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Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Herménégilde Chiasson
Lieutenant-Governor

Speaker: Hon. Michael Malley

Friday, April 7, 2006

Third Session of the 55th Legislative Assembly
Fredericton, New Brunswick

Friday, April 7, 2006.

10 o'clock a.m.

Prayers.

The Order of the Day for resuming the debate on the motion (Motion 28),

That this House approves in general the budgetary policy of the government, having been read,

The debate was resumed.

And the debate being ended, and the question being put, the House divided as follows:

YEAS - 27

Hon. Ms. MacAlpine-Stiles	Hon. Ms. Fowlie	Hon. Mr. Fitch
Hon. Ms. Poirier	Hon. Mr. Steeves	Mr. Huntjens
Hon. Ms. Dubé	Hon. Mr. Williams	Mr. Stiles
Hon. Mr. Volpé	Hon. Mr. Ashfield	Mr. Sherwood
Hon. Mr. Lord	Hon. Mr. MacDonald	Mr. Mesheau
Hon. Mr. Harrison	Hon. Mr. Carr	Ms. Blaney
Hon. Mr. Green	Hon. P. Robichaud	Mr. E. Robichaud
Hon. D. Graham	Hon. Mr. Alward	Mr. C. LeBlanc
Hon. Mr. Mockler	Hon. Mr. Holder	Mr. Betts

NAYS - 27

Mr. McGinley	Mr. Doherty	Mr. Arseneault
Mr. Jamieson	Mr. Albert	Mr. Foran
Mr. MacIntyre	Mr. Ouellette	Mr. Kennedy
Mr. Allaby	Ms. Robichaud	Mr. A. LeBlanc
Mr. S. Graham	Mr. Lamrock	Mr. Paulin
Mr. Haché	Mr. Targett	Mr. Doucet
Mr. Armstrong	Mr. Burke	Mr. R. Boudreau
Mr. Landry	Mr. Murphy	Mr. Brewer
Mr. Branch	Mr. Kenny	Mr. V. Boudreau

There being an equality of votes upon a division in the House, pursuant to Standing Rule 14, Mr. Speaker cast his deciding vote in the affirmative and stated the following reasons:

STATEMENT

Honourable Members,

The Clerk has announced an equality of votes for and against the motion. Pursuant to Standing Rule 14, it is my duty as Speaker to cast the deciding vote.

However, the exercise of this responsibility could weaken confidence in the Chair's impartiality; therefore, certain conventions have developed to guide Speakers in the exercise of the casting vote.

In this case, the Chair is aware that the passage of the budget motion is a test of confidence of the Assembly in the Government. The conventions and precedents are clear; questions of confidence are of such importance that an expression of non-confidence should clearly be stated by a majority.

In addition to my responsibilities to this House as Speaker, I also have a duty to the constituents of Miramichi-Bay du Vin, who elected me, and to the people of New Brunswick.

In this instance, the Chair is guided by the principles regarding the Speaker's casting vote on a matter of confidence. I therefore cast my vote in the affirmative; the motion is carried.

Mr. Speaker, at the request of Hon. Mr. Harrison, Government House Leader, reverted to Government Motions for the Ordering of the Business of the House.

Hon. Mr. Harrison announced that it was the intention of the government that the House resolve itself into a Committee of Supply to be granted to Her Majesty forthwith.

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

The Chairman having put the question on the motion by Hon. Mr. Harrison, seconded by the Honourable the Premier,

THAT the supply be granted to Her Majesty,

And a recorded division having been requested, at 11.46 o'clock p.m., the Chairman declared a recess to consider whether the request for a recorded division was in order.

12.17 o'clock p.m.

The Chairman resumed the chair and declared the request for a recorded division to be in order.

Accordingly, the Chairman put the question on the motion

THAT supply be granted to Her Majesty

and the motion was defeated on the following recorded division:

YEAS - 26

Hon. Ms. MacAlpine-Stiles	Hon. Ms. Fowlie	Hon. Mr. Fitch
Hon. Ms. Poirier	Hon. Mr. Steeves	Mr. Huntjens
Hon. Ms. Dubé	Hon. Mr. Williams	Mr. Stiles
Hon. Mr. Volpé	Hon. Mr. Ashfield	Mr. Sherwood
Hon. Mr. Lord	Hon. Mr. MacDonald	Mr. Mesheau
Hon. Mr. Harrison	Hon. Mr. Carr	Ms. Blaney
Hon. Mr. Green	Hon. P. Robichaud	Mr. E. Robichaud
Hon. D. Graham	Hon. Mr. Alward	Mr. Betts
Hon. Mr. Mockler	Hon. Mr. Holder	

NAYS - 27

Mr. McGinley	Mr. Doherty	Mr. Arseneault
Mr. Jamieson	Mr. Albert	Mr. Foran
Mr. MacIntyre	Mr. Ouellette	Mr. Kennedy
Mr. Allaby	Ms. Robichaud	Mr. A. LeBlanc
Mr. S. Graham	Mr. Lamrock	Mr. Paulin
Mr. Haché	Mr. Targett	Mr. Doucet
Mr. Armstrong	Mr. Burke	Mr. R. Boudreau
Mr. Landry	Mr. Murphy	Mr. Brewer
Mr. Branch	Mr. Kenny	Mr. V. Boudreau

Mr. Speaker resumed the chair and Mr. C. LeBlanc, the Chairman, after requesting that Mr. Speaker revert to Presentations of Committee Reports, reported that the Committee, proceeding in the matter under consideration, had negatived the following resolution:

THAT the supply be granted to Her Majesty.

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 a recorded division having been requested, at 12.55 o'clock p.m., Mr. Speaker declared a recess and advised the House that the division would take place at the resumption of the sitting at 2 o'clock p.m.

2 o'clock p.m.

Mr. Speaker resumed the chair.

Mr. Speaker again put the question on the motion that the report be concurred in, and the House divided as follows:

YEAS - 27

Hon. Ms. MacAlpine-Stiles	Hon. Ms. Fowlie	Hon. Mr. Fitch
Hon. Ms. Poirier	Hon. Mr. Steeves	Mr. Huntjens

Hon. Ms. Dubé	Hon. Mr. Williams	Mr. Stiles
Hon. Mr. Volpé	Hon. Mr. Ashfield	Mr. Sherwood
Hon. Mr. Lord	Hon. Mr. MacDonald	Mr. Mesheau
Hon. Mr. Harrison	Hon. Mr. Carr	Ms. Blaney
Hon. Mr. Green	Hon. P. Robichaud	Mr. E. Robichaud
Hon. D. Graham	Hon. Mr. Alward	Mr. C. LeBlanc
Hon. Mr. Mockler	Hon. Mr. Holder	Mr. Betts

NAYS - 27

Mr. McGinley	Mr. Doherty	Mr. Arseneault
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Mr. MacIntyre	Mr. Ouellette	Mr. Kennedy
Mr. Allaby	Ms. Robichaud	Mr. A. LeBlanc
Mr. S. Graham	Mr. Lamrock	Mr. Paulin
Mr. Haché	Mr. Targett	Mr. Doucet
Mr. Armstrong	Mr. Burke	Mr. R. Boudreau
Mr. Landry	Mr. Murphy	Mr. Brewer
Mr. Branch	Mr. Kenny	Mr. V. Boudreau

There being an equality of votes upon a division in the House, pursuant to Standing Rule 14, Mr. Speaker cast his deciding vote in the negative and stated the following reasons:

STATEMENT

Honourable Members,

The Clerk has announced an equality of votes for and against the motion. It is now my duty to cast the deciding vote.

The motion before me now is that the House does concur in the report of the Committee of Supply

In casting the deciding vote, the parliamentary precedents dictate that the Speaker should vote, wherever possible, to maintain the status quo and to allow for further debate.

Accordingly, I will cast my vote in the negative on the motion to concur in this Report.

Therefore, the motion that the House does concur in the report of the Committee of Supply is defeated.

Honourable Members, it should be stated and made very clear that the motion moved earlier in Committee of Supply - That Supply Be Granted to Her Majesty - was a procedural formality, a purely symbolic motion that is traditionally moved following the passing of the Budget vote in the House. The motion is traditionally decided without dissent following the passing of the budget vote which occurred earlier today.

Earlier in this session, on December 21, 2005, the same symbolic motion was passed in Committee of Supply after transmission of the Capital Estimates 2006-2007.

On that same day the following motion was also adopted by the House and remains in effect during the session:

That consideration of Estimates in Committee of Supply be added to the Orders of the day until such time as they are dispatched.

I must also point out to Members that our Standing Rules are very clear on this matter:

Standing Rule 108 states as follows, and I quote:

108 On any day on which Estimates or Supplementary Estimates are transmitted to the House, such Estimates shall be deemed to be referred to the Committee of Supply.

Accordingly, it is clear that both the Capital and the Main Estimates now stand referred to the Committee of Supply for further consideration.

The motion defeated in Committee earlier today has no effect on this. The estimates remain referred to Committee of Supply for further consideration.

And then, 2.15 o'clock p.m., the House adjourned.

The following documents, having been deposited with the Clerk of the House since the last sitting of the House, were deemed laid upon the table of the House pursuant to Standing Rule 39:

Documents requested in Notices of Motions 48, 49

April 6, 2006