



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

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ORDER AND NOTICE PAPER - Sitting No. 58  
Tuesday, June 10, 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 SECOND READING

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

Bill 56, An Act to Amend the Credit Unions Act - Hon. Mr. Burke, Q.C.  
 Bill 57, An Act to Amend the Motor Vehicle Act - Hon. Mr. Landry  
 Bill 59, An Act to Amend the Municipalities Act - Hon. Mrs. Robichaud  
 Bill 63, An Act to Amend the Residential Property Tax Relief Act -  
     - Hon. Mr. Byrne, Q.C.  
 Bill 66, Gaming Control Act - Hon. Mr. V. Boudreau  
 Bill 69, Gift Cards Act - Hon. Mr. Burke, Q.C.  
 Bill 70, Cross-Border Policing Act - Hon. Mr. Foran  
 Bill 71, An Act to Amend the Police Act - Hon. Mr. Foran  
 Bill 72, Tourism Development Act, 2008 - Hon. Mr. Jamieson  
 Bill 74, An Act to Amend the Motor Vehicle Act - Hon. Mr. Foran  
 Bill 78, Loan Act 2008 - Hon. Mr. V. Boudreau

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

Bill 82, Access to Information and Protection of Privacy Act - Hon. Mr. Keir

### ***Adjourned Debates***

Resuming the adjourned debate on the motion that Bill 80, *Nursing Homes Pension Plans Act* - [**Hon. Mr. Burke, Q.C.**] be now read a second time.

Resuming the adjourned debate on the motion that Bill 81, *An Act to Amend the Natural Products Act* - [**Hon. Mr. Ouellette**] be now read a second time

## COMMITTEE OF THE WHOLE

Bill 43, An Act to Amend the Fish and Wildlife Act - Hon. Mr. Arseneault  
 Bill 61, Statute Law Amendment Act 2008 - Hon. Mr. Burke, Q.C.  
 Bill 62, An Act to Amend the Judicature Act - Hon. Mr. Burke, Q.C.  
 Bill 75, Midwifery Act - Hon. Mr. Murphy, Q.C.  
 Bill 77, An Act to Amend the Society for the Prevention of Cruelty to Animals Act  
     - Hon. Mrs. Robichaud

## PRIVATE BILLS TO BE ORDERED FOR SECOND READING

Bill 73, An Act to Incorporate Concilium Trustees Canada Inc. - Mr. Miles

## BILLS AWAITING ROYAL ASSENT

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

Bill 60, An Act to Amend the Pharmacy Act - Mr. Kenny

Bill 64, Atlantic Baptist University Act, 2008 - Mr. Collins

Bill 76, An Act to Amend the Industrial Relations Act - Hon. Dr. Doherty

Bill 83, Appropriations Act 2008-2009 - Hon. Mr. V. Boudreau

Bill 84, Capital Appropriations Act 2008-2009 - Hon. Mr. V. Boudreau

## COMMITTEE OF SUPPLY

2008-2009 Capital Estimates (Adopted May 30, 2008)

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 (Adopted June 6, 2008)

## 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.

**Motion 85 by Hon. Mr. Murphy, Q.C.** Carried June 3, 2008.

**Motion 86 by Hon. Mr. Murphy, Q.C.** Carried June 3, 2008.

**Motion 88 by Hon. Mr. Murphy, Q.C.** Carried June 5, 2008.

## **MOTIONS BY GOVERNMENT PRIVATE MEMBERS**

### **CONCLUDED**

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

**Motion 71 by Mr. B. LeBlanc.** Withdrawn April 29, 2008.

## **OPPOSITION MEMBERS' BUSINESS**

### **OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING**

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

### ***Adjourned Debates***

Resuming the adjourned debate on the motion that Bill 14, *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 23, *Heritage Hunting, Fishing and Trapping Act* **[Mr. Ashfield]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 58, *Gift Card Expiry Act* **[Mr. Fitch]** be now read a second time.

### **OPPOSITION MEMBERS' MOTIONS**

#### ***Debatable Motions***

**Motion 84 by Mr. Volpé**, seconded by Mr. Mockler to propose the following resolution on Thursday, June 5, 2008:

WHEREAS the media plays an essential role in a free and open democracy; and  
WHEREAS newspapers, radio stations and broadcast news are instrumental in allowing New Brunswick to get timely and unbiased information; and

WHEREAS people from the media must be able to perform their jobs away from undue governmental and commercial influence; and

WHEREAS a Senatorial Committee in Ottawa was concerned by the press concentration in New Brunswick; and

WHEREAS New Brunswickers have a right to objective and quality information; therefore

BE IT RESOLVED that this Legislative Assembly propose to the Senatorial Committee that it reassess New Brunswick's media to consider the present situation.

***[Debate interrupted due to expiration of time.]***

#### ***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.

**[Documents requested filed April 30, 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 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.

**[Documents requested filed May 21, 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.

**[Documents requested filed May 15, 2008]**

**Motion 74 by Mr. C. LeBlanc**, seconded by Mr. Carr to propose the following resolution on Thursday, May 22, 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 fact finding trip that Minister Schryer made to Australia in October of 2007 including the names of all the people that attended that trip, the meeting itineraries, the names of the persons that the Minister met with, all expense receipts and reports and a full itinerary of the trip including additional stops made.

**[Response filed May 22, 2008]**

**Motion 76 by Mr. Betts**, seconded by Mr. Urquhart to propose the following resolution on Thursday, May 29, 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 correspondence, memorandums, reports or communiqué between the Government and any company or individual presently engaged in or has shown interest in uranium exploration in the Province of New Brunswick.

**Motion 77 by Mr. Williams**, seconded by Mr. Steeves to propose the following resolution on Thursday, May 29, 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 including: polls, studies, correspondence, commissions or reports in the possession of Government related to the Minister of Natural Resources' claim that a "*silent majority*" of New Brunswickers are in favor of uranium mining and exploration in the Province of New Brunswick.

**Motion 78 by Mr. Steeves**, seconded by Mr. Betts to propose the following resolution on Thursday, June 5, 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 correspondence, communiqué, memorandums or email in any format between the Government and Major Drilling Group International.

**Motion 79 by Mr. Urquhart**, seconded by Mr. Williams to propose the following resolution on Thursday, June 5, 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, reports or studies, relied upon by the Government to determine the hazards or risks involved in uranium exploration and mining activities.



**Motion 80 by Mr. Betts**, seconded by Mr. Steeves to propose the following resolution on Thursday, June 5, 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 pertaining to the number of test drill holes that have been made with regards to uranium exploration, the location of each hole, and copies of all Drill Hole Reports.

**Motion 81 by Mr. C. LeBlanc**, seconded by Mr. Carr to propose the following resolution on Thursday, June 5, 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 trips by the Department of Health and other Departments to Australia or England in 2007 including the names of all the people that attended, the meeting itineraries, the names of the persons meetings were held with, all expense reports and a full itinerary including any additional stops and reports made concerning the trip and the information gathered.

**Motion 82 by Mr. Williams**, seconded by Mr. Betts to propose the following resolution on Thursday, June 5, 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 names and contact information of all uranium mining prospectors including individuals, companies, corporations or any other entity.

**Motion 83 by Mr. Northrup**, seconded by Mr. Betts to propose the following resolution on Thursday, June 5, 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 names of government staff that are qualified to monitor and inspect uranium exploration activities, those individuals' qualifications and training, how many inspections of uranium exploration activities they have made, where these inspections were made and the dates of those inspections.

**Motion 87 by Mr. Mockler**, seconded by Mr. D. Graham to propose the following resolution on Thursday, June 12, 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, all correspondence and minutes of meetings, stored in any format between the Department of Natural Resources, the Department of Agriculture and Aquaculture and DAA's client Mr. Richard LePage regarding the 100 acres of land with PID #50085844. Also all correspondence, minutes of meetings, communiqué and email between Mr. Burt Paulin, the Minister of Agriculture and Aquaculture, the Minister of Natural Resources and Mr. Richard LePage.

**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 62 by Mr. Volpé.** Debated and carried as amended May 13, 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.
- Motion 72 by Mr. Volpé.** Debated and carried as amended May 13, 2008.
- Motion 73 by Mr. Holder.** Debated and carried as amended May 15, 2008.
- Motion 75 by Mr. Steeves.** Debated and carried as amended May 22, 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.  
(Response filed April 29, 2008)
- Petition No. 13 presented by Mr. Mockler on April 17, 2008.  
(Response filed May 7, 2008)
- Petition No. 14 presented by Hon. Mr. Albert on April 22, 2008.  
(Response filed May 26, 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.  
(Response filed May 15, 2008)
- Petition No. 19 presented by Mr. Northrup on May 13, 2008.
- Petition No. 20 presented by Mr. MacDonald on May 16, 2008.  
(Response filed May 30, 2008)
- Petition No. 21 presented by Mr. Williams on May 20, 2008.
- Petition No. 22 presented by Mr. Williams on May 21, 2008.
- Petition No. 23 presented by Mr. Betts on May 21, 2008.
- Petition No. 24 presented by Mr. Williams on May 22, 2008.
- Petition No. 25 presented by Ms. Dubé on May 22, 2008.
- Petition No. 26 presented by Mr. Williams on May 23, 2008.
- Petition No. 27 presented by Mr. Volpé on May 27, 2008.
- Petition No. 28 presented by Mrs. MacAlpine-Stiles on May 28, 2008.
- Petition No. 29 presented by Ms. Poirier on May 29, 2008.
- Petition No. 30 presented by Mr. Betts June 3, 2008.
- Petition No. 31 presented by Mr. Betts June 4, 2008.
- Petition No. 32 presented by Mr. Betts June 5, 2008.
- Petition No. 33 presented by Ms. Dubé June 5, 2008.
- Petition No. 34 presented by Mr. Fitch June 6, 2008.
- Petition No. 35 presented by Mr. Williams June 6, 2008.

## **COMMITTEE REPORTS**

- First Report of the Standing Committee on Law Amendments presented May 28, 2008.
- First Report of the Standing Committee on Private Bills presented May 29, 2008.
- Second Report of the Standing Committee on Private Bills presented June 5, 2008.
- First Report of the Standing Committee on Procedure presented November 28, 2007.

**TABLED IN THE HOUSE**

*Progress Report on New Brunswick's Five Year Wage Gap Action Plan - Spring 2008*  
(Tabled by Hon. Ms. Schryer June 6, 2008)

**COMMITTEE MEETINGS**

The Select Committee on Tax Review will meet on Tuesday, June 10, 2008 at 10.00 o'clock a.m. in Room 47-48 of the Legislative Assembly Building.

The Legislative Administration Committee will meet on Wednesday, June 11, 2008 at 12.30 o'clock p.m. in the Speaker's Conference Room.

Loredana Catalli Sonier  
Clerk of the Legislative Assembly