

**35**



**Journals**  
(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Graydon Nicholas  
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

**Thursday, February 4, 2010**

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

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Thursday, February 4, 2010.

1 o'clock p.m.

Prayers.

Pursuant to Standing Rule 10, Mr. Alward rose on a point of privilege to correct statements published in several provincial newspapers regarding his position on a proposed boycott of Ganong's chocolates following the release of the report of the *Advisory Panel on the Proposed New Brunswick-Québec Electricity Transaction* chaired by David A. Ganong.

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Mr. Urquhart welcomed to the Chamber Mr. Les Hull, Progressive Conservative MLA for York South (1974-1987); Minister of Social Services (1974-1982); Minister of Youth and Recreation (1982-1987); and Chairman of the New Brunswick Electric Power Commission (1985-1987).

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Mr. Paulin, Member for Restigouche-la-Vallée, laid upon the table of the House a petition on behalf of residents of Notre-Dame, Atholville, Balmoral, Charlo, Campbellton, Val d'Amour, Dalhousie and surrounding areas urging the government to allow the use of ATVs on the former rail lines from Glencoe to Tide Head. (Petition 176)

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Mr. Northrup, Member for Kings East, laid upon the table of the House a petition on behalf of residents of Miramichi, Havelock, Russellville, Cassilis, Lower Newcastle, Bartibog Bridge, Carrolls Crossing, Riverview and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 177)

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Mr. Steeves, Member for Albert, laid upon the table of the House a petition on behalf of residents of Summerville, Kingston, Quispamsis, Rothesay and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 178)

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Mr. Betts, Member for Moncton Crescent, laid upon the table of the House a petition on behalf of residents of Beresford, Dunlop, Robertville, South Tetagouche, Nigadoo, Bathurst, Belledune and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 179)

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Mr. D. Graham, Member for Carleton, laid upon the table of the House a petition on behalf of residents of Lower Newcastle, Napan, Miramichi, Hardwicke, South Nelson, South Napan, Black River Bridge and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 180)

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Mr. C. Landry, Member for Tracadie-Sheila, laid upon the table of the House a petition on behalf of residents of Miramichi, Lower Derby, Exmoor, Chatham, Burnt Church, Newcastle, Millerton, Strathadam, Gray Rapids, Fredericton, Cassilis, Wayerton, Douglstown and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 181)

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Mr. Fitch gave Notice of Motion 38 that on Thursday, February 11, 2010, he would move the following resolution, seconded by Ms. Blaney:

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 including correspondence, minutes of meetings and any memorandum however recorded or stored between the Office of the Premier, the Department of the Environment, the Minister of the Environment, the Fredericton Region Solid Waste Commission and any other individuals regarding Elmtree Environmental Ltd. since October 3, 2006.

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Mr. Williams gave Notice of Motion 39 that on Thursday, February 11, 2010, 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 copies of all contracts, personal service contracts and or monetary retainers between any government department, agency or Crown corporation and the law firm of Stewart McKelvey and/or Mr. Britt Dysart including the hourly billing rate since October 3, 2006.

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Motions 10, 11, 12, 14, 18, 20, 25, 26 and 27 were, by leave of the House, withdrawn.

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Pursuant to Notice of Motion 34, Mr. Alward moved, seconded by Mr. Robichaud:

WHEREAS the people of New Brunswick are the principle shareholders of NB Power and its assets; and

WHEREAS the Premier's decision to sell off many of those assets and transmission rights to Hydro-Québec without the consent of the people has created tremendous public backlash because the people of New Brunswick were not consulted about the deal; and

WHEREAS there are many questions surrounding the final written contract between Hydro-Québec and the Province of New Brunswick because the government has chosen to keep many aspects of the negotiated deal between the two parties involved secret;

BE IT RESOLVED that this Legislative Assembly urge this government to table the contract between the Province of New Brunswick and Hydro-Québec a minimum of 30 days before the deal is signed so that the final agreement can receive the essential public scrutiny that it requires and the shareholders deserve.

And the question being put, a debate ensued.

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

And after some further time, Mr. Fraser, the Deputy Speaker, took the chair as Acting Speaker.

And after some time, Mr. Speaker resumed the chair.

And the debate being ended and the question being put, Motion 34 was defeated on the following recorded division:

YEAS - 22

Mr. Fitch	Mr. Huntjens	Mr. Betts
Ms. Dubé	Mr. Harrison	Mr. C. LeBlanc
Mr. Alward	Mr. MacDonald	Mr. Urquhart
Mr. Robichaud	Mr. Holder	Mr. Jack Carr
Ms. Blaney	Mr. Jody Carr	Mr. Olscamp
Mr. Volpé	Mr. D. Graham	Mr. C. Landry
Mr. Steeves	Mr. Williams	Mr. Northrup
Ms. Poirier		

NAYS - 27

Hon. Ms. Schryer	Hon. Mr. Doherty	Mr. Fraser
Hon. Mr. Byrne	Hon. Mr. Stiles	Hon. Mr. Ouellette
Hon. S. Graham	Hon. Mr. Lamrock	Hon. Mr. Doucet
Hon. V. Boudreau	Hon. B. LeBlanc	Hon. Mr. Brewer
Hon. Mr. Arseneault	Hon. Mr. Miles	Hon. Mr. Collins
Hon. Mr. Keir	Hon. Mr. Albert	Hon. Mr. Kenny
Hon. Mr. Haché	Mr. MacIntyre	Ms. MacAlpine-Stiles
Hon. D. Landry	Ms. Lavoie	Mr. A. LeBlanc
Mr. McGinley	Ms. Robichaud	Mr. Paulin

Debate resumed on the proposed amendment to Motion 35, moved by Hon. Mr. Byrne, seconded by Hon. Mr. Lamrock, as follows:

## AMENDMENT

That Motion 35 be amended by:

Replacing the third “Whereas” clause with

“WHEREAS the government of New Brunswick, like all provincial and territorial governments, is facing funding challenges for Legal Aid and service delivery; therefore”

In the resolution clause, after the word “Assembly” delete the words “urge the government to form a provincial action committee with” and replace with “support the ongoing work of the committee composed of” and after the word “departments” insert “who have been” and after “matters” add “and

BE IT FURTHER RESOLVED that this Legislative Assembly support the establishment of a local committee of government, community and judicial representatives to implement a pilot project for an improved service delivery model for Family Division of the Court of Queen’s Bench in Saint John this Spring.”

It was agreed by unanimous consent that the amendment to Motion 35 previously moved by Hon. Mr. Byrne be withdrawn.

Hon. Mr. Byrne, seconded by Hon. Mr. Lamrock, moved in amendment:

That Motion 35 be amended by:

## AMENDMENT

Replacing the third “Whereas” clause with

“WHEREAS the government of New Brunswick, like all provincial and territorial governments, is facing funding challenges for Legal Aid and service delivery; therefore”

In the resolution clause, after the word “Assembly” delete the words “urge the government to form a provincial action committee with representatives from government departments and community representatives” and replace with “support the ongoing work of the committee composed of representatives from government departments who have been” and after the word “matters” delete the period and replace with “; and

BE IT FURTHER RESOLVED that this Legislative Assembly support the establishment of a local committee of government, community and judicial representatives to implement a pilot project for an improved service delivery model for Family Division of the Court of Queen’s Bench in Saint John this Spring.”

And the question being put on the amendment, a debate ensued.

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

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

Mr. Deputy Speaker put the question on Motion 35 as amended as follows:

WHEREAS timely access to the justice system is fundamental in providing a just and democratic society, and

WHEREAS Legal Aid is a fundamental necessity that helps ensure timely access to justice especially for vulnerable citizens, including women who are experiencing family violence, aboriginal women, and those of low income; and

WHEREAS the government of New Brunswick, like all provincial and territorial governments, is facing funding challenges for Legal Aid and service delivery; therefore

BE IT RESOLVED that this Legislative Assembly support the ongoing work of the committee composed of representatives from government departments who have been mandated to implement recommendations to improve access to family court services, expand the use of alternatives to family courts to resolve family law issues, and provide increased access to legal information and legal aid in family law matters; and

BE IT FURTHER RESOLVED that this Legislative Assembly support the establishment of a local committee of government, community and judicial representatives to implement a pilot project for an improved service delivery model for Family Division of the Court of Queen's Bench in Saint John this Spring.

And the question being put, Motion 35 as amended was carried.

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Debate resumed on Motion 29 moved by Mr. Fitch, seconded by Mr. Alward, as follows:

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.

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

And after some further time, Mr. Fraser, the Deputy Speaker, resumed the chair as Acting Speaker.

And after some time, Mr. Speaker resumed the chair, interrupted proceedings, and advised that the hour of daily adjournment had arrived.

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