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Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Herménégilde Chiasson
Lieutenant-Governor

Speaker: Hon. Michael Malley

Wednesday, April 26, 2006

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

Wednesday, April 26, 2006.

10 o'clock a.m.

Prayers.

Pursuant to Standing Rule 10, Mr. Branch, Member for Nepisiguit, rose on a Question of Privilege to complain of an article published in *L'Acadie Nouvelle* on April 25, 2006, that referred to him personally.

The following Bill was introduced and read a first time.

By Mr. Allaby,

Bill 55, *An Act to Amend the Assessment Act*.

Ordered that the said Bill be read a second time at the next sitting.

Hon. Mr. Harrison, Government House Leader, rose on a point of order and submitted that questions posed by the Member for Moncton North during Oral Questions infringed Standing Rule 49 — they referred to a matter pending in a court — and on Standing Rule 41 — they were not of an urgent matter. Mr. Lamrock spoke on the point of order. Mr. Speaker ruled that Standing Rule 41 had not been infringed and took the matter with respect to Standing Rule 49 under advisement.

Mr. Arseneault gave Notice of Motion 64, that on Tuesday, May 2, 2006, he would move the following resolution, seconded by Mr. Haché:

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 details of expenditures pertaining to item 4253.160.058 on page 83 of the 2004/2005 Regional Development Corporation Annual Report.

Mr. Arseneault gave Notice of Motion 65, that on Tuesday, May 2, 2006, he would move the following resolution, seconded by Mr. Haché:

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 details of expenditures pertaining to item 4265.001 on page 95 of the 2004/2005 Regional Development Corporation Annual Report.

Mr. Lamrock gave Notice of Motion 66, that on Tuesday, May 2, 2006, he would move the following resolution, seconded by Mr. McGinley:

WHEREAS circumstances have changed since the election of the Member for Miramichi-Bay du Vin as Speaker of the Legislative Assembly; and

WHEREAS some of these circumstances; specifically, the seeking of one party's approval of admission to caucus, the private negotiation of government benefits in exchange for support, and the Speaker's participation in government announcements of projects which are, or have been represented as being, in exchange for the Speaker's support, would create reasonable doubts in the impartiality of the Office of Speaker; and

WHEREAS it is appropriate that this Assembly be given an opportunity to affirm or withhold its support for the Speaker;

BE IT RESOLVED that this Legislative Assembly express its lack of confidence in the Speaker.

Hon. Mr. Harrison, Government House Leader, announced that following second reading, it was the intention of government that the House resolve itself into a Committee of the Whole House to take into consideration Bill 37, *An Act to Amend the Elections Act*.

The Order being read for second reading of Bill 47, *An Act to Amend the Members' Conflict of Interest Act*, a debate arose thereon.

And after some time, Hon. Mr. Harrison moved in amendment, seconded by Hon. P. Robichaud:

AMENDMENT

That the motion for second reading be amended by deleting all the words after the word "that" and substituting the following:

Bill 47, *An Act to Amend the Members' Conflict of Interest Act*, be not now read a second time but that the order for second reading be discharged and the subject matter of the Bill referred to the Standing Committee on Law Amendments.

And the question being put, a debate ensued.

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

2 o'clock p.m.

Mr. Speaker resumed the chair.

Debate resumed on the proposed amendment to the motion for second reading of Bill 47.

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

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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

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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 the amendment was carried.

The following Bill was read a second time and referred to the Committee of the Whole House:

Bill 48, *An Act to Amend the Pre-arranged Funeral Services Act*.

The Order being read for second reading of Bill 49, *An Act to Amend the Teachers' Pension Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 49, *An Act to Amend the Teachers' Pension Act*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 49, *An Act to Amend the Teachers' Pension Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Order being read for second reading of Bill 50, *Class Proceedings Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 50, *Class Proceedings Act*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 50, *Class Proceedings Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Order being read for second reading of Bill 51, *An Act to Amend the Human Tissue Gift Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 51, *An Act to Amend the Human Tissue Gift Act*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 51, *An Act to Amend the Human Tissue Gift Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Order being read for second reading of Bill 52, *An Act to Amend the Higher Education Foundation Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 52, *An Act to Amend the Higher Education Foundation Act*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 52, *An Act to Amend the Higher Education Foundation Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Order being read for second reading of Bill 53, *An Act to Amend the Child and Youth Advocate Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 53, *An Act to Amend the Child and Youth Advocate Act*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 53, *An Act to Amend the Child and Youth Advocate Act*, was read a second time and ordered referred to the Committee of the Whole House

The Order being read for second reading of Bill 54, *An Act to Amend the Motor Vehicle Act*, a debate arose thereon.

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

And the debate being ended, and the question being put that Bill 54, *An Act to Amend the Motor Vehicle Act*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 54, *An Act to Amend the Motor Vehicle Act*, was read a second time and ordered referred to the Committee of the Whole House.

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

And after some time, Mr. Speaker resumed the chair and Mr. C. LeBlanc, the Chairman, after requesting that Mr. Speaker revert to the Order of Presentation of Committee Reports, reported:

That the Committee had directed him to report the following Bill agreed to as presented:

Bill 37, *An Act to Amend the Elections 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.