

**LEGISLATIVE ASSEMBLY
PROVINCE OF NEW BRUNSWICK**

First Session, 55th Legislative Assembly
Tuesday, May 18, 2004.

ROUTINE PROCEEDINGS

Prayers
Condolences and Messages of Sympathy (*Prior Notice to Speaker*)
Introduction of Guests
Congratulatory Messages
Presentations of Petitions
Answers to Petitions and Written Questions
Presentations of Committee Reports
Tabling of Documents
Statements by Ministers
Statements by Members
Oral Questions
Introduction of Bills
Notices of Motions
Government Motions for the Ordering of the Business of the House
Orders of the Day

**ORDER AND NOTICE PAPER
ORDERS OF THE DAY**

PRIVATE MEMBERS' MOTIONS

*[In accordance to rotation prescribed by
Standing Rules 44(2.4), (2.5), and (2.6)]*

Debatable Motions

Motion 7 by Mr. S. Graham, seconded by Mrs. Robichaud to propose the following resolution on Tuesday, August 5, 2003:

WHEREAS the testing of New Brunswick students in both the francophone and anglophone systems over many years has consistently shown evidence that there is room for improvement;

WHEREAS research demonstrates that improved student-teacher ratios in the early years have a beneficial effect on academic performance;

BE IT RESOLVED that the Legislative Assembly urge the Minister of Education to improve ratios in kindergarten to grade three by reducing average class size by one student per year over four years;

BE IT FURTHER RESOLVED that the Legislature urge the Minister of Education to improve the student/teacher ratio of resource teachers to students in each school district.

Motion 8 by Mr. S. Graham, seconded by Mr. Murphy to propose the following resolution on Tuesday, August 5, 2003:

WHEREAS one in 500 children is affected by autism;

WHEREAS in the case of *Auton v. British Columbia*, the BC Court of Appeal ruled that British Columbia's failure to provide effective treatment for a child with autism was a violation of that child's rights under the *Canadian Charter of Rights and Freedoms*;

WHEREAS the Government of New Brunswick is in possession of the report *A Framework for an Integrated Service Delivery System for Persons with Autism in New Brunswick* from the Interdepartmental Committee on Services to Persons with Autism which was completed in November 2001;

AND WHEREAS the window of maximum recovery closes each day on New Brunswick children who go without treatment;

BE IT THEREFORE RESOLVED that this Legislature urge the government to implement the recommendations of *A Framework for an Integrated Service Delivery System for Persons with Autism in New Brunswick* forthwith and immediately.

Motion 18 by Mr. Stiles, seconded by Mr. MacDonald to propose the following resolution on Tuesday, August 5, 2003:

WHEREAS in its election platform entitled "Reaching Higher. Going Further." the government committed that New Brunswick will have the lowest personal income taxes in eastern Canada, and

WHEREAS in "Reaching Higher. Going Further." the government committed that New Brunswick will have the lowest small business taxes in all of Canada; and

WHEREAS in "Reaching Higher. Going Further." the government committed that New Brunswick will have the highest tax free threshold for low-income earners in all of Canada;

BE IT FURTHER RESOLVED that the Legislative Assembly encourage the government of New Brunswick to continue to deliver lower taxes in a prudent and reasonable manner for the people of New Brunswick.

Motion 9 by Mr. S. Graham, seconded by Mrs. Robichaud to propose the following resolution on Tuesday, August 5, 2003:

WHEREAS women's average hourly wage is 79 % of men's in New Brunswick;

WHEREAS the Advisory Council on the Status of Women states that approximately half the wage gap is "caused by the age-old tradition of paying 'women's' jobs less than jobs usually held by men";

WHEREAS the New Brunswick government must show leadership in the area of pay equity;

WHEREAS there are still parts of the public service which are not covered by the *Pay Equity Act* and which include New Brunswick government employees;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the New Brunswick government to amend the *Pay Equity Act* so that it applies to all parts of the public service;

AND BE IT FURTHER RESOLVED that the Legislative Assembly urge the New Brunswick government to actively pursue an objective of ensuring that the *Pay Equity Act* applies to the private sector.

Motion 21 by Mr. Murphy, seconded by Mr. Richard to propose the following resolution on Tuesday, August 5, 2003:

WHEREAS in March 2002, Waleed Arif, a young autistic man, was placed in Centracare;

WHEREAS the decision to place Mr. Arif in Centracare went against the recommendations of his own doctor, psychologist and psychiatrist;

WHEREAS staff at Centracare have questioned the appropriateness of this placement;

WHEREAS Mr. Arif's condition has visibly deteriorated since his placement in Centracare;

BE IT THEREFORE RESOLVED that this Legislature urge the government to remove Waleed Arif from Centracare and provide treatment that is appropriate for his condition.

Motion 26 by Mr. Boudreau, seconded by Mrs. Robichaud to propose the following resolution on Thursday, August 7, 2003:

WHEREAS students are bullied in their schools;

WHEREAS this bullying exists at all academic levels in schools in the province of New Brunswick;

WHEREAS being bullied greatly affects one's self-esteem;

WHEREAS students need to learn how to cope with this problem;

BE IT THEREFORE RESOLVED that the Legislative Assembly strongly urge the government to direct the Department of Education to hold seminars on how to deal with bullies in every school in the province every school year.

Motion 20 by Mr. Holder, seconded by Mr. C. LeBlanc to propose the following resolution on Tuesday, August 5, 2003:

WHEREAS in its election platform entitled "Reaching Higher. Going Further." the government committed that New Brunswick will have even more funding directed to education, universities, and students; and

WHEREAS in "Reaching Higher. Going Further." the government committed that New Brunswick children will all be able to read by the end of Grade 2; and

WHEREAS in "Reaching Higher. Going Further." the government committed that New Brunswick will have more teachers and resources in the classroom;

BE IT THEREFORE RESOLVED that the Legislative Assembly encourage the government of New Brunswick to continue to deliver quality education to the people of New Brunswick.

Motion 27 by Mr. Targett, seconded by Mr. Foran to propose the following resolution on Thursday, August 7, 2003:

WHEREAS the government outlined a number of commitments to New Brunswickers in the last election campaign;

WHEREAS cuts are now pending to government departments;

WHEREAS the people of New Brunswick have charged the government with the responsibility of carrying out their commitments;

BE IT THEREFORE RESOLVED that this Legislature urge the government to present to this House a comprehensive plan and time line for the implementation of these commitments.

Motion 29 by Mr. Branch, seconded by Mr. S. Graham to propose the following resolution on Tuesday, August 12, 2003:

WHEREAS our people of rural New Brunswick voiced rejection of the Government's plan for another level of government with a hidden agenda of an extra tax burden which our people of rural New Brunswick cannot afford;

WHEREAS this government has clearly stated its intention to have the provincially provided services of Transportation and Policing paid for in unincorporated New Brunswick entirely out of rural property taxes and,

WHEREAS the tax base of unincorporated New Brunswick cannot cover these costs without a major property tax rate increase and,

WHEREAS the people of rural New Brunswick already pay toward transportation costs through gasoline tax which this government has stated is directed entirely into the budget of the Department of Transportation,

BE IT THEREFORE RESOLVED that the Legislature urge the government to abandon its plan to increase the base rate for rural property taxes to cover the entire cost of Transportation and Policing in unincorporated New Brunswick and abandon its plan to create rural municipal government with another layer of property tax.

Motion 35 by Mr. S. Graham, seconded by Mr. Haché to propose the following resolution on Tuesday, December 16, 2003:

WHEREAS in the document entitled Prosperity Plan 2002-2012, the Premier and his Party identify balanced budget as a way to create a competitive fiscal and business environment, and;

WHEREAS the document entitled *Reaching Higher. Going Further. 2003-2007* identified the current Conservative Government's top 5 priorities to include a balanced budget over the next four years, and;

WHEREAS the Dominion Bond Rating Service has stated that in 2002-2003 the province recorded the first deficit in eight years;

BE IT RESOLVED that the Legislative Assembly urge the Government to bring forward a balanced budget for the current 2003-2004 fiscal year.

BE IT FURTHER RESOLVED that the Legislative Assembly urge the Government to bring forward a balanced budget for the 2004-2005 fiscal year.

Motion 36 by Mr. S. Graham, seconded by Mr. Ouellette to propose the following resolution on Tuesday, December 16, 2003:

WHEREAS the provincial government started the process of reforming local governance in 1999, and;

WHEREAS many committees have studied local governance in New Brunswick and many reports have been tabled since the beginning of the local governance reform process, and;

WHEREAS a decision has still not been made by the Province regarding local governance reform, and;

WHEREAS all 103 municipalities have unanimously endorsed a new funding model, and;

WHEREAS the provincial government has turned down the municipalities' proposal and has introduced an initiative that constitutes an interim measure and does not resolve the municipal funding problem, and;

WHEREAS the interim measure introduced by government will lead to a decrease in funding for municipalities;

BE IT THEREFORE RESOLVED that this Legislature urge the Provincial government to commit to stable municipal funding and the implementation of a new fiscal partnership with the municipalities within the upcoming year.

Motion 61 Mr. S. Graham, seconded by Mr. Haché to propose the following resolution on Tuesday, December 23, 2003:

WHEREAS a recent study commissioned by the Canadian Teachers Federation found that teachers in New Brunswick were spending an average of \$420 of their own money annually to equip their classrooms and students, and;

WHEREAS in *Reaching Higher, Going Further* the Premier promised "New Brunswick will have more teachers and resources in the classrooms", and;

WHEREAS in *Reaching Higher, Going Further* the Premier promised "New Brunswick will have even more funding directed to education, universities, and students, and:

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the Government to increase funds available to schools to purchase supplies for the classroom as requested by educators themselves, and;

BE IT FURTHER RESOLVED that this Legislative Assembly urge the Government to invest in adequate and appropriate computer technology.

Motion 66 by Mr. Foran, seconded by Mr. Murphy to propose the following resolution on Tuesday, December 30, 2003:

WHEREAS the Moncton Police Force was dissolved and replaced by the RCMP in 1998, and;

WHEREAS a dispute remains over the pension funds for former members of the Moncton Police Force;

BE IT THEREFORE RESOLVED that this Legislature urge the government to undertake an audit in order to determine the explicit or implicit agreement in place at the time of the transfer or at any time since regarding the calculation of pension amounts.

Motion 68 by Mr. Lamrock, seconded by Mr. Murphy to propose the following resolution on Tuesday, December 30, 2003:

WHEREAS the caseload for special needs students in the New Brunswick school system has nearly tripled in the past decade; and

WHEREAS funding formulas for schools have not reflected this new demand; and

WHEREAS schools are funded for teaching assistants based upon population but not the intensity of case loads in a given school; and

WHEREAS teachers, teaching assistants, parents and children are suffering in some classrooms where there is too little help in classrooms and too many needs;

BE IT RESOLVED that this House urge the Minister of Education to review the current mechanism for funding educational assistance for children with special needs to ensure that every child gets the help they need to succeed.

Motion 69 by Mr. Lamrock, seconded by Mr. Boudreau to propose the following resolution on Tuesday, December 30, 2003:

WHEREAS numerous international studies have shown a direct correlation between the presence of well-funded school libraries and children's literacy skills; and

WHEREAS the involvement of school librarians in preparing lesson plans, assisting teachers and advising students have raised the reading and writing test scores of students; and

WHEREAS while the *Quality Learning Agenda* sets out the goal of giving students public library cards, it makes not one mention of improving the libraries in our schools;

BE IT RESOLVED that this House urge the Minister of Education to develop an addendum to the *Quality Learning Agenda* establishing clear goals for the funding, oldings and staffing of school libraries.

Motion 70 by Mr. Lamrock, seconded by Mr. Burke to propose the following resolution on Tuesday, December 30, 2003:

WHEREAS provincial Route 8 runs through residential Marysville on Bridge and Canada Streets; and

WHEREAS the high frequency of truck-related accidents poses an ongoing threat to the lives and safety of the residents of Marysville; and

WHEREAS the Minister of Transportation has pledged, in the 2004-2005 Capital Estimates, to enter into discussions with the City of Fredericton to be working towards the Marysville By-Pass;

BE IT RESOLVED that this House express its support for any efforts the Minister of Transportation may make to make the Marysville By-Pass a reality, and urge the Minister of Transportation to take all reasonable steps to ensure that the Province is prepared to commit funds to the Marysville By-Pass project in the 2005-2006 Capital Budget.

Motion 92 by Mr. S. Graham, seconded by Mr. Lamrock to propose the following resolution on Thursday, May 13, 2004:

WHEREAS the budget tabled in this House on March 30, 2004, depicted a grave financial situation in New Brunswick;

WHEREAS the Government has announced that 750 job cuts will be forthcoming in the Civil Service;

WHEREAS the Government has announced that there will be a wage freeze for the remaining members of the Civil Service;

WHEREAS Members of the Legislative Assembly are also in the service of the public, and;

WHEREAS there has been a 2.5% increase in the salaries of MLAs and increases in the per diem rate for committee work;

BE IT RESOLVED THAT this House overturn the decision of the Legislative Administration Committee taken on December 18, 2003 with respect to committee pay for Members of the Legislative Assembly;

BE IT FURTHER RESOLVED THAT the 2.5% wage increase on MLAs base salary be rolled back, and;

BE IT FURTHER RESOLVED THAT this House urge the Government to establish a Commission made up of academics and members of the private sector that shall be charged with determining future rates of remuneration for Members of the Legislative Assembly.

Motions for returns [In order of their introduction in the House]

Motion 19 by Mr. Targett, seconded by Mr. Lamrock to propose the following resolution on Tuesday, August 5, 2003:

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 documents, correspondence, e-mails, reports in regard to the land expropriated for the new four-lane highway from Longs Creek to Pokiok including names of property owners, area of lands purchased and amounts paid.

Motion 33 by Mr. Targett, seconded by Mr. Branch to propose the following resolution on Thursday, August 14, 2003:

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 documents, correspondence, e-mails, reports, drafts, summaries, notes and matters that concern the private woodlots of New Brunswick being given "Primary Source of Supply" status.

Motion 34 by Mr. Allaby, seconded by Mr. Armstrong to propose the following resolution on Tuesday, December 16, 2003

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance, and their subsequent impact on the Department of Transportation.

Motion 37 by Mr. MacIntyre, seconded by Mr. Kennedy to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance, and their subsequent impact on the Department of Health and Wellness.

Motion 38 by Mr. Landry, seconded by Mr. Paulin to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports in regard to the 5% spending cuts announced on July 15, 2003, by the Minister of Finance, and their subsequent impact on the Department of Tourism and Parks.

Motion 39 by Mr. Haché, seconded by Mr. Kenny to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance, and their subsequent impact on the Department of Business New Brunswick.

Motion 40 by Mr. Armstrong, seconded by Mr. Albert to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance, and their subsequent impact on the Department of Agriculture, Fisheries and Aquaculture.

Motion 41 by Mrs. Robichaud, seconded by Mr. Boudreau to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance, and their subsequent impact on the Department of Education.

Motion 42 by Mr. Albert, seconded by Mr. Doucet to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance, and their subsequent impact on the Department of Public Safety.

Motion 43 by Mr. Jamieson, seconded by Mr. Ouellette to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance, and their subsequent impact on the Department of Environment and Local Government.

Motion 44 by Mr. Lamrock, seconded by Mr. Allaby to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance, and their subsequent impact on the Department of Finance.

Motion 45 by Mr. McGinley, seconded by Mr. Branch to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance, and their subsequent impact on the Department of Training and Employment Development.

Motion 49 by Mr. Targett, seconded by Mr. Brewer to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance and their subsequent impact on the Department of Natural Resources.

Motion 50 by Mr. Burke, seconded by Mr. Lamrock to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance and their subsequent impact on the Department of Justice.

Motion 51 by Mr. Murphy, seconded by Mr. Kennedy to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance and their subsequent impact on the Department of Family and Community Services.

Motion 53 by Mr. Arseneault, seconded by Mr. Paulin to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance and their subsequent impact on the Department of the Office of Human Resources.

Motion 54 by Mr. Arseneault, seconded by Mr. Branch to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance and their subsequent impact on the Department of Intergovernmental and International Relations.

Motion 55 by Mr. Brewer, seconded by Mr. Murphy to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of Finance and their subsequent impact on the Department of Supply and Services.

Motion 56 by Mr. Doucet, seconded by Mr. Branch to propose the following resolution on Tuesday, December 16, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, reports in regard to the 5% spending cuts announced on July 15, 2003 by the Minister of

Finance and their subsequent impact on the Department of Energy.

Motion 58 by Mr. S. Graham, seconded by Mr. Brewer to propose the following resolution on Thursday, December 18, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, reports in regard to estimates of the additional tax revenue – by tax brackets – that will be collected as a result of the income tax measure requiring an amendment to the *Income Tax Act* announced by the Department of Finance on November 11, 2003.

[Documents requested filed January 28, 2004]

Motion 62 by Mr. Lamrock, seconded by Mr. Branch to propose the following resolution on Tuesday, December 23, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, reports pertaining to all Lease Agreements and all correspondence related to renovations and cost of all renovations done to the building where the Department of Family & Community Services is housed in their Campbellton Office - 157 Water Street, 7th floor.

Motion 64 by Mr. Lamrock, seconded by Mr. Branch to propose the following resolution on Tuesday, December 23, 2003:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, reports with Transport Canada pertaining to your government's priorities for Route 11, Route 17 and the third crossing to be constructed at the Canada - United States border at St. Stephen.

Motion 78 by Mr. Arseneault, seconded by Mr. Boudreau to propose the following resolution on Tuesday, April 13, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all names and remuneration received by any individual, who have been employed on a full time, part time or contract or who have been appointed to a government board or commission since June 10, 2003.

Motion 82 by Mr. Allaby, seconded by Mr. Boudreau to propose the following resolution on Thursday, April 22, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House a description of the changes to snow clearing routes to take effect with the closure of snow sheds included with the Department of Transportation budget for 2004-2005 including snow plow assignments before the changes and plow assignments after the changes.

Motion 87 by Mr. Boudreau, seconded by Mr. Paulin to propose the following resolution on Thursday, April 29, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents relating to the literacy specialists in both the Anglophone and Francophone school systems, including the policy and all correspondence, memoranda, e-mails, faxes, letters, reports, analyses, advice, recommendations, notes, minutes of meetings since the announcement of the Premier's Quality Learning Agenda to the present.

[Documents requested filed May 14, 2004]

Motion 88 by Mr. Boudreau, seconded by Mr. Paulin to propose the following resolution on Thursday, April 29, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents concerning the provincial education Review (school evaluation system) in both the Francophone and Anglophone school systems including all correspondence, memoranda, e-mails, faxes, letters, reports, analyses, advice, recommendations, notes, minutes from its inception to the present.

Motion 89 by Mr. MacIntyre, seconded by Mr. Lamrock to propose the following resolution on Tuesday, May 11, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House a list of all positions eliminated in the Department of Health & Wellness and a description of those positions since April 1, 2004.

Motion 91 by Mr. Arseneault, seconded by Mr. Lamrock to propose the following resolution on Tuesday, May 11, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House a list of any positions that were vacant in Part I of the Civil Service as of April 1, 2004.

Motion 93 by Mr. Branch, seconded by Mrs. Robichaud to propose the following resolution on Tuesday, May 18, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents pertaining to the Order in Council 2004-121 dealing with the withdrawal of lands from prospecting and staking out for minerals except coal and potash in the Bathurst mining camp and dealing with the authorization of the working, prospecting and mineral exploration of the lands in the Bathurst mining camp withdrawn from prospecting and staking out by Noranda Inc. and Slam Exploration Ltd., including all correspondence, letters, memorandums, e-mails, faxes, reports, analyses, researches, advice, recommendations and exploration fees and any other fees from January 1st, 2003 to May 13th, 2004.

GOVERNMENT BILLS AND ORDERS

ADJOURNED DEBATES

Resuming the adjourned debate on the motion that Bill 3, *Construction Labour Mobility Act* - [Mr. S. Graham] be now read a second time.

Debate adjourned by Hon. Mr. Mockler.

Resuming the adjourned debate on the motion that Bill 4, *An Act to Amend the Electricity Act* - [Mr. S. Graham] be now read a second time.

Debate adjourned by Hon. Mr. Fitch.

Resuming the adjourned debate on the motion that Bill 6, *An Act to Amend the Public Utilities Act* - [Mr. S. Graham] be now read a second time.

Debate adjourned by Hon. Mr. Green, Q.C.

Resuming the adjourned debate on the motion that Bill 7, *An Act to Amend the Insurance Act* - [Mr. S. Graham] be now read a second time.

Debate adjourned by Hon. Mr. Green, Q.C.

Resuming the adjourned debate on the motion that Bill 17, *An Act to Amend the Crown Lands and Forest Act* - [Hon. Mr. Ashfield] be now read a second time.

Debate adjourned by Hon. Mr. Ashfield.

Resuming the adjourned debate on the motion that Bill 18, *An Act to Amend the Fish and Wildlife Act* - [Hon. Mr. Ashfield] be now read a second time.

Debate adjourned by Hon. Mr. Ashfield.

Resuming the adjourned debate on the motion that Bill 25, *An Act to Amend the Legislative Assembly Act* - [Mr. S. Graham] be now read a second time.

Debate adjourned by Hon. Mr. Green, Q.C.

Resuming the adjourned debate on the motion that Bill 26, *An Act to Amend the Regional Health Authorities Act* - [Ms. Weir] be now read a second time.

Debate adjourned by Hon. Mr. E. Robichaud.

COMMITTEE OF THE WHOLE

Bill 13, *An Act Respecting Mental Health and Public Health Services*
- Hon. Mr. E. Robichaud

Bill 15, *An Act to Amend An Act to Amend the Occupational Health and*

Safety Act - Hon. Mrs. Blaney
 Bill 16, An Act to Amend the Provincial Court Act - Hon. Mr. Green, Q.C.
 Bill 19, An Act to Amend the Order of New Brunswick Act - Hon. Mr. Mockler
 Bill 21, An Act to Amend the Family Services Act - Hon. Mr. Huntjens
 Bill 22, An Act to Amend the Education Act - Hon. Ms. Dubé
 Bill 23, An Act to Amend the Executive Council Act - Hon. Mr. Lord
 Bill 24, An Act to Amend the Human Rights Act - Ms. Weir
 Bill 27, Supplementary Appropriations Act 2003-2004 (1) - Hon. Mr. Volpé
 Bill 32, An Act to Amend the Custody and Detention of Young Persons Act
 - Hon. Mr. Steeves
 Bill 33, An Act to Amend the Clean Water Act - Hon. Mrs. Fowlie
 Bill 34, An Act to Amend the Fish and Wildlife Act - Hon. Mr. Ashfield
 Bill 36, An Act to Repeal the Bulk Sales Act - Hon. Mr. Green, Q.C.
 Bill 37, Human Tissue Gift Act - Hon. Mr. E. Robichaud
 Bill 38, An Act Respecting Sunday Shopping - Hon. Mrs. Fowlie
 Bill 44, Securities Act - Hon. Mr. Green, Q.C.
 Bill 45, An Act to Amend the Quarriable Substances Act - Hon. Mr. Ashfield
 Bill 46, Child and Youth Advocate Act - Mr. S. Graham
 Bill 47, Supplementary Appropriations Act 2002-03 (2) - Hon. Mr. Volpé
 Bill 50, Public Trustee Act - Mr. S. Graham

PRIVATE BILLS STANDING REFERRED TO STANDING COMMITTEE ON PRIVATE BILLS

Bill 48, An Act to Incorporate Firecrest Hambro Trust Corporation Canada Limited - Mr. Holder
 Bill 49, An Act to Amend the Pension Plan for Employees of the City of Moncton Act - Mr. Betts

COMMITTEE OF SUPPLY

Capital Estimates 2004-2005
 Supplementary Estimates 2003-2004 Volume I (Concluded)
 Supplementary Estimates 2002-2003 Volume II (Concluded)
 (Transmitted by Message of His Honour the Lieutenant-Governor December 16, 2003)
 Budget Paper - Accounting for Tangible Capital Assets
 (Tabled by Hon. Mr. Volpé December 16, 2003)
 Main Estimates 2004-2005
 (Transmitted by Message of His Honour the Lieutenant-Governor March 30, 2004)

BILLS STANDING REFERRED TO THE STANDING COMMITTEE ON LAW AMENDMENTS

Bill 2, Volunteer Protection Act - Mr. S. Graham - (*Referred August 1, 2003*)

Bill 5, An Act to Amend the Workers' Compensation Act - Mr. S. Graham
(*Referred August 7, 2003*)

BILLS AWAITING ROYAL ASSENT

Bill 14, An Act to Amend the Mental Health Act - Hon. Mr. E. Robichaud

Bill 20, An Act Respecting Administrative Matters in Various Corporate Acts
- Hon. Mr. Mockler

Bill 29, An Act to Amend the Mental Health Act - Hon. Mr. E. Robichaud

Bill 30, An Act to Amend the Medical Services Payment Act
- Hon. Mr. E. Robichaud

Bill 31, An Act to Amend the Employment Standards Act - Hon. Mrs. Blaney

Bill 35, An Act to Amend the Assessment Act - Hon. Mr. Mockler

Bill 40, An Act to Incorporate the New Brunswick Association of Medical
Radiation Technologists - Mr. Holder

Bill 41, An Act to Incorporate the New Brunswick Institute of Agrologists
- Mr. MacDonald

NOTICES OF MOTIONS

GOVERNMENT MOTIONS

CONCLUDED:

Motion 22 by Hon. Mr. Green. Carried July 30, 2003.

Motion 23 by Hon. Mr. Green. Carried July 30, 2003.

Motion 24 by Hon. Mr. Green. Carried July 30, 2003.

Motion 25 by Hon. Mr. Green. Carried July 30, 2003.

Motion 30 by Hon. Mr. Lord. Carried August 5, 2003.

Motion 46 by Hon. Mr. Volpé. Debated and carried December 16, 2003.

Motion 47 by Hon. Mr. Lord. Carried December 9, 2003.

Motion 48 by Hon. Mr. Green. Carried as amended December 19, 2003.

Motion 59 by Hon. Mr. Green. Carried December 12, 2003.

Motion 65 by Hon. Mr. Lord. Debated April 1, 6, 7, 8, 13 and 14.

Carried April 14, 2004.

Motion 71 by Hon. Mr. Volpé. Carried December 19, 2003.
Motion 72 by Hon. Mr. Green. Carried December 19, 2003.
Motion 74 by Hon. Mr. Green. Carried March 31, 2004.
Motion 77 by Hon. Mr. Alward. Debated April 15, 16 and carried April 16, 2004.

PRIVATE MEMBERS' MOTIONS

CONCLUDED

Motion 3 by Mr. S. Graham. Carried as amended, April 20, 2004.
Morion 4 by Mr. S. Graham. Defeated May 4, 2004.
Motion 5 by Mr. S. Graham. Defeated May 6, 2004.
Motion 6 by Mr. S. Graham. Carried as amended, May 11, 2004.
Motion 13 by Mr. Carr. Carried April 22, 2004.
Motion 15 by Mr. Williams. Carried as amended May 13, 2004.
Motion 31 by Mr. S. Graham. Defeated August 7, 2003.
Motion 84 by Mr. S. Graham. Defeated April 15, 2004.

WITHDRAWN

Motions 1, 2, 11, 12, 16, 17, 28, 32, 57, 63 and 67 (withdrawn April 8, 2004)
Motions 10, 14, 52, 60, 73, 75, 76, 79, 80, 81, 83, 85, 86 and 90
(withdrawn May 13, 2004)

PETITIONS

Petition No. 1 by Mr. S. Graham presented July 30, 2003.
(Response filed August 8, 2003)
Petition No. 2 by Mr. Allaby presented July 30, 2003.
(Response filed August 15, 2003)
Petition No. 3 by Mr. Doucet presented July 30, 2003.
Petition No. 4 by Mr. Murphy presented July 30, 2003.
(Response filed August 13, 2003)
Petition No. 5 by Mr. S. Graham presented August 1, 2003.
(Response filed August 14, 2003)
Petition No. 6 by Mr. Branch presented August 5, 2003.
(Response filed August 15, 2003)
Petition No. 7 by Mr. Branch presented August 5, 2003.
(Response filed August 15, 2003)
Petition No. 8 by Mr. Branch presented August 5, 2003.

(Response filed August 18, 2003)
 Petition No. 9 by Mr. Jamieson presented August 7, 2003.
 (Response filed August 22, 2003)
 Petition No. 10 by Ms. Weir presented December 11, 2003.
 (Response filed January 6, 2004)
 Petition No. 11 by Ms. Weir presented December 11, 2003.
 Petition No. 12 by Mr. Boudreau presented December 11, 2003
 Petition No. 13 by Mr. Albert presented December 11, 2003.
 Petition No. 14 by Mr. Burke presented December 12, 2003.
 (Response filed January 6, 2004)
 Petition No. 15 by Mr. Boudreau presented December 16, 2003.
 (Response filed February 4, 2004)
 Petition No. 16 by Mr. Boudreau presented December 16, 2003.
 (Response filed February 4, 2004)
 Petition No. 17 by Mr. Arseneault presented December 18, 2003.
 (Response filed January 13, 2004)
 Petition No. 18 by Mr. Burke presented December 18, 2003.
 (Response filed January 13, 2004)
 Petition No. 19 by Mr. S. Graham presented December 19, 2003.
 (Response filed January 13, 2004)
 Petition No. 20 by Mr. Allaby presented December 19, 2003.
 (Response filed January 13, 2004)
 Petition No. 21 by Mr. Allaby presented December 19, 2003.
 (Response filed January 6, 2004)
 Petition No. 22 by Mr. Foran presented March 31, 2004.
 (Response filed April 14, 2004)
 Petition No. 23 by Mr. Stiles presented April 2, 2004.
 (Response filed April 15, 2004)
 Petition No. 24 by Mr. Stiles presented April 2, 2004.
 (Response filed April 15, 2004)
 Petition No. 25 by Hon. Mr. E. Robichaud presented April 2, 2004.
 (Response filed April 23, 2004)
 Petition No. 26 by Mr. Paulin presented April 2, 2004.
 (Response filed April 23, 2004)
 Petition No. 27 by Mr. S. Graham presented April 6, 2004.
 (Response filed April 21, 2004)
 Petition No. 28 by Mr. Brewer presented April 7, 2004.
 (Response filed May 3, 2004)
 Petition No. 29 by Mr. S. Graham presented April 21, 2004.
 (Response filed May 4, 2004)
 Petition No. 30 by Mrs. Robichaud presented April 22, 2004.
 (Response filed May 7, 2004)
 Petition No. 31 by Mr. Betts presented May 4, 2004.

Petition No. 32 by Mr. Kenny presented May 4, 2004.
Petition No. 33 by Mr. Paulin presented May 4, 2004.
Petition No. 34 by Hon. Ms. Dubé presented May 7, 2004

COMMITTEE REPORTS

First Report of the Standing Committee on Procedure presented December 9, 2003.
Final Report of the Select Committee on Public Automobile Insurance presented April 2, 2004.
First Report of the Standing Committee on Private Bills presented May 7, 2004.

WRITTEN QUESTIONS

Question No. 1 By Mr. Ronald Ouellette
Directed to: Hon. Mr. Huntjens
Minister of Family and Community Services

August 15 is the date set for removing residents from the Foyer Morel et Lisa Leclerc in Grand Falls. This move will certainly be hard for some of the residents.
Has the department approached residents' families to ensure that the removal of residents from the Foyer Morel goes smoothly?

Have residents found another home that is prepared to accommodate them as of August 15, and are these new homes in a suitable location for these people?
(Response filed August 13, 2003)

Question No. 2 By Mr. Shawn Graham
Directed to: Hon. Mr. Volpé
Minister of Finance

Section 16.1(5) of the *New Brunswick Income Tax Act* describes the formula by which the New Brunswick tax tables are adjusted to address the inflationary impact of "bracket creep".

What would have been the inflation adjustment, as set out by Section 16.1(5) for the 2003 New Brunswick tax tables?
(Response filed January 21, 2004)

Question No. 3 By Mr. Shawn Graham
Directed to: Hon. Mr. Volpé
Minister of Finance

The proposed amendment to the *New Brunswick Income Tax Act* will not provide an inflationary adjustment for the 2003 tax tables which will cause a number of New Brunswick taxpayers to move into a higher tax bracket and pay more income tax.

What is the Department of Finance estimate of the number of taxpayers that will be affected by the proposed amendment? How many taxpayers will move to a higher tax bracket? What is this estimate?

(Response filed January 21, 2004)

Question No. 4 By Mr. Shawn Graham
Directed to: Hon. Mr. Volpé
Minister of Finance

The movement of New Brunswick taxpayers to higher tax brackets in the 2003 tax year will generate additional tax revenue for the province.

What is the estimated additional tax revenue by tax bracket that will accrue to the Province?

(Response filed January 21, 2004)

Question No. 5 By Mrs. Carmel Robichaud, MLA
Directed to: Hon. Mrs. Dubé
Minister of Education

How many temporary teaching certificates were there in the school districts in 2000, 2001, 2002, and 2003?

(Response filed January 15, 2004)

Question No. 6 By Mr. Michael Murphy, MLA
Directed to: Hon. Mr. Fitch
Minister of Energy

1. Which substation is currently serving The Moncton Hospital and which one will be providing electricity to the \$320 million development on Mapleton Road?
2. Has NB Power ever released information to its clients describing the signs and

dangers associated with voltage that does not fall within CSA marginal operating levels?

3. As part of a planned program of maintenance, inspection, and testing, how often does NB Power conduct thermal vision tests on all its residential distribution transformers?
4. Ultimately, who is responsible for ensuring that all government departments, agencies or corporations are fulfilling their respective mandates?
5. How many customer service agents are responding to calls over the weekend?
6. Why are claims submitted by clients for damages caused by the explosion of water heaters owned by NB Power being rejected?
7. Why are pole-mounted distribution transformers upgraded from 50 k VA to 100 k VA in back lots situated in Moncton North?
8. What percentage of valid damage claims caused by residential distribution transformer failures is NB Power accepting?
9. Since NB Power operates under the “principle of universality”, can you provide irrefutable evidence that all residential clients served by the substation at 211 Kendra Street are being treated equally (i.e., individual energy demands are being met)?
10. What is NB Power’s standard response time when clients call to report that the voltage they are receiving exceeds the marginal operating limits for a single-phase circuit as established by the CSA Standard CAN3-C235-83 before a technician is dispatched to the scene to do an investigation?

Question No. 7 By Mr. Rick Doucet, MLA
Directed to: Hon. Mr. Volpé
Minister of Finance

1. What is the average pump price per litre that was used to compile the 2004-05 fuel tax estimates?
2. What is the government’s estimate of increased revenue given the current pump price?
3. Should the pump price stay high, will the government dedicate additional revenue (over \$239,350M) for special purposes?

Question No. 8 By Mr. Ronald Ouellette, MLA
Directed to: Hon. Ms. Dubé
Minister of Education

Could the Minister tell me how much money was spent to convert the old Godreau School in Grand Falls to a school district office?

DOCUMENTS

FILED IN THE CLERK'S OFFICE

Annual Report, The New Brunswick Tire Stewardship Board - 2003
(Filed May 14, 2004)

COMMITTEE MEETINGS

Standing Committee on Private Bills on Tuesday, May 18, 2004 at 10 o'clock a.m.
in the Legislative Council Chamber.

Loredana Catalli Sonier
Clerk of the Legislative Assembly