

Daily sitting 6

Wednesday, December 5, 2012

10 o'clock a.m.

Prayers.

Mr. Speaker advised the House that Petition 1, presented the previous sitting day, was not in original form. Accordingly, the petition was returned to the Member.

Pursuant to the terms of the resolution appointing the Select Committee on the Revision of the *Official Languages Act*, Hon. Ms. Blais presented the Interim Report of the Committee, which was filed with the Clerk of the Legislative Assembly and released on June 28, 2012, and it is as follows:

June 28, 2012

To the Honourable
The Legislative Assembly of
The Province of New Brunswick

Mr. Speaker:

We are pleased to present the Interim Report of the Select Committee on the Revision of the *Official Languages Act*.

The Select Committee on the Revision of the *Official Languages Act* is mandated to oversee the examination of and consultation on the *Official Languages Act*, to review legal decisions, recommendations of the Office of the Commissioner of Official Languages, as well as suggestions and recommendations from civil society and New Brunswickers.

Pursuant to Motion 95, adopted June 8, 2011, the Committee shall file with the Legislative Assembly an interim report and a final report with recommendations.

Respectfully submitted,

Hon. Ms. Marie-Claude Blais, Q.C.
Chair

Hédard Albert, MLA
Vice-Chair

Ordered that the Report be received, that leave be granted, and the Committee continued.

The full report of the Committee as presented follows:

Background

The Status of New Brunswick as an officially bilingual province is enshrined in the Canadian Charter of Rights and Freedoms. Official bilingualism has guided cultural, social, and political growth in New Brunswick since 1969. The official languages of New Brunswick are an integral part of the identity and unique character of the province.

The *Official Languages Act*, which was passed in 2002, provides for a review of the Act to be initiated before December 31, 2012. Pursuant to the Act, a regulation was passed to prescribe the form and the manner in which the review was to be undertaken.

The Legislative Assembly has established a Select Committee on the Revision of the *Official Languages Act*. As stipulated in Motion 95 adopted on June 8, 2011, the Select Committee is made up of both government and opposition Members. The committee is tasked with submitting recommendations to the Legislative Assembly.

Select Committee on the Revision of the *Official Languages Act*

Membership and Mandate

The members of the committee are Hon. Marie-Claude Blais, Q.C., Chair; Mr. Hédard Albert, Vice-Chair; Mr. Yvon Bonenfant; Mr. Greg Davis; Mr. Carl Killen; Mr. Claude Landry; Ms. Pam Lynch; Mr. Wes McLean; Mr. Ryan Riordon; Mr. Chris Collins; and Mr. Roland Haché.

The committee has a mandate to undertake a review of the Act, to conduct consultations, to review legal decisions, recommendations from the Office of the Commissioner of Official Languages for New Brunswick, and suggestions and recommendations from civil society and New Brunswickers. The committee shall present an interim report and a final report with recommendations to the Legislative Assembly.

Work of the Committee as of June 28, 2012

The committee met on February 14, May 30, June 6 and 19, 2012. The committee approved a consultation process, a time frame for its work, and a preliminary list of interest groups and individuals to meet with. It also considered the principal legal decisions related to official languages in Canada and New Brunswick.

The committee met with a stakeholder group that had already prepared and submitted to the Premier and to the Chair of the Committee, a proposal for a revised Act. The group is composed of the SANB, the Association des juristes d'expression française and the Observatoire international des droits linguistiques. The committee also met with the Commissioner of Official Languages for New Brunswick, as stipulated in Motion 95.

The Select Committee is supported by an interdepartmental working group, which provides files, analysis, definitions, and other relevant information to enable the committee to fulfill its mandate and propose appropriate changes.

Time Frame

The Select Committee has approved a time frame designed to provide for tabling a bill before the end of December 2012. The time frame provides for consultations lasting until late August and the tabling of a final report with recommendations to the Legislative Assembly in mid-October. This would enable the interdepartmental working group to draft a bill that would be introduced for adoption in December 2012.

New Brunswick citizens and interested groups and organizations will have almost three months to share their comments with the Select Committee. Furthermore, members of the committee will meet with groups and organizations in the coming weeks to hear their comments and suggestions. The Select Committee will be inclusive in its approach. If a specific group or individual requires more time, the committee will be flexible.

Consultation Process

To promote open and constructive debate, the committee has developed four questions to guide reflection and solicit suggestions and comments from the public.

The consultation process was launched on June 7, 2012, when the Premier and the Leader of the Opposition made statements in the House inviting the people of the province to take part in the process. Individuals and groups have until August 31 to contribute to the review exercise by responding to the four questions developed by the committee or by submitting their views by mail or e-mail.

The Questions

1. The *Official Languages Act* provides for the delivery of services in both official languages by government institutions. It establishes the criteria for areas to which the Act applies, such as policing services, health services, and municipalities.

In your opinion, what services should be specified in the *Official Languages Act*?

2. The *Official Languages Act* does not provide for any mechanism to ensure that the obligations of the government with regard to official languages are carried out.

In your opinion, how can we ensure compliance with the *Official Languages Act*?

3. The *Official Languages Act* specifies that the role of the Commissioner of Official Languages is to investigate, report on, and make recommendations with regard to compliance with the Act and to promote the advancement of both official languages.

In your opinion, how does the Commissioner of Official Languages, in performing his duties, contribute to ensuring compliance with the *Official Languages Act*?

4. The status of New Brunswick as an officially bilingual province is enshrined in the Canadian Constitution.

In your opinion, how can New Brunswickers be better informed about this?

The questions are posted on the Legislative Assembly Web site and will be published in newspapers across the province over the next few months. Individuals and interest groups may submit comments via the Web site at www.gnb.ca/legis, or mail them, addressed to the attention of the Select Committee on the Revision of the *Official Languages Act*, to the Legislative Assembly of New Brunswick, P.O. Box 6000, Fredericton, New Brunswick, E3B 5H1, or e-mail them to OLA-LLO.consultations@gnb.ca.

The committee has also agreed to hold meetings with individuals, experts, and interest groups presenting briefs and suggestions. These meetings can be held throughout the province if necessary.

Next Steps

Over the coming months, the committee will be meeting with interest groups, experts, and individuals, and will be studying the suggestions, proposals, and comments that are submitted.

The Select Committee will present its final report with recommendations to the Legislative Assembly in mid-October.

All of which is respectfully submitted,

Hon. Ms. Marie-Claude Blais, Q.C.
Chair

Hédard Albert, MLA
Vice-Chair

ADDENDUM TO THE INTERIM REPORT OF THE
SELECT COMMITTEE ON THE REVISION OF
THE *OFFICIAL LANGUAGES ACT*

Clarification

The committee met with a stakeholder group composed of the SANB and the Association des juristes d'expression française. The group presented the main points of the draft bill, proposed by the SANB, the Association des juristes d'expression française and the Observatoire international des droits linguistiques.

The following Bills were introduced and read a first time:

By Hon. Mr. P. Robichaud,

Bill 9, *An Act to Amend the Elections Act*.

By Hon. Ms. Stultz,

Bill 10, *An Act to Amend An Act Respecting Vital Statistics*.

By Hon. Mr. Flemming, Q.C.,

Bill 11, *An Act to Amend the Personal Health Information Privacy and Access Act*.

Hon. Mr. Higgs gave Notice of Motion 8 that on Tuesday, December 11, 2012, he would move the following resolution, seconded by the Honourable the Premier:

THAT this House approves in general the capital budgetary policy of the government.

Mr. Melanson gave Notice of Motion 9 that on Thursday, December 13, 2012, he would move the following resolution, seconded by Mr. Boudreau:

WHEREAS the economy of New Brunswick experienced zero growth in the past year;

WHEREAS unemployment in New Brunswick has risen to 11.6 per cent;

WHEREAS the economy of our major trading partner, the United States, is precarious;

WHEREAS this weak economic performance means lower revenues for government, making it more difficult for government to deliver its services and address our fiscal challenge;

WHEREAS this bleak economic outlook is an issue that rises above political differences;

WHEREAS the Opposition offers to work with government on solutions;

BE IT RESOLVED THAT the Legislature urge the government and opposition to work together in convening a job summit representing a cross-section of stakeholders in the economy to review the current economic circumstances and make recommendations to government for remedial action.

Mr. Arseneault gave Notice of Motion 10 that on Thursday, December 13, 2012, he would move the following resolution, seconded by Mr. Fraser:

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, however recorded, stored or archived, including but not limited to any correspondence in any form, between the Department of Health, any other government department, agency or Crown Corporation, any stakeholder group, and any government employee, including but not limited to Ministers, MLAs and departmental staff, in relation to the savings realized from generic drug pricing.

Mr. Doucet gave Notice of Motion 11 that on Thursday, December 13, 2012, he would move the following resolution, seconded by Mr. Arseneault:

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, regarding the Department of Public Safety's consultation on the Graduated Driver's Licence Program, from October 13, 2010.

Mr. Fraser gave Notice of Motion 12 that on Thursday, December 13, 2012, he would move the following resolution, seconded by Mr. D. Landry:

THAT an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House the list, however recorded, stored or archived, of all roads identified for work based on the Asset Management System, in order of priority, including the date they were identified and the estimated cost of each project, for the years 2011-2012, 2012-2013 and 2013-2014.

On motion of Hon. Mr. P. Robichaud, seconded by the Honourable the Premier:

RESOLVED, that when the House adjourns on Thursday, December 6, 2012, it stand adjourned until Friday, December 7, 2012, at 10 o'clock a.m.

Hon. Mr. P. Robichaud gave notice that on Friday, December 7, 2012, Bills 9, 10 and 11 would be called for second reading.

Hon. Mr. P. Robichaud, Government House Leader, announced that it was the intention of government that Bills 4 and 6 be called for second reading; following which the House would resolve itself into a Committee of the Whole to consider Bills 2, 3 and 5 until 3 o'clock p.m.; following which the House would resume the adjourned debate on the motion for an Address in Reply to the Speech from the Throne.

The Order being read for second reading of Bill 4, *An Act to Amend the Natural Products Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 4 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 4, *An Act to Amend the Natural Products Act*, was read a second time and ordered referred to the Committee of the Whole House.

The Order being read for second reading of Bill 6, *An Act to Amend the Medical Services Payment Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 6 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 6, *An Act to Amend the Medical Services Payment Act*, was read a second time and ordered referred to the Committee of the Whole House.

The House resolved itself into a Committee of the Whole with Mr. Urquhart in the chair.

At 12:30 o'clock p.m., Mr. Urquhart left the chair to resume again at 2 o'clock p.m.

2 o'clock p.m.

The Committee resumed.

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

That the Committee had directed that he report progress on the following Bill:

Bill 2, *An Act Respecting Property Tax Reform*.

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.

The Assembly resumed the adjourned debate on the proposed motion of Ms. Lynch, seconded by Mr. Riordon:

THAT the following Address be presented to His Honour the Lieutenant-Governor to offer the humble thanks of this House to His Honour for the gracious speech which he has been pleased to make to the Legislative Assembly, namely:

Fredericton, N.B.
November 27, 2012.

To His Honour,
The Honourable Graydon Nicholas,
Lieutenant-Governor of the Province of New Brunswick.

May It Please Your Honour:

We, Her Majesty's most dutiful and loyal subjects of the Legislative Assembly of the Province of New Brunswick, now in session, beg leave to extend our humble thanks to Your Honour for the gracious speech which Your Honour has addressed to us, and we assure Your Honour that all matters which may be submitted to us during the session will receive our most careful attention and consideration.

And after some time, due to the unavoidable absence of Mr. Speaker, Mr. Urquhart, the Deputy Speaker, took the chair as Acting Speaker.

And the debate continuing, after some time it was on motion of Mr. McLean, on behalf of the Honourable the Premier, adjourned over.

And then, 6 o'clock p.m., the House adjourned.

Annual Report 2011-2012

RPC Science and Engineering	December 4, 2012
Report of the Auditor General of New Brunswick, Volume 1, 2012	December 4, 2012
Report of the Auditor General of New Brunswick, Volume 2, 2012	December 4, 2012