



## **LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK**

### **Third Session, 58th Legislative Assembly**

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**ORDER AND NOTICE PAPER – Sitting No. 28**  
**Tuesday, March 14, 2017**

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#### **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

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#### **ORDERS OF THE DAY**

## **GOVERNMENT BILLS AND ORDERS**

### **GOVERNMENT BILLS FOR SECOND READING**

#### ***Bills Ordered for Second Reading***

Bill 40, An Act to Amend the Members' Conflict of Interest Act - Hon. Mr. Doucet  
 Bill 44, Local Governance Act - Hon. Mr. Rousselle, Q.C.  
 Bill 45, Community Planning Act - Hon. Mr. Rousselle, Q.C.  
 Bill 46, An Act Respecting Local Governance and Community Planning  
 - Hon. Mr. Rousselle, Q.C.  
 Bill 47, Intimate Partner Violence Intervention Act - Hon. Mr. Gallant  
 Bill 48, An Act Respecting "Ellen's Law" - Hon. Mr. Landry

#### ***Adjourned Debates***

Bill 16, An Act to Amend the Crown Construction Contracts Act - Hon. Mr. Fraser  
 Bill 17, An Act to Amend the Judicature Act - Hon. Mr. Landry  
 Bill 31, An Act to Amend the New Brunswick Income Tax Act - Hon. Ms. Rogers  
 Bill 42, An Act Respecting Animal Protection - Hon. Mr. Rousselle, Q.C.

### **STANDING COMMITTEE ON ECONOMIC POLICY**

Bill 23, An Act to Amend the Inshore Fisheries Representation Act - Hon. Mr. Doucet  
 Bill 28, An Act Respecting The Residential Tenancies Act and the Ombudsman Act  
 - Hon. Ms. Rogers  
 Bill 30, An Act to Amend the Marriage Act - Hon. Dr. Doherty  
 Bill 32, An Act to Amend the Pre-arranged Funeral Services Act - Hon. Ms. Rogers  
 Bill 35, An Act Respecting the Consolidation of Certain Laboratories with the New Brunswick  
 Research and Productivity Council - Hon. Mr. Doucet  
 Bill 36, Research and Productivity Council Act - Hon. Mr. Doucet  
 Bill 37, An Act Respecting the Change of Name Act and the Vital Statistics Act  
 - Hon. Dr. Doherty  
 Bill 39, An Act Respecting the Opening of Sealed Adoption Records - Hon. Mr. Horsman  
 Bill 41, An Act Respecting the Mental Health Act - Hon. Mr. Boudreau

### **STANDING COMMITTEE ON PRIVATE BILLS**

Bill 38, An Act to Amend An Act to Incorporate The New Brunswick Registered  
 Barbers' Association - Ms. Shephard  
 Bill 43, An Act to Amend the Pension Plan for Employees of the City of Moncton Act  
 - Ms. LeBlanc

## STANDING COMMITTEE ON ESTIMATES AND FISCAL POLICY

Main Estimates 2017-2018  
Capital Estimates 2017-2018  
Supplement to Capital Estimates 2017-2018  
Supplementary Estimates, 2015-2016, Volume I

### GOVERNMENT MOTIONS

**Motion 10 by Hon. Mr. Doucet**, seconded by Hon. Mr. Boudreau to propose the following resolution on Wednesday, December 7, 2016:

THAT unless otherwise provided by Standing Rule or Special Order of the House, the Legislative Assembly adopt the following sessional calendar upon resumption of the Third Session of the Fifty-Eighth Legislature on December 6, 2016:

Tuesday, December 6 to Friday, December 9, 2016, inclusive;  
Tuesday, December 13 to Friday, December 16, 2016, inclusive;  
Tuesday, January 31 to Friday, February 3, 2017, inclusive;  
Tuesday, February 7 to Friday, February 10, 2017, inclusive;  
Tuesday, March 14 to Friday, March 17, 2017, inclusive;  
Tuesday, March 21 to Friday, March 24, 2017, inclusive;  
Tuesday, March 28 to Friday, March 31, 2017, inclusive;  
Tuesday, April 25 to Friday, April 28, 2017, inclusive; and  
Tuesday, May 2 to Friday, May 5, 2017, inclusive;

THAT during certain weeks in which the Assembly is adjourned, the following dates are available to the standing committees to meet to consider bills, estimates and the public accounts of various government departments and Crown corporations;

Tuesday, January 17 to Friday, January 20, 2017, inclusive;  
Tuesday, February 14 to Friday, February 17, 2017, inclusive;  
Tuesday, February 21 to Friday, February 24, 2017, inclusive;  
Tuesday, February 28 to Friday, March 3, 2017, inclusive;  
Tuesday, April 11 to Thursday, April 13, 2017, inclusive;  
Tuesday, April 18 to Friday, April 21, 2017, inclusive;  
Tuesday, June 6 to Friday June 9, 2017, inclusive;  
Tuesday, June 13 to Friday June 16, 2017, inclusive;  
Tuesday, September 26 to Friday, September 29, 2017, inclusive;  
Tuesday, October 3 to Friday October 6, 2017, inclusive; and  
Tuesday, October 10 to Friday, October 13, 2017, inclusive,

THAT notwithstanding the above dates available to committees, that the chairs of standing and select committees may continue to call meetings with appropriate notice on dates of their choosing;

THAT when the Assembly adjourns on Friday May 5, 2017, it stand adjourned until Wednesday, November 1, 2017;

PROVIDED ALWAYS THAT if it appears to the satisfaction of Mr. Speaker, after consultation with the Government, that the public interest requires that the House should meet at an earlier time during any period of adjournment, Mr. Speaker may give notice that he is so satisfied and in such notice shall state a time at which the House shall meet, and thereupon the House shall meet at the time so stated and shall transact its business as if it had been duly adjourned to that time, and

THAT in the event of Mr. Speaker being unable to act owing to illness or other cause, either of the Deputy Speakers shall act in his stead for the purpose of this order.

## CONCLUDED

- Motion 11 by Hon. Mr. Gallant.** Debated and carried December 13, 2016.
- Motion 12 by Hon. Mr. Gallant.** Debated and carried December 7, 2016.
- Motion 13 by Hon. Mr. Gallant.** Debated and carried December 7, 2016.
- Motion 14 by Hon. Mr. Gallant.** Debated and carried December 7, 2016.
- Motion 16 by Hon. Ms. Rogers.** Debated and carried December 14, 2016.
- Motion 17 by Hon. Mr. Doucet.** Carried December 8, 2016.
- Motion 19 by Hon. Ms. Rogers.** Debated February 7, 9, 10, 14, 15, 16, 17 and carried February 17, 2017.
- Motion 22 by Hon. Mr. Doucet.** Carried February 14, 2017.

## GOVERNMENT PRIVATE MEMBERS' MOTIONS

### CONCLUDED

- Motion 15 by Mr. Bernard LeBlanc.** Debated and carried December 13, 2016.
- Motion 18 by Mr. Guitard.** Debated and carried December 15, 2016.

## OPPOSITION MEMBERS' BUSINESS

### OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

- Bill 7, Green Jobs Act - Mr. Coon
- Bill 10, An Act to Amend the Education Act - Mr. Coon
- Bill 27, An Act to Amend the Motor Vehicle Act - Mr. Jody Carr
- Bill 29, An Act to Amend the Crown Lands and Forests Act - Mr. Coon
- Bill 33, An Act to Amend the Human Rights Act - Mr. Wetmore
- Bill 34, An Act to Amend the Early Childhood Services Act - Mr. Steeves

### *Adjourned Debates*

- Bill 26, An Act to Amend the Lobbyists' Registration Act - Mr. Fitch

## OPPOSITION MEMBERS' MOTIONS

### *Debatable Motions*

**Motion 3 by Mr. Savoie**, seconded by Mr. K. MacDonald to propose the following resolution on Thursday, November 10, 2016:

WHEREAS the softwood lumber agreement between Canada and the United States of America has expired and the two countries are in the midst of negotiations for a new agreement;

WHEREAS 83 percent of New Brunswick's land base is forested and about half of that is Crown forest;

WHEREAS the forest industry in New Brunswick employs over 22,000 people;

WHEREAS the forest industry in New Brunswick contributes over \$1.45 billion to the economy annually;

WHEREAS New Brunswickers have a vested interest in the negotiations of a new softwood lumber agreement;

WHEREAS impositions of tariffs and trade caps with the United States could pose a significant risk to New Brunswick's economy;

BE IT THEREFORE RESOLVED THAT this Assembly urges the current government to meet with the federal government to continue to promote New Brunswick interests with regard to the negotiations of a new softwood lumber agreement.

**Motion 6 by Mr. Coon**, seconded by Mr. Keirstead to propose the following resolution on Thursday, November 17, 2016:

WHEREAS the government tables each year its Main Estimates and its public accounts of government expenses and revenues;

WHEREAS revenues foregone through tax expenditures including tax credits and tax exemptions are not currently included in the expenses of the government's Main Estimates;

WHEREAS international organizations including the International Monetary Fund and the Organization for Economic Cooperation and Development promote public sector accounting standards that require governments to report tax expenditures;

WHEREAS other jurisdictions within Canada, including British Columbia and the Government of Canada report tax expenditures annually;

WHEREAS it is the responsibility of government to be accountable to the people it represents;

BE IT RESOLVED THAT the Legislative Assembly urge the government to include in its main estimates the total revenue foregone as a result of tax expenditures each fiscal year, beginning with 2017-2018.

**Motion 7 by Mr. Coon**, seconded by Mr. Bertrand LeBlanc to propose the following resolution on Thursday, November 24, 2016:

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

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

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

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;

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;

BE IT THEREFORE RESOLVED THAT the Standing Committee on Procedure, Privileges and Legislative Officers take into consideration the adoption of a statement on the Roles and Responsibilities of an MLA and a Code of Conduct for MLAs.

**Motion 20 by Mr. Holder**, seconded by Mr. Crossman to propose the following resolution on Thursday, February 2, 2017:

WHEREAS Policy 409 concerning Multi-Year School Infrastructure Planning is intended to give a clear direction to decision-making for closing schools;

WHEREAS this same policy has instead created confusion among members of the school community and has been perceived to be improperly implemented by various District Education Councils;

WHEREAS this policy has created division and torn communities apart, as opposed to uniting them;

WHEREAS such a government policy should be designed to bring New Brunswickers together using an independent, facilitated process;

WHEREAS it has become apparent over the last number of years that parents, students, teachers, and community members are dissatisfied with the Policy 409 process;

BE IT THEREFORE RESOLVED THAT this Assembly urges the government to halt all current school sustainability assessments and conduct a review of Policy 409;

BE IT FURTHER RESOLVED THAT the review of Policy 409 includes a robust, public, and facilitated province-wide consultation process.

***[Debate interrupted due to expiration of time.]***

**Motion 21 by Mr. Wetmore**, seconded by Mr. Savoie to propose the following resolution on Thursday, February 23, 2017:

WHEREAS many recent failures in the provincial electricity grid have led to a spike in homeowners buying and installing generators;

WHEREAS encouraging the use of economical options for homeowners to plug their generators into their home network would be desirable to promote safety and security;

WHEREAS plug-in options exist but their availability is being stymied by regulatory authorities;

WHEREAS new home construction could be greatly enhanced by encouraging universal generator connectors to be included as part of the household electrical wiring;

BE IT THEREFORE RESOLVED THAT the Legislative Assembly urge the government to emulate the many jurisdictions in Canada that have approved the use of universal plug-ins for generators in residential electric systems by adopting their approval processes; and

BE IT FURTHER RESOLVED THAT the Legislative Assembly urge the government to promote the use of universal generator plug-ins, especially for new home construction.

### ***Motions for Returns***

**Motion 23 by Mr. Jeff Carr**, seconded by Mr. Wetmore to propose the following resolution on Thursday, February 23, 2017:

THAT an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House a list of all staffing levels and equipment inventory for each Department of Transportation and Infrastructure maintenance depot in the Province of New Brunswick for the years 2013-2014, 2014-2015, 2015-2016 and 2016-2017.

**Motion 24 by Mr. Coon**, seconded by Mr. Keirstead to propose the following resolution on Thursday, February 23, 2017:

THAT an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House the following contracts and a list of unsuccessful bidders for each of the following contracts:

Shannex, Fredericton, 2008 (five year contract);

Shannex, Quispamsis, 2008 (five year contract);  
 Shannex, Riverview, 2008 (five year contract);  
 Villa Beauséjour, Caraquet, 2010;  
 Villa Maria Nursing Home, Saint-Louis de Kent, 2014; and  
 Victoria Glen Manor, Perth-Andover, 2015.

## CONCLUDED

**Motion 1 by Mr. Higgs.** Debated and carried as amended November 10, 2016.  
**Motion 2 by Mr. Savoie.** Debated and defeated November 17, 2016.  
**Motion 4 by Mr. Stewart.** Debated and defeated December 8, 2016.  
**Motion 5 by Mr. Urquhart.** Debated and defeated November 17, 2016.  
**Motion 8 by Mr. Higgs.** Debated and defeated December 15, 2016.  
**Motion 9 by Mr. Keirstead.** Debated and defeated December 8, 2016.

## PETITIONS

Petition 1: Mr. Crossman, November 3, 2016.	(Response, November 29, 2016)
Petition 2: Mr. Crossman, November 3, 2016.	(Response, December 9, 2016)
Petition 3: Mr. Coon, December 6, 2016.	(Response, December 21, 2016)
Petition 4: Mr. Wetmore, December 9, 2016.	(Response, December 19, 2016)
Petition 5: Mr. Crossman, December 14, 2016.	(Response, January 26, 2017)
Petition 6: Mr. Crossman, December 14, 2016.	(Response, January 26, 2017)
Petition 7: Mr. Albert, February 8, 2017.	
Petition 8: Mr. Oliver, February 8, 2017.	(Response, February 17, 2017)
Petition 9: Mr. Oliver, February 10, 2017.	(Response, February 17, 2017)
Petition 10: Mr. Oliver, February 14, 2017.	(Response, February 17, 2017)
Petition 11: Mr. Crossman, February 14, 2017.	
Petition 12: Mr. Crossman, February 15, 2017.	
Petition 13: Mr. Crossman, February 16, 2017.	

## COMMITTEE REPORTS

Standing Committee on Economic Policy	First Report, December 6, 2016
	Second Report, December 8, 2016
	Third Report, December 13, 2016
	Fourth Report, December 14, 2016
	Fifth Report, December 16, 2016
Standing Committee on Law Amendments	First Report, December 14, 2016

**REPORTS / DOCUMENTS**

***Filed in the Clerk's Office***

Annual Report 2015-2016, New Brunswick Police Commission

(Filed February 20, 2017)

Report on Bullying 2014-2016, Promoting Diversity and Respect in New Brunswick Schools,  
Education and Early Childhood Development

(Filed February 21, 2017)

Donald J. Forestell  
Clerk of the Legislative Assembly