

Friday, December 23, 2005.

*10 o'clock a.m.*

Prayers.

Hon. Mr. Green, from the Standing Committee on Procedure, presented the First Report of the Committee, which was read and is as follows:

Legislative Building.  
Fredericton, New Brunswick.  
December 22, 2005.

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

Honourable Members:

I have the pleasure to present herewith the First Report of the Standing Committee on Procedure.

Further to its permanent order of reference, the Committee held four meetings, on October 7 and 27 and on December 13 and 20, 2005, and commenced a review of the Standing Rules and practices of the Legislative Assembly. Your Committee's Report contains several recommendations for changes and improvements to the Standing Rules and practices of the House.

The Committee's work will continue on various matters still under study.

I wish to thank the Members of the Committee and, on their behalf, to express the Committee's appreciation to the Legislative staff who assisted the Committee with its work.

Respectfully submitted on behalf of the Committee.

(Sgd. :) Hon. Brad Green, Chair.  
MLA, Fredericton South.

The full Report of the Committee as presented follows:

December 23, 2005.

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

Mr. Speaker:

Your Standing Committee on Procedure begs leave to submit this their First Report.

Pursuant to the provisions of Standing Rule 92, all standing rules and practices of the House, together with any matter referred by the

Speaker, stand permanently referred to the Standing Committee on Procedure.

In accordance with its permanent order of reference, the Committee held meetings on October 7 and 27, and December 13 and 20, 2005, and reviewed the Standing Rules and practices of the House.

Your Committee set about its task by outlining a number of procedural issues of concern to the Members, including the Speaker. Among the matters considered by your Committee were the items of business “introduction of guests and congratulatory statements”, statements by Ministers and replies thereto, legislative process, private members’ day, appropriation bills, time allocated for estimates and supply procedure, closure and time allocation and deferral of votes. It is anticipated that the process of review and evaluation of the Standing Rules will extend past the present session. Nonetheless, your Committee has had an opportunity to complete its study on a number of matters and is prepared to make certain recommendations to the Assembly.

#### Recommendation

Your Committee therefore recommends for adoption the following amendments to the Standing Rules:

1. Standing Rule 29(1) is repealed and the following is substituted:  
29(1) Unless otherwise provided by Standing or Special Order of the House, the time for the daily meeting and adjournment of the sitting of the Assembly shall be as follows:

Tuesday	from 1.00 p.m. to 6.00 p.m.
Wednesday	from 10.00 a.m. to 12.30 p.m., and from 2.00 p.m. to 6.00 p.m.
Thursday	from 1.00 p.m. to 6.00 p.m.
Friday	from 10.00 a.m. to 12.30 p.m., and from 1.30 p.m. to 4.30 p.m.
2. The Standing Rules are amended
  - (a) by adding after Standing Rule 35.1 the following:

35.2	A Member introducing a guest shall speak for no more than sixty seconds.
35.3	A Member making a congratulatory statement shall speak for no more than sixty seconds.
  - (b) by adding after Standing Rule 40(1) the following:

40(1.1)	A Minister of the Crown shall request the unanimous consent of the House to make a lengthy statement.
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(c) by adding after Standing Rule 40(2) the following:

40(2.1) The reply from a representative of each recognized party in opposition shall not exceed the length of the Minister's statement.

3. Standing Rule 89 is repealed and the following is substituted therefor:

89 The Standing Committees shall be appointed on motion at the commencement of each House and shall be:

- (a) the Standing Committee on Crown Corporations;
- (b) the Standing Committee on Education;
- (c) the Standing Committee on Estimates;
- (d) the Standing Committee on Health Care;
- (e) the Standing Committee on Law Amendments;
- (f) the Legislative Administration Committee;
- (g) the Standing Committee on Legislative Officers;
- (h) the Standing Committee on Private Bills;
- (i) the Standing Committee on Privileges;
- (j) the Standing Committee on Procedure;
- (k) the Standing Committee on Public Accounts.

89.1 Without limiting the generality of the foregoing, the Committees established under Standing Rule 89 shall, when so ordered by the Assembly, examine

- (a) Bills;
- (b) any other matter that may be referred by the House or by the Standing Rules.

4. Standing Rule 91 is repealed and the following is substituted therefor:

91 Unless otherwise provided by the Standing Rules, all reports to the House of Legislative Officers stand permanently referred to the Standing Committee on Legislative Officers.

5. The Standing Rules are amended by adding after Standing Rule 100 the following:

100.1(1) The Chair of a Standing or Select Committee shall maintain order in the Committee and decide all questions of order subject to an appeal to the Speaker. No debate shall be permitted on any decision of the Chair.

100.1(2) If two members of a Standing or Select Committee appeal the decision of the Chair of the Committee to the Speaker, the Chair shall at the next meeting of the House present a report

which accurately states the matter on which the Chair decided, the arguments raised by the members and the decision made by the Chair, and the Speaker shall confirm or vary any decision of the Chair.

100.1(3) If the House is adjourned, in recess or is not otherwise meeting on a day on which a decision of the Chair of a Standing or Select Committee is appealed to the Speaker, the Chair shall deliver a copy of the report to the Speaker and shall file a copy of the report with the Clerk of the House. The decision of the Speaker shall be in writing, shall be delivered to the Chair and the Clerk of the Committee and shall be entered in the Journals of the House on the first day on which the House next meets.

The foregoing recommendations for amendments to the Standing Rules of the Legislative Assembly are considered by your Committee to be improvements to meet the needs of Members, and to improve the efficiency and the orderly flow of the business in the House. It is the intention of the Committee to carry on its consideration of other matters still at the study stage.

All of which is respectfully submitted on behalf of the Committee.

(Sgd. :) Hon. Brad Green, MLA.  
Chairman.

Hon. Mr. Green requested leave of the House to move the following resolution, seconded by Hon. P. Robichaud:

THAT the recommendations contained in the First Report of the Standing Committee on Procedure be concurred in by the House.

Leave having been denied, Mr. Speaker set the motion over for two days hence. (Motion 40)

The following Bills were introduced and read a first time.

By Mr. Allaby,

Bill 30, *An Act to Amend the Prescription Drug Payment Act.*

By Mr. Lamrock on behalf of Mr. Burke,

Bill 31, *An Act to Amend the Electricity Act.*

By Mr. Lamrock,

Bill 32, *Fairness in Fees Act.*

Ordered that the said Bills be read a second time at the next sitting.

Mr. Doherty gave Notice of Motion 41 that on Thursday, December 29, 2005, he would move the following resolution, seconded by Mr. A. LeBlanc:

WHEREAS all parties of the Legislative Assembly have stated a commitment to address the issue of slum landlords in the province of New Brunswick;

WHEREAS on December 9, 2005, the Legislative Assembly voted unanimously in favour of Bill 9, *An Act Respecting the Protection of the Low-Income Occupier*;

BE IT RESOLVED that this Legislative Assembly urge the government to bring forward Bill 9 for consideration in Committee of the Whole by April 15, 2006.

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Mr. V. Boudreau gave Notice of Motion 42 that on Thursday, December 29, 2005, he would move the following resolution, seconded by Mr. Allaby:

That an address be presented to His Honour the Lieutenant-Governor praying that he cause to be laid upon the table of the House the number of New Brunswick residents 65 and older who received prescription drug benefits under the New Brunswick Prescription Drug Program for the first time in each of the years ending December 31st 1999; 2000; 2001; 2002; 2003; 2004, and 2005.

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Mr. V. Boudreau gave Notice of Motion 43 that on Thursday, December 29, 2005, he would move the following resolution, seconded by Mr. Allaby:

That an address be presented to His Honour the Lieutenant-Governor praying that he cause to be laid upon the table of the House the number of New Brunswick residents 65 and older who had been deemed eligible to receive prescription drug benefits under the New Brunswick Prescription Drug Program (NBPDP) during the previous year but failed to re-qualify for the NBPDP for each of the years ending December 31st 1999; 2000; 2001; 2002; 2003; 2004, and 2005.

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It was agreed by unanimous consent to vary the hours of sitting, to recess at 12.30 o'clock p.m., to resume at 1 o'clock p.m., and to sit no later than 4.30 o'clock p.m.

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Hon. Mr. Green, Government House Leader, announced that following second reading, it was the intention of government that the House resolve itself into a Committee of Supply to take into consideration the estimates of the Department of Transportation, following which the House would resolve itself into a Committee of the Whole to take into consideration Bill 4; following which the House would resolve itself into a Committee of Supply to consider

the estimates of the Department of Health and Wellness and the Department of Supply and Services.

With leave of the House, Hon. Mr. Green moved, seconded by Mr. Lamrock: (Motion 44)

THAT, unless otherwise provided by Standing Rule or Special Order of the House, the Legislative Assembly adopt the following 2006 sessional calendar upon resumption of the third Session of the Fifty-fifth Legislature on March 28, 2006;

Tuesday, March 28 to Friday, March 31, inclusive;

Tuesday, April 4 to Friday, April 7, inclusive;

Tuesday, April 11 to Thursday, April 13, inclusive;

Tuesday, April 25 to Friday, April 28, inclusive;

Tuesday, May 2 to Friday, May 5, inclusive;

Tuesday, May 9 to Friday, May 12, inclusive;

Tuesday, May 23 to Friday, May 26, inclusive;

Tuesday, May 30 to Friday, June 2, inclusive;

Tuesday, June 6 to Friday, June 9, inclusive;

THAT when the Assembly adjourns on Friday, June 9, 2006, it shall stand adjourned until Tuesday, December 5, 2006;

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.

And the question being put, a debate ensued.

And the debate being ended, and the question being put, Motion 44 was carried.

The Order being read for second reading of Bill 28, *An Act to Amend the Gas Distribution Act*, a debate arose thereon.

And the debate being ended and the question being put that Bill 28, *An Act to Amend the Gas Distribution Act*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 28, *An Act to Amend the Gas Distribution Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Order being read for second reading of Bill 29, *An Act Respecting the Protection of Retirement Home Residents*, a debate arose thereon.

And the debate being ended and the question being put that Bill 29, *An Act Respecting the Protection of Retirement Home Residents*, be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 29, *An Act Respecting the Protection of Retirement Home Residents*, was read a second time and ordered referred to the Committee of the Whole House.

At 12.35 o'clock p.m., Mr. Speaker left the chair to resume again at 1.05 o'clock p.m.

*1.05 o'clock p.m.*

Mr. Speaker resumed the chair.

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

At 1.40 o'clock p.m., the Chairman declared a recess and left the chair.

*1.50 o'clock p.m.*

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

And after some time, Mr. Speaker, took 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:

CAPITAL ESTIMATES 2006-2007	Voted
DEPARTMENT OF TRANSPORTATION	
Resolved, That there be granted to Her Majesty a sum not exceeding \$242,830,000 to defray the expenses of the following programs:	
Permanent Bridges .....	32,025,000
Permanent Highways.....	54,600,000
Rural Road Initiative .....	42,000,000
Canada-New Brunswick Strategic	

Highway Infrastructure Program .....	4,700,000
Canada-New Brunswick Strategic Infrastructure Program .....	55,180,000
Canada-New Brunswick Border Infrastructure Program.....	21,700,000
Routes 11 and 17 .....	21,000,000
Urban Bypasses .....	4,625,000
Vehicle Management Agency .....	7,000,000

The said items were concurred in by the House.

With leave of the House to dispense with notice, Hon. Mr. Green, seconded by Hon. P. Robichaud, moved: (Motion 40)

THAT the recommendations contained in the First Report of the Standing Committee on Procedure be concurred in by the House.

And the question being put, it was resolved in the affirmative.

With leave of the House to dispense with notice, Hon. Mr. Green, seconded by Hon. P. Robichaud, moved: (Motion 45)

THAT the membership of the Standing Committee on Crown Corporations be amended by substituting the name of Mr. Huntjens for Hon. Mr. Holder, the name of Mr. A. LeBlanc for Mr. Doucet and adding the name of Mr. Jamieson;

THAT the membership of the Standing Committee on Estimates be amended by substituting the name of Mr. Albert for Mr. Lamrock and removing the name of Hon. Mrs. MacAlpine-Stiles;

That the membership of the Standing Committee on Law Amendments be amended by substituting the name of Mr. Paulin for Mr. Murphy.

THAT the membership of the Legislative Administration Committee be amended by substituting the name of Mr. Betts for Hon. Mr. Holder; the name of Hon. Mr. Volpé for Hon. P. Robichaud; and the name of Mr. Jamieson for Mr. Branch, and notwithstanding Standing Rule 104(1), by adding the name of Mr. S. Graham;

That the membership of the Standing Committee on Private Bills be amended by substituting the name of Mr. Huntjens for Hon. Mr. Holder and the name of Mr. Doucet for Mr. Burke.

THAT the membership of the Standing Committee on Privileges be amended by substituting the name of Mr. Branch for Mr. Doucet and adding the name of Mr. Allaby;

THAT the membership of the Standing Committee on Procedure be amended by substituting the name of Mr. Huntjens for Hon. Mr. Holder and adding the name of Mr. V. Boudreau;



THAT the membership of the Standing Committee on Public Accounts be amended by substituting the name of Mr. Murphy for Mr. Jamieson and adding the name of Mr. Doucet.

And the question being put, it was resolved in the affirmative.

With leave of the House to dispense with notice, Hon. Mr. Green, seconded by Hon. P. Robichaud, moved: (Motion 46)

THAT pursuant to Standing Rule 89, the following Standing Committees be appointed for the Fifty-fifth Legislative Assembly and that the membership on the said Committees be as follows:

The Standing Committee on Education be composed by Mr. Betts, Mr. Carr, Mr. Malley, Mr. C. LeBlanc, Mr. Sherwood, Mr. Stiles, Ms. Robichaud, Mr. Lamrock, Mr. Ouellette, and Mr. Brewer.

The Standing Committee on Health Care be composed of Mr. Williams, Mr. Sherwood, Mr. Stiles, Mr. C. LeBlanc, Mr. Huntjens, Mr. Carr, Mr. Malley, Mr. Albert, Mr. R. Boudreau, Dr. Kennedy, Mr. V. Boudreau, and Dr. Doherty.

The Standing Committee on Legislative Officers be composed of Mr. Malley, Mr. Betts, Mr. Huntjens, Mr. MacDonald, Mr. Williams, Ms. Robichaud, Mr. Brewer, and Mr. Kenny.

That, upon the adoption of this resolution, the Select Committee on Education and the Select Committee on Health Care, appointed by resolution of the House adopted July 30, 2003, cease to exist.

And the question being put, it was resolved in the affirmative.

And then, 5.52 o'clock p.m., the House adjourned.