

Daily sitting 65

Wednesday, May 14, 2014

10 o'clock a.m.

Prayers.

Ms. Coulombe, Member for Restigouche-la-Vallée, laid upon the table of the House a petition on behalf of residents of Petit-Ouest Road urging the government to pave their road. (Petition 13)

Mr. Malloch, Member for Charlotte-Campobello, laid upon the table of the House a petition urging the government to control and eradicate the plant species of giant hogweed in Charlotte County. (Petition 14)

The following Bill was introduced and read a first time:

By Hon. Mr. Higgs,
Bill 91, *Appropriations Act 2014-2015*.

Mr. Speaker announced that pursuant to Standing Rule 42.3(1), Bill 91 was ordered for second and third reading forthwith.

The following Bill was read a second time:

Bill 91, *Appropriations Act 2014-2015*.

The following Bill was read a third time:

Bill 91, *Appropriations Act 2014-2015*.

Ordered that the said Bill does pass.

Pursuant to Standing Rule 44(4), Mr. Fraser, Opposition House Leader, gave notice that on Thursday, May 15, 2014, Opposition Members' Business would be considered in the following order: Motion 44, 60 and 51.

Hon. Mr. P. Robichaud requested leave of the House to move a motion to sit this evening beyond the ordinary hour of adjournment, and leave was denied.

Hon. Mr. P. Robichaud, Government House Leader, announced that it was the intention of government that Bills 90 and 87 be called for second reading; following which the House would resolve itself into a Committee of the Whole to consider Bills 83, 60, 74, 78, 79, 89, 85, 2, 84 and 88.

The Order being read for second reading of Bill 90, *An Act to Amend the Expropriation Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 90 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 90, *An Act to Amend the Expropriation Act*, was read a second time and ordered referred to the Committee of the Whole House.

Debate resumed on the adjourned debate on the motion that Bill 87, *Fiscal Transparency and Accountability Act*, be now read a second time.

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

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

2 o'clock p.m.

Mr. Speaker resumed the chair and delivered the following ruling with respect to the question of privilege raised on April 25, 2014:

STATEMENT BY SPEAKER

Honourable Members,

On April 25, following Oral Questions, the Opposition House Leader rose on a point of order and submitted that the Minister of Energy had made slanderous comments and had alleged criminal conduct on the part of the Opposition Members.

The Opposition House Leader subsequently rose on a question of privilege in relation to the same comments and gave notice of motion to refer the matter to the Standing Committee on Privileges.

The Opposition House Leader submitted that the comments made by the Minister were unfounded and insinuated that Members of the Opposition had inappropriately misused funds. The Member submitted that this constitutes an attack on the integrity of the Opposition Members and on the Legislative Assembly itself.

The Government House Leader submitted that the matter did not involve the privileges of the House and that the Minister was exercising his right to freedom of speech in the House.

I have now had an opportunity to review the transcripts and the submissions made. I find that the matter involves a question of order, as opposed to privilege. It primarily concerns language used in debate.

I wish to quote *House of Commons Procedure and Practice* at page 619:

In dealing with unparliamentary language, the Speaker takes into account the tone, manner and intention of the Member speaking; the person to whom the words at issue were directed; the degree of provocation; and, most importantly, whether or not the remarks created disorder in the Chamber.

In addition, *Erskine May Parliamentary Practice*, Twenty-third edition, states at page 440:

Good temper and moderation are the characteristics of parliamentary language. Parliamentary language is never more desirable than when a Member is canvassing the opinion and conduct of his opponents in debate.

In reviewing the comments made, I find the language and tone used by the Member to be inflammatory. The Member should have been aware that such comments were likely to cause disorder.

It has been stated many times that we must treat all Members as honourable and our choice of language in debate should reflect this. Members must refrain from using language that questions the honesty or integrity of fellow Members.

In this instance, the remarks made by the Minister did not specifically refer to any particular Member. At page 441, note 3 of *Erskine May*, it states:

Expressions that are unparliamentary when applied to individuals are not always so considered when applied to a whole party.

With respect to the matter before me, I find that although a *prima facie* case of a breach of privilege has not been established, the matter had been validly raised as a point of order. Had the remarks referred to a particular Member of the House I would be asking that the comments be withdrawn.

However, in this instance I will caution the Minister to refrain from making remarks of this nature in the future. I will also ask all Members to refrain from making insinuations or casting aspersions on other Members of the House.

Debate resumed on the motion that Bill 87, *Fiscal Transparency and Accountability Act*, be now read a second time.

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

Mr. McLean rose on a point of order and submitted that Mr. Bernard LeBlanc accused the Premier of “misleading” New Brunswickers. The Member withdrew the remark.

Mr. Riordon rose on a point of order and submitted that Mr. Boudreau accused the Progressive Conservative party of “lying” to New Brunswickers. Mr. Deputy Speaker cautioned Members against the use of such language.

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

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

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

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