid upon the table of the House a document entitled *Environmental Implications of potential sale of NB Power to Hydro-Québec, Department of Environment. November 2009.*

Mr. Volpé requested the unanimous consent of the House to table a document, which was denied.

Following Oral Questions, Mr. Robichaud rose on a point of order and submitted that the Premier had accused the Leader of the Opposition of making “false accusations.” Hon. Mr. Murphy spoke to the point of order. Mr. Speaker took the matter under advisement.

The following Bill was introduced and read a first time.

By Mr. Alward,
Bill 11, *NB Power Referendum Act.*

Hon. Mr. Byrne gave Notice of Motion 9 that on Tuesday, December 1, 2009, he would move the following resolution, seconded by the Honourable the Premier:

THAT this House approves in general the budgetary policy of the government.

Mr. D. Graham gave Notice of Motion 10 that on Thursday, December 3, 2009, 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 detailed expense reports for the Premier, each Minister, Deputy Minister, Assistant Deputy Minister, Executive Assistant and Special Assistant since January 1, 2009.

Mr. Williams gave Notice of Motion 11 that on Thursday, December 3, 2009, he would move the following resolution, seconded by Mr. Robichaud:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House detailed information, including flight records, final destinations, duration of stay, unscheduled stops, and a list of occupants on each flight, however recorded, stored, or archived, by electronic means or otherwise, related to the operation and usage of any provincially leased or owned airplane since April 1, 2009.

Pursuant to Standing Rule 44(4), Mr. Robichaud, Opposition House Leader, gave notice that on Thursday, November 26, 2009, Opposition business would be considered in the following order: Motion 6, followed by second reading of Bill 10.

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

Mr. Fraser, the Acting Speaker, delivered the following ruling with respect to the point of order raised by Hon. Mr. Murphy on Friday last:

STATEMENT BY DEPUTY SPEAKER

Honourable Members,

On Friday last, a point of order was raised by the Government House Leader with respect to certain comments made by the Member for Madawaska-les-Lacs during the debate on the Speech from the Throne.

After hearing representations from both sides, I advised that I would review the transcript and report back to the House if necessary.

I have had an opportunity to review the relevant portions of the transcript. I note, that among other things, the Member for Madawaska-les-Lacs stated “ People who are keeping track of this realize that everything they say is false.” [TRANSLATION] In the context that the words were used, the Member, in my opinion, was questioning the honesty of Members.

Honourable Members, it is not acceptable in this House to say indirectly, what you cannot say directly. In other words, it would not be permissible in this House to allege that everything the government says is false. Simply by attributing the words to others does not make the statement more acceptable. If I hear attempts

such as this again I will call the Member to order and ask that the words be retracted.

There were also unsubstantiated comparisons made to the federal sponsorship program and suggestions that individuals were benefiting. Honourable Members, I should not have to remind you that we are undertaking a very important debate and one that at times may be contentious and heated. However, all Members must ensure that the debate remains at a level that is worthy of elected representatives. Care must be taken by all Members to avoid making unsubstantiated allegations or comparisons which could tarnish the reputations of Members or individuals outside of this House who are not present to defend themselves.

Hon. Mr. Murphy, Government House Leader, announced that it was the intention of government that the House resolve itself into a Committee of the Whole to consider Bills 2, 3, 4 and 5; following which, the House would resume the adjourned debate on the motion for an Address in Reply to the Speech from the Throne.

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

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

At 12.30 o'clock p.m., the Chairman left the chair to resume again at 2 o'clock p.m.

2 o'clock p.m.

The Committee resumed with Ms. Robichaud in the chair.

Hon. Mr. Murphy requested the unanimous consent of the House to speak from a chair other than his own and unanimous consent was denied.

Hon. Mr. Murphy rose on a point of order and submitted that Mr. C. LeBlanc was questioning the honesty of Hon. B. LeBlanc. The Chair ruled the point well taken and cautioned the Member against the use of such language.

And after some time, Mr. Fraser took the chair.

And after some further time spent in Committee of the Whole, Ms. Robichaud resumed the chair.

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

That the Committee had directed that she report the following Bills as agreed to:

Bill 2, *An Act to Amend the Crown Construction Contracts Act.*

Bill 3, *An Act to Amend the Municipal Assistance Act.*

Bill 4, *An Act to Repeal the Jury Act.*

Bill 5, *An Act Respecting Small Claims.*

And the Committee asked leave to make a further report.

Pursuant to Standing Rule 78.1, Mr. 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.

The Assembly resumed the adjourned debate on the proposed motion of Mr. MacIntyre, seconded by Mr. Paulin:

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 17, 2009.

To His Honour,
The Honourable Graydon Nicholas,
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 after some further time, Mr. Speaker resumed the chair.

And the debate continuing, after some time, the debate was adjourned by Mr. McGinley on behalf of the Honourable the Premier.

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

The following document, having been deposited with the Clerk of the House since the last sitting of the House, was deemed laid upon the table of the House pursuant to Standing Rule 39:

Annual Report 2008-2009

Office of the Comptroller

November 24, 2009