

Daily sitting 47

Thursday, June 15, 2023

10 o'clock a.m.

Prayers.

At 10.03 a.m. the House recessed due to technical difficulties with the sound and interpretation system. At 10.14 a.m. the House resumed.

Mr. Ames, from the Standing Committee on Economic Policy, presented the Fourteenth Report of the Committee for the session which was read and is as follows:

June 15, 2023

To The Honourable
The Legislative Assembly of
The Province of New Brunswick

Mr. Speaker:

Your Standing Committee on Economic Policy begs leave to submit this, their fourteenth report.

Your Committee met on June 14, 2023, and had under consideration:

Bill 32, *An Act Respecting Transferring Powers to the Energy and Utilities Board*;

and have agreed to the same.

Your Committee also had under consideration:

Bill 40, *Health Facilities Act*;

and have made certain progress therein.

And your Committee begs leave to make a further report.

(Sgd. :) Richard Ames, M.L.A.
Chair

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.

Mr. Arseneault rose on a point of order and inquired about the points of order taken under advisement the previous sitting day. Mr. Speaker stated that he had reviewed the proceedings and found that both points were not well taken.

At 11.20 a.m. the House recessed. At 11:46 a.m. the House resumed.

Hon. Mr. G. Savoie, Government House Leader, announced that it was the intention of government that Bill 46 be called for second reading; following which the House would consider Motion 49; following which Opposition Members' Business would be considered.

Debate resumed on the adjourned debate on the motion that Bill 46, *Education Act*, be now read a second time.

And the debate being ended, and the question being put that Bill 46 be now read a second time, it was resolved in the affirmative on the following recorded division after leave was granted to dispense with the ten-minute time allotted for the ringing of the bells:

YEAS - 27

Hon. Mr. Holder	Hon. Ms. Scott-Wallace	Ms. S. Wilson
Hon. Mr. G. Savoie	Hon. Ms. Green	Ms. M. Wilson
Hon. Mr. Higgs	Hon. Mr. Crossman	Mr. Cullins
Hon. Mr. Steeves	Hon. Ms. Johnson	Ms. Anderson-Mason
Hon. Ms. Shephard	Hon. Mr. Allain	Mr. Wetmore
Hon. Mr. Flemming	Hon. Mr. Hogan	Mr. Ames
Hon. Mr. Fitch	Hon. Mr. Austin	Mr. Dawson
Hon. Mr. Holland	Hon. Mr. Carr	Ms. Bockus
Hon. Mr. R. Savoie	Mr. Turner	Ms. Conroy

NAYS - 20

Mr. Arseneault	Mr. Coon	Mr. Mallet
Mr. Legacy	Ms. Mitton	Mr. Arseneau
Ms. Holt	Mr. J. LeBlanc	Mr. Losier
Mr. McKee	Mr. K. Chiasson	Mr. M. LeBlanc
Ms. Thériault	Mr. D'Amours	Ms. Landry
Mr. Gauvin	Mr. LePage	Mr. Cardy
Mr. C. Chiasson	Mr. Bourque	

Accordingly, Bill 46, *Education Act*, was read a second time and ordered referred to the Standing Committee on Economic Policy, as designated by the Government House Leader.

At 12 p.m. the House recessed. At 1 p.m. the House resumed.

Mr. Speaker delivered the following ruling:

STATEMENT BY SPEAKER

Members,

I am now prepared to rule on the point of order raised by the Opposition House Leader on June 9 with respect to Notice of Motion 49, which is a time allocation motion.

The wording of Notice of Motion 49, introduced by the Member for Fredericton-York, is virtually identical to the wording and process outlined in previous time allocation motions. All of which have been moved by a Private Member, applied to multiple Bills, and ruled to be in order by me and two previous Speakers. In fact, this will be my fourth ruling on the issue in less than two years.

As I have indicated in my previous three rulings, it is not for the Speaker to determine how much time is “reasonable” to spend considering a Bill or several Bills. That is a decision for the House to make. And if the House wishes to change or clarify how time allocation is applied to proposed legislation, it should do so by amending the Standing Rules. Until then, this is the practice that has developed in our House.

Accordingly, I find Notice of Motion 49 to be in order and will allow it to proceed to debate.

Pursuant to Notice of Motion 49, Mr. Cullins moved, seconded by Ms. M. Wilson:

THAT, notwithstanding the Standing Rules of the Legislative Assembly, following the adoption of this motion, there shall be 12 hours allocated for the proceedings at all stages of the passage of Bills 30, 32, 37, 39, 40, 45, 46, 52 and 58 which shall include the hours spent considering said Bills from June 9, 2023, and onward, and at the expiration of the said 12 hours, unless sooner concluded, the Speaker, or the Chair of the Standing Committee on Economic Policy, as the case may be, shall interrupt the proceedings and put every question necessary to dispose of the order for second reading of the said Bills; the order for consideration of the said Bills in committee and report of the Bills to the House; and the order for third reading and passage of the said Bills; and where necessary, the said Bills shall be allowed to advance more than one stage in one day;

THAT, notwithstanding the expiry of the said 12 hours, there shall be, if necessary, 20 minutes allocated at committee stage for the consideration of any of the said Bills, if requested by the Government House Leader.

And the question being put, a debate ensued.

And after some time, Mr. Coon, seconded by Mr. Arseneau, moved in amendment:

AMENDMENT

That Motion 49 be amended in both clauses by striking out “12 hours” and substituting “25 hours”.

Mr. Speaker put the question on the proposed amendment and a debate ensued.

Hon. Mr. G. Savoie requested the unanimous consent of the House to remove Bill 46 from Motion 49.

At 2.09 p.m. the House recessed. At 2.18 p.m. the House resumed.

It was agreed by unanimous consent to remove Bill 46 from Motion 49.

Ms. Mitton requested the unanimous consent of the House to remove Bills 40 and 45 from Motion 49, and unanimous consent was denied.

And the debate being ended, and the question being put on the amendment, it was defeated on the following recorded division after leave was granted to dispense with the ten-minute time allotted for the ringing of the bells:

YEAS - 20

Mr. Arseneault	Mr. Coon	Mr. Mallet
Mr. Legacy	Ms. Mitton	Mr. Arseneau
Ms. Holt	Mr. J. LeBlanc	Mr. Losier
Mr. McKee	Mr. K. Chiasson	Mr. M. LeBlanc
Ms. Thériault	Mr. D'Amours	Ms. Landry
Mr. Gauvin	Mr. LePage	Mr. Cardy
Mr. C. Chiasson	Mr. Bourque	

 NAYS - 26

Hon. Mr. Holder	Hon. Ms. Scott-Wallace	Ms. M. Wilson
Hon. Mr. G. Savoie	Hon. Mr. Crossman	Mr. Cullins
Hon. Mr. Higgs	Hon. Ms. Johnson	Ms. Anderson-Mason
Hon. Mr. Steeves	Hon. Mr. Allain	Mr. Wetmore
Hon. Ms. Shephard	Hon. Mr. Hogan	Mr. Ames
Hon. Mr. Flemming	Hon. Mr. Austin	Mr. Dawson
Hon. Mr. Fitch	Hon. Mr. Carr	Ms. Bockus
Hon. Mr. Holland	Mr. Turner	Ms. Conroy
Hon. Mr. R. Savoie	Ms. S. Wilson	

And the question being put on Motion 49, it was resolved in the affirmative on the following recorded division after leave was granted to dispense with the ten-minute time allotted for the ringing of the bells:

YEAS - 25

Hon. Mr. Holder	Hon. Ms. Scott-Wallace	Ms. M. Wilson
Hon. Mr. G. Savoie	Hon. Mr. Crossman	Mr. Cullins
Hon. Mr. Higgs	Hon. Ms. Johnson	Ms. Anderson-Mason
Hon. Mr. Steeves	Hon. Mr. Allain	Mr. Ames
Hon. Ms. Shephard	Hon. Mr. Hogan	Mr. Dawson
Hon. Mr. Flemming	Hon. Mr. Austin	Ms. Bockus
Hon. Mr. Fitch	Hon. Mr. Carr	Ms. Conroy
Hon. Mr. Holland	Mr. Turner	
Hon. Mr. R. Savoie	Ms. S. Wilson	

NAYS - 20

Mr. Arseneault	Mr. Coon	Mr. Mallet
Mr. Legacy	Ms. Mitton	Mr. Arseneau
Ms. Holt	Mr. J. LeBlanc	Mr. Losier
Mr. McKee	Mr. K. Chiasson	Mr. M. LeBlanc
Ms. Thériault	Mr. D'Amours	Ms. Landry
Mr. Gauvin	Mr. LePage	Mr. Cardy
Mr. C. Chiasson	Mr. Bourque	

It was agreed by unanimous consent to delay Opposition Members' Business to allow Bill 30 to be ordered for third reading forthwith.

The following Bill was read a third time:

Bill 30, *An Act to Amend the Coroners Act*.

Ordered that the said Bill does pass.

At 2.36 p.m. the House recessed. At 2.51 p.m. the House resumed.

Pursuant to Notice of Motion 50, Ms. Holt moved, seconded by Ms. Landry:

WHEREAS the Child and Youth Advocate, the New Brunswick Women's Council, the minister responsible for the *Child and Youth Well-Being Act*, and the Human Rights Commission have identified serious problems with the process to review Policy 713;

WHEREAS the changes proposed in the new version of Policy 713 disregard the rights of children and youth and the best interest of the child;

WHEREAS members of this House and the public have expressed their extreme disappointment in a lack of process and transparency, notably around this review;

BE IT RESOLVED that the Legislative Assembly urge the government to revert to the version of Policy 713 from August 2020.

And the question being put, a debate ensued.

And after some time, Mr. C. Chiasson, seconded by Ms. Landry, moved in amendment:

AMENDMENT

That Motion 50 be amended by striking out the resolution clause and substituting the following:

“BE IT RESOLVED that the Legislative Assembly urge the government to request that the Office of the Child and Youth Advocate conduct full consultations with relevant stakeholders on any changes to Policy 713 and the impact of such changes, and make public the results of such consultations by August 15, 2023.”

Mr. Speaker put the question on the proposed amendment and a debate ensued.

And the debate being ended, and the question being put, the amendment was adopted on the following recorded division:

YEAS - 26

Mr. Arseneault	Mr. J. LeBlanc	Ms. Landry
Mr. Legacy	Mr. K. Chiasson	Mr. Cardy
Ms. Holt	Mr. D'Amours	Hon. Mr. Holder
Mr. McKee	Mr. LePage	Hon. Ms. Shephard
Ms. Thériault	Mr. Bourque	Hon. Mr. Allain
Mr. Gauvin	Mr. Mallet	Hon. Mr. Carr
Mr. C. Chiasson	Mr. Arseneau	Ms. Anderson-Mason
Mr. Coon	Mr. Losier	Mr. Wetmore
Ms. Mitton	Mr. M. LeBlanc	

NAYS - 20

Hon. Mr. G. Savoie	Hon. Ms. Scott-Wallace	Ms. M. Wilson
Hon. Mr. Higgs	Hon. Mr. Crossman	Mr. Cullins
Hon. Mr. Steeves	Hon. Ms. Johnson	Mr. Ames
Hon. Mr. Flemming	Hon. Mr. Hogan	Mr. Dawson
Hon. Mr. Fitch	Hon. Mr. Austin	Ms. Bockus
Hon. Mr. Holland	Mr. Turner	Ms. Conroy
Hon. Mr. R. Savoie	Ms. S. Wilson	

Mr. Speaker put the question on Motion 50 as amended as follows:

WHEREAS the Child and Youth Advocate, the New Brunswick Women's Council, the minister responsible for the *Child and Youth Well-Being Act*, and the Human Rights Commission have identified serious problems with the process to review Policy 713;

WHEREAS the changes proposed in the new version of Policy 713 disregard the rights of children and youth and the best interest of the child;

WHEREAS members of this House and the public have expressed their extreme disappointment in a lack of process and transparency, notably around this review;

BE IT RESOLVED that the Legislative Assembly urge the government to request that the Office of the Child and Youth Advocate conduct full consultations with relevant stakeholders on any changes to Policy 713 and the impact of such changes, and make public the results of such consultations by August 15, 2023.

And the question being put, Motion 50 as amended was resolved in the affirmative on the following recorded division:

YEAS - 26

Mr. Arseneault	Mr. J. LeBlanc	Ms. Landry
Mr. Legacy	Mr. K. Chiasson	Mr. Cardy
Ms. Holt	Mr. D'Amours	Hon. Mr. Holder
Mr. McKee	Mr. LePage	Hon. Ms. Shephard
Ms. Thériault	Mr. Bourque	Hon. Mr. Allain
Mr. Gauvin	Mr. Mallet	Hon. Mr. Carr
Mr. C. Chiasson	Mr. Arseneau	Ms. Anderson-Mason
Mr. Coon	Mr. Losier	Mr. Wetmore
Ms. Mitton	Mr. M. LeBlanc	

NAYS - 20

Hon. Mr. G. Savoie	Hon. Ms. Scott-Wallace	Ms. M. Wilson
Hon. Mr. Higgs	Hon. Mr. Crossman	Mr. Cullins
Hon. Mr. Steeves	Hon. Ms. Johnson	Mr. Ames
Hon. Mr. Flemming	Hon. Mr. Hogan	Mr. Dawson
Hon. Mr. Fitch	Hon. Mr. Austin	Ms. Bockus
Hon. Mr. Holland	Mr. Turner	Ms. Conroy
Hon. Mr. R. Savoie	Ms. S. Wilson	

At the request of Mr. Arseneault, it was agreed by unanimous consent to discharge the order referring Bill 52 to the Standing Committee on Economic Policy and proceed to third reading forthwith.

The Order being read for third reading of Bill 52, *Human Organ and Tissue Donation Act*, a debate arose thereon.

At the requests of Ms. Conroy, it was agreed by unanimous consents to amend or add the following provisions to Bill 52: section 0.1; section 1; subparagraph 5(1)(c)(0.1); section 6; section 31.1; section 32; and paragraph 35(e.1).

And the debate being ended, and the question being put that Bill 52 be now read a third time, it was resolved in the affirmative.

Accordingly, Bill 52, *Human Organ and Tissue Donation Act*, was read a third time and passed.

And then, 5.37 p.m., the House adjourned.