



LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK
First Session, 58th Legislative Assembly

ORDER AND NOTICE PAPER - Sitting No. 46

Thursday, April 30, 2015

ROUTINE PROCEEDINGS

Prayers
Introduction of Guests
Statements by Members
Oral Questions (30 minutes)
Tabling of Documents
Statements by Ministers
Presentations of Petitions
Answers to Petitions and Written Questions
Presentations of Committee Reports
Introduction of Bills
Notices of Motions
Notice of Opposition Members' Business
Government Motions for the Ordering of the Business of the House
Deferred Recorded Divisions
Orders of the Day

ORDERS OF THE DAY

GOVERNMENT BILLS AND ORDERS

GOVERNMENT BILLS FOR SECOND READING

Bills Ordered for Second Reading

Bill 19, An Act to Repeal the Farm Improvement Assistance Loans Act
- Hon. Mr. Doucet

Bill 20, An Act to Repeal the Farm Credit Corporation Assistance Act
- Hon. Mr. Doucet

Bill 21, An Act to Repeal the Farm Machinery Loans Act - Hon. Mr. Doucet

Bill 22, An Act to Amend the Maritime Provinces Harness Racing Commission Act
- Hon. Mr. Melanson

PRIVATE BILLS FOR SECOND READING

Bills Ordered for Second Reading

Bill 18, Engineering and Geoscience Professions Act - Mr. LePage

COMMITTEE OF THE WHOLE

Bill 10, An Act to Amend the Elections Act - Mr. Coon

Bill 15, An Act to Amend the Workers' Compensation Act - Mr. Wetmore

STANDING COMMITTEE ON ECONOMIC POLICY

Bill 17, An Act to Amend the Motor Vehicle Act - Hon. Mr. Horsman

STANDING COMMITTEE ON PRIVATE BILLS

Bill 23, An Act to Amend An Act to Incorporate The New Brunswick Registered
Barbers' Association - Ms. Shephard

BILLS AWAITING ROYAL ASSENT

Bill 24, Supplementary Appropriations Act, 2013-2014 (1) - Hon. Mr. Melanson

COMMITTEE OF SUPPLY

Main Estimates 2015-2016 (not including estimates referred to Standing Committee)

Capital Estimates 2015-2016 (not including estimates referred to Standing Committee)

Supplementary Estimates, Volume I, 2013-2014 (Adopted April 29, 2015)

STANDING COMMITTEE ON ESTIMATES AND FISCAL POLICY

Estimates 2015-2016: Department of Health
 Estimates 2015-2016: Department of Education and Early Childhood Development
 Estimates 2015-2016: Department of Transportation and Infrastructure
 Estimates 2015-2016: Department of Energy and Mines
 Estimates 2015-2016: Department of Agriculture, Aquaculture and Fisheries
 Estimates 2015-2016: Department of Environment and Local Government
 Estimates 2015-2016: Department of Human Resources
 Estimates 2015-2016: Department of Tourism, Heritage and Culture

GOVERNMENT MOTIONS

CONCLUDED

Motion 4 by Hon. Mr. Fraser. Carried December 4, 2014.
Motion 5 by Hon. Mr. Fraser. Debated and carried December 10, 2014.
Motion 6 by Hon. Mr. Melanson. Debated and carried December 17, 2014.
Motion 7 by Hon. Mr. Fraser. Debated and carried as amended
 February 10, 11, 13, 17, 18, and March 10, 2015.
Motion 8 by Hon. Mr. Fraser. Carried December 11, 2014.
Motion 12 by Hon. Mr. Fraser. Carried December 19, 2014.
Motion 15 by Hon. Mr. Fraser. Carried February 12, 2015.
Motion 23 by Hon. Mr. Melanson. Debated March 31, April 2, 7, 8, 9, 10 and
 carried April 10, 2015.
Motion 24 by Mr. Albert. Carried March 13, 2015.
Motion 25 by Mr. Albert. Carried March 17, 2015.

GOVERNMENT PRIVATE MEMBERS' MOTIONS

Motion 16 by Mr. Bourque, seconded by Ms. LeBlanc to propose the following resolution on Wednesday, February 18, 2015:

THAT, in addition to the existing sitting hours prescribed in Standing Rule 29(1), the House sit on Tuesday, Wednesday, and Thursday evenings from 7:00 p.m. to 10:00 p.m.;

THAT this Special Order come into effect immediately upon its adoption and remain in effect for the remainder of the First Session of the Fifty-eighth Legislative Assembly.

CONCLUDED

Motion 11 by Mr. Bourque. Debated and carried December 19, 2014.
Motion 18 by Mr. Guitard. Debated and carried February 20, 2015.
Motion 22 by Mr. Ames. Debated and carried March 27, 2015.
Motion 26 by Mr. Guitard. Debated and carried March 26, 2015.

OPPOSITION MEMBERS' BUSINESS

[Order in accordance with notice provided pursuant to Standing Rule 44(4)]

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Adjourned Debates

Bill 11, Local Food Security Act - Mr. Coon

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

Motion 33 by Ms. Shephard, seconded by Mr. Jeff Carr to propose the following resolution on Thursday, April 30, 2015:

WHEREAS construction projects can be complex and may take many months to complete;

WHEREAS the legislative and regulatory framework governing the construction industry should encourage timely payment for services and materials, and ensure payment risk is distributed fairly;

WHEREAS, to that end, the *Mechanics' Lien Act* and the *Crown Construction Contracts Act* establish systems of liens, holdback rights, trust provisions, bonds, security and other related matters to provide financial protection to those who supply services or materials to a construction project;

WHEREAS there has been no recent review of the *Mechanics' Lien Act* or the *Crown Construction Contracts Act* to ensure they are effective and remain relevant to current industry practices and standards;

WHEREAS other provinces have started to conduct reviews of the legislative and regulatory framework governing the construction industries within their jurisdictions, including Ontario;

BE IT THEREFORE RESOLVED THAT the Legislative Assembly urge the government to appoint an independent expert to review the *Mechanics' Lien Act* and the *Crown Construction Contracts Act* in order to examine and identify payment and related issues within the construction sector;

BE IT FURTHER RESOLVED THAT the independent expert review should involve extensive consultation with the construction industry, and that the independent expert should report to the government and the Legislative Assembly the results of the consultation process and the independent expert's advice and recommendations for changes;

BE IT FURTHER RESOLVED THAT the independent expert review and government's response thereto should be published within one year and any recommendations to which government agrees should be implemented within a further six months.

Motion 27 by Mr. Northrup, seconded by Ms. Dubé to propose the following resolution on Thursday, March 26, 2015:

WHEREAS New Brunswickers enjoy outdoor activities such as skiing and snowboarding to stay active over the winter months;

WHEREAS skiing and snowboarding are activities that should be enjoyed safely;

WHEREAS head injuries are the leading cause of death among skiers and snowboarders of all ages;

WHEREAS helmet use reduces the risk that people who ski or snowboard will suffer a traumatic brain injury, and can save the lives of participants;

WHEREAS there have been numerous traumatic brain injuries attributed to people skiing or snowboarding without a helmet in New Brunswick;

WHEREAS members of the public have advocated for New Brunswick to make helmets mandatory for all people who ski or snowboard;

WHEREAS it is in the public interest to make mandatory the wearing of helmets when skiing or snowboarding;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to introduce legislation to make mandatory the wearing of helmets when skiing or snowboarding.

Amendment moved by Hon. Mr. Horsman, seconded by Hon. Mr. Arseneault that Motion 27 be amended as follows:

After the seventh “Whereas” clause, add:

“WHEREAS enacting helmet legislation requires hiring enforcement officers to patrol hills where skiing takes place, checking for helmet use and checking helmet standards and investigating reports of persons seen not wearing helmets while skiing, leading to prosecutions and fines for infractions committed by skiers and ski hills operators;

WHEREAS operators of ski hills may now establish policies to make mandatory the wearing of helmets when skiing or snowboarding on their ski slopes as a condition for use of their ski slopes;”

And, delete the resolution clause and replace it with:

“BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to encourage ski hill operators to make mandatory the wearing of helmets when skiing or snowboarding as a condition for use of their ski slopes.”

[Debate interrupted due to expiration of time.]

Motion 31 by Mr. Holder, seconded by Mr. Jody Carr to propose the following resolution on Thursday, April 9, 2015:

WHEREAS investing in an educated, well-trained and skilled work force is an important component of a diversified economic development strategy;

WHEREAS the New Brunswick Tuition Rebate was introduced in 2005 as the New Brunswick Tuition Tax Cash Back program, and was expanded by the former Liberal government during its mandate;

WHEREAS the New Brunswick Tuition Rebate program helps recruit, retain and repatriate an educated, well-trained and skilled work force;

WHEREAS the government announced it will eliminate the New Brunswick Tuition Rebate program;

WHEREAS the elimination of the New Brunswick Tuition Rebate program will make it more difficult for New Brunswickers trying to build careers to make New Brunswick a more prosperous province;

WHEREAS the elimination of the New Brunswick Tuition Rebate program is shortsighted and should be reversed;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to reinstate the New Brunswick Tuition Rebate program.

[Debate interrupted due to expiration of time.]

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Bill 13, An Act to Return to the Crown Certain Rights Relating to Wood Supply and Forest Management - Mr. Coon

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

Motion 20 by Mr. B. Macdonald, seconded by Mr. Urquhart to propose the following resolution on Thursday, February 26, 2015:

WHEREAS fire, police, ambulance services, and other traditional first responders provide essential emergency services to our province, and their members often do so at great personal risk;

WHEREAS members of the Canadian Armed Forces often respond to crisis, both in Canada and overseas, and put themselves selflessly in harm's way;

WHEREAS many agencies of government, including Public Safety, Natural Resources, Social Development, the Canadian Coast Guard, and the Emergency Measures Organization provide help to our province in times of crisis;

WHEREAS search and rescue, amateur radio operators, lifeguards, and the Life Saving Society, Canadian Ski Patrol, St. John Ambulance, Red Cross, and other groups provide essential services in times of crisis;

WHEREAS soup kitchens, food banks, sexual assault crisis centres, helplines, transition houses, emergency shelters, and many other volunteer organizations provide important front-line services to those in desperate need;

WHEREAS hospitals, clinics, doctors, nurses, and many other health care professionals provide emergency medical care;

WHEREAS many faith-based groups often provide crucial support to individuals in times of personal crisis; and

WHEREAS these members, family, and friends of our first-responder and other emergency services deserve a day to celebrate their successes and to be acknowledged for their service to our community;

BE IT THEREFORE RESOLVED THAT the Saturday immediately preceding Police and Peace Officers' National Memorial Day be officially designated Emergency Services Day in New Brunswick.

Motion 21 by Mr. Coon, seconded by Mr. Bernard LeBlanc to propose the following resolution on Thursday, March 12, 2015:

WHEREAS all members of the Legislative Assembly are elected representatives of the people of New Brunswick;

AND WHEREAS it is important that the role and responsibilities of MLAs be well understood by the public;

AND WHEREAS it would be helpful for Members of the Legislative Assembly to have guidelines to aid them in the conduct of their duties;

AND WHEREAS the effectiveness of MLAs, and their accountability to the people of New Brunswick, may be improved if the Legislative Assembly establishes a formal statement of the key roles and responsibilities of MLAs;

AND WHEREAS the Legislative Administration Committee recommended the adoption of a statement on the Roles and Responsibilities of an MLA and a Code of Conduct for MLAs in its report to the Legislative Assembly tabled April 3, 2003;

THEREFORE BE IT RESOLVED that the Standing Rules of the Legislative Assembly be amended by adding after Standing Rule 123:

PART IX

124(1) The Legislative Assembly shall establish a Statement on the Roles and Responsibilities of Members and a Code of Conduct, hereinafter collectively referred to as the "Code".

124(2) The Code shall be printed in the Appendices of the Standing Rules of the Legislative Assembly and in the Legislative Assembly of New Brunswick Members' Orientation Manual.

Motion 30 by Mr. Coon, seconded by Mr. Jody Carr to propose the following resolution on Thursday, April 2, 2015:

WHEREAS ensuring the rights and interests of children and youth are protected in our Province is a high priority for all New Brunswickers;

WHEREAS the Office of the Child and Youth Advocate is responsible for ensuring that the rights of children and youth are protected and that the views of children and youth are heard pursuant to section 2 of the *Child and Youth Advocate Act*;

WHEREAS the Child and Youth Advocate currently does not report to a Legislative Committee to ensure his reports and recommendations are acted upon;

BE IT THEREFORE RESOLVED that the Legislative Assembly recommend that a Standing Committee on Children and Youth be appointed to which the Child and Youth Advocate would report;

BE IT FURTHER RESOLVED that the appointed committee would be tasked with the following:

- receive and review annual and special reports from the Child and Youth Advocate;
- meet with the Child and Youth Advocate at least twice a year; and,
- act in conjunction with the Child and Youth Advocate to ensure that the needs of children and youth in New Brunswick are being met.

Motions for Returns

Motion 19 by Mr. B. Macdonald, seconded by Ms. Lynch to propose the following resolution on Thursday, February 26, 2015:

THAT an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House all documentation, however recorded, stored or archived, by electronic means or otherwise, in the custody of or under the control of the Office of the Premier, the Premier, the Department of Finance, the Minister of Finance, the Department of Health, the Horizon Health Network, the Vitalité Health Network, the Dr. Everett Chalmers Hospital, the Minister of Health and any other relevant government employee, department, agency, board or commission, and any correspondence or other communication, whether by electronic means or otherwise, between or amongst those entities and persons or with the federal, other provincial, territorial or municipal governments, relating to capital expenditures and planned capital improvements, including budget figures, tables, projections and planned future budget figures, together with all reports and studies relating to the capital infrastructure of the Horizon Health Network and the Vitalité Health Network, including but not limited to the Dr. Everett Chalmers Hospital, for the years from 2010 to 2020, inclusive.

CONCLUDED

- Motion 1 by Mr. Stewart.** Debated and carried as amended December 11, 2014.
- Motion 2 by Mr. Steeves.** Debated and defeated March 12, 2015.
- Motion 3 by Mr. Wetmore.** Debated and defeated December 18, 2014.
- Motion 9 by Mr. Stewart.** Debated and carried as amended February 12, 2015.
- Motion 10 by Ms. Shephard.** Debated and carried as amended December 18, 2014.
- Motion 13 by Mr. Jeff Carr.** Debated and defeated March 19, 2015.
- Motion 14 by Mr. Wetmore.** Debated and defeated February 19, 2015.
- Motion 17 by Mr. Steeves.** Debated and carried as amended March 12, 2015.
- Motion 28 by Mr. Steeves.** Debated and carried as amended March 26, 2015.
- Motion 29 by Mr. Flemming.** Debated and defeated April 9, 2015.
- Motion 32 by Mr. Steeves.** Debated and carried as amended April 23, 2015.

PETITIONS

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| Petition 1: Mr. Wetmore, December 9, 2014. | (Response, January 26, 2015) |
| Petition 2: Ms. Wilson, December 10, 2014. | (Response, December 22, 2014) |
| Petition 3: Mr. Wetmore, December 10, 2014. | (Response, January 26, 2015) |
| Petition 4: Ms. Wilson, December 11, 2014. | (Response, December 22, 2014) |
| Petition 5: Mr. Wetmore, December 11, 2014. | (Response, January 26, 2015) |
| Petition 6: Ms. Wilson, December 12, 2014. | (Response, December 22, 2014) |
| Petition 7: Mr. Wetmore, December 12, 2014. | (Response, January 26, 2015) |
| Petition 8: Mr. Wetmore, December 17, 2014. | (Response, January 26, 2015) |
| Petition 9: Mr. Coon, December 17, 2014. | (Response, December 22, 2014) |
| Petition 10: Mr. Wetmore, December 18, 2014. | (Response, January 26, 2015) |
| Petition 11: Hon. Mr. Fraser, February 10, 2015. | |
| Petition 12: Mr. Northrup, February 10, 2015. | (Response, February 27, 2015) |
| Petition 13: Mr. LePage, February 11, 2015. | (Response, March 17, 2015) |
| Petition 14: Mr. Northrup, February 11, 2015. | (Response, February 27, 2015) |
| Petition 15: Mr. Northrup, February 12, 2015. | (Response, February 27, 2015) |
| Petition 16: Mr. Bernard LeBlanc, February 13, 2015. | (Response, March 23, 2015) |

Petition 17: Mr. Northrup, February 13, 2015. (Response, February 27, 2015)
 Petition 18: Mr. Northrup, February 18, 2015. (Response, February 27, 2015)
 Petition 19: Mr. Northrup, February 19, 2015. (Response, March 17, 2015)
 Petition 20: Mr. Northrup, February 20, 2015. (Response, March 17, 2015)
 Petition 21: Mr. Bernard LeBlanc, March 10, 2015. (Response, March 25, 2015)
 Petition 22: Mr. Northrup, March 10, 2015. (Response, April 1, 2015)
 Petition 23: Mr. Oliver, March 10, 2015. (Response, March 25, 2015)
 Petition 24: Mr. Northrup, March 11, 2015. (Response, April 1, 2015)
 Petition 25: Mr. Bernard LeBlanc, March 11, 2015. (Response, March 25, 2015)
 Petition 26: Mr. Oliver, March 11, 2015. (Response, March 25, 2015)
 Petition 27: Mr. Northrup, March 12, 2015. (Response, April 1, 2015)
 Petition 28: Mr. Coon, March 12, 2015.
 Petition 29: Mr. Oliver, March 12, 2015. (Response, March 25, 2015)
 Petition 30: Ms. Shephard, March 13, 2015. (Response, April 1, 2015)
 Petition 31: Mr. Oliver, March 13, 2015. (Response, March 25, 2015)
 Petition 32: Mr. Northrup, March 17, 2015. (Response, April 23, 2015)
 Petition 33: Mr. Oliver, March 17, 2015. (Response, March 25, 2015)
 Petition 34: Mr. Northrup, March 18, 2015. (Response, April 23, 2015)
 Petition 35: Mr. Oliver, March 18, 2015. (Response, March 25, 2015)
 Petition 36: Ms. Shephard, March 19, 2015. (Response, April 23, 2015)
 Petition 37: Mr. Oliver, March 19, 2015. (Response, April 8, 2015)
 Petition 38: Mr. Northrup, March 20, 2015. (Response, April 23, 2015)
 Petition 39: Mr. Oliver, March 20, 2015. (Response, April 8, 2015)
 Petition 40: Mr. Northrup, March 24, 2015. (Response, April 23, 2015)
 Petition 41: Mr. Oliver, March 24, 2015. (Response, April 8, 2015)
 Petition 42: Mr. Oliver, March 24, 2015. (Response, April 8, 2015)
 Petition 43: Ms. Shephard, March 25, 2015. (Response, April 23, 2015)
 Petition 44: Mr. Oliver, March 25, 2015. (Response, April 8, 2015)
 Petition 45: Mr. Oliver, March 25, 2015. (Response, April 8, 2015)
 Petition 46: Mr. Northrup, March 26, 2015. (Response, April 23, 2015)
 Petition 47: Mr. Oliver, March 26, 2015. (Response, April 8, 2015)
 Petition 48: Mr. Bernard LeBlanc, March 27, 2015. (Response, April 17, 2015)
 Petition 49: Mr. Northrup, March 27, 2015. (Response, April 23, 2015)
 Petition 50: Mr. Oliver, March 27, 2015. (Response, April 8, 2015)
 Petition 51: Mr. Roussel, April 1, 2015.
 Petition 52: Mr. Crossman, April 1, 2015. (Response, April 17, 2015)
 Petition 53: Mr. Oliver, April 7, 2015. (Response, April 17, 2015)
 Petition 54: Mr. Oliver, April 7, 2015. (Response, April 17, 2015)
 Petition 55: Mr. Coon, April 7, 2015. (Response, April 22, 2015)
 Petition 56: Mr. Steeves, April 7, 2015. (Response, April 23, 2015)
 Petition 57: Mr. Bernard LeBlanc, April 7, 2015. (Response, April 17, 2015)
 Petition 58: Mr. Oliver, April 8, 2015. (Response, April 17, 2015)
 Petition 59: Mr. Coon, April 8, 2015. (Response, April 22, 2015)
 Petition 60: Mr. Steeves, April 8, 2015. (Response, April 23, 2015)
 Petition 61: Mr. Oliver, April 9, 2015. (Response, April 23, 2015)
 Petition 62: Mr. Coon, April 9, 2015.
 Petition 63: Mr. Steeves, April 9, 2015. (Response, April 23, 2015)

Petition 64: Mr. Holder, April 9, 2015.
 Petition 65: Mr. Steeves, April 21, 2015.
 Petition 66: Mr. Coon, April 21, 2015.
 Petition 67: Mr. Oliver, April 21, 2015.
 Petition 68: Mr. Oliver, April 21, 2015.
 Petition 69: Mr. Roussel, April 22, 2015.
 Petition 70: Ms. Wilson, April 22, 2015.
 Petition 71: Mr. Coon, April 22, 2015.
 Petition 72: Mr. Oliver, April 22, 2015.
 Petition 73: Mr. Oliver, April 23, 2015.
 Petition 74: Mr. Coon, April 23, 2015.
 Petition 75: Mr. Oliver, April 24, 2015.
 Petition 76: Mr. Coon, April 24, 2015.
 Petition 77: Mr. Oliver, April 28, 2015.
 Petition 78: Mr. Coon, April 28, 2015.
 Petition 79: Mr. Steeves, April 28, 2015.
 Petition 80: Mr. Oliver, April 29, 2015.
 Petition 81: Mr. Coon, April 29, 2015
 Petition 82: Mr. Steeves, April 29, 2015

(Response, April 29, 2015)

COMMITTEE REPORTS

Standing Committee on Private Bills
 Standing Committee on Procedure

First Report, April 7, 2015
 First Report, December 10, 2014

COMMITTEE MEETINGS

The Standing Committee on Estimates and Fiscal Policy will meet in the Chamber of the Legislative Assembly on Friday, May 1, 2015, following the adjournment of the House, until 2 p.m.

Donald J. Forestell
 Clerk of the Legislative Assembly