



LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK Second Session, 57th Legislative Assembly

ORDER AND NOTICE PAPER - Sitting No. 9
Wednesday, December 7, 2011

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 SECOND READING

Bills Ordered for Second Reading

Bill 9, An Act to Amend the Electoral Boundaries and Representation Act
- Hon. Mr. P. Robichaud

Bills to be Ordered for Second Reading

Bill 8, An Act to Amend the Proceedings Against the Crown Act - Hon. Ms. Blais, Q.C.

COMMITTEE OF THE WHOLE

Bill 2, An Act to Amend the Securities Act - Hon. Ms. Blais, Q.C.
 Bill 3, An Act to Amend the New Brunswick Building Code Act - Hon. Mr. Trevors
 Bill 4, An Act to Amend the Municipal Assistance Act - Hon. Mr. Fitch
 Bill 5, An Act to Amend the Municipalities Act - Hon. Mr. Fitch
 Bill 6, An Act to Amend the Electricity Act - Hon. Mr. Leonard
 Bill 7, An Act to Amend the Employment Standards Act - Hon. Ms. Coulombe

GOVERNMENT MOTIONS

Debatable Motions

Motion 15 by Hon. Mr. Higgs, seconded by Hon. Mr. Alward to propose the following resolution on Wednesday, December 7, 2011:

WHEREAS the Government of New Brunswick entered into the original Comprehensive Integrated Tax Coordination Agreement with the Government of Canada to harmonize the Federal Goods and Service Tax and provincial sales tax on October 18, 1996; and

WHEREAS the provincial *Harmonized Sales Tax Act* came into force on April 1, 1997; and

WHEREAS the provinces of Ontario and British Columbia have subsequently entered into their own agreements with the Government of Canada using an updated agreement template, which has now also been adopted by the provinces of Nova Scotia and Newfoundland and Labrador; and

WHEREAS the original Comprehensive Integrated Tax Coordination Agreement required amendment in order to function properly and to give New Brunswick the same benefits as other harmonized jurisdictions; and

WHEREAS a copy of this amended agreement has been tabled in this House and subsection 2(3) of the *Harmonized Sales Tax Act* requires the Minister of Finance to introduce for consideration of the Legislative Assembly a resolution respecting the change or agreement under subsection 2(2);

BE IT RESOLVED that the Legislative Assembly ratify and confirm the succeeding Comprehensive Integrated Tax Coordination Agreement entered into between the Province of New Brunswick and the Government of Canada.

CONCLUDED

Motion 1 by Hon. Mr. Northrup. Debated and carried December 6, 2011.

Motion 4 by Hon. Mr. P. Robichaud. Carried November 24, 2011.

OPPOSITION MEMBERS' BUSINESS

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Bill 10, An Act to Amend the Tobacco Tax Act - Mr. Fraser

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

Motion 2 by Mr. Bernard LeBlanc, seconded by Mr. Kenny to propose the following resolution on Thursday, December 1, 2011:

WHEREAS the Alward government proposed changes to the Prescription Drug Program that doubled the co-pay amount payable by seniors from \$250 to \$500;

WHEREAS seniors feel this increase breaks the Premier's campaign promise to "provide a better deal for seniors";

WHEREAS this sudden increase creates considerable financial hardship for low-income seniors;

WHEREAS the extra cost may prevent seniors from getting the medications they need;

WHEREAS the loss of medications could be harmful to the fragile health of seniors;

WHEREAS the New Brunswick Pharmacists' Association, the Canadian Life and Health Insurance Association, and others have suggested ways to find additional savings within the Prescription Drug Program, which would avoid the need for drastic fee increases;

BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick urge the government to reverse the sudden fee increase, keep the Premier's campaign promise to "provide a better deal for seniors", and explore alternate savings through the Prescription Drug Program.

Motion 3 by Mr. D. Landry, seconded by Mr. Bertrand LeBlanc to propose the following resolution on Thursday, December 1, 2011:

WHEREAS the Minister of Natural Resources publicly stated on November 3, 2011, the "need for stronger regulations on the emerging industry" of shale gas exploration;

WHEREAS the Minister of Natural Resources publicly admitted on October 19, 2011, to a “grey area” in the existing regulations surrounding shale gas exploration;

BE IT THEREFORE RESOLVED that the Legislature urge the government to announce a moratorium on shale gas exploration and strike a Select Committee of the Legislative Assembly with the mandate to review and hold public hearings on all proposed legislation, regulations, and plans for monitoring and oversight of the shale gas industry, and to make final recommendations to the Legislative Assembly.

Amendment moved by Hon. Mr. Northrup, seconded by Hon. Mr. P. Robichaud that Motion 3 be amended as follows:

In the first WHEREAS clause, by replacing the word “the” following the words “on November 3, 2011,” with the words “that there is a” and replacing the word “exploration” with “development”;

By inserting the following two WHEREAS clauses immediately before the resolution clause:

WHEREAS the previous Liberal Government, which includes the vast majority of the members of the current Official Opposition, was supportive of developing a shale gas industry in New Brunswick without instituting comprehensive regulation to protect our Province;

WHEREAS the current Government is committed to ensuring that any development of natural gas, including shale gas, is done in a responsible and strongly regulated manner that protects our watersheds, the health of our residents and the environment;

In the Resolution clause, by replacing all the words following “urge the government to” with “commit to providing and enforcing a regulatory regime that will protect our residents’ health, our ground water, and our environment prior to allowing the extraction of shale gas, in the event that it is established that we have a viable industry in our Province”;

And by adding the following resolution clause at the end of the motion:

BE IT FURTHER RESOLVED that the Legislature urge the government not to allow the development of a shale gas industry in our Province if it is not properly regulated to protect our residents’ health, our ground water, and our environment.

[Debate interrupted due to expiration of time.]

Motion 5 by Mr. Collins, seconded by Mr. Albert to propose the following resolution on Thursday, December 1, 2011:

WHEREAS the Alward government is proposing a two-tiered minimum wage for the province of New Brunswick, wherein servers and wait staff would earn a lower minimum wage than other workers;

WHEREAS a two-tiered minimum wage is a direct attack on the most vulnerable wage earners;

WHEREAS tipping is designed to reward excellent service, not supplement wages;

WHEREAS the scheduled increase to the minimum wage that was supposed to have taken place in September as mandated by the Poverty Reduction Plan has not yet been implemented;

WHEREAS the Poverty Reduction Plan did not suggest a two-tiered minimum wage;
 WHEREAS the Alward government's public consultation on a two-tiered minimum wage consists of an online survey which contains questions which have been criticized as being designed to tip the balance of the results in favour of a two-tiered minimum wage;

BE IT THEREFORE RESOLVED that the Legislative Assembly call on the government of New Brunswick to respect the spirit and intent of the Poverty Reduction Plan, reject a two-tiered minimum wage and immediately implement the recommendation of the Poverty Reduction Plan to raise the minimum wage to \$10.

Motion 6 by Mr. Bernard LeBlanc, seconded by Mr. Boudreau to propose the following resolution on Thursday, December 1, 2011:

WHEREAS the previous Liberal government undertook an unprecedented public engagement in 2009 with the business sector, the non-profit sector, and citizens living in poverty, which resulted in a bipartisan poverty reduction plan;

WHEREAS the Premier, then the Leader of the Opposition, participated fully in the engagement process and the announcement of the poverty reduction plan;

WHEREAS the Premier, then the Leader of the Opposition, stated that he was "proud" to have participated in the process and committed his party to implementing the recommendations of the poverty reduction task force;

WHEREAS the Premier, then the Leader of the Opposition, stated in an opinion column published in various provincial newspapers in November 2009 that we have to do more;

WHEREAS, since forming the government, the Alward Conservatives have ignored or postponed several important deadlines for the implementation of poverty reduction initiatives;

WHEREAS there is considerable disparity between what Premier Alward said while he was in the opposition and what he has done since forming the government;

BE IT THEREFORE RESOLVED that the Legislature urge the government to honour the commitments made by the Premier when, as Leader of the Opposition, he expressed his support for the poverty reduction plan.

Motions for Returns

Motion 8 by Mr. Kenny, seconded by Mr. Haché to propose the following resolution on Thursday, December 1, 2011:

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 including correspondence, however recorded, stored or archived, by electronic means or otherwise, between NB Power, the Department of Energy, and any third party in relation to all expenses and costs included in the Deferral account associated with the refurbishment of the Point Lepreau generating station since March 28, 2008, including an itemized list of these costs and expenses.

Motion 9 by Mr. Doucet, seconded by Mr. Albert to propose the following resolution on Thursday, December 1, 2011:

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 since October 13, 2010, including correspondence, however recorded, stored or archived, by electronic means or otherwise, including, but not limited to, all proposals, contracts, engagement letters and records of meetings between the Department of Transportation and all consultants, corporations, individuals with respect to the conduct of any reviews, assessments or evaluations on the operations of the Department of Transportation.

Motion 10 by Mr. Kenny, seconded by Mr. Haché to propose the following resolution on Thursday, December 1, 2011:

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 since October 13, 2010, including correspondence, however recorded, stored or archived, by electronic means or otherwise, between the Department of Energy, the Premier's Office, The Executive Council Office, NB Power and any other individuals, or corporations with respect to the engagement of the consulting firm Alexander Proudfoot by NB Power including, but not limited to all correspondence, memos, contracts, directives, and proposals.

Motion 11 by Mr. Arseneault, seconded by Mr. Haché to propose the following resolution on Thursday, December 1, 2011:

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, including correspondence, however recorded or stored, by electronic means or otherwise, between the Office of the Premier, Executive Council Office, Communications New Brunswick, Department of Environment, Office of the Auditor-General and the Greater Moncton Sewerage Commission related to the release of the 2011 Auditor-General's report of wastewater commissions.

Motion 12 by Mr. Arseneault, seconded by Mr. Bernard LeBlanc to propose the following resolution on Thursday, December 8, 2011:

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, including correspondence, however recorded, stored or archived, by electronic means or otherwise, between the province of New Brunswick, the Dalhousie Nursing Home or any other corporations or third parties it may have solicited information or advice, regarding the construction of the new nursing home in Dalhousie, including all engineering reports and architectural plans, budgets, and all correspondence since September 27, 2010.

Motion 13 by Mr. Arseneault, seconded by Mr. Collins to propose the following resolution on Thursday, December 8, 2011:

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, including correspondence, however recorded, stored or archived, by electronic means or otherwise, from any department related to the federal crime legislation, Bill C-10, including but not limited to any records of meetings with the federal government and stakeholders, presentations, position papers, correspondence or plans given or received by the provincial government, and any information related to the financial impact of Bill C-10 on the province of New Brunswick.

Motion 14 by Mr. Bernard LeBlanc, seconded by Mr. Kenny to propose the following resolution on Thursday, December 8, 2011:

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, including correspondence, however recorded, archived or stored, related to the number of seniors waiting in hospital for nursing home spaces, including a breakdown of the numbers by location and month since October 2010.

Motion 16 by Mr. Fraser, seconded by Mr. Boudreau to propose the following resolution on Thursday, December 15, 2011:

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, including correspondence, however recorded, stored or archived, by electronic means or otherwise, between the Department of Health, the Premier's Office, Horizon Health Network, Vitalité Health Network and any other government department or agency regarding any and all directions from the Department of Health and/or Premier's Office to the health networks on cuts to meet the budget reductions mandated by the Alward government, including any feedback from the health networks.

Motion 17 by Mr. Albert, seconded by Mr. D. Landry to propose the following resolution on Thursday, December 15, 2011:

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, including correspondence, however recorded, stored or archived, by electronic means or otherwise, regarding all seafood processing licences issued by the Department of Fisheries since September 1, 2010.

Motion 18 by Mr. Doucet, seconded by Mr. Boudreau to propose the following resolution on Thursday, December 15, 2011:

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, including correspondence, however recorded, stored or archived, by electronic means or otherwise, regarding any tenders issued or contracts awarded for any maintenance, snow removal and/or improvement of the Coal Creek Road in Queens County since September 27, 2010.

CONCLUDED

Motion 7 by Mr. Melanson. Debated and carried as amended December 1, 2011.

PETITIONS

- Petition 1: Mr. Fraser, November 24, 2011.
- Petition 2: Mr. Bertrand LeBlanc, November 24, 2011.
- Petition 3: Mr. Fraser, November 24, 2011.
- Petition 4: Mr. Bertrand LeBlanc, November 24, 2011.
- Petition 5: Mr. Fraser, November 24, 2011.
- Petition 6: Mr. Albert, November 24, 2011.
- Petition 7: Mr. Melanson, November 24, 2011.
- Petition 8: Mr. Fraser, November 29, 2011.
- Petition 9: Mr. MacDonald, November 29, 2011.
- Petition 10: Mr. Bertrand LeBlanc, November 29, 2011.
- Petition 11: Mr. Boudreau, November 29, 2011.
- Petition 12: Mr. Arseneault, November 29, 2011.
- Petition 13: Mr. Kenny, November 29, 2011.
- Petition 14: Mr. Collins, November 29, 2011.
- Petition 15: Mr. Doucet, November 29, 2011.
- Petition 16: Mr. Melanson, November 29, 2011.
- Petition 17: Mr. Haché, November 29, 2011.
- Petition 18: Mr. Albert, November 29, 2011.
- Petition 19: Mr. D. Landry, November 29, 2011.
- Petition 20: Mr. Bernard LeBlanc, November 29, 2011.
- Petition 21: Mr. Fraser, November 29, 2011.
- Petition 22: Mr. Bertrand LeBlanc, November 29, 2011.
- Petition 23: Mr. Fraser, November 30, 2011.
- Petition 24: Mr. Bertrand LeBlanc, November 30, 2011.
- Petition 25: Mr. Arseneault, November 30, 2011.
- Petition 26: Mr. Haché, November 30, 2011.
- Petition 27: Mr. Bernard LeBlanc, November 30, 2011.
- Petition 28: Mr. Collins, November 30, 2011.
- Petition 29: Mr. Kenny, November 30, 2011.
- Petition 30: Mr. Albert, November 30, 2011.
- Petition 31: Mr. Doucet, November 30, 2011.
- Petition 32: Mr. D. Landry, November 30, 2011.
- Petition 33: Mr. Melanson, November 30, 2011.
- Petition 34: Mr. Fraser, November 30, 2011.
- Petition 35: Mr. Bertrand LeBlanc, November 30, 2011.
- Petition 36: Mr. Fraser, November 30, 2011.
- Petition 37: Mr. Melanson, November 30, 2011.
- Petition 38: Mr. Boudreau, November 30, 2011.

Petition 39: Mr. Melanson, November 30, 2011.
Petition 40: Mr. Boudreau, December 6, 2011.
Petition 41: Mr. Riordon, December 6, 2011.
Petition 42: Mr. Fraser, December 6, 2011.
Petition 43: Mr. Savoie, December 6, 2011.
Petition 44: Mr. Bertrand LeBlanc, December 6, 2011.

COMMITTEE REPORTS

Standing Committee on Health Care

First Report, November 30, 2011

REPORTS/DOCUMENTS

Tabled in the House

Action Plan for a New Local Governance System in New Brunswick
(Tabled by Hon. Mr. Fitch December 6, 2011)

Filed in the Clerk's Office

Annual Report 2010-2011, FacilicorpNB

(Filed December 5, 2011)

Loredana Catalli Sonier, Q.C.
Clerk of the Legislative Assembly