
Tuesday, April 12, 2005.

1 o'clock p.m.

Prayers.

Following Oral Questions, Hon. P. Robichaud rose on a point of order and submitted that the Member for Caraquet had used unparliamentary language and requested that the Member withdraw the remark.

Mr. Speaker advised the House that he would review the Hansard and report back to the House if necessary.

Mr. Arseneault gave Notice of Motion 65 that on Tuesday, April 19, 2005, he would move the following resolution, seconded by Mr. Paulin:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table all payments made by the Department of Tourism and Parks to individuals, media outlets, including but not limited to, the names and amounts paid to TV, radio and print outlets to printing companies and advertising since June 1999.

With leave of the House to dispense with Notice, Hon. Mr. Lord moved the following resolution, seconded by Mr. S. Graham:
(Motion 66)

WHEREAS the Legislative Assembly of New Brunswick enacted the *Members' Conflict of Interest Act* to maintain acceptable standards of conduct for elected officials in order to ensure that their private interests do not come into conflict with the performance of their public duties;

WHEREAS subsection 22(1) of that Act provides that a Conflict of Interest Commissioner be appointed by the Lieutenant-Governor in Council on recommendation of the Assembly;

WHEREAS the term of office of Hon. Stuart G. Stratton, Q.C., has expired;

WHEREAS the Honourable Mr. Justice Patrick A.A. Ryan has had a distinguished career as a Judge of the Court of Queen's Bench and as a Justice of the Court of Appeal of New Brunswick and has carried out his duties with a very high degree of integrity and competence;

BE IT THEREFORE RESOLVED that the Legislative Assembly recommend to the Lieutenant-Governor in Council that the

Honourable Mr. Justice Patrick A.A. Ryan be appointed Conflict of Interest Commissioner for a term of five years;

BE IT FURTHER RESOLVED that this House express its appreciation and gratitude to Hon. Stuart G. Stratton, Q.C. for his professional and dedicated service to the Legislature and the people of New Brunswick as the first Conflict of Interest Commissioner.

And the question being put, it was resolved in the affirmative.

Hon. Mr. Green, Government House Leader, announced that as there were no debatable Private Members' Motions on the Order and Notice Paper, it was the intention of the government that the House resolve itself into a Committee of the Whole to take under consideration Bills 36 and 11.

Unanimous consent was denied to dispense with the two hours allotted for consideration of Private Members' Motions.

Motions 4, 7, 9, 11, 14, 21, 29, 32, 44, 47, 53 and 59 were, by leave of the House, withdrawn.

Pursuant to Notice of Motion 48, Mr. Haché moved, seconded by Mr. Lamrock:

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 and any documentation related to the grants made by the Regional Development Corporation for the 2003-2004 fiscal year, including:

- a) documents relating to the basic procedure, templates and forms used for evaluating RDC grants;
- b) the business plans for each proponent related to the funding request;
- c) the number of jobs that would be created or maintained promised by each applicant;
- d) the actual number of jobs created and maintained by each successful applicant; and
- e) a comparison on the number of promised jobs created or maintained with the actual number of jobs created and maintained for each RDC region.

And the question being put, a debate ensued.

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

The debate continued.

And after some time, Mr. MacIntyre, seconded by Mr. A. LeBlanc, moved in amendment:

AMENDMENT

That Motion 48 be amended by:

Adding the following:

- f) all documents including but not limited to memos, correspondence, policies, notices of meetings and minutes of meetings regarding taxation concessions by municipality for the purposes of economic and regional development under the Regional Development Corporation or any other government department or agency between June 9, 2003, and April 12, 2005.

Hon. Mr. Green rose on a point of order, namely, that the amendment prepared by the Member for Saint John Champlain was out of order. Mr. Lamrock spoke on the point of order.

At 3.05 o'clock p.m., Mr. Deputy Speaker stated he would take the matter under advisement and declared a recess and left the chair.

3.45 o'clock p.m.

Mr. C. LeBlanc, the Deputy Speaker, resumed the chair and delivered the following ruling:

STATEMENT BY DEPUTY SPEAKER

When an amendment is moved, the Chair must determine among other things, whether the amendment is relevant and within the scope of the main motion. An amendment may add additional elements for the House to consider but the Chair must ascertain that the elements so added, remain consistent with the main motion.

The original motion (Motion 48) asks for documents related to grants and loans made by the Regional Development Corporation. Paragraphs a) to e) of the original motion clearly flow from the original request for documents. However, the proposed amendment attempts to add a request for documents related to taxation concessions by municipality for purposes of economic and regional development under the Regional Development Corporation or under any other government department or agency.

This amendment is inconsistent and outside the scope of the main motion which specifically refers and relates to grants and loans by the Regional Development Corporation.

I therefore rule the amendment out of order.

I want to add that this decision is not inconsistent with previous decisions of this House, including the decision of May 20, 2004 referred to by the Member for Fredericton-Fort Nashwaak.

Debate continued on Motion 48.

And after some further time, Hon. Ms. Fowlie rose on a point of order and submitted that the Member for Saint John Fundy had used unparliamentary language. At the request of Mr. Deputy Speaker, the Member apologized for the remarks.

And the debate continuing, and the debate being ended, and the question being put, Motion 48 was negatived.

The House resolved itself into a Committee of the Whole with Mr. Holder in the chair.

And after some time, Mr. Speaker took the chair and Mr. Holder, the Chairman, after requesting that Mr. Speaker revert to Presentations of Committee Reports, reported:

That the Committee had directed him to report progress on the following Bill:

Bill 36, *An Act to Amend the Liquor Control 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, 6 o'clock p.m., the House adjourned.

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

Documents requested in Notice of Motion 59

April 8, 2005