



LEGISLATIVE ASSEMBLY
PROVINCE OF NEW BRUNSWICK

ORDER AND NOTICE PAPER

Daily Sitting No. 27

Third Session, 55th Legislative Assembly

Friday, April 28, 2006

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

GOVERNMENT BILLS AND ORDERS

ADJOURNED DEBATES

Resuming the adjourned debate on the motion that Bill 46, *An Act Respecting Access to Community College* - [Mr. Lamrock] be now read a second time.

Debate interrupted by expiration of time.

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 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 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

Bill 33, An Act to Amend the Executive Council Act - Hon. Mr. Lord
 Bill 36, An Act to Amend the Jury Act - Hon. Mr. Fitch
 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
 Bill 43, An Act to Amend the Time Definition Act - Hon. Mr. Lord
 Bill 44, Healthy Students Act - Mrs. Robichaud
 Bill 45, An Act to Amend the Education Act - Mrs. Robichaud
 Bill 48, An Act to Amend the Pre-arranged Funeral Services Act - Hon. Mr. Fitch
 Bill 49, An Act to Amend the Teachers' Pension Act - Hon. Mr. Graham
 Bill 50, Class Proceedings Act - Hon. Mr. Green, Q.C.
 Bill 51, An Act to Amend the Human Tissue Gift Act - Hon. Mr. Green, Q.C.
 Bill 52, An Act to Amend the Higher Education Foundation Act - Hon. Mr. Carr
 Bill 53, An Act to Amend the Child and Youth Advocate Act - Hon. Mrs. Dubé
 Bill 54, An Act to Amend the Motor Vehicle Act - Hon. Mr. Steeves
 Bill 55, An Act to Amend the Assessment Act - Mr. Allaby

BILLS AWAITING ROYAL ASSENT

Bill 37, An Act to Amend the Elections Act - Hon. Mr. Harrison

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.

Bill 47, An Act to Amend the Members' Conflict of Interest Act - Mr. S. Graham

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 28 by Hon. Mr. Volpé. Debated March 28, 30, 31, April 4, 5, 6 and carried April 7, 2006.

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 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.

Motion 59 by Mr. Stiles, seconded by Mr. Betts to propose the following resolution on Tuesday, May 2, 2006:

WHEREAS there are currently more than 2000 brave men and women serving in Afghanistan from New Brunswick and across Canada;

WHEREAS our Canadian armed forces continue to advance democracy, liberty, and fundamental human rights in an unstable region of our world;

WHEREAS the people of New Brunswick recognize the importance of Canada's role in the rebuilding of Afghanistan as this nation continues on its path to stability, democracy, and self-sufficiency.

THEREFORE BE IT RESOLVED that this Legislative Assembly express its support for the incredible efforts put forth by all of Canada's Armed Forces stationed in Afghanistan and throughout the world.

Motion 58 by Mr. Lamrock, seconded by Mr. Kenny to propose the following resolution on Thursday, April 20, 2006:

WHEREAS economic development funds exist to improve prospects of good jobs and good wages; and

WHEREAS in today's global economy, these good jobs require an investment in research and development; and

WHEREAS neighbouring jurisdictions are investing more aggressively in research and development than New Brunswick is; and

WHEREAS New Brunswick is not on pace to meet the targets for wages or research and development spending set out in the Prosperity Plan;

BE IT RESOLVED that this Assembly urge the government to present clear spending targets for research and development spending from all economic development and innovation funds by May 31, 2006.

Motion 66 by Mr. Lamrock, seconded by Mr. McGinley to propose the following resolution on Tuesday, May 2, 2006:

WHEREAS circumstances have changed since the election of the Member for Miramichi Bay-du-Vin as Speaker of the Legislative Assembly, and

WHEREAS some of these circumstances; specifically, the seeking of one party's approval of admission to caucus, the private negotiation of government benefits in exchange for support, and the Speaker's participation in government announcements of projects which are, or have been represented as being, in exchange for the Speaker's support, would create reasonable doubts in the impartiality of the Office of Speaker, and

WHEREAS it is appropriate that this Assembly be given an opportunity to affirm or withhold its support for the Speaker;

BE IT RESOLVED that this Legislative Assembly express its lack of confidence in the Speaker.

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.

[Documents requested filed April 18, 2006]

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.

[Documents requested filed April 26, 2006]

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. MacIntyre 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 proposes 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.

Motion 55 by Dr. Doherty, seconded by Mr. S. Graham to propose the following resolution on Tuesday, April 18, 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 a copy of the Final Report (January 2006) titled *Home Support Workers, Raising our Voices: Toward Workforce adjustment Through Policy and Strategic Action* produced by the Home Support Worker Labour Force Adjustment Committee, contract number 56952.

Motion 56 by Mr. Armstrong, seconded by Dr. Doherty to propose the following resolution on Thursday, April 20, 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 the Province of New Brunswick and both the New Brunswick Cattle Producers Association and River Valley Meat Packers Ltd., pertaining to, but not limited to, support for an Atlantic federally-inspected abattoir and processing plant, as well as; any and all plans for design and engineering for a federally licensed abattoir and processing plant from June 1, 2003 to April 13, 2006.

Motion 57 by Mr. Jamieson, seconded by Mr. V. Boudreau to propose the following resolution on Thursday, April 20, 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, titles, responsibilities and detailed job descriptions of any and all employees of casual, part-time, full-time and/or permanent status that are currently employed, or were employed at any time between June 1, 2003 and April 14, 2006 through the Office of the Premier.

Motion 60 by Mr. Albert, seconded by Mr. Landry to propose the following resolution on Tuesday, May 2, 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 management plan for the wooded area of the Village historique acadien and all information concerning timber harvesting on Village historique acadien land, including memos, reports, finances, faxes, minutes of meetings, the rationale for harvesting, the number of acres harvested, the number of cords cut, costs and expenses, profits, commitments, and silviculture work carried out, etc., from April 1, 2004, to April 24, 2006.

Motion 61 by Mr. Arseneault, seconded by Mr. Haché to propose the following resolution on Tuesday, May 2, 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 details of expenditures pertaining to item 4202.001 on page 95 of the 2004/2005 Regional Development Corporation Annual Report.

Motion 62 by Mr. Arseneault, seconded by Mr. Haché to propose the following resolution on Tuesday, May 2, 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 details of expenditures pertaining to item 4201.001 on page 95 of the 2004/2005 Regional Development Corporation Annual Report.

Motion 63 by Mr. V. Boudreau, seconded by Mr. Lamrock to propose the following resolution on Tuesday, May 2, 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 pertaining to the yearly "Census Day" figures referred to by the Deputy Minister of Health and Wellness during Pubic Accounts on February 9, 2006 which determines the number of beds operating in each of the Regional Health Authorities/formerly Regional Hospital Corporations in the month of April in each of the years - 1999, 2000, 2001, 2002, 2003, 2004 & 2005.

Motion 64 by Mr. Arseneault, seconded by Mr. Haché to propose the following resolution on Tuesday, May 2, 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 details of expenditures pertaining to item 4253.160.058 on page 83 of the 2004/2005 Regional Development Corporation Annual Report.

Motion 65 by Mr. Arseneault, seconded by Mr. Haché to propose the following resolution on Thursday, May 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 details of expenditures pertaining to item 4265.001 on page 95 of the 2004/2005 Regional Development Corporation Annual Report.

Motion 67 by Mr. McGinley, seconded by Dr. Doherty to propose the following resolution on Thursday, May 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 recommendations made by the New Brunswick Advisory Council on Seniors that were referred to by the Chairperson, Sister Anne Robichaud during Public Accounts on March 23, 2006.

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.
Motion 52 by Mr. S. Graham. Debated and defeated April 27, 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.
(Response filed April 13, 2006)
Petition No. 11 by Mr. Haché presented March 29, 2006.
(Response filed April 13, 2006)
Petition No. 12 by Mr. Paulin presented March 29, 2006.
(Response filed April 25, 2006)
Petition No. 13 by Mr. Paulin presented March 29, 2006.
(Response filed April 25, 2006)
Petition No. 14 by Mr. Arseneault presented March 29, 2006.
(Response filed April 13, 2006)
Petition No. 15 by Mr. S. Graham presented March 31, 2006.
(Response filed April 25, 2006)

Petition No. 16 by Mr. Paulin presented April 4, 2006.

(Response filed April 25, 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.

Petition No. 20 by Mr. S. Graham presented April 11, 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