

17



# **Journals**

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Graydon Nicholas  
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

**Tuesday, December 15, 2009**

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

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Tuesday, December 15, 2009.

*1 o'clock p.m.*

Prayers.

STATEMENT BY SPEAKER

Honourable members, last Friday morning, before the House was scheduled to sit, I was consulted by the Minister of Social Development and the Leader of the Opposition, who sought to raise a question of privilege on the day reserved for the Premier to conclude the budget debate. I advised them that I would hear the question of privilege at the earliest opportunity on Tuesday, and I indicated that the delay would not prejudice the timeliness requirements of the Standing Rules.

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Pursuant to Standing Rule 10, Mr. Alward, Member for Woodstock, rose on a matter of privilege, to correct media reports concerning remarks referring to him which were made by Hon. Mr. Murphy in the House on Thursday last.

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Hon. Mr. Lamrock, Member for Fredericton-Fort Nashwaak, rose on a Question of Privilege concerning the actions of the Member for Dieppe Centre-Lewisville on December 10, 2009, as the Deputy Speaker was being escorted from the Chamber by the Sergeant-at-Arms upon the adjournment of the House and, in accordance with Standing Rule 9(2), gave notice of his intention to move the following motion, seconded by Hon. Mr. Jamieson:

WHEREAS the Member for Dieppe Centre-Lewisville by his actions on December 10, 2009 showed a gross contempt for the authority and dignity of the House;

BE IT RESOLVED that the actions of the Member for Dieppe Centre-Lewisville which showed contempt for the House and one of its officers, the Deputy Speaker, be referred to the Standing Committee on Privileges.

Mr. Speaker advised that in accordance with Standing Rule 9(2), he would consider the matter in two hours' time.

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Hon. Mr. Jamieson, Member for Saint John Fundy, rose on a Question of Privilege concerning statements made outside the House by the Leader of the Opposition and the Member for Saint John Portland which cast doubt on the impartiality of the Deputy Speaker as reported in several newspapers of the province and, in accordance with Standing Rule 9(2), gave notice of his intention to move the following motion, seconded by Hon. Mr. Lamrock:

BE IT RESOLVED that certain statements which may bring into question the integrity of the Legislative Assembly and its servant, the Deputy Speaker, those comments appearing in the December 12, 2009 editions of *The Daily Gleaner*, the *Telegraph-Journal*, and the *Times & Transcript* and the December 14, 2009 edition of the *Miramichi Leader*, be referred to the Standing Committee on Privileges.

Mr. Speaker advised that in accordance with Standing Rule 9(2), he would consider the matter in two hours' time.

Pursuant to Standing Rule 10, Mr. C. LeBlanc, Member for Dieppe Centre-Lewisville, rose on a matter of privilege to correct reports in the media concerning his actions following the adjournment of the House on Thursday last.

Pursuant to Standing Rule 10, Mr. Volpé, Member for Madawaskales-Lacs, rose on a matter of privilege to correct reports in the media concerning the actions of the Opposition in the House following the adjournment of the House on Thursday last.

Mr. Urquhart, Member for York, laid upon the table of the House a petition on behalf of residents of Whitney, Upper Blackville, Douglastown, Miramichi, Red Bank, Williamstown, Renous, South Esk, Cassilis, Fredericton and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 70)

Ms. Poirier, Member for Rogersville-Kouchibouguac, laid upon the table of the House a petition on behalf of residents of Forest City, Woodstock, Deerville, Richmond, Jacksonville, Temple and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 71)

Mr. C. Landry, Member for Tracadie-Sheila, laid upon the table of the House a petition on behalf of residents of Tracadie, Tracadie-Sheila, Rivière-du-Portage, Tabusintac and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 72)

Mr. D. Graham, Member for Carleton, laid upon the table of the House a petition on behalf of residents of White Rapids and surrounding areas who oppose the sale of NB Power to Hydro-Québec. (Petition 73)

Mr. Northrup, Member for Kings-East, laid upon the table of the House a petition on behalf of residents of Fredericton, Quarryville, Blackville, Boiestown, Parker Road, Trout Brook, Miramichi,

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Acadieville, Renous, Williamstown, Black River and surrounding areas who oppose the sale of NB Power to Hydro-Québec.  
(Petition 74)

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Mr. Robichaud gave Notice of Motion 21 that on Thursday, December 24, 2009, he would move the following resolution, seconded by Mr. Volpé:

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 correspondence, memorandums, contracts and personal service contracts between the Government of New Brunswick, Premier Shawn Graham, the Office of the Premier, the Office of the Minister of Energy, Minister Jack Keir, Mr. Doug Tyler and Mr. Eugene (Gene) Meehan and or NERA Economic Consulting since January 1, 2009.

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Hon. Mr. Murphy, Government House Leader, announced that it was the intention of government that the House take into consideration Motion 17; following which, the House would resolve itself into a Committee of the Whole to consider Bills 15, 16, 19, 17 and 18.

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The following Bills were read a third time:

Bill 9, *An Act to Amend the Personal Health Information Privacy and Access Act.*

Bill 13, *An Act to Amend the Political Process Financing Act.*

Bill 14, *An Act to Amend the New Brunswick Income Tax Act.*

Ordered that the said Bills do pass.

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Pursuant to Notice of Motion 17, Mr. Paulin, seconded by Mr. Kennedy, moved the following resolution:

WHEREAS, the Liberal government has tabled the 2010-2011 budget;

BE IT RESOLVED THAT this Legislative Assembly support the government expenditure of \$840 million for the capital budget, and call upon the government to ensure that each project listed in the budget is completed.

And the question being put, a debate ensued.

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And after some time, the required two hours' notice having been given earlier in the sitting, Mr. Speaker invited Hon. Mr. Lamrock to speak on his question of privilege.

Hon. Mr. Lamrock submitted that the conduct and language of Mr. C. LeBlanc, the Member for Dieppe Centre-Leswisville, toward the Deputy Speaker showed a contempt of the House and one of its officers and amounted to a breach of the privilege of the House.

Mr. Robichaud, Member for Lamèque-Shippagan-Miscou, Opposition House Leader, stated that the matter did not amount to a breach of privilege as the conduct was not threatening nor intimidating, and that the incident occurred after the House had adjourned.

Mr. Speaker took the matter under advisement.

The required two hours' notice having been given earlier in the sitting, Mr. Speaker invited Hon. Mr. Jamieson to speak on his question of privilege.

Hon. Mr. Jamieson submitted that it was a breach of the privileges of the House for Members to publicly question the impartiality of the Deputy Speaker. Ms. Blaney also spoke on the question of privilege.

Mr. Speaker took the matter under advisement.

Debate resumed on Motion 17.

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

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

And the debate being ended and the question being put, Motion 17 was carried on the following recorded division:

YEAS - 29

Hon. Ms. Schryer	Hon. Mr. Stiles	Hon. Mr. Doucet
Hon. Mr. Byrne	Hon. Mr. Lamrock	Hon. Mr. Foran
Hon. Mr. Murphy	Hon. Mr. Arseneault	Hon. Mr. Brewer
Hon. V. Boudreau	Hon. Mr. Miles	Hon. B. LeBlanc
Hon. Mr. Keir	Hon. Mr. Albert	Hon. Mr. Kenny
Hon. Mr. Jamieson	Mr. MacIntyre	Ms. MacAlpine-Stiles
Hon. Mr. Haché	Ms. Lavoie	Mr. A. LeBlanc
Hon. D. Landry	Ms. Robichaud	Mr. Kennedy
Mr. McGinley	Mr. Fraser	Mr. Paulin
Hon. Mr. Doherty	Mr. Ouellette	

## NAYS - 14

Ms. Dubé	Mr. Harrison	Mr. Jack Carr
Mr. Alward	Mr. Holder	Mr. Olscamp
Mr. Robichaud	Mr. D. Graham	Mr. C. Landry
Mr. Volpé	Mr. C. LeBlanc	Mr. Northrup
Mr. Huntjens	Mr. Urquhart	

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And then, 6 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:

Annual Report 2008-2009, Department of  
Agriculture and Aquaculture  
Response to Petitions 6, 16, 25, 33, 41

December 14, 2009  
December 11, 2009