

36



Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Herménégilde Chiasson
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

Tuesday, April 22, 2008

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

Tuesday, April 22, 2008.

1 o'clock p.m.

Prayers.

Hon. Mr. Albert, Member for Caraquet, laid upon the table of the House a petition signed by residents of the northeastern part of the province urging the government to reinstate services to the community hospital centre, Centre hospitalier l'Enfant-Jésus de Caraquet (et Lamèque). (Petition 14)

Mr. Harrison rose on a point of order and submitted that the ministerial statement made by Hon. Mr. Lamrock, the Minister of Education, under Statements by Ministers was lengthy and, according to the Standing Rules, unanimous consent should have been requested. Mr. Speaker advised the House that he did not consider the statement to have been lengthy.

Mr. Speaker rose and reminded Mr. Mockler that statements made during Introduction of Guests are not to be political in nature.

The following Bill was introduced and read a first time:

By Hon. Ms. Schryer,

Bill 49, *An Act to Amend the Family Services Act*.

Motions 36, 37, 38, 40, 43, 44, 46, 47, 49, 51, 52, 53, 54, 57, and 64 were, by leave of the House, withdrawn.

Hon. Mr. Murphy, Government House Leader, announced that it was the intention of the government that the House take into consideration Motion 67; following which, the House would resume the adjourned debate on the motions for second reading of Bills 34 and 35.

Mr. Speaker rose and advised the House that the petition presented by Mr. C. LeBlanc on Friday last was not in proper form and contained intemperate language. Mr. Speaker returned the petition to the Member.

Pursuant to Notice of Motion 67, Mr. Miles moved, seconded by Mr. Kennedy:

THAT, notwithstanding the Standing Rules of the Assembly, following the adoption of this motion there shall be three remaining hours allocated to the consideration of the motion for second reading of Bill 34, *An Act to Amend the Regional*

Health Authorities Act, and at the expiration of the said three hours, unless sooner concluded, the Speaker shall interrupt the proceedings and put every question necessary to dispose of the order for second reading of the Bill; and

THAT there shall be ten hours allocated to the consideration of the said Bill in the Committee of the Whole, and at the expiration of the said ten hours, unless sooner concluded, the question on any amendments shall be put forthwith and decided without further amendment or debate, and the Chairman shall put every question necessary to dispose of the order for consideration of the bill in the Committee of the Whole and shall report the Bill to the House; and THAT there shall be two hours allocated to the consideration of the motion for third reading of the said Bill, and at the expiration of the said two hours, unless sooner concluded, the Speaker shall interrupt the proceedings and put every question necessary to dispose of the order for third reading of the Bill.

And the question being put, a debate ensued.

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

And after some further time, Mr. Fraser, the Deputy Speaker, took the chair.

And after some time, Mr. MacDonald rose on a point of order and submitted that Mr. Kennedy had referred to a Member by name and not by constituency. Mr. Fraser, the Deputy Speaker, cautioned Mr. Kennedy in this regard.

And the debate continuing, Mr. MacDonald rose on a point of order and claimed that Mr. Kennedy had referred to the Member for Restigouche-la-Vallée as “being ignorant” and asked that he retract the comment. Mr. Deputy Speaker ruled the point of order well taken and cautioned all Members against making personal attacks.

And the debate continuing, and after some time, Hon. Mr. Murphy rose on a point of order and submitted that Mr. C. LeBlanc had attacked the neutrality of the Speaker’s chair. Mr. Fraser, the Deputy Speaker, cautioned Mr. C. LeBlanc to stay on the subject matter of the motion.

Debate continued, and after some time, Hon. Mr. Lamrock rose on a point of order and submitted that Mr. Alward had questioned the impartiality of the chair. In speaking to the point of order, Hon. Mr. Lamrock made reference to a decision of former Deputy Speaker Cy LeBlanc who ruled that the Speaker of the House can only be criticized by means of a substantive motion.

Mr. Robichaud also spoke on the point of order.

Mr. Deputy Speaker ruled that the comments by Mr. C. LeBlanc were an attack on the impartiality of the chair and quoted Marleau and Montpetit’s *House of Commons Practice and Procedure*, pages 266 and 267 which states:

When in the Chair, the Speaker embodies the power and authority of the office, strengthened by rule and precedent. He or she must at all times show, and be seen to show, the impartiality required to sustain the trust and goodwill of the House. The actions of the Speaker are not to be criticized in debate or by any means except by the way of a substantive motion.

.....
In another incident, occurring in 1993, a question of privilege was raised concerning disparaging remarks made by a Member about the Assistant Deputy Chairman of Committees of the Whole. When the Member refused to withdraw the comments, the Speaker stated that the comments “affect[ed] the dignity of [the] House”.

Mr. Deputy Speaker requested that the Member withdraw the remarks, which he did.

Mr. Speaker resumed the chair.

And the debate being ended, and the question being put, Motion 67 was resolved in the affirmative on the following recorded division:

YEAS - 28

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

NAYS - 21

Mr. Mockler	Mr. MacDonald	Mr. Fitch
Mr. D. Graham	Ms. Blaney	Mr. Betts
Mr. Volpé	Ms. Poirier	Mr. Northrup
Mr. Harrison	Mr. Holder	Mr. Olscamp
Mr. Robichaud	Mr. Carr	Mr. Urquhart
Mr. Ashfield	Mr. Williams	Mr. C. Landry
Mr. Steeves	Mr. Alward	Mr. C. LeBlanc

The House resumed the adjourned debate on the motion that Bill 34, *An Act to Amend the Regional Health Authorities Act*, be now read a second time.

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

At 6 o'clock p.m., the Deputy Speaker left the chair to resume again at 7 o'clock p.m.

7 o'clock p.m.

Mr. Kenny, the Deputy Speaker resumed the chair as Acting Speaker.

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

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

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

And the debate being ended, and the question being put that Bill 34 be now read a second time, it was resolved in the affirmative on the following recorded division:

YEAS - 28

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

NAYS - 18

Mr. Mockler	Mr. MacDonald	Mr. Betts
Mr. D. Graham	Ms. Blaney	Mr. Northrup
Mr. Volpé	Ms. Holder	Mr. Olscamp
Mr. Robichaud	Mr. Carr	Mr. Urquhart
Mr. Ashfield	Mr. Williams	Mr. C. Landry
Mr. Steeves	Mr. Fitch	Mr. C. LeBlanc

Accordingly, Bill 34, *An Act to Amend the Regional Health Authorities 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 35, *New Brunswick Health Council Act*, a debate arose thereon.

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

And then, 10 o'clock p.m., the House adjourned.

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

Documents requested in Notice of Motion 55	April 21, 2008
Documents requested in Notices of Motions 40, 53, and 57	April 18, 2008