



LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK Second Session, 56th Legislative Assembly

ORDER AND NOTICE PAPER - Sitting No. 35
Friday, April 18, 2008

ROUTINE PROCEEDINGS

Prayers
Condolences and Messages of Sympathy (*Prior Notice to Speaker*)
Introduction of Guests
Messages of Congratulation and Recognition (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
Notice of Opposition Members' Business
Government Motions for the Ordering of the Business of the House
Orders of the Day

ORDERS OF THE DAY

GOVERNMENT BILLS AND ORDERS

GOVERNMENT BILLS FOR THIRD READING

Bills Ordered for Third Reading

GOVERNMENT BILLS FOR SECOND READING

Bills Ordered for Second Reading

- Bill 35, New Brunswick Health Council Act - Hon. Mr. Murphy, Q.C.
- Bill 36, An Act to Amend the Ambulances Services Act - Hon. Mr. Murphy, Q.C.
- Bill 26, An Act to Amend the Judicature Act - Hon. Mr. Burke, Q.C.
- Bill 27, Management of Seized and Forfeited Property Act - Hon. Mr. Burke, Q.C.
- Bill 30, An Act Respecting the Office of the Attorney General - Hon. Mr. Burke, Q.C.
- Bill 31, An Act to Amend the Pension Benefits Act - Hon. Mr. Burke, Q.C.
- Bill 32, An Act to Amend the Executive Council Act - Hon. Mr. Graham
- Bill 42, An Act to Amend the Municipal Elections Act - Hon. Mr. Murphy, Q.C.

Bills to be Ordered for Second Reading

- Bill 37, An Act to Amend the New Brunswick Income Tax Act - Hon. Mr. V. Boudreau
- Bill 38, An Act to Amend the Harmonized Sales Tax Act - Hon. Mr. V. Boudreau
- Bill 39, An Act Respecting the Penalties for Provincial Offences
- Hon. Mr. Burke, Q.C.
- Bill 40, An Act to Amend the Cost of Credit Disclosure Act - Hon. Mr. Burke, Q.C.
- Bill 41, An Act to Amend the Pre-arranged Funeral Services Act
- Hon. Mr. Burke, Q.C.
- Bill 43, An Act to Amend the Fish and Wildlife Act - Hon. Mr. Arseneault
- Bill 44, An Act to Amend the Municipalities Act - Hon. Mrs. Robichaud
- Bill 46, An Act to Amend the Public Service Superannuation Act - Hon. Mr. Stiles
- Bill 47, An Act to Amend the Tobacco Sales Act - Hon. Mr. Murphy, Q.C.
- Bill 48, An Act to Amend the Coroners Act - Hon. Mr. Foran

Adjourned Debates

Resuming the adjourned debate on the motion that Bill 34, *An Act to Amend the Regional Health Authorities Act* [**Hon. Mr. Murphy, Q.C.**] be now read a second time.

COMMITTEE OF THE WHOLE

- Bill 2, An Act to Amend the Insurance Act - Hon. Mr. Burke, Q.C.
- Bill 4, An Act Respecting Payday Loans - Hon. Mr. Burke, Q.C.

PRIVATE BILLS STANDING REFERRED TO STANDING COMMITTEE ON PRIVATE BILLS

Bill 22, An Act to Amend the City of Saint John Pension Act - Mr. Kennedy

COMMITTEE OF SUPPLY

2008-2009 Capital Estimates
 Supplementary Estimates 2006-2007 Volume II (Adopted December 19, 2007)
 Supplementary Estimates 2007-2008 Volume I (Adopted December 18, 2007)
 Supplementary Estimates 2007-2008 Volume II (Adopted March 19, 2008)
 2008-2009 Main Estimates

GOVERNMENT MOTIONS

Motion 34 by Hon. Mr. Murphy, Q.C., seconded by Hon. Mr. Premier to propose the following resolution on Friday, March 14, 2008:

THAT, unless otherwise provided by Standing Rule or Special Order of the House, the Legislative Assembly adopt the following sessional calendar for the remainder of the Second Session, of the Fifty-sixth Legislative Assembly:

Tuesday, March 11 to Friday, March 14, inclusive;
 Tuesday, March 18 to Thursday, March 20, inclusive;
 Tuesday, March 25 to Friday, March 28, inclusive;
 Tuesday, April 1 to Friday, April 4, inclusive;
 Tuesday, April 15 to Friday, April 18, inclusive;
 Tuesday, April 22 to Friday, April 25, inclusive;
 Tuesday, April 29 to Friday, May 2, inclusive;
 Tuesday, May 13 to Friday, May 16, inclusive;
 Tuesday, May 20 to Friday, May 23, inclusive;
 Tuesday, May 27 to Friday, May 30, inclusive;

THAT when the Assembly adjourns on Friday, May 30, 2008, it shall stand adjourned until Tuesday, November 25, 2008;

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.

CONCLUDED

Motion 1 by Hon. Mr. Lamrock. Carried November 28, 2007.

Motion 25 by Hon. Mr. Murphy, Q.C. Carried November 28, 2007.

Motion 27 by Hon. Mr. V. Boudreau. Carried December 11, 2007.

Motion 31 by Hon. Mr. Murphy, Q.C. Carried December 18, 2007.

Motion 32 by Hon. Mr. Murphy, Q.C. Carried December 18, 2007.

Motion 33 by Hon. Mr. Murphy, Q.C. Carried December 20, 2007.

Motion 35 by Hon. Mr. Murphy, Q.C. Carried March 19, 2008.

Motion 56 by Hon. Mr. V. Boudreau. Debated March 18, 20, 28; April 1, 2, and carried April 4, 2008.

MOTIONS BY GOVERNMENT PRIVATE MEMBERS

Motion 67 by Mr. Miles, seconded by Mr. Kennedy to propose the following resolution on Tuesday, April 22, 2008:

THAT notwithstanding the Standing Rules of the Assembly, following the adoption of this motion there shall be three remaining hours allocated to the consideration of the motion for second reading of Bill 34, *An Act to Amend the Regional Health Authorities Act*, and at the expiration of the said three hours, unless sooner concluded, the Speaker shall interrupt the proceedings and put every question necessary to dispose of the order for second reading of the Bill; and

THAT there shall be ten hours allocated to the consideration of the said Bill in the Committee of the Whole, and at the expiration of the said ten hours, unless sooner concluded, the question on any amendments shall be put forthwith and decided without further amendment or debate, and the Chairman shall put every question necessary to dispose of the order for consideration of the Bill in the Committee of the Whole and shall report the Bill to the House; and

THAT there shall be two hours allocated to the consideration of the motion for third reading of the said Bill, and at the expiration of the said two hours, unless sooner concluded, the Speaker shall interrupt the proceedings and put every question necessary to dispose of the order for third reading of the Bill.

OPPOSITION MEMBERS' BUSINESS

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Bill 14, An Act to Amend the Environmental Trust Fund Act - Mr. Holder

Bill 15, An Act to Amend the New Brunswick Income Tax Act - Mr. Steeves

Bill 16, An Act to Amend the Motor Vehicle Act - Mr. Steeves

Adjourned Debates

Resuming the adjourned debate on the motion that Bill 23, *Heritage Hunting, Fishing and Trapping Act* [Mr. Ashfield] be now read a second time.

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

Motion 62 by Mr. Volpé, seconded by Mr. Ashfield to propose the following resolution on Thursday, April 17, 2008:

WHEREAS the forestry industry in New Brunswick is in a state of crisis; and

WHEREAS the importance and value of the forestry industry is of the utmost significance to the well being of the province's economic stability; and

WHEREAS thirty three of New Brunswick's sixty one mills have closed their doors during the last several months; and

WHEREAS the future of New Brunswick's forestry industry including silviculture, is in jeopardy, leaving thousands of New Brunswickers without employment and thousands more adversely affected by the economic downturn that will result; and

WHEREAS the government has helped organize and has actively participated in industry summits for agriculture and the fisheries;

BE IT THEREFORE RESOLVED that this Legislative Assembly calls upon the Government to immediately join with all parties interested in the future of New Brunswick's forests to organize a Forestry Summit in order to bring together all levels of government and all forestry stakeholders; and

BE IT FURTHER RESOLVED that the purpose of this Forestry Summit be to provide a forum for an open dialogue on the future of forestry in New Brunswick and how to get the best return for all New Brunswickers in terms of the economic, environmental, social and tourism factors; to engage the public in an open discussion, to examine potential solutions to the key challenges affecting New Brunswick's forests, and to ensure the survival and viability of this critically important component of New Brunswick's economy and the New Brunswick way of life.

Debate on amendment to motion interrupted due to expiration of time.

Motion 66 by Mr. Williams, seconded by Mr. Northrup to propose the following resolution on Thursday, April 24, 2008:

WHEREAS with the recent increase in the price for uranium, extensive areas in New Brunswick have been staked in preparation for the mining of uranium;

WHEREAS the health risks resulting from mining operations, radioactive tailings, heavy metals, chemicals and methods used to mine uranium are very substantial;

WHEREAS there is a strong risk of air and water supplies being contaminated with uranium, radon, chemicals, and other contaminants;

THEREFORE BE IT RESOLVED that this Legislative Assembly calls upon the Government for an immediate moratorium on uranium exploration in New Brunswick and that the moratorium remain in force until appropriate and acceptable public hearings have been held, which demonstrate a worthwhile financial benefit to the Province, and that there is no health risk to New Brunswickers.

OPPOSITION MEMBERS' MOTIONS

Motions for returns

Motion 36 by Mr. Betts, seconded by Mr. Harrison to propose the following resolution on Thursday, March 20, 2008:

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 the Commissioner on the future of Local Governance, including but not limited to the Commissioner's schedule, term of reference, budget, staffing, staff's background, salaries, background material, briefing notes, and any submissions to the Commissioner since December 6th, 2007.

[Documents requested filed March 19, 2008]

Motion 37 by Mr. Alward, seconded by Mr. Landry to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to tires on the provincial ambulance fleet, including but not limited to information on existing tires removed from ambulances, and new tires installed on ambulances.

[Documents requested filed April 8, 2008]

Motion 38 by Mr. Carr, seconded by Ms. Dubé to propose the following resolution on Thursday, March 20, 2008:

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 in the possession of the Government including any communication and minutes of meetings related to the implementation of the government's non-profit initiative.

[Documents requested filed April 8, 2008]

Motion 39 by Mr. Ashfield, seconded by Mr. Northrup to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to any initiatives, contracts, discussions or programs between the Government of New Brunswick and the ATCON group of companies.

Motion 40 by Ms. Dubé, seconded by Mr. Carr to propose the following resolution on Thursday, March 20, 2008:

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, correspondence, public submissions, and consultation related to *A Comprehensive Review of French Second Language Programs and Services Within the Anglophone Sector of the New Brunswick Department of Education*.

Motion 41 by Mr. Fitch, seconded by Mr. Williams to propose the following resolution on Thursday, March 20, 2008:

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 in the possession of the Government related to discussions, plans, meetings or initiatives related to any Credit Union or caisses populaires and the sale of private insurance in the Province of New Brunswick.

Motion 42 by Mr. D. Graham, seconded by Mr. Mockler to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to work performed for the Province of New Brunswick by Revolution Strategy, including but not limited to contracts, letters of engagement, letters of instruction, correspondence, invoices, expense claims, reports, or recommendations.

Motion 43 by Mr. Harrison, seconded by Mrs. Blaney to propose the following resolution on Thursday, March 20, 2008:

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 with targets, benchmarks, forecasts or time-lines related to the government's self-sufficiency initiatives.

[Documents requested filed March 20, 2008]

Motion 44 by Mr. Holder, seconded by Mrs. Blaney to propose the following resolution on Thursday, March 20, 2008:

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 the creation of the additional 12,000 Community College seats including the number of seats created to date, the number of seats to be created over the next year and the projected completion date for the total 12,000 seats since December 6th, 2007.

[Documents requested filed April 8, 2008]

Motion 45 by Mr. Landry, seconded by Mr. Fitch to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to any consideration of potential changes to the existing structure of the regional health authorities and governance in the health care system.

Motion 46 by Mr. MacDonald, seconded by Mr. Urquhart to propose the following resolution on Thursday, March 20, 2008:

That an address be presented to His Honor the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documentation including correspondence between the Provincial Government and private industry related to extending high-speed internet service to all regions of New Brunswick and any related Federal / Provincial agreements.

[Response filed March 27, 2008]

Motion 47 by Mr. Mockler, seconded by Mr. D. Graham to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to work performed for the Province of New Brunswick by former provincial cabinet minister Doug Tyler, including but not limited to contracts, letters of engagement, letters of instruction, correspondence, invoices, expense claims, reports, or recommendations.

[Documents requested filed March 28, 2008]

Motion 48 by Mr. Northrup, seconded by Mr. Carr to propose the following resolution on Thursday, March 20, 2008:

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, correspondence, reports or publications related to the Post-Secondary Education Working Group.

Motion 49 by Mr. Olscamp, seconded by Mr. Landry to propose the following resolution on Thursday, March 20, 2008:

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 doctors and medical specialists (with their area of specialization) hired by New Brunswick health authorities since December 6th, 2007, as well as their place of work, the name of the facility, and the regional authority to which these doctors have been assigned.

[Documents requested filed March 20, 2008]

Motion 50 by Mrs. Poirier, seconded by Mr. Harrison to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to the development of the new provincial logo and all information related to the cost of adopting the new logo, including but not limited to costs associated with the printing of new stationery, business cards, signs, etc. with the new logo.

Motion 51 by Mr. Steeves, seconded by Mr. Robichaud to propose the following resolution on Thursday, March 20, 2008:

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 January 1st, 2008.

[Documents requested filed April 11, 2008]

Motion 52 by Mr. Urquhart, seconded by Mr. Huntjens to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to the cost of repainting ambulances for the provincial ambulance fleet.

[Response filed April 8, 2008]

Motion 53 by Mr. Robichaud, seconded by Mr. D. Graham to propose the following resolution on Thursday, March 20, 2008:

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 related to any request for proposals to replace the provincial aircraft by purchase or by lease and the storage of the aircraft.

Motion 54 by Mr. Volpé, seconded by Mr. MacDonald to propose the following resolution on Thursday, March 20, 2008:

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 expense reports for each Minister, Deputy Minister, Assistant Deputy Minister, Executive Assistant and Special Assistant since December 6th, 2007.

[Documents requested filed April 8, 2008]

Motion 55 by Mr. Williams, seconded by Mrs. Dubé to propose the following resolution on Thursday, March 20, 2008:

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 in the possession of the Government related to the loss of personal health files between the Province of New Brunswick and the Province of British Columbia and the action taken by the governments to recover those files.

Motion 57 by Mrs. Dubé, seconded by Mr. D. Graham to propose the following resolution on Thursday, March 27, 2008:

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 any format, in the possession of the Government related to advertising purchased to promote the Department of Education's recently announced changes to French immersion.

Motion 58 by Mr. C. Landry, seconded by Mr. D. Alward to propose the following resolution on Thursday, March 27, 2008:

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 any format, in the possession of the Government related to advertising purchased to promote the Government's new health plan.

Motion 64 by Mr. Carr, seconded by Ms. Dubé to propose the following resolution on Thursday, April 17, 2008:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House comparative budget and spending information for the Department of Social Development, formerly the Department of Family and Community Services, for the fiscal years 2005-2006, 2006-2007 and 2007-2008, shown by program area.

[Documents requested filed April 17, 2008]

Motion 65 by Mr. Carr, seconded by Ms. Dubé to propose the following resolution on Thursday, April 24, 2008:

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, studies, tests, reports or supporting information in any format, in the possession of the Government related to the statistics supplied by the Minister of Social Development on March 27th, 2008 in which she stated that *"We also know that when children come out of Grade 5, about 88% to 98% of them cannot even put together a single sentence in French"*.

Motion 68 by Mr. Steeves, seconded by Mr. Williams to propose the following resolution on Thursday, April 24, 2008:

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, applications, memorandums, correspondence or any other information stored or recorded in any format in the possession of government related to any transactions between the Government of New Brunswick and Royal Oaks Estates & Golf Club between October 3rd, 2006 and April 16th, 2008.

Motion 69 by Mr. Carr, seconded by Mr. Williams to propose the following resolution on Thursday, April 24, 2008:

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, agreements, correspondence or any other information stored or recorded in any format in the possession of government related to any transactions between the Government of New Brunswick and Shannex prior to April 16th, 2008.

Motion 70 by Mr. Carr, seconded by Mr. Alward to propose the following resolution on Thursday, April 24, 2008:

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 related to the current per diem rates and the rates for 2006-07 and 2007-08 paid by the government of New Brunswick to each of the 62 nursing homes, listed by nursing home, the anticipated per diem rates for the new nursing home beds going forward, the number of approved beds in each of the 62 nursing homes, the anticipated number of approved beds for new nursing homes, and the current number of people on waiting lists for nursing home beds by region, and the number of people on the waiting lists for 2006-2007 and 2007-2008 by region.

CONCLUDED

Motion 26 by Mr. C. Landry. Debated and defeated December 6, 2007.

Motion 29 by Mrs. Blaney. Debated and carried as amended December 13, 2007.

Motion 60 by Mr. Betts. Debated and carried as amended March 27, 2008.

Motion 61 by Mrs. Dubé. Debated and carried as amended March 27, 2008.

Motion 59 by Mr. Volpé. Debated and defeated April 3, 2008.

Motion 63 by Mr. C. LeBlanc. Debated and carried as amended April 17, 2008.

WITHDRAWN AS DOCUMENTS TABLED

Motions 2, 3, 4, 5, 6, 11, 13, 14, 16, 17, 18 and 28 withdrawn December 20, 2007.

Motions 7, 8, 9, 10, 12, 15, 19, 20, 21, 22, 23, 24 and 30 withdrawn March 11, 2008.

PETITIONS

- Petition No. 1 presented by Mr. Urquhart on November 28, 2007.
(Response filed January 2, 2008)
- Petition No. 2 presented by Mr. Alward on November 28, 2007.
(Response filed December 12, 2007)
- Petition No. 3 presented by Mr. Betts on December 18, 2007.
(Response filed January 29, 2008)
- Petition No. 4 presented by Mr. Williams on December 20, 2007.
(Response filed January 29, 2008)
- Petition No. 5 presented by Mr. Northrup on March 13, 2008.
(Response filed April 8, 2008)
- Petition No. 6 presented by Mr. Mockler on March 27, 2008.
(Response filed April 14, 2008)
- Petition No. 7 presented by Mr. Northrup on March 27, 2008.
(Response filed April 14, 2008)
- Petition No. 8 presented by Mr. Alward on March 27, 2008.
(Response filed April 14, 2008)
- Petition No. 9 presented by Mr. Olscamp on March 27, 2008.
(Response filed April 14, 2008)
- Petition No. 10 presented by Mr. Mockler on March 28, 2008.
(Response filed April 14, 2008)
- Petition No. 11 presented by Mr. Urquhart on April 2, 2008.
(Response filed April 15, 2008)
- Petition No. 12 presented by Ms. Poirier on April 15, 2008.
- Petition No. 13 presented by Mr. Mockler on April 17, 2008.

COMMITTEE REPORTS

First Report of the Standing Committee on Procedure presented November 28, 2007.

Loredana Catalli Sonier
Clerk of the Legislative Assembly