

50



Journals
(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Graydon Nicholas
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

Wednesday, March 10, 2010

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

Wednesday, March 10, 2010.

10 o'clock a.m.

Prayers.

Mr. Speaker delivered the following ruling with respect to Notice of Motion 48:

STATEMENT BY SPEAKER

Honourable Members,

I would like to direct your attention to Notice of Motion 48, which stands on the Order and Notice Paper in the name of the Leader of the Opposition.

I have reviewed the notice of motion, particularly as it compares to Motion 6 which was moved by the Leader of the Opposition, debated and subsequently defeated during the current session on November 26th.

Paragraph 558 (1) of *Beauchesne's Parliamentary Rules and Forms*, 6th edition, states as follows:

An old rule of Parliament reads: "That a question being once made and carried in the affirmative or negative, cannot be questioned again but must stand as the judgment of the House." Unless such a rule were in existence, the time of the House might be used in the discussion of a motion of the same nature and contradictory decisions would be sometimes arrived at in the course of the same session.

This longstanding rule is also outlined in Marleau and Montpetit's *House of Commons Procedure and Practice*, 1st edition, at page 495.

With respect to Motion 48, the resolution clause reads as follows: "Be it resolved that this Legislative Assembly urge the government to cease the execution and implementation of the agreement with the Province of Quebec and Hydro-Quebec related to the sale of NB Power or any of its generation and transmission assets until the people of New Brunswick have been consulted in a general election."

In my view, this question has already been decided during the current session. The resolution clause of Motion 6 reads "that all current business dealings with respect to the sale of NB Power to the Province of Quebec and Hydro-Quebec be immediately suspended until such time as a general election is held or a referendum is convened..."

The nature of both motions is that the sale of NB Power or any of its assets be delayed until after a general election. The phrase “all current business dealings” as found in Motion 6 would, in my view, necessarily encompass matters relating to the execution and implementation of any agreement, as found in Motion 48.

It is my view that to permit Motion 48 to go forward would result in the time of the House being used in the discussion of a motion of the same nature and the possibility of contradictory decisions being arrived at in the course of the same session.

Therefore, I find that Notice of Motion 48 is out of order as the question has already been decided during the current session. Accordingly, I order that the motion be removed from the Order and Notice Paper.

Mr. Williams, Member for Kent South, laid upon the table of the House a petition on behalf of residents of Grande-Digue in protest to the conditions of road 530. (Petition 226)

The following Bill was introduced and read a first time.

By Hon. Mr. Byrne,
Bill 45, *Loan Act 2010*.

The following Private Bills were introduced and read a first time:

By Mr. A. LeBlanc,
Bill 46, *An Act Respecting the Saint John Firefighters' Association*.
Bill 47, *An Act to Authorize The City of Saint John to Set Aside a Portion of Tucker Park for Street Purposes*.
Bill 48, *An Act to Authorize the Conveyance of Certain Lands in The City of Saint John to Bell Aliant Communications*.

Ordered referred to the Standing Committee on Private Bills.

Pursuant to Standing Rule 44(4), Mr. Robichaud, Opposition House Leader, gave notice that on Thursday, March 11, 2010, Opposition Members' business would be considered in the following order: Motion 49; second reading of Bill 44; and resumption of the debate on Motion 29.

Hon. Mr. Byrne, Government House Leader, announced that it was the intention of government that the House resolve itself into a Committee of Supply to consider the estimates of the Department of Social Development, the Legislative Assembly, the Department of Justice and Consumer Affairs, the Department of Health and the Department of Natural Resources.

The House, according to Order, resolved itself into a Committee of Supply with Mr. Fraser in the chair.

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

2 o'clock p.m.

The Committee resumed with Mr. Fraser in the chair.

And after some time, Mr. B. LeBlanc took the chair as Acting Chair.

And after some further time, Mr. Fraser resumed the chair.

And after some time, Mr. Speaker resumed the chair, and Mr. Fraser, the Chair, after requesting that Mr. Speaker revert to Presentations of Committee Reports, reported that the Committee had had under consideration the matters referred to them, had made some progress therein, had passed several items, and asked leave to sit again.

Pursuant to Standing Rule 78.1, Mr. Speaker then 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 following are the items reported:

MAIN ESTIMATES, 2010-2011

ORDINARY ACCOUNT

DEPARTMENT OF SOCIAL DEVELOPMENT

Voted, Supply in the following amounts to defray the expenses of the following program allocations for the fiscal year ending the 31st of March, 2011:

Child Protection and Child Development	162,690,000
Long Term Care	484,549,000
Income Security	230,989,000
Housing Services.....	93,051,000
Corporate and Other Services.....	13,455,000
Less amounts authorized by law.....	105,000
Voted	13,350,000

LEGISLATIVE ASSEMBLY

Voted, Supply in the following amounts to defray the expenses of the following program allocations for the fiscal year ending the 31st of March, 2011:

Members' Allowances, Committees and Operations	8,468,000
Less amounts authorized by law.....	4,782,000
Voted	3,686,000
Office of the Legislative Assembly.....	3,504,000

Office of the Auditor General	1,787,000
Offices of Leaders and	
Members of Registered Political Parties.....	1,615,000
Less amounts authorized by law.....	90,000
Voted	1,525,000
Elections New Brunswick	9,982,000
Less amounts authorized by law.....	668,000
Voted	9,314,000
Office of the Ombudsman and Child and Youth Advocate ...	1,680,000
Office of the Commissioner of Official Languages.....	503,000
Office of the Consumer Advocate for Insurance	459,000

DEPARTMENT OF JUSTICE AND CONSUMER AFFAIRS

Resolved, That there be granted to Her Majesty a sum not exceeding \$39,553,000 to defray the expenses of the following program allocations for the fiscal year ending the 31st of March, 2011:

Administration and Planning.....	4,310,000
Court Services	24,808,000
Justice Services.....	3,853,000
Legal Aid.....	6,635,000
Less amounts authorized by law.....	53,000
Voted	39,553,000

CAPITAL ACCOUNT

DEPARTMENT OF SOCIAL DEVELOPMENT

Resolved, That there be granted to Her Majesty a sum not exceeding \$10,600,000 to defray the expenses of the following program allocation for the fiscal year ending the 31st of March, 2011:

Public Housing - Capital Renovations and Repairs	10,600,000
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LOANS AND ADVANCES

DEPARTMENT OF SOCIAL DEVELOPMENT

Resolved, That there be granted to Her Majesty a sum not exceeding \$5,905,000 to defray the expenses of the following program allocation for the fiscal year ending the 31st of March, 2011:

Housing	5,905,000
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WORKING CAPITAL – MAXIMUM BALANCES

2010 -2011	Voted
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WORKING CAPITAL ADVANCES

Social Development	1,900,000
Justice and Consumer Affairs	50,000

PETTY CASH ADVANCES

Social Development	24,000
Justice and Consumer Affairs	30,000

INVENTORIES

Social Development	100,000
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The said items were concurred in by the House.

And then, 6 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:

Response to Petitions No. 215, 216, 217, 218, 220, 221, 223	March 9, 2010
Response to Petition No. 214	March 10, 2010