

Daily sitting 13

Wednesday, December 14, 2011

10 o'clock a.m.

Prayers.

Mr. Arseneault rose on a question of privilege concerning the actions of Mr. Riordon. It was submitted that prior to the start of the current day's sitting, the Member for Nepisiguit was observed examining documents on the desk of the Opposition House Leader without the knowledge and consent of the Member. Pursuant to Standing Rule 9(2), Mr. Arseneault gave notice of his intention to propose a motion on the matter later in the sitting day.

Mr. Bernard LeBlanc, Member for Memramcook-Lakeville-Dieppe, laid upon the table of the House a petition urging the government to reinstate the wetland designation to a piece of land to the north of Fundy Street in Moncton. (Petition 51)

Pursuant to subsection 16(2) of the *Auditor General Act*, Mr. Speaker laid upon the table of the House the *Internal Audit Report on the accounts of the Auditor General of the Province of New Brunswick for the fiscal year ended March 31, 2011*.

Hon. Mr. Higgs gave Notice of Motion 25 that on Tuesday, March 27, 2012, he would move the following resolution, seconded by the Honourable the Premier:

THAT this House approves in general the budgetary policy of the government.

Pursuant to Standing Rule 44(4), Mr. Arseneault, Acting Opposition House Leader, gave notice that on Thursday, December 15, 2011, Opposition Members' Business would be considered in the following order: Motion 5, 20 and 6.

Hon. Mr. P. Robichaud, Government House Leader, announced that it was the intention of government that the House resolve itself into a Committee of Supply to consider the Capital Estimates of the Departments of Education and Early Childhood Development, Transportation, Health, and Supply and Services, as well as the Supplementary Estimates, 2010-2011, Volume II; following which the House would resolve itself into a Committee of the Whole to consider Bills 17, 9, 18, 13, 19, 8, 15, 16 and 11.

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

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

2 o'clock p.m.

The Committee resumed.

And after some time, Mr. Speaker resumed the chair and Mr. Urquhart, the Chair, 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, and asked leave to sit again.

The Chair further reported that the Member for Dalhousie-Restigouche East advised that he wished to give notice of his question of privilege.

Pursuant to Standing Rule 78.2, 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.

Mr. Arseneault rose on the question of privilege raised earlier in the sitting day and, pursuant to Standing Rule 9(2), gave notice of his intention to move the following motion, seconded by Mr. Boudreau:

WHEREAS the Member for Nepisiguit was observed by a member of staff of the Legislature examining documents on the desk and with documents in his hand of the Opposition House Leader before the session commenced this morning; and

WHEREAS the violation of the privacy of documents on a Member's desk is an unacceptable breach of the privilege of the Member; and

WHEREAS the Member for Moncton West (Minister of Social Development) was observed standing by the desk of the Opposition House Leader and looking at documents from this desk shown to her by the Member from Nepisiguit; and

WHEREAS this incident was then related by the Legislature staff person to Members of the Opposition;

WHEREAS the Deputy Opposition House Leader raised the matter as a point of privilege at the earliest opportunity;

BE IT THEREFORE RESOLVED that the Speaker of the House suspend the Member for Nepisiguit and the Member for Moncton West until the matter has been dealt with by the Standing Committee on Privileges.

Mr. Speaker advised the House that, in accordance with the rules of the House, he would consider the matter in two hours' time.

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

And after some time, Mr. Speaker resumed the chair and Mr. Urquhart, the Chair, 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 78.2, 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.

The following are the items reported:

SUPPLEMENTARY ESTIMATES, 2010-2011, VOLUME II

ORDINARY ACCOUNT

Voted

DEPARTMENT OF EDUCATION AND EARLY CHILDHOOD DEVELOPMENT

Voted, Supply in the following amount to defray the expenses of the following program for the fiscal year ending March 31, 2011:

Corporate and Other Education Services.....	43,933.36
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GENERAL GOVERNMENT

Voted, Supply in the following amounts to defray the expenses of the following programs for the fiscal year ending March 31, 2011:

Commissions Paid to Collectors of Pari-Mutuel Taxes.....	559,504.23
Employee Benefit Plans.....	5,459,749.27
Provision for Losses.....	44,762,841.94
Tax Revenue Sharing Agreements with First Nations.....	12,709,497.46

DEPARTMENT OF JUSTICE AND CONSUMER AFFAIRS

Resolved, That there be granted to Her Majesty a sum not exceeding \$89,088.53 to defray the expenses of the following program allocation for the fiscal year ending March 31, 2011:

Legal Aid.....	89,088.53
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DEPARTMENT OF PUBLIC SAFETY

Resolved, That there be granted to Her Majesty a sum not exceeding \$34,867,375.07 to defray the expenses of the following program allocations for the fiscal year ending March 31, 2011:

Community and Correctional Services.....	131,770.40
Police, Fire and Emergency Services.....	34,735,604.67

DEPARTMENT OF SOCIAL DEVELOPMENT

Voted, Supply in the following amounts to defray the expenses of the following programs for the fiscal year ending March 31, 2011:

Child Protection and Child Development.....	598,957.08
Long Term Care.....	14,232,608.07
Income Security.....	22,827,194.60
Housing Services.....	4,726,491.62

CAPITAL ACCOUNT**DEPARTMENT OF LOCAL GOVERNMENT**

Resolved, That there be granted to Her Majesty a sum not exceeding \$14,549.42 to defray the expenses of the following program allocation for the fiscal year ending March 31, 2011:

Local Service Districts.....	14,549.42
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DEPARTMENT OF TOURISM AND PARKS

Resolved, That there be granted to Her Majesty a sum not exceeding \$133,132.71 to defray the expenses of the following program allocation for the fiscal year ending March 31, 2011:

Capital Improvements.....	133,132.71
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DEPARTMENT OF TRANSPORTATION

Resolved, That there be granted to Her Majesty a sum not exceeding \$23,805,723.16 to defray the expenses of the following program allocation for the fiscal year ending March 31, 2011:

Canada - New Brunswick National Highway System Program.....	23,805,723.16
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LOANS AND ADVANCES

DEPARTMENT OF POST-SECONDARY EDUCATION, TRAINING
AND LABOUR

Resolved, That there be granted to Her Majesty a sum not exceeding \$1,282,470.09 to defray the expenses of the following program allocation for the fiscal year ending March 31, 2011:

Student Loan Advances..... 1,282,470.09

The said items were concurred in by the House.

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

At 3.25 o'clock p.m., Mr. C. Landry declared a recess and left the chair.

3.27 o'clock p.m.

The Committee resumed.

At 5.05 o'clock p.m., Mr. C. Landry declared a recess and left the chair.

5.30 o'clock p.m.

The Committee resumed.

And after some time, Mr. Speaker resumed the chair, and Mr. C. Landry, the Chair, after requesting that Mr. Speaker revert to Presentations of Committee Reports, reported:

That the Committee had directed that he report the following Bill as agreed to:

Bill 17, *An Act Respecting Regional Health Authorities.*

And that the Committee had directed that he report the following Bill as amended:

Bill 9, *An Act to Amend the Electoral Boundaries and Representation 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.

The required two hours' notice having been given earlier in the sitting, Mr. Speaker invited the Member for Dalhousie-Restigouche East to state his question of privilege.

Mr. Arseneault submitted that Members have an expectation of privacy when it relates to documents on their desk and it is an infringement of a Member's privileges to interfere with this expectation. Hon. Mr. P. Robichaud spoke on the question of privilege and submitted that the Member for Nepisiguit did not intend to infringe upon the Member's privacy or privileges. Mr. Fraser also spoke.

Mr. Speaker took the matter under advisement.

And then, 6.20 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:

Annual Report 2010-2011	
Department of Social Development	December 13, 2011
Annual Report, 31 March, 2011	
Provincial Holdings Ltd.	December 13, 2011