



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

ORDER AND NOTICE PAPER - Sitting No. 25
Tuesday, April 10, 2012

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 MOTIONS

Resuming the adjourned debate on the motion that this House approves in general the budgetary policy of the government. (Motion 25)

Debate interrupted due to expiration of time.

Debate to resume on Tuesday, April 10, 2012.

GOVERNMENT BILLS FOR SECOND READING

Bills Ordered for Second Reading

Bill 23, An Act to Amend the Loan and Trust Companies Act - Hon. Ms. Blais, Q.C.

Bill 24, An Act to Amend the Motor Vehicle Act - Hon. Mr. Trevors

Bill 25, An Act to Amend the Tuition Tax Cash Back Credit Act - Hon. Mr. Higgs

Bill 26, An Act to Amend the Electricity Act - Hon. Ms. Blaney

Bill 27, An Act to Amend the Queen's Counsel and Precedence Act

- Hon. Ms. Blais, Q.C.

Bill 28, Species at Risk Act - Hon. Mr. Northrup

COMMITTEE OF THE WHOLE

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

PRIVATE BILLS REFERRED TO THE STANDING COMMITTEE ON PRIVATE BILLS

Bill 21, Rothesay Netherwood School Act - Mr. Killen

Bill 22, An Act to Incorporate the Association of Registered Professional Foresters of New Brunswick - Mr. Bonenfant

COMMITTEE OF SUPPLY

Capital Estimates, 2012-2013

Supplementary Estimates, 2010-2011, Volume II (Adopted December 14, 2011)

GOVERNMENT 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.

Motion 19 by Hon. Mr. Higgs. Debated and carried December 13, 2011.

Motion 28 by Hon. Mr. P. Robichaud. Carried March 28, 2012.

Motion 34 by Hon. Mr. P. Robichaud. Carried March 28, 2012.

Motion 35 by Hon. Mr. P. Robichaud. Carried March 28, 2012.

Motion 44 by Hon. Ms. Blais, Q.C. Carried April 5, 2012.

OPPOSITION MEMBERS' BUSINESS

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Bill 12, An Act to Amend the Members' Conflict of Interest Act - Mr. Boudreau

Bill 14, An Act to Amend the Assessment Act - Mr. Bertrand LeBlanc

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 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.

[Debate interrupted due to expiration of time.]

Motion 21 by Mr. Collins, seconded by Mr. Fraser to propose the following resolution on Thursday, December 15, 2011:

WHEREAS the serious illness of a child often puts parents and/or guardians under extreme emotional stress and economic hardship;

WHEREAS the current rules surrounding Employment Insurance do not allow for parents to receive benefits while tending to a seriously ill child;

WHEREAS the current rules surrounding Employment Insurance allow for workers to receive benefits while tending to a seriously ill parent;

WHEREAS the parents and/or guardians of seriously ill children do not have any job security when they take time off to tend to their children;

WHEREAS parents and/or guardians can lose their jobs while tending to a seriously ill child;

WHEREAS this represents an inequity in the workforce;

WHEREAS there are currently two Private Members' Bills before the House of Commons to address this issue;

BE IT THEREFORE RESOLVED that the Legislature urge the Government of New Brunswick to urge the federal government to support the passing of Bill C-323 and Bill C-542, to allow the parents of seriously ill children to take sick leave and maintain job security when taking time off to tend to a seriously ill child.

Motion 22 by Mr. Collins, seconded by Mr. Fraser to propose the following resolution on Thursday, December 15, 2011:

WHEREAS there is no children's hospital in New Brunswick;

WHEREAS the serious illness of a child may therefore require parents and/or guardians to seek treatment out of province;

WHEREAS out of province travel, accommodations and other expenses often have to be paid out of pocket by parents and/or guardians;

WHEREAS there currently does not exist any policy, plan or fund to assist the parents and/or guardians of children with serious illness with these expenses;

WHEREAS this often creates financial hardship for the families of seriously ill children;

BE IT THEREFORE RESOLVED that the Legislature urge the Government of New Brunswick to implement and disburse a fund to provide financial assistance for out-of-province expense costs for the parents and/or guardians of seriously ill children who have to travel out of province for treatment.

Motion 30 by Mr. Fraser, seconded by Mr. Collins to propose the following resolution on Thursday, April 5, 2012:

WHEREAS the Moncton City Hospital and the Saint John Regional Hospital are the only two neurological Centres of Excellence in the province;

WHEREAS doctors and medical experts agree that Moncton City Hospital and Saint John Regional Hospital, as major trauma centres serving patients from all regions of the province, would provide better health care with the availability of 3T Magnetic Resonance Imaging;

WHEREAS the Alward government has ruled out the installation of 3T MRIs, going so far as to refuse an offer of a \$1 million contribution by a hospital foundation;

BE IT THEREFORE RESOLVED that the Legislature urge the provincial government to heed the advice of medical professionals and purchase and install 3T MRIs at Moncton City Hospital and Saint John Regional Hospital.

Motion 31 by Mr. Kenny, seconded by Mr. Doucet to propose the following resolution on Thursday, April 5, 2012:

WHEREAS Acadian Coach Lines drivers have been on strike for more than three months;

WHEREAS Acadian Coach Lines is the only public inter-city mode of transportation in New Brunswick;

WHEREAS many New Brunswickers depend on Acadian Coach Lines for transportation;

WHEREAS the federal government has refused to intervene in this strike, with New Brunswick's Conservative MPs, cabinet ministers and Senators remaining silent on the issue;

BE IT THEREFORE RESOLVED that the Legislature urge the provincial government to demand the federal government intervene in this labour dispute so that public inter-city transportation can resume in New Brunswick.

Motion 32 by Mr. Melanson, seconded by Mr. Collins to propose the following resolution on Thursday, April 5, 2012:

WHEREAS many factors contribute to economic growth;

WHEREAS a qualified workforce is critical to job creation and economic sustainability;

WHEREAS the business community has identified the lack of access to a qualified workforce as a significant roadblock to growth;

WHEREAS the Alward government has not addressed this issue through the creation of a fully integrated job creation plan that would include specific initiatives in response to this need;

BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick urge the provincial government to organize and facilitate a provincial employment summit before the end of May 2012, which would bring together stakeholders from the business community, the nonprofit sector, and postsecondary institutions, in order to understand the needs, identify the gaps, and propose a solution.

[Debate interrupted due to expiration of time.]

Motion 39 by Mr. Kenny, seconded by Mr. Arseneault to propose the following resolution on Thursday, April 12, 2012:

WHEREAS the Point Lepreau refurbishment project is three years behind schedule and \$1 billion over budget;

WHEREAS the refurbishment contract was signed by the former Progressive Conservative government of Bernard Lord in 2006, with no protection for cost overruns;

WHEREAS the Minister of Energy has stated in this House that his government will accept nothing less than full compensation from the government of Canada for cost overruns at Lepreau;

WHEREAS the Prime Minister of Canada has stated publicly that the federal government will only honour its contractual obligations in the refurbishment project;

BE IT THEREFORE RESOLVED that the Legislative Assembly call on the government of New Brunswick to sue the federal government for the full value of the cost overruns at Lepreau.

Motion 40 by Mr. Arseneault, seconded by Mr. Boudreau to propose the following resolution on Thursday, April 12, 2012:

WHEREAS the increasing price of gas creates significant economic hardship for ordinary New Brunswickers, particularly those who live in rural regions; and

WHEREAS the Conservative government raised the gas tax by 2.9 cents per litre, plus HST in its first budget, despite its election promise not to raise taxes that affect ordinary New Brunswickers; and

WHEREAS the provincial government collected \$247.3 million in gas taxes in 2010-2011;

BE IT THEREFORE RESOLVED that the House urge the government to immediately implement a gas tax rebate for all New Brunswickers.

Motion 41 by Mr. Fraser, seconded by Mr. Boudreau to propose the following resolution on Thursday, April 12, 2012:

WHEREAS the Premier committed during the 2010 election campaign to guaranteeing that the annual budget for the Department of Health will increase each and every year of a four-year mandate by a minimum of three per cent;

AND WHEREAS the most recent budget limits the increase of the budget for the Department of Health to 1.6 per cent growth;

AND WHEREAS the budget for the Department of Health has increased by an average of approximately 7 per cent annually between 2006 and 2010;

AND WHEREAS this health budget reduction will mean the Department of Health will likely have to make drastic cuts to programs and services of more than \$136 million to meet this budget target;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to provide detailed information on the specific cuts to programs and services to the health care system that will be required to meet this difficult budget target.

Motion 42 by Mr. Fraser, seconded by Mr. Kenny to propose the following resolution on Thursday, April 12, 2012:

WHEREAS investments in preventative health care now will result in primary care savings in the future;

WHEREAS obesity is a major roadblock to healthy living in our province, which consistently ranks among the highest in Canada in obesity rates;

WHEREAS an obesity clinic pilot program in Bathurst has helped approximately 800 patients manage their diabetes, high blood pressure and other obesity-related conditions;

WHEREAS the provincial government has cut funding to the clinic;

BE IT THEREFORE RESOLVED that the Legislature urge the provincial government to reinstate funding to the obesity clinic program as an investment in preventative health care.

Motion 43 by Mr. Kenny, seconded by Mr. Haché to propose the following resolution on Thursday, April 12, 2012:

WHEREAS Brunswick Mines is due to cease operation in Bathurst next year;

WHEREAS Brunswick Mines is an important employer in northern New Brunswick, with more than 900 employees and more than 1,200 jobs indirectly linked to the mine;

WHEREAS the closure of the mine will have a significant and detrimental effect on the economy of northern New Brunswick;

BE IT THEREFORE RESOLVED that the Legislature urge the provincial government to develop and release a strategy to stimulate and improve the northern New Brunswick economy to lessen the blow of the mine closure.

Motions for Returns

Motion 33 by Mr. Arseneault, seconded by Mr. Melanson to propose the following resolution on Thursday, April 5, 2012:

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 the number of vacancies in Parts I, II, III and IV of the New Brunswick civil service and the classification of each position and/or the position description as of today's date.

Motion 36 by Mr. Arseneault, seconded by Mr. Bertrand LeBlanc to propose the following resolution on Thursday, April 12, 2012:

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 the total number of applicants to the Property Tax Deferral Program for Seniors from the program start date of March 1, 2012 to present.

Motion 37 by Mr. Fraser, seconded by Mr. Bernard LeBlanc to propose the following resolution on Thursday, April 12, 2012:

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 but not limited to correspondence, however recorded, stored or archived, by electronic means or otherwise, related to the number of alternative level of care beds, how many beds have been designated, and the staffing complement of RNs, LPNs and PCAs for alternative level of care patients, in each of the province's hospitals.

Motion 38 by Mr. Doucet, seconded by Mr. Haché to propose the following resolution on Thursday, April 12, 2012:

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 but not limited to correspondence, however recorded, stored or archived, by electronic means or otherwise, related to the negotiations between the former Department of Supply and Services, the Department of Transportation and Infrastructure, the former Department of Tourism and Park, the Department of Culture, Tourism and Healthy Living and all other government departments and agencies, and New Castle Hotels & Resorts and Southwest Properties, regarding the Algonquin Hotel.

CONCLUDED

Motion 5 by Mr. Collins. Debated and defeated December 15, 2011.

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

Motion 20 by Mr. Fraser. Debated and carried as amended December 15, 2011.

Motion 29 by Mr. Melanson. Debated and carried as amended April 5, 2012.

WITHDRAWN AS DOCUMENTS TABLED

Motions 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 23, 24, 26 and 27 withdrawn April 4, 2012.

PETITIONS

Petition 1: Mr. Fraser, November 24, 2011. (Response, December 21, 2011)
 Petition 2: Mr. Bertrand LeBlanc, November 24, 2011. (Response, February 7, 2012)
 Petition 3: Mr. Fraser, November 24, 2011. (Response, December 8, 2011)
 Petition 4: Mr. Bertrand LeBlanc, November 24, 2011. (Response, December 13, 2011)
 Petition 5: Mr. Fraser, November 24, 2011. (Response, December 13, 2011)
 Petition 6: Mr. Albert, November 24, 2011. (Response, December 13, 2011)
 Petition 7: Mr. Melanson, November 24, 2011. (Response, December 13, 2011)
 Petition 8: Mr. Fraser, November 29, 2011. (Response, December 21, 2011)
 Petition 9: Mr. MacDonald, November 29, 2011. (Response, December 13, 2011)
 Petition 10: Mr. Bertrand LeBlanc, November 29, 2011. (Response, February 7, 2012)
 Petition 11: Mr. Boudreau, November 29, 2011. (Response, December 13, 2011)
 Petition 12: Mr. Arseneault, November 29, 2011. (Response, December 13, 2011)
 Petition 13: Mr. Kenny, November 29, 2011. (Response, December 13, 2011)
 Petition 14: Mr. Collins, November 29, 2011. (Response, December 13, 2011)
 Petition 15: Mr. Doucet, November 29, 2011. (Response, December 13, 2011)
 Petition 16: Mr. Melanson, November 29, 2011. (Response, December 13, 2011)
 Petition 17: Mr. Haché, November 29, 2011. (Response, December 13, 2011)
 Petition 18: Mr. Albert, November 29, 2011. (Response, December 13, 2011)
 Petition 19: Mr. D. Landry, November 29, 2011. (Response, December 13, 2011)
 Petition 20: Mr. Bernard LeBlanc, November 29, 2011. (Response, December 13, 2011)
 Petition 21: Mr. Fraser, November 29, 2011. (Response, December 13, 2011)
 Petition 22: Mr. Bertrand LeBlanc, November 29, 2011. (Response, December 13, 2011)
 Petition 23: Mr. Fraser, November 30, 2011. (Response, December 21, 2011)
 Petition 24: Mr. Bertrand LeBlanc, November 30, 2011. (Response, February 7, 2012)
 Petition 25: Mr. Arseneault, November 30, 2011. (Response, January 11, 2012)
 Petition 26: Mr. Haché, November 30, 2011. (Response, January 11, 2012)
 Petition 27: Mr. Bernard LeBlanc, November 30, 2011. (Response, January 11, 2012)
 Petition 28: Mr. Collins, November 30, 2011. (Response, January 11, 2012)
 Petition 29: Mr. Kenny, November 30, 2011. (Response, January 11, 2012)
 Petition 30: Mr. Albert, November 30, 2011. (Response, January 11, 2012)
 Petition 31: Mr. Doucet, November 30, 2011. (Response, January 11, 2012)
 Petition 32: Mr. D. Landry, November 30, 2011. (Response, January 11, 2012)
 Petition 33: Mr. Melanson, November 30, 2011. (Response, December 21, 2011)
 Petition 34: Mr. Fraser, November 30, 2011. (Response, December 19, 2011)
 Petition 35: Mr. Bertrand LeBlanc, November 30, 2011. (Response, January 11, 2012)
 Petition 36: Mr. Fraser, November 30, 2011. (Response, January 11, 2012)
 Petition 37: Mr. Melanson, November 30, 2011. (Response, January 11, 2012)
 Petition 38: Mr. Boudreau, November 30, 2011. (Response, January 11, 2012)
 Petition 39: Mr. Melanson, November 30, 2011. (Response, January 4, 2012)

Petition 40: Mr. Boudreau, December 6, 2011.	(Response, December 20, 2011)
Petition 41: Mr. Riordon, December 6, 2011.	(Response, January 4, 2012)
Petition 42: Mr. Fraser, December 6, 2011.	(Response, December 21, 2011)
Petition 43: Mr. Savoie, December 6, 2011.	(Response, December 21, 2011)
Petition 44: Mr. Bertrand LeBlanc, December 6, 2011.	(Response, December 20, 2011)
Petition 45: Mr. Fraser, December 8, 2011.	(Response, January 13, 2012)
Petition 46: Mr. Jack Carr, December 8, 2011.	(Response, December 20, 2011)
Petition 47: Mr. Bertrand LeBlanc, December 8, 2011.	(Response, January 13, 2012)
Petition 48: Mr. Fraser, December 9, 2011.	(Response, January 13, 2012)
Petition 49: Mr. Bertrand LeBlanc, December 9, 2011.	(Response, January 13, 2012)
Petition 50: Mr. Fraser, December 13, 2011.	(Response, January 13, 2012)
Petition 51: Mr. Bernard LeBlanc, December 14, 2011.	(Response, January 12, 2012)
Petition 52: Mr. Riordon, December 15, 2011.	(Response, January 24, 2012)
Petition 53: Mr. Bonenfant, December 15, 2011.	(Response, January 24, 2012)
Petition 54: Mr. Bertrand LeBlanc, December 16, 2011.	(Response, January 13, 2012)
Petition 55: Mr. Albert, December 16, 2011.	(Response, January 13, 2012)
Petition 56: Mr. Melanson, December 16, 2011.	(Response, January 13, 2012)
Petition 57: Mr. D. Landry, December 16, 2011.	(Response, January 13, 2012)
Petition 58: Mr. Fraser, December 20, 2011.	(Response, January 13, 2012)
Petition 59: Mr. Fraser, December 20, 2011.	(Response, January 13, 2012)
Petition 60: Mr. Bertrand LeBlanc, December 20, 2011.	(Response, February 7, 2012)
Petition 61: Mr. Fraser, December 21, 2011.	(Response, January 13, 2012)
Petition 62: Mr. Fraser, March 28, 2012.	
Petition 63: Mr. Bertrand LeBlanc, March 28, 2012.	
Petition 64: Mr. Bertrand LeBlanc, March 30, 2012.	
Petition 65: Mr. Fraser, March 30, 2012.	
Petition 66: Mr. Collins, April 3, 2012.	
Petition 67: Mr. Fraser, April 3, 2012.	
Petition 68: Mr. Bertrand LeBlanc, April 3, 2012.	
Petition 69: Mr. Fraser, April 3, 2012.	
Petition 70: Mr. Bertrand LeBlanc, April 3, 2012.	
Petition 71: Mr. Boudreau, April 4, 2012.	
Petition 72: Mr. Melanson, April 4, 2012.	
Petition 73: Mr. Fraser, April 4, 2012.	
Petition 74: Mr. Bertrand LeBlanc, April 4, 2012.	
Petition 75: Mr. Fraser, April 5, 2012.	
Petition 76: Mr. Bertrand LeBlanc, April 5, 2012.	
Petition 77: Mr. Doucet, April 5, 2012.	

COMMITTEE REPORTS

Standing Committee on Health Care

First Report, November 30, 2011

COMMITTEE MEETINGS

The Standing Committee on Private Bills will meet on Thursday, April 12, 2012, at 10:15 a.m., in the Legislative Council Chamber.

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