



**LEGISLATIVE ASSEMBLY**  
**PROVINCE OF NEW BRUNSWICK**

**ORDER AND NOTICE PAPER**

**Daily Sitting No. 20**

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Third Session, 55th Legislative Assembly

**Friday, April 7, 2006**

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**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**

**SECOND READING (*Deferred until Tuesday, April 11, 2006*)**

- Bill 33, An Act to Amend the Executive Council Act - Hon. Mr. Lord
- Bill 34, An Act to Amend the Municipalities Act - Hon. Mrs. Poirier
- Bill 35, An Act to Amend the Residential Tenancies Act - Hon. Mr. Fitch
- Bill 36, An Act to Amend the Jury Act - Hon. Mr. Fitch
- Bill 37, An Act to Amend the Elections Act - Hon. Mr. Harrison
- Bill 38, An Act Respecting Pensions - Hon. Mr. Volpé
- Bill 39, An Act to Repeal the Married Womans' Property Act - Hon. Mr. Green, Q.C.
- Bill 40, An Act to Amend the Warehouseman's Lien Act - Hon. Mr. Green, Q.C.
- Bill 41, An Act to Amend the Woodsmen's Lien Act - Hon. Mr. Green, Q.C.
- Bill 42, An Act to Amend the Motor Vehicle Act - Hon. Mr. Steeves

**GOVERNMENT BILLS AND ORDERS**

**GOVERNMENT MOTIONS**

Resuming the adjourned debate on the motion that this House approves in general the budgetary policy of the government. (Motion 28)

***Debate adjourned by Hon. Mr. Green, Q.C. on behalf of Hon. Mr. Lord.  
Debate to resume Friday, April 7, 2006.***

**COMMITTEE OF THE WHOLE**

- Bill 2, Fiscal Responsibility and Balanced Budget Act - Hon. Mr. Volpé
- Bill 4, Tuition Tax Cash Back Credit Act - Hon. Mr. Volpé
- Bill 5, Tobacco Damages and Health Care Costs Recovery Act  
- Hon. Mr. Green, Q.C.
- Bill 8, An Act to Amend the Film and Video Act - Hon. Mr. Steeves
- Bill 9, An Act Respecting the Protection of Low-Income Occupiers - Dr. Doherty
- Bill 10, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. Ashfield
- Bill 11, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. Ashfield
- Bill 12, An Act to Amend the Forest Products Act - Hon. Mr. Ashfield
- Bill 13, An Act to Amend the Occupational Health and Safety Act  
- Hon. Mrs. Blaney
- Bill 15, An Act to Amend the Clean Environment Act - Hon. Mr. Holder
- Bill 16, An Act to Amend the Clean Environment Act - Hon. Mr. Holder
- Bill 17, An Act to Amend the Land Titles Act - Hon. Mr. Mockler

- Bill 18, An Act to Amend An Act to Amend the Motor Vehicle Act  
- Hon. Mr. Steeves
- Bill 19, An Act to Amend the Motor Vehicle Act - Hon. Mr. Steeves
- Bill 20, An Act to Amend the Provincial Loans Act - Hon. Mr. Volpé
- Bill 21, An Act to Amend the Shortline Railways Act - Hon. Mr. P. Robichaud
- Bill 22, An Act to Amend the Kings Landing Corporation Act  
- Hon. Mrs. MacAlpine-Stiles
- Bill 24, An Act to Amend the New Brunswick Investment Management Corporation  
Act - Mr. Murphy
- Bill 25, An Act to Amend the Child and Youth Advocate Act  
- Hon. Mrs. MacAlpine-Stiles
- Bill 28, An Act to Amend the Gas Distribution Act, 1999 - Hon. Mr. Fitch
- Bill 29, An Act Respecting the Protection of Retirement Home Residents  
- Mr. Lamrock
- Bill 30, An Act to Amend the Prescription Drug Payment Act - Mr. Allaby
- Bill 31, An Act to Amend the Electricity Act - Mr. Burke
- Bill 32, Fairness in Fees Act - Mr. Lamrock

#### **BILLS AWAITING ROYAL ASSENT**

- Bill 14, An Act to Amend the Industrial Relations Act - Hon. Mrs. Blaney

#### **COMMITTEE OF SUPPLY**

Capital Estimates 2006-2007

Supplementary Estimates Volume III 2004-2005

Supplementary Estimates Volume I 2005-2006

(Transmitted by Message of His Honour the Lieutenant-Governor Herménégilde Chiasson on December 20, 2005)

Main Estimates 2006-2007

(Transmitted by Message of His Honour the Lieutenant-Governor Herménégilde Chiasson on March 28, 2006)

#### **BILLS STANDING REFERRED TO STANDING COMMITTEE ON LAW AMENDMENTS**

- Bill 6, Franchises Act - Hon. Mr. Green, Q.C.

## NOTICES OF MOTIONS

### GOVERNMENT MOTIONS

#### CONCLUDED:

**Motion 1 by Hon. Mr. Alward.** Debated and carried December 7, 2005.

**Motion 19 by Hon. Mr. Volpé.** Debated December 20 and 21 and carried December 21, 2005.

**Motion 40 by Hon. Mr. Green.** Carried December 23, 2005.

**Motion 44 by Hon. Mr. Green.** Carried December 23, 2005.

**Motion 45 by Hon. Mr. Green.** Carried December 23, 2005.

**Motion 46 by Hon. Mr. Green.** Carried December 23, 2005.

### PRIVATE MEMBERS' MOTIONS

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

#### *Debatable Motions*

**Motion 52 by Mr. S. Graham,** seconded by Dr. Doherty to propose the following resolution on Tuesday, April 11, 2006:

WHEREAS an agreement was signed with the federal government on November 24, 2005 to transfer \$110 million over 5 years to improve the child care system in New Brunswick; and

WHEREAS more than three-quarters of mothers in New Brunswick with pre-school children work outside the home; and

WHEREAS New Brunswick parents are among the Canadians most likely to have their children in a non-parental day care situation; and

WHEREAS New Brunswick's system for licensed and regulated child care is among the worst in the country; and

WHEREAS other provinces are demanding that the federal government honour the Early Learning and Childcare agreement signed in 2005; and

WHEREAS the Early Learning and Childcare Agreement signed with the federal government last year was supported by the majority of New Brunswickers;

BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick call on the federal minority government to reverse their decision to unilaterally withdraw from the signed Early Learning and Childcare Agreement; and

BE IT THEREFORE FURTHER RESOLVED that all funds negotiated to improve our childcare system are transferred to New Brunswick.

**Motion 54 by Mr. Lamrock**, seconded by Mrs. Robichaud to propose the following resolution on Thursday, April 13, 2006:

WHEREAS the McKay Report tells us that too many children with learning disabilities are not receiving services; and

WHEREAS the Report sets out clear recommendations and deadlines for solving this problem; and

WHEREAS the problem will get worse if we wait; and

WHEREAS a minority government should be accountable for taking action on this important file;

BE IT RESOLVED that the Legislative Assembly endorse the recommendations and deadlines contained in the McKay Report;

BE IT FURTHER RESOLVED that this Assembly invite the Minister of Education to appear quarterly before the Standing Committee on Education to provide updates on the implementation of the Report, commencing in October 2006.

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

**Motion 4 by Mr. Murphy**, seconded by Mr. Lamrock to propose the following resolution on Tuesday, December 13, 2005:

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 correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research pertaining to education financing in New Brunswick exchanged or held by the Department of Education, the Department of Finance and education districts.

**Motion 16 by Mr. Lamrock**, seconded by Mr. Brewer to propose the following resolution on Tuesday, December 20, 2005:

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, e-mails, correspondence, reports related to a request by the Government of New Brunswick to the Government of Canada to amend the agreed route for the project known as the "Marysville By-Pass".

**[Documents requested filed March 23, 2006]**

**Motion 18 by Mr. S. Graham**, seconded by Mr. V. Boudreau to propose the following resolution on Thursday, December 22, 2005:

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 plan that the Minister of Health and Wellness referred to during Question Period of December 14, 2005, for dealing with a pandemic influenza outbreak.

**Motion 23 by Mr. V. Boudreau**, seconded by Mr. Paulin to propose the following resolution on Thursday, December 22, 2005:

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 existing contracts signed between the Government of New Brunswick and all active ambulance service providers since June 2003; and all existing contracts signed between the active ambulance service providers and their employees since June 2003.

**Motion 26 by Mr. R. Boudreau**, seconded by Mr. V. Boudreau to propose the following resolution on Tuesday, December 27, 2005:

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 correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research pertaining to the existence of contingency plans in the case of a strike regarding both nursing homes and home care workers.

**Motion 36 by Mr. Albert**, seconded by Mr. Landry to propose the following resolution on Thursday, December 29, 2005:

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 progress report(s) on the periodic review of the cultural policy, as indicated in the cultural policy document released in February 2002.

**[Documents requested filed March 28, 2006]**

**Motion 47 by Mr. Doucet**, seconded by Mr. McIntyre to propose the following resolution on Tuesday, April 4, 2006:

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 names of any and all law firms employed by the Government of New Brunswick associated in any way with either past, current or on-going legal counsel pertaining to the Orimulsion file; as well as the total amount of fees paid as of March 28, 2006 to said law firms by the Government of New Brunswick for services rendered in either past, current or on-going legal proceedings relating to the Orimulsion file.

**[Response filed April 5, 2006]**

**Motion 48 by Mr. Murphy**, seconded by Mr. S. Graham to propose the following resolution on Tuesday, April 4, 2006:

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 correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research between January 1, 2006 and March 28, 2006 pertaining to the decision of the Government of New Brunswick to regulate oil and gasoline prices in the Province of New Brunswick.

**[Documents requested filed April 6, 2006]**

**Motion 49 by Mr. Burke**, seconded by Mr. S. Graham to propose the following resolution on Tuesday, April 4, 2006:

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 correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research between January 1, 2006 and March 28, 2006 pertaining to a feasibility study of a second nuclear reactor in the Province of New Brunswick.

**[Response filed April 6, 2006]**

**Motion 50 by Mr. Foran**, seconded by Mr. Brewer to propose the following resolution on Thursday, April 6, 2006:

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 of physicians and their specialities who were recruited to Region 7 (Miramichi Regional Health Authority) from June 1999 until present; all names of physicians leaving Region 7 (Miramichi Regional Health Authority) from June 1999 until present; and all names of physicians who have reduced their services within Region 7 (Miramichi Regional Health Authority) or changed their services, including those who moved from general practice in the community to work in the Miramichi Regional Hospital Emergency Department from June 1999 until present.

**Motion 51 by Mr. Paulin**, seconded by Mr. Allaby to propose the following resolution on Tuesday, April 11, 2006:

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 correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research between June 1, 2003 and April 4, 2006 for any proposed plans for changes to Route 17, as well as all correspondence, including minutes of meetings, letters, emails, memoranda, briefing notes, hand-written notes, reports, analysis and research between June 1, 2003 and April 4, 2006 between the federal government and the government of New Brunswick regarding Route 17.

**Motion 53 by Mr. Doucet**, seconded by Mr. MacIntyre to propose the following resolution on Thursday, April 13, 2006:

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 names of any and all law firms employed by the New Brunswick Power Holding Corporation associated in any way with either past, current or on-going legal counsel pertaining to the memorandum of understanding or fuel supply agreement for Orimulsion at Coleson Cove, as well as the total amount of fees paid from January 1, 2002 to present to said law firms by the Government of New Brunswick and/or New Brunswick Power Holding Corporation for services rendered in either past, current, or on-going legal proceedings relating to the Orimulsion file.

**CONCLUDED:**

- Motion 2 by Mr. S. Graham.** Debated and defeated December 13, 2005.  
**Motion 3 by Mrs. Robichaud.** Withdrawn March 29, 2006.  
**Motion 5 by Mr. Targett.** Withdrawn March 29, 2006.  
**Motion 6 by Dr. Kennedy.** Withdrawn March 29, 2006.  
**Motion 7 by Dr. Kennedy.** Withdrawn March 29, 2006.  
**Motion 8 by Mr. Paulin.** Withdrawn March 29, 2006.  
**Motion 9 by Mr. Paulin.** Withdrawn March 29, 2006.  
**Motion 10 by Mr. Burke.** Debated and carried December 15, 2005.  
**Motion 11 by Mr. Murphy.** Debated and carried as amended December 20, 2005.  
**Motion 12 by Mr. R. Boudreau.** Withdrawn March 29, 2006.  
**Motion 13 by Mr. Jamieson.** Withdrawn March 29, 2006.  
**Motion 14 by Mr. Albert.** Withdrawn March 29, 2006.  
**Motion 15 by Mr. Haché.** Withdrawn March 29, 2006.  
**Motion 17 by Mr. Haché.** Withdrawn March 29, 2006.  
**Motion 20 by Mr. Albert.** Withdrawn March 29, 2006.  
**Motion 21 by Mr. Murphy.** Withdrawn March 29, 2006.  
**Motion 22 by Mr. Murphy.** Withdrawn March 29, 2006.  
**Motion 24 by Mr. Lamrock.** Withdrawn March 29, 2006.  
**Motion 25 by Mrs. Robichaud.** Withdrawn March 29, 2006.  
**Motion 27 by Mr. S. Graham.** Withdrawn March 29, 2006.  
**Motion 29 by Mr. Lamrock.** Withdrawn March 29, 2006.  
**Motion 30 by Mr. Lamrock.** Debated and defeated April 4, 2006.  
**Motion 31 by Mr. Foran.** Withdrawn March 29, 2006.  
**Motion 32 by Mr. V. Boudreau.** Withdrawn March 29, 2006.  
**Motion 33 by Mr. V. Boudreau.** Withdrawn March 29, 2006.  
**Motion 34 by Mr. Paulin.** Withdrawn March 29, 2006.  
**Motion 35 by Mr. Paulin.** Withdrawn March 29, 2006.  
**Motion 37 by Mr. Albert.** Withdrawn March 29, 2006.  
**Motion 38 by Mr. Arseneault.** Withdrawn March 29, 2006.  
**Motion 39 by Mr. Arseneault.** Withdrawn March 29, 2006.  
**Motion 41 by Dr. Doherty.** Debated and defeated April 6, 2006.  
**Motion 42 by Mr. V. Boudreau.** Withdrawn March 29, 2006.  
**Motion 43 by Mr. V. Boudreau.** Withdrawn March 29, 2006.

**PETITIONS**

- Petition No. 1 by Mr. C. LeBlanc presented December 7, 2005.  
(Response filed December 23, 2005)  
Petition No. 2 by Mr. Landry presented December 7, 2005.  
(Response filed December 21, 2005)  
Petition No. 3 by Mr. Doucet presented December 9, 2005.  
(Response filed January 31, 2006)



- Petition No. 4 by Mrs. Robichaud presented December 13, 2005.  
(Response filed December 21, 2005)
- Petition No. 5 by Mr. Kenny presented December 14, 2005.
- Petition No. 6 by Mrs. Robichaud presented December 14, 2005.  
(Response filed January 19, 2006)
- Petition No. 7 by Mrs. Robichaud presented December 15, 2005.  
(Response filed January 19, 2006)
- Petition No. 8 by Mrs. Robichaud presented December 15, 2005.  
(Response filed January 30, 2006)
- Petition No. 9 by Mr. Paulin presented December 20, 2005.  
(Response filed January 18, 2006)
- Petition No. 10 by Mr. A. LeBlanc presented March 29, 2006.
- Petition No. 11 by Mr. Haché presented March 29, 2006.
- Petition No. 12 by Mr. Paulin presented March 29, 2006.
- Petition No. 13 by Mr. Paulin presented March 29, 2006.
- Petition No. 14 by Mr. Arseneault presented March 29, 2006.
- Petition No. 15 by Mr. S. Graham presented March 31, 2006.
- Petition No. 16 by Mr. Paulin presented April 4, 2006.
- Petition No. 17 by Mr. Foran presented April 6, 2006.
- Petition No. 18 by Mrs. Robichaud presented April 6, 2006.
- Petition No. 19 by Mr. Brewer presented April 6, 2006.

## **COMMITTEE REPORTS**

First Report of the Standing Committee on Law Amendments presented December 22, 2005.

First Report of the Standing Committee on Procedure presented December 23, 2005.

Loredana Catalli Sonier  
Clerk of the Legislative Assembly