
Thursday, May 5, 2005.

1 o'clock p.m.

Prayers.

Mr. MacIntyre, Member for Saint John Champlain, laid upon the table of the House a petition signed by residents of the Saint John area urging the government to debate in the Legislative Assembly the issue of whether the Saint John City Council has the authority to give approval for tax concessions in the LNG matter. (Petition 31)

Mr. Jamieson, Member for Saint John Fundy, laid upon the table of the House a petition signed by residents of the Saint John area urging the government to debate in the Legislative Assembly the issue of whether the Saint John City Council has the authority to give approval for tax concessions in the LNG matter. (Petition 32)

Mr. A. LeBlanc, Member for Saint John Lancaster, laid upon the table of the House a petition signed by residents of the Saint John area urging the government to debate in the Legislative Assembly the issue of whether the Saint John City Council has the authority to give approval for tax concessions in the LNG matter. (Petition 33)

Ms. Weir, Member for Saint John Harbour, laid upon the table of the House a petition signed by residents of the Saint John area urging the government to debate in the Legislative Assembly the issue of whether the Saint John City Council has the authority to give approval for tax concessions in the LNG matter. (Petition 34)

Mr. Stiles from the Standing Committee on Crown Corporations presented the first report of the Committee for the session, which was read and is as follows:

May 5, 2005.

To the Honourable
The Legislative Assembly of
The Province of New Brunswick.

Mr. Speaker:

I have the honour to present herewith the First Report of the Standing Committee on Crown Corporations.

The report outlines the activities of the Committee during the First Session of the Fifty-fifth Legislative Assembly.

Your Committee wishes to thank the officials of the various Crown corporations and agencies that appeared before it and to acknowledge their cooperation in providing requested information.

And your Committee begs leave to make a further report.

(Sgd. :) Wally Stiles, MLA.
Chairman.

Ordered that the report be received, that leave be granted, and the Committee continued.

The full report of the Committee as presented is as follows:

May 5, 2005.

To The Honourable
The Legislative Assembly of
The Province of New Brunswick.

Mr. Speaker:

Your Standing Committee on Crown Corporations begs leave to submit this, their First Report.

Pursuant to Standing Rule 99, the Clerk convened a meeting of the Committee on Wednesday August 6, 2003, and presided over the election of a Chair and Vice Chair.

On motion of Mr. Allaby, seconded by Mr. Doucet, Mr. Stiles was elected Chair of the Committee.

On motion of Mr. Sherwood, seconded by Mr. Betts, Mr. Holder was elected Vice-Chair.

On September 23, 2003, the Committee held an *in camera* working session with the Office of the Auditor General. The Auditor General, Daryl Wilson, and senior staff briefed Members on various topics of interest to the Committee, including accountability and the Office of the Auditor General, the government's annual report policy, and how to effectively review and make use of annual reports.

The Committee met in the Legislative Council Chamber on September 24, 25 and 26, 2003 to review the activities and financial statements of various Crown corporations and agencies for the year ending March 31, 2002. Officials of the following Crown corporations and agencies appeared before the Committee:

Algonquin Properties Limited (year ending Dec. 31, 2002)
Kings Landing Corporation
New Brunswick Forest Products Commission

New Brunswick Liquor Corporation
New Brunswick Municipal Finance Corporation
Regional Development Corporation

On September 30 and October 1, 2003, your Committee met in the Legislative Council Chamber to review the activities and expenditures of New Brunswick Power Corporation and NB Coal Limited, for the fiscal years ending March 31, 2002 and March 31, 2003. Senior management officials appeared before the Committee and answered questions for the years under review.

The Committee met on October 2 and 3, 2003, to continue its review of Crown corporations and agencies for the year ending March 31, 2002. Officials of the following Crown corporations and agencies appeared before the Committee:

Provincial Holdings Ltd.
Service New Brunswick
Workplace Health Safety and Compensation Commission of New Brunswick (Dec. 31, 2002)

On December 9, 2003, the Committee met in a joint session with the Standing Committee on Public Accounts to receive and review the *Report of the Auditor General of New Brunswick Volume I, 2003*. The Auditor General briefed Committee members on the nature of the work undertaken during the year and on the contents and findings of the Report.

Your Committee met in the Legislative Council Chamber on February 3, 4, 5, 10, 12 and March 16 and 17, 2004, to review the activities and financial statements of various Crown corporations and agencies for the year(s) ending March 31, 2003. Officials of the following Crown corporations and agencies appeared before the Committee:

Acadia-Bathurst Health Authority
Atlantic Health Sciences Corporation
Beauséjour Regional Health Authority
Miramichi Regional Health Authority
Regional Health Authority 4
Restigouche Health Authority
River Valley Health
South-East Regional Health Authority
Atlantic Lottery Corporation
Lotteries Commission of New Brunswick
New Brunswick Board of Commissioners of Public Utilities

New Brunswick Investment Management Corporation

In March, 2004, four days of hearings were held to review issues surrounding the agreement with Venezuela to secure a supply of Orimulsion at the Coleson Cove Generating Station in Saint John. The Committee met on Thursday, Friday and Saturday, March 25, 26 and 27, 2004 in the Legislative Assembly Chamber and on Monday, March 29, 2004 in the Legislative Council Chamber. The following individuals appeared before the Committee and answered questions:

- David D. Hay, President and Chief Executive Officer, NB Power
- Stewart MacPherson, Former President and Chief Executive Officer, NB Power
- Leon Furlong, Chairman, NB Power
- John Mallory, Deputy Minister, Department of Finance
- Bill Marshall, Director of Strategic Planning, NB Power
- Sharon MacFarlane, Vice President, Finance and Information Systems, NB Power
- Jim Brogan, Vice President, Generation, NB Power
- David Reid, Senior Advisor, Contract Development, NB Power
- Ian Blue, Q.C., (Cassels Brock, Toronto), Solicitor for NB Power
- Don Barnett, Former Assistant Deputy Minister, Department of Natural Resources and Energy
- David Ferguson, Deputy Minister, Department of Natural Resources
- David C. Nicholson, Chairman, NB Board of Commissioners of Public Utilities
- William M. Thompson, Deputy Minister, Department of Energy

The Committee met *in camera* on Tuesday, April 13, 2004, with respect to the recently completed hearings on Orimulsion. The Committee agreed to retain research staff to review the transcripts and prepare a summary of the proceedings.

The Committee met in the Legislative Council Chamber on October 13, 22, 27, 28, November 2, 3, 4, and 5, 2004, to continue its review of the activities and financial statements of various Crown corporations and agencies.

The following Crown corporations and agencies were reviewed to the end of the 2003 fiscal year.

Algonquin Properties Limited (Dec. 31, 2003)

Kings Landing Corporation

New Brunswick Credit Union Deposit Corporation (Dec. 31, 2003)

New Brunswick Crop Insurance Commission

New Brunswick Forest Products Commission
New Brunswick Municipal Finance Corporation
Provincial Holdings Ltd.
Regional Development Corporation
Workplace Health, Safety and Compensation Commission of New
Brunswick (Dec. 31, 2003)

The following Crown corporations and agencies were reviewed to the end of the 2004 fiscal year.

Atlantic Lottery Corporation
Forest Protection Limited
New Brunswick Farm Products Commission
New Brunswick Highway Corporation
New Brunswick Liquor Corporation
New Brunswick Museum
New Brunswick Research and Productivity Council

Staff of the Office of the Auditor General appeared on November 5, 2004, and provided a briefing on Chapter 6 of the *Report of the Auditor General of New Brunswick, Volume 1, 2003*, entitled *Crown Agency Governance*.

The Committee met on November 10, 2004, to receive the *Analyses of Orimulsion Hearing Transcripts*, prepared by AJM Consulting Inc., a copy of which is attached hereto as Appendix "A". On motion of Mr. Carr, seconded by Mr. Sherwood, the Committee accepted the summary prepared by AJM Consulting Inc. and received the Dissenting Report by the Opposition, a copy of which is attached hereto as Appendix "B".

On December 14, 2004, the Committee met in a joint session with the Standing Committee on Public Accounts to receive and review the *Report of the Auditor General of New Brunswick Volume 2, 2004*. The Auditor General, Daryl Wilson, and senior staff provided a briefing on the report and answered questions posed by Committee members.

Your Committee wishes to thank the officials of the various Regional Health Authorities, Crown corporations and agencies that appeared before the Committee. Your Committee also wishes to thank the Auditor General and staff for the assistance provided.

And your Committee begs leave to make a further report.

(Sgd. :) Wally Stiles, MLA.
Chairperson.

Following Question Period, Hon. Mr. Green rose on a point of order and submitted that the Leader of the Opposition had used unparliamentary language by stating that the Premier had misled the House. Mr. S. Graham agreed to withdraw the remarks.

Mr. MacIntyre gave Notice of Motion 79 that on Thursday, May 12, 2005, he would move the following resolution, seconded by Mr. A. LeBlanc:

WHEREAS the City of Saint John has requested that the province of New Brunswick enact enabling legislation which would allow the City of Saint John to alter the Municipal Real Property Tax otherwise payable;

BE IT RESOLVED that any concession to facilitate the proposed liquified natural gas terminal take into consideration the provincial benefits, the tax burden and the future needs of the City of Saint John.

Mr. Albert gave Notice of Motion 80 that on Thursday, May 12, 2005, he would move the following resolution, seconded by Mr. Ouellette:

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 information concerning unconditional grants to local service districts, including all memos, faxes, and correspondence, as well as a list of all amounts of money and the names of LSDs that received money for the 2004-05 fiscal year.

Hon. Mr. Green, the Government House Leader, announced that following Private Members' Motions, it was the intention of the government that the House resolve itself into a Committee of Supply to take into consideration the estimates of the Department of Finance.

It was agreed by unanimous consent that the debate on Motion 76 be limited to two speakers each from government and opposition.

Pursuant to Notice of Motion 76, Mr. Lamrock, seconded by Mr. Allaby, moved the following resolution:

WHEREAS the Premier has committed to involve the Legislative Assembly in consideration of the Final Report of the Commission on Legislative Democracy; and

WHEREAS three months later, nothing has happened;

BE IT RESOLVED that the Legislative Assembly direct the Standing Committee on Procedure to study Chapter 4 of the Final Report of the Commission on Legislative Democracy.

And the question being put, a debate ensued.

And after some time, Mr. Carr, seconded by Hon. Mr. Green, moved in amendment:

AMENDMENT

That Motion 76 be amended by deleting the second "WHEREAS" clause; and

in the resolution clause, by deleting the words "the Standing Committee on Procedure" and replacing them with "one or more of its Committees"; and

in the resolution clause, by adding the words "; said referral to occur no later than June 10, 2005"

Mr. Speaker put the question on the amendment and a debate ensued.

And the debate being ended and the question being put, the amendment was adopted.

Mr. Speaker put the question on Motion 76 as amended as follows:

WHEREAS the Premier has committed to involve the Legislative Assembly in consideration of the Final Report of the Commission on Legislative Democracy; and

BE IT RESOLVED that the Legislative Assembly direct one or more of its Committees to study Chapter 4 of the Final Report of the Commission on Legislative Democracy; said referral to occur no later than June 10, 2005.

And the question being put, Motion 76 as amended was adopted.

The House, according to Order, resolved itself into a Committee of Supply with Mr. C. LeBlanc in the chair.

At 3.15 o'clock p.m., the Chairman declared a recess and left the chair.

3.21 o'clock p.m.

The Committee resumed with Mr. C. LeBlanc in the chair.

And after some time, Mr. Holder took the chair.

And after some further time, Mr. C. LeBlanc resumed the chair.

And after some time Mr. Speaker resumed the chair, and Mr. C. LeBlanc, the Chairman, after requesting that Mr. Speaker

revert to Presentations of Committee Reports, reported that the Committee had had under consideration the matters referred to them, had made some progress therein, had passed several items, and asked leave to sit again.

Pursuant to Standing Rule 78.1, Mr. Speaker then put the question on the motion deemed to be before the House, that the report be concurred in, and it was resolved in the affirmative.

The following are the items reported:

MAIN ESTIMATES, 2005-2006
ORDINARY ACCOUNT

DEPARTMENT OF FINANCE

Resolved, That there be granted to Her Majesty a sum not exceeding \$77,507,000 to defray the expenses of the following program allocations for the fiscal year ending the 31st day of March, 2006:

Financial Resource Management	12,084,000
Municipal Finances	65,461,000
Less amounts authorized by law	38,000
Voted	77,507,000

OFFICE OF THE COMPTROLLER

Resolved, That there be granted to Her Majesty a sum not exceeding \$4,771,000 to defray the expenses of the following program allocations for the fiscal year ending the 31st day of March, 2006:

Office of the Comptroller	4,771,000
Less amounts authorized by law	0
Voted	4,771,000

LOANS AND ADVANCES

DEPARTMENT OF FINANCE

Voted, supply in the following amount to defray the expenses of the following program allocation for the fiscal year ending the 31st day of March, 2006:

Municipal Assistance Act	0
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WORKING CAPITAL – MAXIMUM BALANCES VOTED

PETTY CASH ADVANCES

Finance	1,000
Other (small departments)	40,000

The said items were concurred in by the House.

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