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Journals

(Unrevised)

Legislative Assembly

Province of New Brunswick

Hon. Graydon Nicholas
Lieutenant-Governor

Speaker: Hon. Roy Boudreau

Friday, April 16, 2010

**Fourth Session of the 56th Legislative Assembly
Fredericton, New Brunswick**

Friday, April 16, 2010.

10 o'clock a.m.

Prayers.

Hon. D. Landry, Member for Centre-Péninsule—Saint-Sauveur, laid upon the table of the House a petition on behalf of residents of the greater Paquetville area urging the government to recognize the need for a Level 1 and 2 nursing home for seniors in the village. (Petition 257)

Mr. Jack Carr, Member for New Maryland-Sunbury West, laid upon the table of the House a petition on behalf of residents of Fredericton Junction, Hoyt, South Oromocto Lake and Wirral urging the government to make roadside brush cutting services a priority by working with communities and investing in the issue. (Petition 258)

Hon. Mr. Arseneault laid upon the table of the House a document entitled *Non-Partisan Task Force, Reversal of Canadian Blood Services' decision to consolidate blood production services to Dartmouth, Nova Scotia, Report to the Legislative Assembly of New Brunswick, April 16, 2010*.

Mr. Williams gave Notice of Motion 71 that on Thursday, April 22, 2010, he would move the following resolution, seconded by Mr. Robichaud:

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 information in government possession regarding the land located in Fords Mills on which the ambulance station is to be built, including details of the real estate transactions, studies, and legal documents relating to the said transactions, assessment reports, details of other land choice options considered and assessed, calls for tenders, tenders, and land acquisition cost, as well as any related correspondence.

Hon. Mr. Byrne, Government House Leader, announced that following third reading, it was the intention of the government to take into consideration Motion 68, following which, the House would resolve itself into a Committee of the Whole to consider Bills 49, 29, 12, 40, 39, 37 and 38. The Royal Assent Ceremony would take place at 2.30 o'clock p.m.

It was agreed by unanimous consent to limit debate on Motion 68 to 20 minutes.

On motion of Hon. Mr. Byrne, seconded by Hon. V. Boudreau:
RESOLVED, that when the Assembly adjourns at the end of this sitting day, it stand adjourned until Tuesday, November 23, 2010, 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 the 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 has 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.

The following Bills were read a third time:

Bill 26, *An Act to Amend the Medical Services Payment Act.*

Bill 54, *An Act to Amend the Motor Vehicle Act.*

Ordered that the said Bills do pass.

Pursuant to Notice of Motion 68, Mr. Burke moved, seconded by Ms. MacAlpine-Stiles:

Whereas the Province of New Brunswick has a shared responsibility for ensuring health, educational and child welfare outcomes for all persons residing in New Brunswick;

Whereas a number of these services are delivered by First Nations with funding partnerships that include both the Provincial and Federal governments;

Whereas the Province commissioned the Child and Youth Advocate to prepare a report on child welfare on-reserve and has now received the report entitled *Hand-in-Hand – A Review of First Nations Child Welfare in New Brunswick* with a comprehensive set of recommendations;

Whereas the Province wishes to provide greater certainty and equal treatment to all children in the area of government services; and

Whereas the Province wishes to demonstrate its intention to show early progress in improving health, educational and child welfare outcomes for children and youth residing in First Nation Communities;

Therefore be it resolved that Members of the Legislative Assembly endorse a tripartite partnership of First Nation, Provincial and Federal governments to:

1. Develop an agreement on the application of Jordan's Principle that would see the agency of first contact pay for the necessary public services required by the First Nation's child or youth. Where required, funding disputes would be resolved with a dispute resolution mechanism but disagreements would not delay the provision of service.
2. Negotiate a new tripartite agreement for child welfare based on an enhanced prevention approach incorporating the recommendations of the Child and Youth Advocate in Part I of *Hand-in-Hand - A New Model for First Nations Child and Family Services Delivery*.
3. Develop a tripartite plan for addressing the underlying causes that contribute to poor child welfare outcomes based on the recommendations in Part II of *Hand-in-Hand - Improving Lives and Opportunities for First Nations Children*.

Be it further resolved that, mindful of the years First Nations children have waited for clarity in social services, health, and education, this Legislative Assembly urge the Provincial government to take all reasonable and responsible measures to ensure First Nations children and youth receive necessary public services they require including, without limitation that the Attorney General seek clarity for all governments through a judicial reference to the New Brunswick Court of Appeal should tripartite negotiations fail to provide clarity within a reasonable time.

And the question being put, a debate ensued.

And the debate being ended and the question being put, Motion 68 was carried.

The House resolved itself into a Committee of the Whole with Ms. Robichaud in the chair.

At 1.26 o'clock p.m., Ms. Robichaud declared a recess and left the chair.

1.41 o'clock p.m.

The Committee resumed with Ms. Robichaud in the chair.

And after some time, Mr. Speaker resumed the chair and Ms. Robichaud, the Chair, after requesting that Mr. Speaker revert to Presentations of Committee Reports, reported:

That the Committee had directed that she report the following Bills as agreed to:

Bill 12, *New Brunswick Internal Services Agency Act*.

Bill 37, *Civil Forfeiture Act*.

Bill 38, *An Act to Amend the Management of Seized and Forfeited Property Act*.

Bill 39, *Economic and Social Inclusion Act*.

Bill 40, *An Act to Amend the Higher Education Foundation Act*.

Bill 45, *Loan Act 2010*.

That the Committee had directed that she report the following Bill as agreed to:

Bill 58, *An Act Respecting Health Services and Language*.

And that the Committee had agreed by unanimous consent that she report that the recommendation for adoption of Bill 58 contains a unanimous recognition that Bill 58 is to conform to the principles and spirit of the *Official Languages Act* and *An Act Recognizing the Equality of the Two Official Linguistic Communities in New Brunswick*.

And that the Committee had directed that she report the following Bills as amended:

Bill 29, *An Act to Amend the Motor Vehicle Act*.

Bill 35, *An Act to Amend the Public Service Labour Relations Act*.

Bill 49, *Early Learning and Childcare Act*.

And the Committee asked leave to make a further report.

Pursuant to Standing Rule 78.1, Mr. Speaker put the question on the motion deemed to be before the House, that the report be concurred in, and it was resolved in the affirmative.

Pursuant to Motion 65, Bills 12, 29, 35, 37, 38, 39, 40, 45, 49 and 58 were ordered for third reading forthwith.

The following Bills were read a third time:

Bill 12, *New Brunswick Internal Services Agency Act*.

Bill 29, *An Act to Amend the Motor Vehicle Act*.

Bill 35, *An Act to Amend the Public Service Labour Relations Act*.

Bill 37, *Civil Forfeiture Act*.

Bill 38, *An Act to Amend the Management of Seized and Forfeited Property Act*.

Bill 39, *Economic and Social Inclusion Act*.

Bill 40, *An Act to Amend the Higher Education Foundation Act*.

Bill 45, *Loan Act 2010*.

Bill 49, *Early Learning and Childcare Act*.

Bill 58, *An Act Respecting Health Services and Language*.

Ordered that the said Bills do pass.

His Honour, the Lieutenant-Governor, was announced, and having been bidden to enter, took his seat in the chair upon the Throne.

Mr. Speaker addressed His Honour as follows:

May It Please Your Honour:

The Legislative Assembly of the Province of New Brunswick has passed several Bills at the present sittings of the Legislature to which, in the name and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

The Clerk Assistant then read the titles of the Bills as follows:

Bill 12, *New Brunswick Internal Services Agency Act.*

Bill 22, *An Act to Amend the Family Services Act.*

Bill 26, *An Act to Amend the Medical Services Payment Act.*

Bill 29, *An Act to Amend the Motor Vehicle Act.*

Bill 31, *An Act to Amend the Civil Service Act.*

Bill 32, *An Act to Amend the Safer Communities and Neighbourhoods Act.*

Bill 33, *An Act to Amend the Clean Environment Act.*

Bill 35, *An Act to Amend the Public Service Labour Relations Act.*

Bill 36, *An Act to Amend the Judicature Act.*

Bill 37, *Civil Forfeiture Act.*

Bill 38, *An Act to Amend the Management of Seized and Forfeited Property Act.*

Bill 39, *Economic and Social Inclusion Act.*

Bill 40, *An Act to Amend the Higher Education Foundation Act.*

Bill 43, *An Act to Amend the Insurance Act.*

Bill 45, *Loan Act 2010.*

Bill 49, *Early Learning and Childcare Act.*

Bill 53, *Crandall University Act, 2010.*

Bill 54, *An Act to Amend the Motor Vehicle Act.*

Bill 55, *An Act to Amend the Financial Corporation Capital Tax Act.*

Bill 56, *An Act to Amend the Medical Services Payment Act.*

Bill 58, *An Act Respecting Health Services and Language.*

His Honour signified His Assent as follows:

It is the Queen's wish. La reine le veut.

To these Bills, His Honour's assent was announced by the Clerk of the Legislative Assembly in the following words:

In Her Majesty's name, His Honour the Lieutenant-Governor assents to these Bills, enacting the same and ordering them to be enrolled.

His Honour then retired and Mr. Speaker resumed the chair.

And then, 3.57 o'clock p.m., the House adjourned.