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**LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK**  
**First Session, 56<sup>th</sup> Legislative Assembly**

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**ORDER AND NOTICE PAPER - Sitting No. 8**  
**Friday, February 16, 2007**

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**ROUTINE PROCEEDINGS**

Prayers  
Condolences and Messages of Sympathy (*Prior Notice to Speaker*)  
Introduction of Guests  
Congratulatory Messages (10 minutes)  
Presentations of Petitions  
Answers to Petitions and Written Questions  
Presentations of Committee Reports  
Tabling of Documents  
Statements by Ministers  
Statements by Members (10 minutes)  
Oral Questions (30 minutes)  
Introduction of Bills  
Notices of Motions  
Government Motions for the Ordering of the Business of the House  
Orders of the Day

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**ORDERS OF THE DAY**

**SECOND READING**

Bill 18, An Act to Amend the Occupational Health and Safety Act - Hon. Dr. Doherty  
Bill 19, An Act to Amend the Small Claims Act - Hon. T.J. Burke, Q.C.  
Bill 20, An Act to Amend the Judicature Act - Hon. T.J. Burke, Q.C.  
Bill 21, An Act to Amend the Consumer Product Warranty and Liability Act  
- Hon. T.J. Burke, Q.C.  
Bill 22, An Act to Amend the Forest Products Act - Hon. Mr. Arseneault

## GOVERNMENT BILLS AND ORDERS

Resuming the adjourned debate on the motion for an Address in Reply to the Speech from the Throne.

***Debate to resume on Friday, February 16, 2007.***

## COMMITTEE OF THE WHOLE

Bill 2, An Act to Amend the Parks Act - Hon. Mr. Arseneault

Bill 3, An Act to Amend the Liquor Control Act - Hon. Mr. Foran

Bill 4, An Act to Amend the Warehouseman's Lien Act - Hon. Mr. Burke, Q.C.

Bill 5, An Act to Amend the Woodsmen's Lien Act - Hon. Mr. Burke, Q.C.

Bill 6, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. Arseneault

Bill 11, An Act to Amend the Elections Act - Mr. Harrison

Bill 12, An Act to Amend the Gasoline and Motive Fuel Tax Act

- Hon. Mr. V. Boudreau

Bill 13, An Act to Amend the New Brunswick Income Tax Act

- Hon. Mr. V. Boudreau

Bill 14, An Act to Amend the Harmonized Sales Tax Act - Hon. Mr. V. Boudreau

## ADJOURNED DEBATES

Resuming the adjourned debate on the motion that Bill 7, *An Act to Amend the Fiscal Responsibility and Balanced Budget Act* - **[Mr. Volpé]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 8, *Rural Economic Development Fund Act* **[Mr. Mockler]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 9, *An Act to Amend the Assessment Act* **[Mr. Betts]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 10, *An Act to Amend the New Brunswick Income Tax Act* **[Mr. Steeves]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 15, *An Act to Amend the Environmental Trust Fund Act* **[Mr. Holder]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 16, *An Act to Amend the Quarriable Substances Act* **[Mr. Ashfield]** be now read a second time.

Resuming the adjourned debate on the amendment to the motion that Bill 17, *An Act to Amend the Off-Road Vehicle Act* **[Hon. Mr. Foran]** be now read a second time.

## NOTICES OF MOTIONS

### GOVERNMENT MOTIONS

#### CONCLUDED:

**Motion 19 by Hon. Mr. Jamieson.** Carried February 9, 2007.

**Motion 20 by Hon. Mr. Jamieson.** Carried February 9, 2007.

### PRIVATE MEMBERS' MOTIONS

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

#### *Debatable Motions*

**Motion 3 by Mr. Carr**, seconded by Mr. C. LeBlanc to propose the following resolution on Tuesday, February 13, 2007:

WHEREAS the Legislative Assembly of New Brunswick unanimously passed the Estimates of the Department of Finance for the fiscal year of 2006/2007 including the estimates allocated for the necessary \$45 million for a full rebate of the provincial portion of the Harmonized Sales Tax paid on home heating costs; and

WHEREAS during the provincial election of 2006, the Liberal Leader promised to return the 8% Harmonized Sales Tax to the taxpayers of New Brunswick; and

WHEREAS the same Liberal Leader and current premier has now reneged on his election promise; and

WHEREAS the current Government's new energy relief program only helps a small fraction of New Brunswickers at a cost of less than \$10 million dollars; and

WHEREAS the remaining \$35 million dollars of the budget for the Department of Finance is now being used to fund other poorly planned promises of the Liberal Party; and

WHEREAS the current government has shown little concern for those families and individuals who had budgeted on this rebate to help them through the cold winter months; therefore

BE IT RESOLVED that this Legislative Assembly call upon the government to reinstate the HST Rebate Program and return the tax dollars to their rightful recipients, the taxpayers of New Brunswick.

**Motion 2 by Mr. Volpé**, seconded by Mr. Holder to propose the following resolution on Thursday, February 15, 2007:

WHEREAS the province of New Brunswick has enjoyed a continuous trend of lowering taxes since June 1999; and

WHEREAS this decreased tax burden on the people of New Brunswick has prompted the recovery and growth of the economy, greater prosperity, job creation, improved credit ratings and the lowering of the Provincial Debt; and

WHEREAS the people of New Brunswick should not be expected to pay unfair levels of taxes to compensate for irresponsible, frivolous and poorly managed campaign promises; therefore

BE IT RESOLVED that this Legislative Assembly calls upon the government to respect the proven success of tax cutting measures within New Brunswick's economy, and continue creating wealth that has come as a by-product of tax reduction; and therefore

BE IT FURTHER RESOLVED that this Legislative Assembly calls upon the government to make a commitment to the people of New Brunswick to uphold the balanced budget legislation while exercising fiscal responsibility and continue to lessen the financial burden on the people of this province by taxing only what is absolutely necessary to operate the government in a fair and reasonable manner to deliver the programs and services that the people of New Brunswick expect and rely on.

**Motion 1 by Mr. Boudreau**, seconded by Mr. Kenny to propose the following resolution on Tuesday, February 13, 2007:

WHEREAS New Brunswick is a province rich with natural resources and a skilled workforce, and;

WHEREAS there are thousands of New Brunswickers who have had no choice but to relocate to other provinces to secure employment in their area of expertise, and;

WHEREAS the province depends to great extent on equalization from the federal government;

BE IT FURTHER RESOLVED that the Legislative Assembly call on the government of New Brunswick to take the appropriate steps to allow New Brunswick to become self sufficient by 2026.

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

**Motion 4 by Mr. Carr**, seconded by Mrs. Dubé to propose the following resolution on Thursday, February 15, 2007:

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 documentation, including correspondence, however recorded, stored or archived, by electronic means or otherwise, between federal and provincial government departments, agencies and/or persons regarding the removal of the parental income component of the student loan calculation formula.

**[Documents requested filed February 13, 2007]**

**Motion 5 by Mr. Carr**, seconded by Mr. Ashfield to propose the following resolution on Thursday, February 15, 2007:

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 documentation, including correspondence, however recorded, stored or archived, by electronic means or otherwise, between the Department of Education, the District 18 District Education Council, community organizations, teachers and parents that lead to the decision to change the planned location of the new Albert Street School.

**Motion 6 by Mr. Betts**, seconded by Mr. Fitch to propose the following resolution on Thursday, February 15, 2007:

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 documentation, including correspondence, however recorded, stored or archived, by electronic means or otherwise, between any New Brunswick university and the Province regarding the administration and planned scope of this governments' \$2000 tuition grant for first year students.

**Motion 7 by Mr. Steeves**, seconded by Mr. D. Graham to propose the following resolution on Thursday, February 15, 2007:

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 documentation, including correspondence, however recorded, stored or archived, by electronic means or otherwise, between the Province and any All-Terrain Vehicle user group regarding the banning of riders under the age of 16 and any other issue related to ATV's.

**[Documents requested filed February 15, 2007]**

**Motion 8 by Mr. Fitch**, seconded by Mr. Harrison to propose the following resolution on Thursday, February 15, 2007:

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 documentation, including correspondence, however recorded, stored or archived, by electronic means or otherwise, relating to the automobile insurance negotiations between the Province of New Brunswick and the insurance industry.

**Motion 9 by Mrs. Poirier**, seconded by Mr. Williams to propose the following resolution on Thursday, February 15, 2007:

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 the names, job titles, job descriptions and remuneration of all persons hired by the Province on a contract, term, casual, part-time, or full-time basis since October 3<sup>rd</sup>, 2006.

**Motion 10 by Mr. Stiles**, seconded by Mrs. MacAlpine Stiles to propose the following resolution on Thursday, February 15, 2007:

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 documentation, including correspondence, however recorded, stored or archived, by electronic means or otherwise, related to the study results and costing regarding the Government's planned restoration of the Petitcodiac River and the environmental impact of such a restoration.

**Motion 11 by Mr. Robichaud**, seconded by Mr. MacDonald to propose the following resolution on Thursday, February 15, 2007:

That an address be presented to His Honour the Lieutenant – Governor, praying that he cause to be laid upon the table of the House details of the county project allocations by the Department of Transportation to each Transportation District for the current fiscal year as

of April 1, 2006 and as of January 1, 2007, including a list of all specific projections planned, completed, underway, delayed or cancelled.

**Motion 12 by Mr. Robichaud**, seconded by Mr. Huntjens to propose the following resolution on Thursday, February 15, 2007:

That an address be presented to His Honour the Lieutenant – Governor, praying that he cause to be laid upon the table of the House detailed information including flight records, final destination, duration of stay, unscheduled stops, and occupants however recorded, stored or archived, by electronic means or otherwise, related to the operation and usage of the provincially leased airplane since October 3<sup>rd</sup>, 2006.

**Motion 13 by Mr. Robichaud**, seconded by Mr. C. LeBlanc to propose the following resolution on Thursday, February 15, 2007:

That an address be presented to His Honour the Lieutenant – Governor, praying that he cause to be laid upon the table of the House detailed information including flight records, information, final destination, duration of stay, unscheduled stops, and occupants however recorded, stored or archived, by electronic means or otherwise, related to the operation and usage of any chartered airplane or aircraft utilized by Ministers, the Premier, employees of the Province, or Government Members since October 3<sup>rd</sup>, 2006.

**Motion 14 by Mr. Olscamp**, seconded by Mr. Alward to propose the following resolution on Thursday, February 15, 2007:

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 the names, job descriptions, job titles and departments of all persons whose employment was terminated, whose casual positions ended, or whose contracts were not renewed with the Province of New Brunswick since October 3<sup>rd</sup>, 2006.

**Motion 15 by Mr. Robichaud**, seconded by Mr. Northrup to propose the following resolution on Tuesday, February 20, 2007:

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 vehicles in the fleet that have been purchased or leased for or by ministers, deputy ministers, or executive assistants since October 3, 2006, including, for each vehicle, the year, make, model, purchase or lease price, type of fuel used, and the name of the minister, deputy minister, or executive assistant.

**Motion 16 by Mr. Williams**, seconded by Mr. MacDonald to propose the following resolution on Tuesday, February 20, 2007:

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 in the possession of the government related to the Self-Sufficiency Task Force, including the mandate, terms of reference, budget, composition, staff, salaries, background material and studies or reports relating to the creation of the task force.

**Motion 17 by Mr. Northrup**, seconded by Mr. Holder to propose the following resolution on Thursday, February 15, 2007:

That an address be presented to His Honour the Lieutenant – Governor, praying that he cause to be laid upon the table of the House any and all information in the possession of the government related to energy sold to the State of Maine by NB Power during the last five years, including but not limited to the terms of reference, cost, revenues, background materials and briefing materials.

**Motion 18 by Mrs. Dubé**, seconded by Mr. Mockler to propose the following resolution on Tuesday, February 20, 2007:

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 in the possession of the government related to the Commission on Post-Secondary Education in New Brunswick, including the mandate, terms of reference, budget, composition, staff, salaries, background material, and studies or reports relating to the creation of the commission.

**Motion 21 by Mr. Volpé**, seconded by Mr. Northrup to propose the following resolution on Thursday, February 22, 2007:

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 Memorandum of Understanding signed between the Province and the State of Maine on February 9, 2007 related to Maine/New Brunswick electrical interconnections, as well as copies of all documents pertaining to the Memorandum of Understanding, including but not limited to background materials and briefing materials.

**Motion 22 by Mrs. Blaney**, seconded by Mr. Carr to propose the following resolution on Thursday, February 22, 2007:

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 Memorandum of Understanding signed between the New Brunswick Community College and Maine Community College System on February 9, 2007, as well as copies of all documents pertaining to the Memorandum of Understanding, including but not limited to background material and briefing materials.

**Motion 23 by Mr. Northrup**, seconded by Mr. Holder to propose the following resolution on Thursday, February 22, 2007:

That an address be presented to His Honour the Lieutenant – Governor, praying that he cause to be laid upon the table of the House copies of all documentation of any kind relating to the review of gasoline price regulation conducted by the Province of New Brunswick since October 3<sup>rd</sup>, 2006, including a copy of any report, study or briefing materials provided to the province by Don Barnett or any person or persons employed or contracted by Don Barnett.

Loredana Catalli Sonier  
Clerk of the Legislative Assembly

