



## LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK Second Session, 56<sup>th</sup> Legislative Assembly

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ORDER AND NOTICE PAPER - Sitting No. 40  
Tuesday, April 29, 2008

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### 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

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### ORDERS OF THE DAY

### GOVERNMENT BILLS AND ORDERS

## **GOVERNMENT BILLS FOR THIRD READING**

### ***Bills Ordered for Third Reading***

Bill 34, An Act to Amend the Regional Health Authorities Act  
- Hon. Mr. Murphy, Q.C.

## **GOVERNMENT BILLS FOR SECOND READING**

### ***Bills Ordered for Second Reading***

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 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  
Bill 49, An Act to Amend the Family Services Act - Hon. Mrs. Schryer

### ***Bills to be Ordered for Second Reading***

### ***Adjourned Debates***

## **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.  
Bill 35, New Brunswick Health Council Act - Hon. Mr. Murphy, Q.C.

## **BILLS AWAITING ROYAL ASSENT**

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.

## **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 71 by Mr. B. LeBlanc,** seconded by Mr. MacIntyre to propose the following resolution on Tuesday, April 29, 2008:

WHEREAS, in 2009, the Congrès mondial acadien will be held in Caraquet;

WHEREAS our current Lieutenant-Governor is a recognized Acadian artist, writer and cultural leader,

WHEREAS the current Lieutenant-Governor's term ends in 2008;

WHEREAS the current Lieutenant-Governor would be an ideal representative for New Brunswick during the year of the congress;

BE IT THEREFORE RESOLVED that the Legislative Assembly ask the Prime Minister of Canada to extend the Lieutenant-Governor's term to enable him to represent the Crown and our province at this Acadian congress.

## **CONCLUDED**

**Motion 67 by Mr. Miles.** Debated and carried April 22, 2008.

## OPPOSITION MEMBERS' BUSINESS

### OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

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

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

### *Adjourned Debates*

Resuming the adjourned debate on the motion that Bill 15, *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 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.

***Amendment moved by Hon. Mr. Arseneault and seconded by Hon. Mr. Foran:  
That Motion 62 be amended as follows:***

**In the 4th whereas clause, delete all words after “industry” and replace them with “is uncertain with thousands of New Brunswickers who work in forestry being currently adversely affected;”**

**Delete the 5th whereas clause.**

**Delete the two resolution clauses and replace them with the following:**

**“BE IT THEREFORE RESOLVED that the Legislative Assembly call upon the government to proceed with the planned release, reviews and response to the Wood Supply and Forest Diversity Task Force Report, to proceed with the global market assessment initiative, to support viable long-term initiatives, and to instruct various government departments to continue to work with respective stakeholders in developing solutions for making the forest sector more competitive; and**

**BE IT FURTHER RESOLVED that the Legislative Assembly asks the Cabinet Committee on Forestry to continue its active involvement in the issues that challenge the forest industry.”**

***[Debate on amendment to motion interrupted due to expiration of time.]***

**Motion 72 by Mr. Volpé**, seconded by Mr. Alward to propose the following resolution on Thursday, May 1, 2008:

WHEREAS the government has said that they will make this province self-sufficient by the year 2026;

WHEREAS the government has not tabled a financial plan to support their objective;

WHEREAS David Foord and John D. McLaughlin have stated that achieving the government’s objective means receiving no equalization payments in 2026;

WHEREAS equalization payments as a percentage of total provincial revenue have increased as opposed to decreased from fiscal 2007-08 to fiscal 2008-09;

WHEREAS Mr. Foord and Mr. McLaughlin wrote in 2007 that for New Brunswick to achieve this goal we must achieve average annual real GDP increases over the next twenty years that are 1.5 points higher than the Canadian average;

WHEREAS the Bank of Canada has forecasted that the economic slowdown in the United States will have direct consequences for the Canadian economy;

THEREFORE BE IT RESOLVED that this Legislative Assembly call upon the government to table a long-term financial forecast that will support their objective of self-sufficiency by 2026.

**Motion 73 by Mr. Holder**, seconded by Mr. Ashfield to propose the following resolution on Thursday, May 1, 2008:

WHEREAS many areas within the province can be negatively affected by abnormal seasonal flooding;

WHEREAS the government has a responsibility to provide support and assistance to those who have been impacted;

WHEREAS in January 2006, the Progressive Conservative Government acted to provide free water quality testing of flooded private wells;

THEREFORE BE IT RESOLVED that this Legislative Assembly call upon the government to implement a permanent policy to test the water quality of private wells in flooded regions at no charge to help ensure the safety of drinking water for all New Brunswickers.

## **OPPOSITION MEMBERS' MOTIONS**

### ***Motions for returns***

**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 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 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 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 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 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.

**[Documents requested filed April 21, 2008]**

**Motion 58 by Mr. 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.

**[Documents requested filed April 18, 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 27<sup>th</sup>, 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"*.

**[Documents requested filed April 24, 2008]**

**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 3<sup>rd</sup>, 2006 and April 16<sup>th</sup>, 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 16<sup>th</sup>, 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 59 by Mr. Volpé**. Debated and defeated April 3, 2008.

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

**Motion 66 by Mr. Williams**. Debated and carried as amended April 24, 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.

Motions 36, 37, 38, 40, 43, 44, 46, 47, 49, 51, 52, 53, 54, 57 and 64 withdrawn April 22, 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.
- Petition No. 14 presented by Hon. Mr. Albert on April 22, 2008.
- Petition No. 15 presented by Hon. Mr. Albert on April 24, 2008.
- Petition No. 16 presented by Mr. Steeves on April 24, 2008.
- Petition No. 17 presented by Mr. Northrup on April 24, 2008.
- Petition No. 18 presented by Mr. Holder on April 25, 2008.

## COMMITTEE REPORTS

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

Loredana Catalli Sonier  
Clerk of the Legislative Assembly