

45



# Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Herménégilde Chiasson  
Lieutenant-Governor

Speaker: Hon. Michael Malley

Wednesday, June 7, 2006

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

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Wednesday, June 7, 2006.

10 o'clock a.m.

Prayers.

Ms. Blaney, the Member for Saint John-Kings, rose on a Question of Privilege concerning comments directed to her by the Member for Moncton North which she submitted were a clear attempt to intimidate a Member of the House and a clear violation of privilege.

Pursuant to Standing Rule 9(2), Ms. Blaney gave notice of her intention to propose the following motion, seconded by Hon. Mr. Harrison:

THAT the comments "I have indicated that I will sue her. The lawsuit is drafted. It will be served upon her, and she can spend the many, many thousands of dollars defending this, or she can apologize today." made by the Member for Moncton North on June 6, 2006, be referred to the Standing Committee on Privileges for investigation as an attempt to intimidate and therefore a breach of privilege and for appropriate action.

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Mr. Kennedy, Member for Victoria-Tobique, laid upon the table of the House a petition signed by residents whose concern is the water rights to Plant Brook on the land of Jerome Bowmaster. (Petition 26)

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Hon. Mr. Volpé, Minister of Finance, delivered to Mr. Speaker a Message from His Honour, the Lieutenant-Governor, and the said Message was read by Mr. Speaker, all the Members standing, and is as follows:

Fredericton, N.B.  
June 7, 2006.

His Honour the Lieutenant-Governor transmits the *Supplement and Amendment to Supplementary Estimates 2005-2006 Volume I* of the sums required for the services of the province, not otherwise provided for, for the year ending March 31, 2006, and in accordance with the provisions of the *Constitution Act, 1867*, recommends these estimates to the House.

(Sgd.): Honourable Herménégilde Chiasson.  
Lieutenant-Governor.

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Mr. Murphy gave Notice of Motion 91, that on Tuesday, June 13, 2006, he would move the following resolution, seconded by Mr. Allaby:

WHEREAS the *Financial Administration Act* is very clear in section 34(1) that a Special Warrant may only be ordered if it is "required urgently for the public good"; and

WHEREAS Special Warrants are intended to be used to deal with real emergencies and expenditures that are unforeseen; and

WHEREAS this government has demonstrated a blatant disregard for this section of the *Financial Administration Act*;

BE IT THEREFORE RESOLVED that the Legislative Assembly require the Minister of Finance to apologize to this House for disregarding the *Financial Administration Act*.

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Mr. Jamieson gave Notice of Motion 91, that on Tuesday, June 13, 2006, he would move the following resolution, seconded by Mr. R. Boudreau:

WHEREAS June 4-10, 2006, is recognized as National Environment Week; and

WHEREAS the state of the environment will emerge as one of the most critical issues facing our society over the next decade; and

WHEREAS this government's 5 in 5 plan fails to clearly identify a commitment to the reduction of greenhouse gas emissions; and

WHEREAS the burning of PCB's is a known risk and danger to people's health; and

WHEREAS air quality, water protection and protection of our quality of life are the fundamental responsibilities of the Department of Environment;

BE IT RESOLVED that the Legislative Assembly condemn the government's failure to protect the environment.

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Mr. Lamrock rose on a point of order and requested that the rules regarding time limits on Introduction of Guests and Congratulatory Messages be respected as closely as possible for the remainder of the session. Hon. Mr. Harrison, the Government House Leader, concurred in the point of order and agreed that the relevant rules should be respected as closely as possible.

Mr. Speaker stated he would take the comments of Members under advisement accordingly.

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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 Supply to take into consideration the estimates of the Department of Health, the Department of Energy, and the Energy Efficiency and Conservation Agency.

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The Order being read for second reading of Bill 74, *An Act to Amend the Emergency 911 Act*, a debate arose thereon.

And debate being ended, and the question being put that Bill 74, *An Act to Amend the Emergency 911 Act*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 74, *An Act to Amend the Emergency 911 Act*, was read a second time and ordered referred to the Committee of the Whole House.

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The Order being read for second reading of Bill 75, *Special Appropriation Act 2006*, 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 after some time, Mr. Speaker resumed the chair.

And after some further time, Ms. Blaney rose on a Question of Privilege with respect to the service of a Notice of Action on her on the premises of the Legislative Assembly by a staff of the Office of the Official Opposition.

Pursuant to Standing Rule 9(2), Ms. Blaney gave notice of her intention to move the following motion, seconded by Mr. Harrison:

THAT the matter of the Member for Moncton North serving a civil proceeding on the Member for Saint John-Kings within the precincts of the House while it is sitting be referred to the Standing Committee on Privileges for investigation and, if appropriate, sanction.

Debate resumed on the motion for second reading of Bill 75.

And the debate being ended, and the question being put that Bill 75, *Special Appropriation Act 2006*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 75, *Special Appropriation Act 2006*, was read a second time and ordered referred to the Committee of the Whole House.

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The Order being read for second reading of Bill 76, *Loan Act 2006*, a debate arose thereon.

And after some time, Mr. Speaker declared it to be 12.30 o'clock p.m., and 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 motion for second reading of Bill 76.

And debate being ended, and the question being put that Bill 76, *Loan Act 2006*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 76, *Loan Act 2006*, was read a second time and ordered referred to the Committee of the Whole House.

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The Order being read for second reading of Bill 77, *An Act to Amend the New Brunswick Income Tax Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 77, *An Act to Amend the New Brunswick Income Tax Act*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 77, *An Act to Amend the New Brunswick Income Tax Act*, was read a second time and ordered referred to the Committee of the Whole House.

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Mr. Speaker advised the Assembly that the two hours of notice required under Standing Rule 9(2) had elapsed. Mr. Speaker recognized Ms. Blaney to speak on the matters of privilege raised earlier in the sitting.

In speaking on the Question of Privilege, the Member for Saint John-Kings claimed that the actions of the Member for Moncton North constitute a contempt of this House by attempting to deprive her from fully exercising her freedom of speech. Ms. Blaney further claimed that the service of a notice of action and statement of claim within the Legislative precincts amounts to a contempt.

Mr. Speaker took the matter under advisement.

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

And after some time, Mr. C. LeBlanc took the chair.

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

And after some further time spent in Committee of Supply, 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 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, 2006-2007

ORDINARY ACCOUNT

DEPARTMENT OF HEALTH

Resolved, That there be granted to Her Majesty a sum not exceeding \$1,896,722,000 to defray the expenses of the Ordinary Account program allocations for the Department of Health for the fiscal year ending the 31st of March, 2007:

Administrative Services .....	18,529,000
Public Health and Medical Services .....	636,938,000
Institutional Services .....	1,116,329,000
Addiction and Mental Health Services .....	79,252,000
Less amounts authorized by law .....	38,000
Voted .....	1,896,722,000

CAPITAL ACCOUNT

DEPARTMENT OF HEALTH

Resolved, That there be granted to Her Majesty a sum not exceeding \$13,723,000 to defray the expenses under Capital Account of the Department of Health for the fiscal year ending the 31st of March, 2007:

Public Hospitals - Capital Equipment .....	13,723,000
Health Care Renewal.....	0

WORKING CAPITAL – MAXIMUM BALANCES

WORKING CAPITAL ADVANCES

Health.....	3,370,000
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PETTY CASH ADVANCES

Health.....	5,000
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The said items were concurred in by the House.

And then, 6 o'clock p.m., the House adjourned.