



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

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**ORDER AND NOTICE PAPER - Sitting No. 26**  
**Wednesday, April 1, 2009**

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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 MOTIONS**

## **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 38, An Act to Amend the Corrections Act - Hon. Mr. Foran

Bill 39, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. Stiles

Bill 41, Essential Services in Nursing Homes Act - Hon. Mrs. Schryer

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

#### ***Adjourned Debates***

### **COMMITTEE OF THE WHOLE**

Bill 26, Species at Risk Act - Hon. Mr. Stiles

Bill 27, An Act to Amend the Gasoline and Motive Fuel Tax Act  
- Hon. Mr. V. Boudreau

Bill 31, Demise of Crown Act - Hon. Mr. Burke, Q.C.

Bill 32, An Act to Amend the Salvage Dealers Licensing Act - Hon. Mr. Foran

Bill 33, An Act to Amend the Public Works Act - Hon. Mr. Doherty

Bill 35, An Act to Amend the Nursing Homes Act - Hon. Mrs. Schryer

Bill 36, An Act to Amend the Motor Vehicle Act - Hon. Mr. Foran

### **BILLS STANDING REFERRED TO STANDING COMMITTEE ON LAW AMENDMENTS**

Bill 28, Limitation of Actions Act - Hon. Mr. Burke, Q.C.

## **PRIVATE BILLS STANDING REFERRED TO STANDING COMMITTEE ON PRIVATE BILLS**

Bill 29, An Act Respecting the New Brunswick College of Dental Hygienists  
- Mr. Collins

Bill 34, An Act to Provide for the Amalgamation of the Trustees of Certain  
Presbyterian Churches in Saint John, New Brunswick - Mr. Holder

Bill 37, An Act to Amend An Act to Incorporate The New Brunswick Registered  
Barbers' Association - Mr. A. LeBlanc

## **BILLS AWAITING ROYAL ASSENT**

Bill 14, An Act to Amend the Public Works Act - Hon. Mr. Doherty

## **COMMITTEE OF SUPPLY**

Main Estimates 2009 - 2010

Capital Estimates 2009 - 2010

Supplementary Estimates 2008-2009 Volume I (Adopted December 10, 2008)

Supplementary Estimates 2007-2008 Volume III (Adopted December 10, 2008)

## **GOVERNMENT MOTIONS**

### **CONCLUDED**

**Motion 8 by Hon. Mr. Murphy, Q.C.** Carried November 26, 2008.

**Motion 16 by Hon. Mr. V. Boudreau.** Debated and carried December 9, 2008.

**Motion 24 by Hon. Mr. Burke, Q.C.** Debated and carried December 16, 2008.

**Motion 29 by Hon. Mr. V. Boudreau.** Debated March 19, 20, 24, 25 and 27  
and carried March 27, 2009.

**Motion 31 by Hon. Mr. Murphy, Q.C.** Carried December 17, 2008.

**Motion 34 by Hon. Mr. Murphy, Q.C.** Carried December 18, 2008.

**Motion 38 by Hon. Mr. Byrne, Q.C.** Carried March 18, 2009.

## OPPOSITION MEMBERS' BUSINESS

### OPPOSITION MEMBERS' PUBLIC BILLS

#### *Opposition Members' Public Bills for Second Reading*

Bill 30, Rural Economic Development Fund Act - Ms. Dubé

#### *Adjourned Debates*

Resuming the adjourned debate on the motion that Bill 40, *An Act to Amend the Auditor General Act* [Mr. Alward] be now read a second time.

### OPPOSITION MEMBERS' MOTIONS

#### *Debatable Motions*

**Motion 26 by Mr. MacDonald**, seconded by Mr. Northrup to propose the following resolution on Thursday, December 18, 2008:

WHEREAS New Brunswick's forest industry is undergoing unprecedented changes and hardships; and

WHEREAS these hardships are being felt by thousands of New Brunswickers including the 40,000 woodlot-owning families; and

WHEREAS the seven regional woodlot marketing boards and the Federation of Woodlot Owners are also being negatively impacted by the economic crisis facing the industry; and

WHEREAS these eight organizations provide considerable support and services to the industry, including silviculture, certification, education and training, market development, forest management, administration of government programs, non-timber forest products, woodlot owner rights, and day-to-day inquiries; and

WHEREAS in 2007, the Self-Sufficiency Task Force recommended that the Government should "*support private woodlot marketing boards in strengthening their role with respect to silviculture, certification, education and market development,*" and that said recommendation should be acted upon within one year; and

WHEREAS in January 2008, the Government of Canada provided the Government of New Brunswick with \$30 million through the Community Development Trust; and

WHEREAS the province and the forestry industry would benefit from having strong private woodlot marketing boards and a strong federation; therefore

BE IT RESOLVED that this Legislative Assembly urge the government to consider the advisability of providing a one per cent per acre tax sharing on the private woodlot land base to the Federation of Woodlot Owners and another one cent per acre tax sharing on the private woodlot land base to the regional marketing boards as a source of sustainable funding; and, that said tax sharing, if implemented, remain in place for a period of three years.

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

**Motion 46 by Mr. Fitch**, seconded by Mr. Alward to propose the following resolution on Thursday, April 2, 2009

WHEREAS property tax bills that have been recently received by New Brunswick residents are determined by both property tax rates and property assessments; and

WHEREAS the significant swell in property value assessments in recent years has drastically increased property tax bills and are generating undue financial strain on individuals and families; and

WHEREAS the downturn in global markets, restriction to credit and a national recession have made paying increased property tax bills increasingly difficult for all New Brunswickers; and

WHEREAS the New Brunswick government and the municipalities must be held accountable for additional revenues that may be generated by increased property assessments and because no property owner should have to pay higher property taxes without explanation and proof that the market value of their property has increased; and

WHEREAS both provincial and municipal governments have a responsibility to be open, fair and transparent with regard to taxation;

BE IT RESOLVED that the Legislative Assembly urge the government to pass legislation to cap property tax assessments to protect individuals and business against drastic increases in tax bills;

BE IT FURTHER RESOLVED that this Legislative Assembly urge this government to work with all stakeholders across the province in order to promote home ownership and to create a positive business environment so that New Brunswick may prosper and so that the issue of property taxes is not transferred to municipalities.

## **OPPOSITION MEMBERS' MOTIONS**

### ***Motions for Returns***

**Motion 3 by Mr. Steeves**, seconded by Mr. Urquhart to propose the following resolution on Thursday, December 4, 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 financial information detailing the full cost to change and implement the Government's new logo for each department and agency including the cost associated with updating websites, business cards, letterhead and any other government material on which the New Brunswick logo was changed for use.

**Motion 18 by Mr. Robichaud**, seconded by Mr. Alward to propose the following resolution on Thursday, December 11, 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, receipts, and account statements, in short, all documents in the possession of the Legislative Assembly related to the Government House Leader's comments to the effect that the length of the last session cost the government hundreds of thousands of extra dollars.

**Motion 20 by Mr. Steeves**, seconded by Mr. Alward to propose the following resolution on Thursday, December 11, 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 the possession of government however recorded or stored related to any government contract or spending by any department, agency or corporation on advertising by any means, including any information related to advertising costs from Ministers promoting their position within any department agency or corporation since December 30, 2007.

**Motion 32 by Mrs. Blaney**, seconded by Mr. Williams to propose the following resolution on Thursday, December 25, 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 Health, services the Department provides or the Minister responsible since March 1<sup>st</sup>, 2008 to December 18<sup>th</sup>, 2008.

**Motion 35 by Mrs. Poirier**, seconded by Mr. Alward to propose the following resolution on Thursday, March 26, 2009:

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 government including emails, memorandum, correspondence of any kind, meeting minutes, market studies or analysis, cost analysis, and all contract information however recorded or stored related to the New Brunswick Liquor Corporation's decision to produce, sell and market *Selection Lager* and *Selection Light* beer through Moosehead Breweries.

**Motion 36 by Mr. Holder**, seconded by Mr. Robichaud to propose the following resolution on Thursday, March 26, 2009:

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 government including emails, memorandum, correspondence of any kind and meeting minutes, however recorded or stored related to the government's decision to end the Home Heating Assistance Program and initiate the Warm Hearts Warm Homes program offered through the Salvation Army.

**Motion 37 by Mr. Urquhart**, seconded by Mr. Steeves to propose the following resolution on Thursday, March 26, 2009:

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 government related to any changes made by the Department of Public Safety regarding emergency measures preparedness related to flooding and emergency response since April 1<sup>st</sup> 2008.

**Motion 40 by Mr. Fitch**, seconded by Mr. Alward to propose the following resolution on Thursday, March 26, 2009:

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 government related to any action, policy change, tasks, communication, memorandum, or meetings that took place within government with regards to implementing the Auditor General's recommendations from the 2007 Volume 1 report.

**Motion 41 by Mr. Olscamp**, seconded by Ms. Dubé to propose the following resolution on Thursday, March 26, 2009:

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 concerning the \$100-million dedicated tourism infrastructure fund set up by this government, and in particular the fund guidelines, the names and workplaces of the employees responsible for administering it, the projected budgets and actual expenditures, a list of projects subsidized by this fund, contracts awarded under this fund, and a list of work carried out without any contract or tender, the dates and location of all work carried out, the start and completion dates of the work, the aim or objective of the work, and, in each case, the number of jobs created.

**Motion 42 by Mrs. Poirier**, seconded by Mr. Alward to propose the following resolution on Thursday, March 26, 2009:

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 concerning any money invested since October 2, 2006, by the Miramichi Economic Development Fund in various projects and initiatives, including the names of any companies, organizations, associations, or groups benefiting from such investments, the conditions these beneficiaries of the development fund had to meet, as well as the objectives of these investments, and the number of jobs created for each project, indicating whether the jobs were permanent or temporary, regular or part-time, and whether they still exist today.

**Motion 43 by Mr. Harrison**, seconded by Mr. Holder to propose the following resolution on Thursday, April 2, 2009:

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 all studies and reports, all correspondence, memorandum, minutes of meetings and public consultation that led to the decision to cancel public ferry services.

**Motion 44 by Mr. Williams**, seconded by Mr. Robichaud to propose the following resolution on Thursday, April 2, 2009:

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 destinations, duration of stay, unscheduled stops, and a list of occupants on each flight, however recorded, stored or archived, by electronic means or otherwise, related to the operation and usage of any provincially leased or owned airplane since June 18, 2008.

**Motion 45 by Mr. C. LeBlanc**, seconded by Mrs. Blaney to propose the following resolution on Thursday, April 2, 2009:

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 including studies, reports, all transport statistics including the number of calls that were in response to 911 emergencies, the number of calls that were between hospitals, the number of calls between nursing homes and hospitals or non-emergency transportation between homes and hospitals related to ambulance service in New Brunswick since April 1<sup>st</sup>, 2005.

**Motion 47 by Mr. Northrup**, seconded by Mr. Fitch to propose the following resolution on Thursday, April 9, 2009:

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 2007 - 2008 Department of Energy exemptions to the *Public Purchasing Act*, a list of all exemptions to the *Public Purchasing Act* within NB Power and a list of all personal service contracts issued through the Department of Energy or NB Power during the same period.

#### **CONCLUDED:**

**Motion 9 by Mr. Alward.** Debated and carried as amended December 4, 2008.

**Motion 21 by Ms. Dubé.** Debated and carried as amended December 18, 2008.

**Motion 39 by Mr. Alward.** Debated and carried as amended March 26, 2009.

#### **WITHDRAWN AS DOCUMENTS TABLED**

Motions 1, 2, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 17, 19, 22, 23, 25, 27, 28, 30 and 33 withdrawn March 18, 2009.



**PETITIONS**

- Petition No. 1 presented by Mr. C. LeBlanc November 26, 2008.  
(Response filed December 10, 2008)
- Petition No. 2 presented by Mr. Steeves November 26, 2008.  
(Response filed December 2, 2008)
- Petition No. 3 presented by Mr. Steeves November 26, 2008.  
(Response filed December 10, 2008)
- Petition No. 4 presented by Mr. C. LeBlanc November 28, 2008.  
(Response filed December 10, 2008)
- Petition No. 5 presented by Mr. Williams November 28, 2008.  
(Response filed December 16, 2008)
- Petition No. 6 presented by Mr. C. LeBlanc December 2, 2008.  
(Response filed December 15, 2008)
- Petition No. 7 presented by Mr. Urquhart December 2, 2008.  
(Response filed December 15, 2008)
- Petition No. 8 presented by Mr. Fitch December 2, 2008.  
(Response filed December 19, 2008)
- Petition No. 9 presented by Mr. C. LeBlanc December 3, 2008.  
(Response filed December 15, 2008)
- Petition No. 10 presented by Mr. Urquhart December 3, 2008.  
(Response filed December 15, 2008)
- Petition No. 11 presented by Mr. C. LeBlanc December 4, 2008.  
(Response filed December 23, 2008)
- Petition No. 12 presented by Mr. Harrison December 4, 2008.  
(Response filed December 18, 2008)
- Petition No. 13 presented by Mr. Northrup December 4, 2008.  
(Response filed December 18, 2008)
- Petition No. 14 presented by Mr. D. Graham December 4, 2008.  
(Response filed January 14, 2009)
- Petition No. 15 presented by Mr. C. LeBlanc December 9, 2008.  
(Response filed December 18, 2008)
- Petition No. 16 presented by Ms. Dubé December 10, 2008.  
(Response filed December 23, 2008)
- Petition No. 17 presented by Mr. Williams December 11, 2008.  
(Response filed December 17, 2008)
- Petition No. 18 presented by Mr. Olscamp December 16, 2008.  
(Response filed December 19, 2008)
- Petition No. 19 presented by Mr. Betts December 16, 2008.  
(Filed January 6, 2009)
- Petition No. 20 presented by Ms. Poirier December 17, 2008.  
(Filed January 21, 2009)
- Petition No. 21 presented by Mr. Williams December 17, 2008.  
(Filed January 6, 2009)

Petition No. 22 presented by Mr. Williams December 18, 2008.  
(Filed January 26, 2009)

Petition No. 23 presented by Mr. Betts December 18, 2008.  
(Filed January 9, 2009)

Petition No. 24 presented by Mr. Steeves March 18, 2009.

Petition No. 25 presented by Mr. Alward March 20, 2009.

Petition No. 26 presented by Mr. Harrison March 20, 2009.

Petition No. 27 presented by Mr. Northrup March 24, 2009.

Petition No. 28 presented by Mr. Northrup March 25, 2009.

Petition No. 29 presented by Mr. McGinley March 26, 2009.

Petition No. 30 presented by Mr. Northrup March 26, 2009.

Petition No. 31 presented by Hon. Mr. Albert March 26, 2009.

Petition No. 32 presented by Mr. Northrup March 31, 2009.

## **COMMITTEE REPORTS**

Final Report of the Select Committee on Tax Review  
(Presented by Mr. MacIntyre December 12, 2008)

Final Report of the Select Committee on Wellness  
(Presented by Mr. Collins on November 26, 2008)

## **REPORTS / DOCUMENTS**

### ***Filed in the Clerk's Office***

2008 Annual Report, WorkSafe NB (Filed March 31, 2009)

Loredana Catalli Sonier  
Clerk of the Legislative Assembly