



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

**ORDER AND NOTICE PAPER – Sitting No. 14
Wednesday, November 15, 2017**

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 THIRD READING

Bill 3, An Act to Amend the Public Service Labour Relations Act – Hon. Mr. LePage

Bill 6, An Act to Amend the Motor Vehicle Act – Hon. Mr. Fraser

Bill 13, An Act to Repeal the Declaration of Trust of Court House, 1826 – Hon. Mr. Fraser

GOVERNMENT BILLS FOR SECOND READING

Bills Ordered for Second Reading

Bill 21, An Act Respecting Agricultural Associations – Hon. Mr. Harvey

Bill 22, The Pooled Registered Pension Plans Act – Hon. Ms. Rogers

Bill 23, An Act to Amend the New Brunswick Income Tax Act – Hon. Ms. Rogers

STANDING COMMITTEE ON ECONOMIC POLICY

Bill 2, An Act to Amend the Public Health Act – Hon. Mr. Bourque

Bill 5, An Act Respecting Extra-Mural Services – Hon. Mr. Bourque

Bill 7, An Act to Amend the Pension Benefits Act – Hon. Ms. Rogers

Bill 8, An Act Respecting the Financial and Consumer Services Tribunal – Hon. Ms. Rogers

Bill 9, An Act Respecting Canadian Geodetic Vertical Datum – Hon. Mr. Rousselle, Q.C.

Bill 11, Transparency in Election Commitments Act – Hon. Ms. Harris

Bill 12, An Act to Amend the Legislative Assembly Act – Hon. Ms. Harris

Bill 14, Exotic Animals Act – Hon. Mr. Doucet

Bill 15, An Act Respecting Intimate Partner Violence – Hon. Mr. Gallant

Bill 16, Cannabis Control Act – Hon. Mr. Bourque

Bill 17, Cannabis Management Corporation Act – Hon. Ms. Rogers

Bill 18, Cannabis Education and Awareness Fund Act – Hon. Ms. Rogers

Bill 19, An Act to Amend the Motor Vehicle Act – Hon. Mr. Landry

Bill 20, An Act to Amend the New Brunswick Liquor Corporation Act – Hon. Ms. Rogers

STANDING COMMITTEE ON LAW AMENDMENTS

Bill 4, An Act to Amend the Industrial Relations Act – Hon. Mr. LePage

COMMITTEE OF SUPPLY

Capital Estimates, 2018-2019

GOVERNMENT MOTIONS

Motion 8 by Hon. Mr. Doucet, seconded by Hon. Mr. Fraser to propose the following resolution on Tuesday, October 31, 2017:

THAT unless otherwise provided by Standing Rule or Special Order of the House, the Legislative Assembly adopt the following sessional calendar for the Fourth Session of the Fifty-Eighth Legislature:

Tuesday, October 24 to Friday, October 27, 2017, inclusive;

Tuesday, October 31 to Friday, November 3, 2017, inclusive;
 Tuesday, November 7 to Friday, November 10, 2017, inclusive;
 Tuesday, November 14 to Friday, November 17, 2017, inclusive;
 Tuesday, December 5 to Friday, December 8, 2017, inclusive;
 Tuesday, December 12 to Friday, December 15, 2017, inclusive;
 Tuesday, December 19 to Friday, December 22, 2017, inclusive;
 Tuesday, January 30 to Friday, February 2, 2018, inclusive;
 Tuesday, February 6 to Friday, February 9, 2018, inclusive;
 Tuesday, March 13 to Friday, March 16, 2018, inclusive;
 Tuesday, March 20 to Friday, March 23, 2018, inclusive;
 Tuesday, March 27 to Thursday, March 29, 2018, inclusive;

THAT during certain weeks in which the Assembly is adjourned, the following dates are available for committees to meet:

Tuesday, November 21 to Friday, November 24, 2017, inclusive;
 Tuesday, November 28 to Friday, December 1, 2017, inclusive;
 Tuesday, January 9 to Friday, January 12, 2018, inclusive;
 Tuesday, January 16 to Friday, January 19, 2018, inclusive;
 Tuesday, January 23 to Friday, January 26, 2018, inclusive;
 Tuesday, February 13 to Friday, February 16, 2018, inclusive;
 Tuesday, February 20 to Friday, February 23, 2018, inclusive;
 Tuesday, February 27 to Friday, March 2, 2018, inclusive;

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

THAT when the Assembly adjourns on Thursday, March 29, 2018, it stand adjourned until Tuesday, November 6, 2018;

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 7 by Hon. Mr. Doucet. Carried October 25, 2017.

Motion 9 by Hon. Mr. Doucet. Carried October 25, 2017.

Motion 13 by Hon. Ms. Rogers. Debated and carried November 8, 2017.

Motion 14 by Hon. Mr. Bourque. Carried November 2, 2017.

GOVERNMENT PRIVATE MEMBERS' MOTIONS

Motion 15 by Mr. Boudreau, seconded by Dr. Doherty to propose the following resolution on Friday, November 10, 2017:

WHEREAS the Leader of the Official Opposition worked for Irving Oil for 33 years and retired as a Senior Executive;

WHEREAS the 25 year Canaport LNG property tax break that slashed millions of dollars from property taxes was passed by the Progressive Conservative Government in 2005;

WHEREAS the Progressive Conservative leadership campaign website of the Leader of the Opposition states: "He was a member of the Irving team negotiating with Repsol on the Canaport LNG project.";

WHEREAS a full page advertisement placed in the Telegraph Journal on March 19, 2005, by Irving Oil entitled "To Everyone in Saint John" contains an open letter to the citizens of Saint John in an attempt to explain why the LNG Property Tax deal is such a good deal for the City;

WHEREAS the Leader of the Opposition as an Irving Oil Executive was one of the signatories to the said letter;

WHEREAS the Leader of the Opposition stated in the Legislative Assembly on October 26, 2017: "It is a tax deal, about which I have stated very clearly and in public, that I had no involvement with";

BE IT THEREFORE RESOLVED that the Legislature urge the Leader of the Opposition to answer the following questions:

1) Does he still believe the Canaport LNG tax deal was a good deal for the people of Saint John;

2) Does he believe the Canaport LNG tax deal was rushed and the process should have provided for consultation with and input from the citizens of Saint John;

3) Can the Leader of the Official Opposition explain what role he had in urging the people of Saint John to accept the Canaport LNG tax deal.

OPPOSITION MEMBERS' BUSINESS

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Bill 10, An Act to Amend the Assessment Act – Mr. Coon

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

Motion 3 by Mr. Northrup, seconded by Mr. Jeff Carr to propose the following resolution on Thursday, November 2, 2017:

WHEREAS the tourism sector in New Brunswick is an important part of our fabric;

WHEREAS hundreds of thousands of tourists visit our province each year;

WHEREAS camping enthusiasts make up a significant portion of the tourists each year;

WHEREAS some of those camping enthusiasts like to travel with multiple vehicles and trailers in order to have the vastest experience to explore all the beautiful parts of our province;

WHEREAS other provinces in Canada allow for the towing combination of more than two vehicles on their highways and roads;

WHEREAS New Brunswick does not currently allow a combination of more than two vehicles, which creates a barrier to interprovincial travel;

BE IT THEREFORE RESOLVED THAT this Assembly urges the government to change acts and regulations to allow combinations of two or more vehicles, for recreational purposes, on main highways; and

BE IT FURTHER RESOLVED THAT this Assembly urges the government to maintain a length limit as well as other safety precautions, to account for the safety of all those travelling on the roads.

Motion 5 by Mr. Wetmore, seconded by Mr. Oliver to propose the following resolution on Thursday, November 2, 2017:

WHEREAS the New Brunswick Association of Optometrists has stated that research shows eighty percent of a child's learning is visual;

WHEREAS the New Brunswick Association of Optometrists has also stated that studies show only fourteen percent of Canadian children entering the primary school system receive professional eye care;

WHEREAS the Canadian Association of Optometrists state that studies show the earlier a vision problem is diagnosed and treated, the less negative impact it will have on a child's development;

WHEREAS the Canadian Association of Optometrists also state that an important component of early detection and treatment of eye and vision problems is for all children to receive a professional vision examination before entering school;

WHEREAS the province of New Brunswick's program, "Healthy Smiles, Clear Vision" already offers a vision program to children of low income families;

BE IT THEREFORE RESOLVED THAT this Assembly urges the current government to offer free professional eye exams for all children before they become of school age, and that it become mandatory to be tested before entering elementary school.

Motion 6 by Mr. Jeff Carr, seconded by Mr. K. MacDonald to propose the following resolution on Thursday, November 2, 2017:

WHEREAS school bus cameras are widely used throughout Canada, and more particularly, in our neighbouring provinces of Prince Edward Island and Nova Scotia;

WHEREAS careless drivers put students' safety at risk by failing to stop for school buses;

WHEREAS video footage would help law enforcement apprehend drivers who do not stop for school buses by recording license plate numbers and providing evidence of the infraction;

WHEREAS the safety of our children, when being transported to and from school by bus drivers who do tremendous work and provide excellent service, is of utmost importance to all New Brunswick parents;

BE IT THEREFORE RESOLVED THAT this Assembly urges the current government to put a school bus camera program in place, where cameras are placed on the outside of buses for the purposes of capturing license plate images and evidence to report to law enforcement officials;

BE IT FURTHER RESOLVED THAT this Assembly urges the current government to allow registered owners of vehicles to be charged for failing to stop for a school bus if they are not willing to give law enforcement officials the name of the driver who failed to stop.

Amendment moved by Hon. Mr. Landry, seconded by Hon. Mr. Kenny that Motion 6 be amended as follows:

THAT the first resolution clause be amended by deleting the words "current government to put" and replacing them with "Department of Education and Early Childhood Development and the Department of Justice and Public Safety to explore

best practices with respect to school bus safety including exploring the feasibility of putting”;

THAT the final resolution clause be deleted.

[Debate interrupted due to expiration of time.]

Motion 10 by Mr. Coon, seconded by Mr. Holder to propose the following resolution on Thursday, November 2, 2017:

WHEREAS the Legislature is accountable to the people of New Brunswick;

WHEREAS it is important for a legislative committee to have the power to question witnesses and obtain expert advice;

WHEREAS the Canadian Audit and Accountability Foundation recommended that Public Accounts Committees should have the power to subpoena witnesses if they refuse to appear, and call for the production of documents;

WHEREAS the Nova Scotia Public Accounts Committee has the power to send for persons, papers and records, and to examine witnesses under oath;

WHEREAS the standing committees of the Parliament of Canada have the power to send for persons, papers and records;

WHEREAS the House can authorize a committee to call for persons, papers and records;

BE IT THEREFORE RESOLVED THAT the Public Accounts Committee, Crown Corporations Committee, Economic Policy Committee and Social Policy Committee be authorized by the Legislative Assembly to call for persons, papers and documents.

Motion 11 by Mr. Coon, seconded by Mr. Holder to propose the following resolution on Thursday, November 2, 2017:

WHEREAS Legislative Officers should be accountable to the Legislative Assembly and the people of New Brunswick;

WHEREAS a 2011 Legislative Assembly report recommended that Legislative Officers appear annually before committee to answer questions about their annual reports;

WHEREAS the Standing Rules of the New Brunswick Legislature state that reports to the House of Legislative Officers stand permanently referred to the Standing Committee on Procedure, Privileges and Legislative Officers;

WHEREAS the Standing Committee on Procedure, Privileges and Legislative Officers provides a forum through which the Legislative Officers are accountable to the Legislative Assembly;

WHEREAS in 2017 only one Legislative Officer has reported to the Committee;

BE IT THEREFORE RESOLVED THAT Legislative Officers, except for the Auditor General who already appears before the Standing Committee on Public Accounts, be required by the Legislative Assembly to appear annually before the Standing Committee on Procedure, Privileges and Legislative Officers to answer questions on their annual reports and any other reports filed with the Legislature.

Motion 12 by Mr. Coon, seconded by Mr. K. MacDonald to propose the following resolution on Thursday, November 9, 2017:

WHEREAS alcohol is the leading cause of injury and death in Canada;

WHEREAS a 2012 Statistics Canada survey found that 20% of New Brunswickers were heavy drinkers;

WHEREAS excessive drinking bears numerous known health risks including cancer and cardiovascular disease;

WHEREAS the availability and visibility of alcohol has increased with the increase in agency stores and the introduction of wine in grocery stores;

WHEREAS increased availability and visibility of alcohol result in greater consumption rates;

WHEREAS NB Liquor is neither tracking the effects of nor implementing public awareness campaigns along with this increased availability;

WHEREAS New Brunswick's tobacco control strategy has reduced smoking prevalence and lung cancer mortality;

WHEREAS a comprehensive strategy aimed at reducing alcohol consumption can help to reduce alcohol harm;

BE IT THEREFORE RESOLVED THAT the Legislative Assembly urge the Office of the Chief Medical Officer of Health to develop a comprehensive strategy to reduce alcohol consumption and alcohol related injuries and deaths in the province.

Motion 17 by Mr. Steeves, seconded by Ms. Shephard to propose the following resolution on Thursday, November 16, 2017:

WHEREAS sexual violence remains a present and persistent problem on post-secondary campuses across the Province;

WHEREAS other jurisdictions in the country including Ontario, Manitoba, and British Columbia have already adopted comparable types of legislation;

WHEREAS Statistics Canada's 2014 General Social Survey on Canadians' Safety revealed that the rate of incidence for sexual assault was considerably higher for young Canadians between the ages of 15 and 24 and accounts for 47% of all sexual assaults incidents;

BE IT THEREFORE RESOLVED THAT the Legislative Assembly urge the government to introduce legislation on campus sexual violence that includes the following stipulations: that every post-secondary institution in New Brunswick have a stand-alone sexual violence policy; that these policies be completed by the institution no later than one year after the legislation is adopted; that the policies be developed with input from students, staff, administrators, and community experts; that the policies put in place take into account the realities of visible minorities, Indigenous peoples, persons with disabilities, immigrants, the LGBTQIA community, and other groups that have been proven to be at a higher risk of sexual violence; that the policies be accessible, transparent and easy to understand; that the institution include in their policy, the manners in which their sexual violence policy interacts with other policies at the institution; that all sexual violence policies adopted by post-secondary institutions be reviewed by the institution every two years; and that the post-secondary institutions that already have stand-alone sexual violence policies be required to review their policies immediately upon adoption of the legislation and incorporate any changes to their policies and reporting process(es) as per the stipulations set out above, no later than one year after the legislation is adopted.

Motion 18 by Mr. Jeff Carr, seconded by Mr. Holder to propose the following resolution on Thursday, November 16, 2017:

WHEREAS covered bridges in New Brunswick were engineered and constructed by the pioneers of our communities with their blood, sweat and tears;

WHEREAS covered bridges in New Brunswick create tourism opportunities and are enjoyed by locals and tourists alike;

WHEREAS the Department of Tourism, Heritage and Culture is a priority for this current government as an economic driver, as it is for other jurisdictions in North America;

BE IT THEREFORE RESOLVED THAT the Legislative Assembly urge the government to preserve and protect our New Brunswick covered bridges;

BE IT FURTHER RESOLVED THAT the Legislative Assembly urge the Department of Tourism, Heritage and Culture to develop a covered bridge map to be used to take our covered bridges to market;

BE IT FURTHER RESOLVED THAT the Legislative Assembly urge the government to designate all remaining covered bridges in New Brunswick as protected landmarks within the *Heritage Conservation Act*.

Motion for Returns

Motion 16 by Mr. Flemming, Q.C., seconded by Mr. Savoie to propose the following resolution on Thursday, November 16, 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 any letter written to the Member for Campbellton-Dalhousie regarding his recusal or removal from, and the reassignment of his duties as Minister of Post-Secondary Education, Training and Labour in whole or in part, including copies of the letters sent electronically or otherwise to Judy Wagner, Jean-Marc Dupuis and the Minister of Transportation and Infrastructure, including the dates the letters were written, sent and received by the parties involved.

CONCLUDED

Motion 1 by Mr. Wetmore. Debated and carried as amended November 2, 2017.

Motion 2 by Mr. K. MacDonald. Debated and carried as amended November 9, 2017.

Motion 4 by Mr. Urquhart. Debated and carried November 9, 2017.

PETITIONS

Petition 1: Mr. Oliver, October 27, 2017.	(Response, November 10, 2017)
Petition 2: Mr. Holder, October 27, 2017.	(Response, November 10, 2017)
Petition 3: Ms. Shephard, October 27, 2017.	(Response, November 10, 2017)
Petition 4: Mr. Fairgrieve, October 31, 2017.	
Petition 5: Ms. Shephard, November 1, 2017.	(Response, November 10, 2017)
Petition 6: Mr. Coon, November 2, 2017.	
Petition 7: Ms. Shephard, November 7, 2017.	
Petition 8: Mr. Coon, November 7, 2017.	

COMMITTEE REPORTS

Standing Committee on Economic Policy

First Report, November 10, 2017

COMMITTEE MEETINGS

The Standing Committee on Economic Policy will meet in the Chamber of the Legislative Assembly on Wednesday, November 15, 2017, following the adjournment of the House, until 6 p.m.

WRITTEN QUESTIONS (see Appendix A)

Donald J. Forestell
Clerk of the Legislative Assembly

APPENDIX A

WRITTEN QUESTIONS

Question No. 1 by Mr. Higgs

Directed to: Hon. Mr. Gallant
Premier of New Brunswick

Will the Premier share with the House the expected impact of the carbon tax on New Brunswickers and the economy?

Question No. 2 by Mr. Higgs

Directed to: Hon. Mr. Gallant
Premier of New Brunswick

Will the Premier share with the House the economic impact studies on cannabis for New Brunswick?

Question No. 3 by Mr. Higgs

Directed to: Hon. Mr. Gallant
Premier of New Brunswick

Which other provinces have invested in cannabis producers in Canada, and how much have they invested?

Question No. 4 by Mr. Higgs

Directed to: Hon. Mr. Gallant
Premier of New Brunswick

Does the Premier know why Dr. Cleary was fired and will he share all available information with the Legislature, does he agree with her dismissal?

Question No. 5 by Mr. Higgs

Directed to: Hon. Mr. Gallant
Premier of New Brunswick

Will the Premier confirm the Statistics Canada figures that indicate no job growth and a shrinking labour force since he has taken office?

Question No. 6 by Mr. Higgs

Directed to: Hon. Mr. Gallant
Premier of New Brunswick

It was learned at Crown Corporations Committee that WorksafeNB was urged to hurry their announcement regarding the premium hike and to make the announcement before the studies were completed. Did the instructions to fast track the announcement regarding premium hikes come from the Premier's Office?

Question No. 7 by Mr. Higgs

Directed to: Hon. Mr. Gallant
Premier of New Brunswick

Has any taxpayer money been given to Sears, whether from ONB, or from any other department, from any program from the Government of the Province of New Brunswick?