



# **Journals**

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Herménégilde Chiasson  
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

**Thursday, December 13, 2007**

**Second Session of the 56th Legislative Assembly  
Fredericton, New Brunswick**

Thursday, December 13, 2007.

*1 o'clock p.m.*

Prayers.

Hon. Mr. Lamrock rose on a Question of Privilege concerning comments made by Mr. Steeves, the Member for Albert, against Mr. Miles, the Member for Fredericton-Silverwood, during the previous day's sitting. The Minister submitted the comments were inappropriate, misleading and alleged criminal behaviour where none exists, which constitutes an attack on the integrity of the Member and on the Legislative Assembly itself.

Pursuant to Standing Rule 9(2), Hon. Mr. Lamrock gave notice of his intention to propose the following motion, seconded by Hon. Mr. Murphy:

THAT the matter of unsubstantiated allegations made by the Member for Albert against the Member for Fredericton-Silverwood during the proceedings of the Committee of Supply on December 12, 2007, be referred to the Standing Committee on Privileges for review and appropriate action.

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Hon. Mr. Murphy rose on a point of order and submitted that Ms. Blaney's comments during Introduction of Guests were inappropriate in that they were political in nature. Mr. Speaker ruled the point well taken.

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Hon. Mr. Burke laid upon the table of the House a document entitled "Review of the New Brunswick Credit Unions Act Discussion Paper, Office of the Superintendant of Credit Unions, December 2007."

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Mr. Holder rose on a point of order during Statements by Ministers and submitted that the statements being made were not in accordance with the Standing Rules as they were not brief, they were argumentative, and they went beyond the fair bounds of explanation. Mr. Speaker advised the House that a minister's statement should be brief and, if a lengthy statement is necessary, the unanimous consent of the House is required.

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Following Oral Questions, Hon. Mr. Lamrock rose on a point of order and submitted that it was inappropriate for Ms. Blaney to pose questions related to a Minister's constituency and not to his ministerial portfolio. He cited Marleau and Montpetit's *House of Commons Procedure and Practice* which states at page 427 that

a question should not “address a Minister’s former portfolio or any other presumed functions, such as party or regional political responsibilities.” Mr. Harrison spoke on the point of order.

Mr. Speaker ruled the point well taken.

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The following Bills were introduced and read a first time.

By Hon. Mr. Burke,

Bill 26, *An Act to Amend the Judicature Act.*

Bill 27, *The Management of Seized and Forfeited Property Act.*

By Mr. Ashfield,

Bill 28, *An Act to Amend the Crown Lands and Forests Act.*

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Hon. Mr. Murphy, Government House Leader, gave notice that on Friday, December 14, 2007, it was the intention of government that Bills 12 and 6 be read a second time.

Hon. Mr. Murphy announced that in accordance with the Notice of Opposition Members’ Business, the House would take into consideration Motion 29, following which, Bill 25 would be called for second reading.

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

In speaking on the Question of Privilege, the Minister submitted that the comments by Mr. Steeves which alleged that the

*... member for Fredericton-Silverwood got paid \$1 million to sit in the back row—self-sufficiency. I would ask you to try and get him to just keep his mouth quiet, and we will carry on.*

*He is not allowed to speak. He got his payoff already. He got \$1 million, and I have just about had it with him.*

amounted to a *prima facie* matter of privilege. He submitted the comments were inappropriate, misleading and alleged criminal behaviour where none exists, which constitutes an attack on the integrity of the Member and the Assembly as a whole.

Mr. Harrison spoke on the Question of Privilege and submitted that the matter had already been addressed in Committee of Supply, and that the Member alleged to have been wronged should have raised the matter himself. Further, he submitted that this is not a situation where the right of free speech of Members can be limited.

Mr. Speaker took the matter under advisement.

Pursuant to Notice of Motion 29, Ms. Blaney, seconded by Mr. Ashfield, moved the following resolution:

WHEREAS the Council of the University of New Brunswick Student Union unanimously passed the following resolution on November 29, 2007:

“WHEREAS the government has yet to confirm the status of the UNB Saint John campus in light of the uncertainty created by the report of the province’s Commission on Post Secondary Education;

WHEREAS this uncertainty will have untold effects on the viability and sustainability of the enrolment track for both the Saint John and Fredericton campuses of this university and will ultimately have untold effects on the financial position of the University of New Brunswick;

WHEREAS the future and sustainability of the university as a whole, including the Fredericton campus, is directly linked to the existence of the Saint John campus of the University of New Brunswick;

WHEREAS the government has created a working group to examine the recommendations of the report of the Commission;

WHEREAS that working group does not anticipate delivering its recommendations to the government before late January or early February of 2008, after which time the government will need to further consider those recommendations before taking action;

AND WHEREAS the working group is comprised only of the presidents of the universities and the principals of the community colleges in the province and provides no direct input for the students of this province;

NOW THEREFORE, the University of New Brunswick Student Union recognizes that the post secondary education system of this province is in need of reform;

FURTHER, the University of New Brunswick Student Union condemns the lack of direct student access to the province’s working group;

FURTHER, the University of New Brunswick Student Union refutes the government’s claim that the process of examining the post secondary education system in this province is student focused;

FURTHER, the University of New Brunswick Student Union affirms that the University of New Brunswick's Saint John campus must be preserved as a campus of this university and rejects the notion that it should be converted into a polytechnic or anything less than a campus of this university;

FURTHER, the University of New Brunswick Student Union urges the government to expedite the process of the working group in order to arrive at a resolution of this matter before the end of January 2008 in order to circumvent the negative effects the government's delay in clarifying the position of the Saint John campus of this university is having and will continue to have on the enrolment of the Saint John campus and the consequential negative effect this delay is having and will continue to have on the financial position of the University of New Brunswick;

FURTHER, the Council of the University of New Brunswick Student Union directs that this resolution be engrossed, embossed with the seal of the Union, and delivered to the Premier of the Province of New Brunswick."

THEREFORE BE IT RESOLVED that this Legislative Assembly concur with the resolution unanimously adopted by the Council of the University of New Brunswick Student Union on November 29, 2007.

And the question being put, a debate ensued.

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

And after some further time, Mr. Kenny, the Deputy Speaker, took the chair as Acting Speaker.

And after some time, Hon. Mr. Doherty, seconded by Hon. Mr. Lamrock, moved in amendment:

#### AMENDMENT

That Motion 29 be amended by:

In the resolution clause, delete all words after "Assembly" and replace with "ask the working group to give consideration to the resolution unanimously adopted by the Council of the University of New Brunswick Student Union on November 29, 2007."

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

And after some time, Mr. Speaker resumed the chair.

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

YEAS - 28

Hon. Mr. MacIntyre	Hon. Ms. Schryer	Hon. Mr. Foran
Hon. V. Boudreau	Hon. Mr. Lamrock	Hon. Mr. Stiles
Hon. S. Graham	Hon. Mr. Burke	Ms. Lavoie
Hon. Mr. Murphy	Hon. Mr. Keir	Mr. Miles
Hon. Mr. Byrne	Hon. Mr. Arseneault	Ms. MacAlpine-Stiles
Hon. C. Robichaud	Mr. B. LeBlanc	Mr. Collins
Hon. Mr. Haché	Mr. Kenny	Mr. Fraser
Hon. D. Landry	Hon. Mr. Ouellette	Mr. Brewer
Hon. Mr. McGinley	Hon. Mr. Doucet	Mr. Kennedy
Hon. Mr. Doherty		

NAYS - 19

Mr. Mockler	Mr. Huntjens	Mr. Alward
Mr. D. Graham	Ms. Blaney	Mr. Northrup
Mr. Volpé	Ms. Poirier	Mr. Olscamp
Mr. Harrison	Mr. Holder	Mr. Urquhart
Mr. P. Robichaud	Ms. Dubé	Mr. C. Landry
Mr. Ashfield	Mr. Williams	Mr. C. LeBlanc
Mr. MacDonald		

Mr. Speaker put the question on Motion 29 as amended as follows:

WHEREAS the Council of the University of New Brunswick Student Union unanimously passed the following resolution on November 29, 2007:

“WHEREAS the government has yet to confirm the status of the UNB Saint John campus in light of the uncertainty created by the report of the province’s Commission on Post Secondary Education;

WHEREAS this uncertainty will have untold effects on the viability and sustainability of the enrolment track for both the Saint John and Fredericton campuses of this university and will ultimately have untold effects on the financial position of the University of New Brunswick;

WHEREAS the future and sustainability of the university as a whole, including the Fredericton campus, is directly linked to the existence of the Saint John campus of the University of New Brunswick;

WHEREAS the government has created a working group to examine the recommendations of the report of the Commission;

WHEREAS that working group does not anticipate delivering its recommendations to the government before late January or early February of 2008, after which time the government will need to further consider those recommendations before taking action;

AND WHEREAS the working group is comprised only of the presidents of the universities and the principals of the community colleges in the province and provides no direct input for the students of this province;

NOW THEREFORE, the University of New Brunswick Student Union recognizes that the post secondary education system of this province is in need of reform;

FURTHER, the University of New Brunswick Student Union condemns the lack of direct student access to the province's working group;

FURTHER, the University of New Brunswick Student Union refutes the government's claim that the process of examining the post secondary education system in this province is student focused;

FURTHER, the University of New Brunswick Student Union affirms that the University of New Brunswick's Saint John campus must be preserved as a campus of this university and rejects the notion that it should be converted into a polytechnic or anything less than a campus of this university;

FURTHER, the University of New Brunswick Student Union urges the government to expedite the process of the working group in order to arrive at a resolution of this matter before the end of January 2008 in order to circumvent the negative effects the government's delay in clarifying the position of the Saint John campus of this university is having and will continue to have on the enrolment of the Saint John campus and the consequential negative effect this delay is having and will continue to have on the financial position of the University of New Brunswick;

FURTHER, the Council of the University of New Brunswick Student Union directs that this resolution be engrossed, embossed with the seal of the Union, and delivered to the Premier of the Province of New Brunswick."

THEREFORE BE IT RESOLVED that this Legislative Assembly ask the working group to give consideration to the resolution unanimously adopted by the Council of the University of New Brunswick Student Union on November 29, 2007.

Motion 29 as amended was carried.

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The Order being read for second reading of Bill 25, *An Act to Amend the Harmonized Sales Tax Act*, a debate arose thereon.

And after some time, Mr. Speaker interrupted proceedings and advised that the hour of daily adjournment had arrived.

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

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

Department of Fisheries  
2006-2007 Annual Report

December 12, 2007