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Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Graydon Nicholas
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

Friday, January 15, 2010

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

Friday, January 15, 2010.

10 o'clock a.m.

Prayers.

Mr. Williams, Member for Kent South, laid upon the table of the House a petition on behalf of residents of Napan, Miramichi, St. Margarets, Red Bank, Redmondville, Chatham, Burnt Church, Bathurst, Allainville and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 120)

Mr. Betts, Member for Moncton Crescent, laid upon the table of the House a petition on behalf of residents of Miramichi, Napan, Chatham, Bathurst, Nash Creek and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 121)

Mr. D. Graham, Member for Carleton, laid upon the table of the House a petition on behalf of residents of Gardners Creek, Belleisle, Fairfield, Bains Corner and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 122)

Ms. Poirier, Member for Rogersville-Kouchibouguac, laid upon the table of the House a petition on behalf of residents of Blackville, Miramichi, Sunny Corner, Craigville Road, Eel Ground, Moncton, Quarryville, South Esk, Millerton and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 123)

Mr. Fitch gave Notice of Motion 29 that on Thursday, January 21, 2010, he would move the following resolution, seconded by Mr. Alward:

WHEREAS the province has indicated through the current 2010-2011 budget that the projected date in which the province will return to a balanced budget has been pushed back until the 2014-2015 fiscal year; and

WHEREAS the current budget projects that revenue for the province will increase by 10.7% from the current fiscal year until the 2014-2015 fiscal year; and

WHEREAS expenditures are slated to increase by only 1% over the same period;

BE IT RESOLVED that this Legislative Assembly urge the government to provide to this House detailed financial forecasts and analysis from the Department of Finance or any outside source that supports the projections and ability of government to keep spending far below historic levels of inflation from the current year until the projected 2015 return to a balanced budget.

Mr. Alward gave Notice of Motion 30 that on Thursday, January 21, 2010, he would move the following resolution, seconded by Mr. Robichaud:

WHEREAS there are a significant number of legal issues and questions surrounding the Government's proposed sale of NB Power to Hydro-Québec;

BE IT RESOLVED that this Legislative Assembly urge the government to immediately present an address to His Honour the Lieutenant-Governor, praying that he forthwith cause to be referred to the Court of Appeal of New Brunswick the following questions for hearing and consideration:

1. Did the Premier of the Province of New Brunswick have any legal authority to sign the October 29, 2009 Memorandum of Understanding (MOU) with the Province of Québec, without an Order-in-Council or authorization from the Legislature?
2. Does Her Majesty in Right of the Province of New Brunswick have any legal authority to enter into any agreements to sell all or part of the assets of Generation Corporation, Nuclear Corporation or any other subsidiary of New Brunswick Power Hold Corporation, without prior authorization by the Lieutenant-Governor in Council?
3. Does Her Majesty in Right of the Province of New Brunswick have any legal authority to sell or dispose of its voting shares in the New Brunswick Power Holding Corporation?
4. If the legislative amendments to the *Electricity Act* of New Brunswick sought in the October 29, 2009 MOU were enacted, would such amendments amount to an abdication or delegation of New Brunswick's legislative powers in matters of electricity and energy as expressed in Section 92 of the British North America Act to another provincial legislature?
5. Can a provincial legislature abdicate or delegate its Section 92 legislative powers to another provincial legislature?

Hon. Mr. Byrne, 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 18, 17, 16, 19 and 7.

It was agreed by unanimous consent to sit through the noon recess and to adjourn at 3 o'clock p.m.

At 11.37 o'clock a.m., Mr. Speaker declared a recess and left the chair.

11.45 o'clock a.m.

Mr. Speaker resumed the chair.

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

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

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

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

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

Bill 17, *An Act to Amend the Metallic Minerals Tax Act.*

Bill 18, *An Act to Amend the Real Property Tax Act.*

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

Bill 16, *An Act to Amend the Elections Act.*

And the Committee asked leave to make a further report.

Pursuant to Standing Rule 78.1, Mr. 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.

And then, 3 o'clock p.m., the House adjourned

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

2008-2009 Annual Report,
Ambulance New Brunswick

January 13, 2010