



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

ORDER AND NOTICE PAPER - Sitting No. 32
Friday, February 14, 2014

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

Motion 22 by Hon. Mr. Higgs, seconded by Hon. Mr. Alward to propose the following resolution on Tuesday, February 4, 2014:

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

Debate adjourned by Mr. Riordon on behalf of Hon. Mr. Alward.

Debate to resume on Tuesday, February 18, 2014.

GOVERNMENT BILLS FOR SECOND READING

Bills Ordered for Second Reading

- Bill 30, An Act to Amend the Tobacco Tax Act - Hon. Mr. Higgs
 Bill 31, An Act to Amend the Gasoline and Motive Fuel Tax Act - Hon. Mr. Higgs
 Bill 32, An Act to Amend the Revenue Administration Act - Hon. Mr. Higgs
 Bill 33, An Act to Amend the Real Property Tax Act - Hon. Mr. Higgs
 Bill 34, An Act to Amend the Medical Services Payment Act
 - Hon. Mr. Flemming, Q.C.
 Bill 35, An Act to Amend the Mental Health Act - Hon. Mr. Flemming, Q.C.
 Bill 36, An Act to Amend the Natural Products Act - Hon. Mr. Olscamp
 Bill 37, An Act to Amend the Elevators and Lifts Act - Hon. Mr. Northrup
 Bill 38, An Act to Amend the Boiler and Pressure Vessel Act - Hon. Mr. Northrup

COMMITTEE OF THE WHOLE

- Bill 2, Lobbyists' Registration Act - Hon. Mr. P. Robichaud
 Bill 5, An Act to Amend the Tobacco Tax Act - Hon. Mr. Higgs
 Bill 13, An Act to Amend the Political Process Financing Act - Mr. Gallant
 Bill 19, An Act to Amend the Tobacco Tax Act - Mr. Arseneault
 Bill 21, An Act to Amend An Act to Amend the Employment Standards Act
 - Hon. Jody Carr
 Bill 22, An Act to Amend the Employment Standards Act - Hon. Jody Carr
 Bill 27, Prescription and Catastrophic Drug Insurance Act - Hon. Mr. Flemming, Q.C.
 Bill 29, An Act to Amend the Auditor General Act - Hon. Mr. P. Robichaud

BILLS AWAITING ROYAL ASSENT

- Bill 28, An Act to Amend the Seafood Processing Act - Hon. Mr. Olscamp

GOVERNMENT MOTIONS

CONCLUDED

- Motion 1** by Hon. Mr. P. Robichaud. Carried November 6, 2013.
Motion 2 by Hon. Mr. P. Robichaud. Carried November 6, 2013.
Motion 32 by Hon. Mr. P. Robichaud. Carried February 13, 2014.

GOVERNMENT PRIVATE MEMBERS' MOTIONS

CONCLUDED

- Motion 17** by Mr. Tait. Debated and carried December 4, 2013.

OPPOSITION MEMBERS' BUSINESS

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Bill 7, An Act to Amend the Environmental Trust Fund Act - Mr. Bernard LeBlanc
 Bill 10, An Act to Amend the Environmental Trust Fund Act - Mr. Bernard LeBlanc
 Bill 12, An Act to Amend the Members' Conflict of Interest Act - Mr. Gallant
 Bill 15, An Act to Amend the Political Process Financing Act - Mr. Gallant
 Bill 16, An Act to Amend the Political Process Financing Act - Mr. Gallant
 Bill 18, An Act to Amend the Smoke-free Places Act - Mr. Arseneault

Adjourned Debate

Bill 14, An Act to Amend the Legislative Assembly Act - Mr. Gallant

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

Motion 5 by Mr. Arseneault, seconded by Mr. Boudreau to propose the following resolution on Thursday, November 14, 2013:

WHEREAS 12 public consultations were held between September 16 and October 9, leading to a renewal of *Overcoming Poverty Together – The New Brunswick Poverty Reduction Plan*;

WHEREAS the province's Poverty Reduction Plan had the following objective: "By 2015, New Brunswick will have reduced income poverty by 25% and deep income poverty by 50%, and will have made significant progress in achieving sustained economic and social inclusion.";

WHEREAS the province's Poverty Reduction Plan had established specific priority actions, both immediate and over a five year period;

BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick urge the provincial government to table in the House within 30 days a detailed progress report on the province's Poverty Reduction Plan that demonstrates goals met and identifies remaining work and a timeline for achieving unmet goals.

[Debate interrupted due to expiration of time]

Motion 13 by Mr. Fraser, seconded by Mr. D. Landry to propose the following resolution on Thursday, November 28, 2013:

WHEREAS, in 2008, the then Department of Transportation—DOT—implemented a new Asset Management Business Framework to better manage the long-term investment requirements of the province's aging highway infrastructure; and

WHEREAS the Asset Management Business Framework—AMBF—was implemented to make the most efficient use of highway capital repair dollars and take the politics out of paving; and

WHEREAS the Auditor General observed that, in the first three years after adopting the Asset Management Business Framework with optimal funding in place, the department noted positive results; and

WHEREAS the Auditor General has noted that the asset management methodology is sound; and

WHEREAS the Auditor General has concluded that, although the department has the appropriate tools in place to identify and prioritize required highway maintenance projects, current funding levels do not allow for completion of an appropriate level of highway maintenance on a timely basis; and

WHEREAS the Auditor General has expressed concern that this will result in deferring required maintenance to future periods at a greater overall cost to the province; and

WHEREAS it is reported in the Auditor General's report that 40% of capital maintenance projects chosen for completion are not recommended through the asset management capital planning process, and it was suggested that some of these are chosen for political reasons;

BE IT THEREFORE RESOLVED that the Legislature urge the government to return to the principles of asset management that have been implemented since 2008 to restore optimum long-term value to New Brunswick highway capital repairs.

Motion 15 by Mr. Collins, seconded by Mr. Melanson to propose the following resolution on Thursday, November 28, 2013:

WHEREAS the causeway gates on the Petitcodiac River were opened on April 14, 2010 as part of a 3 phase restoration project started under the former Liberal government;

WHEREAS the health of the Petitcodiac River has improved substantially, and life forms have returned to the river since the opening of the causeway gates;

WHEREAS a newly invigorated Petitcodiac River has attracted a number of tourists, including avid surfers, to the Moncton area since the opening of the causeway gates;

WHEREAS the third and final phase of the Petitcodiac River Restoration Project involves the construction of a bridge, to replace the causeway structure, that was due to open in 2013;

BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick urge the provincial government to move forward with its application for federal funding for the third and final phase of the Petitcodiac River Restoration Project to allow for the project's completion.

Motion 16 by Mr. Arseneault, seconded by Mr. Collins to propose the following resolution on Thursday, December 5, 2013:

WHEREAS the health budget represents approximately 40% of the total provincial budget; and

WHEREAS according to the report *Modelling New Brunswick's Future Health Care Expenses and Resource Needs*, conducted by the Canadian Institute of Actuaries in conjunction with the New Brunswick Health Council, the health budget will increase by \$1 billion by year 2020; and

WHEREAS according to the aforementioned, smoking represents one of the three main and biggest factors influencing health care costs; and

WHEREAS Canadian Institute for Health Information statistics indicate that New Brunswick exceeds the Canadian average in smoking rates; and

WHEREAS New Brunswick's Wellness Strategy Action Plan only references smoking once, and only in relation to the workplace; and

WHEREAS smoking reduction with a focus on youth, should be a priority for every government;

BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick urge the provincial government to immediately develop a strategy and action plan aimed at reducing youth smoking in New Brunswick.

Motion 21 by Mr. Melanson, seconded by Mr. Albert to propose the following resolution on Thursday, December 12, 2013:

WHEREAS, during the 2010 election campaign, Premier Alward promised to establish a catastrophic drug plan before the fall of 2011;

WHEREAS, during the 2010 election campaign, Premier Alward promised to permanently freeze property tax assessments for all homeowners aged 65 and over;

WHEREAS, during the 2010 election campaign, Premier Alward promised not to raise taxes that affect ordinary New Brunswickers;

WHEREAS, during the 2010 election campaign, Premier Alward promised to stabilize our public finances without raising taxes or reducing services;

WHEREAS, during the 2010 election campaign, Premier Alward promised to ensure that the annual budget of the Department of Health would increase by a minimum of 3% each and every year of his four-year mandate;

WHEREAS, during the 2010 election campaign, Premier Alward promised to reduce the small business tax rate by 50%;

WHEREAS, during the 2010 election campaign, Premier Alward made several other promises that have not been kept;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the Premier to admit to the people of New Brunswick that he has not kept these promises.

[Debate interrupted due to expiration of time]

Motions for Returns

Motion 6 by Mr. Arseneault, seconded by Mr. Fraser to propose the following resolution on Thursday, November 14, 2013:

THAT an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House every position description questionnaire for each senior executive position with Vitalité Health Network, Horizon Health Network and FacilicorpNB, as well as a list of each position description questionnaire that was approved, all between January 1, 2011 and January 1, 2013.

[Documents requested filed November 20, 2013]

Motion 7 by Mr. Arseneault, seconded by Mr. Fraser to propose the following resolution on Thursday, November 14, 2013:

THAT an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House every position description questionnaire for each senior executive management position with Vitalité Health Network, Horizon Health Network, and FacilicorpNB, as well as the list of each position description questionnaire that was approved, all between January 2, 2013, and the present day.

[Documents requested filed November 20, 2013]

Motion 9 by Mr. Bertrand LeBlanc, seconded by Mr. Boudreau to propose the following resolution on Thursday, November 21, 2013:

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 Public Safety, the Department of Education and Early Childhood Development, the Anglophone North School District, the Francophone sud school district, and the Royal Canadian Mounted Police regarding school closures in Kent County because of concerns about student safety following recent shale gas protests in the Rexton area.

[Documents requested filed November 21, 2013]

Motion 11 by Mr. Collins, seconded by Mr. Doucet to propose the following resolution on Thursday, November 21, 2013:

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 and all documentation, however stored, recorded or archived, by electronic means or otherwise, between the Department of Justice, the Office of the Attorney General, the Premier's Office, and Paul D'Astous in relation to auto insurance rates in New Brunswick between October 12, 2010 and the present day.

[Documents requested filed December 20, 2013]

Motion 18 by Mr. Bertrand LeBlanc, seconded by Mr. Bernard LeBlanc to propose the following resolution on Thursday, December 12, 2013:

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, by electronic means or otherwise, between the Department of Energy and Mines, the Department of Public Safety, and the Office of the Premier in relation to the costs associated with the use of RCMP services during the shale gas-related protests, blockades, etc., that occurred between October 1, 2012, and the present day.

[Documents requested filed December 20, 2013]

Motion 19 by Mr. Arseneault, seconded by Mr. Melanson to propose the following resolution on Thursday, December 12, 2013:

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 funding projects approved for the NB Multimedia Initiative, through the Regional Development Corporation and/or the Department of Tourism, Heritage and Culture, since March 31, 2011, including the names of those receiving funding, the amount of funding provided and a description of the projects.

[Documents requested filed December 12, 2013]

Motion 20 by Mr. Fraser, seconded by Mr. Arseneault to propose the following resolution on Thursday, December 12, 2013:

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 and all documentation, however stored, recorded or archived, by electronic means or otherwise, between the Department of Health, Horizon Health Network, Vitalité Health Network, any elected member of the

Legislative Assembly, and any member of the spiritual care committees at any hospital in New Brunswick including minutes of all meetings of the spiritual care committees, correspondence, and notes as it relates to providing spiritual care to clients of any of the hospitals or health care facilities in the Province between October 12, 2010 and the present day.

Motion 23 by Mr. Arseneault, seconded by Mr. Boudreau to propose the following resolution on Thursday, February 13, 2014:

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, in relation to the entry on page 31 of the 2014-2015 provincial Budget Multi-Year Capital Plan, entitled Public-Private partnerships - Restigouche Hospital Centre including, but not limited to, the request for proposals, proposal evaluations, contracts, contract revisions, design changes, budgets and financial information.

Motion 24 by Mr. Fraser, seconded by Mr. Arseneault to propose the following resolution on Thursday, February 13, 2014:

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, in relation to the situation at Mount Saint Joseph Nursing Home regarding the loss of hot water including details on when the government was first notified, and what actions were taken to address the situation including any communication, in any form, between anyone affiliated with the nursing home, the Department of Social Development, the Department of Transportation and Infrastructure, the public, any MLA and any other government employee.

Motion 25 by Mr. Fraser, seconded by Mr. Arseneault to propose the following resolution on Thursday, February 13, 2014:

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, in relation to the negotiations of any agreements, letters of intent, evaluations, assessments, safety concerns, between CN Rail, Via, the Federal Government, the Premier's Office, the Department of Transportation and Infrastructure, any government employee, MLAs, and other stakeholders regarding the rail infrastructure in the Province of New Brunswick.

Motion 26 by Mr. Fraser, seconded by Mr. Arseneault to propose the following resolution on Thursday, February 20, 2014:

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 and documentation regarding the decision to build a new K-8 school in Miramichi and to expand Gretna Green to a K-8 school including but not limited to all studies, evaluations, assessments, reports and recommendations including a copy of the recommendations submitted by the Anglophone North DEC. In addition, any correspondence however stored, electronically or

otherwise, between MLAs, ministers, government employees, executive assistants and members or staff of the DEC in relation to the decision.

Motion 27 by Mr. Fraser, seconded by Mr. Bernard LeBlanc to propose the following resolution on Thursday, February 20, 2014:

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 and documentation including all correspondence, however stored, electronically or otherwise, between MLAs, ministers, government employees, executive assistants, current and former employees of the Memramcook Institute, and any persons or corporations, companies or third parties with respect to personal service contracts, goods and service contracts, employment contracts in relation to the hiring of any employee (full-time, part-time, casual or contract), the provision of any goods or services by a contractor or company at the Memramcook Institute since the government assumed responsibility of the operation of that facility, including but not limited to any management, maintenance, cleaning and janitorial positions or services.

Motion 28 by Mr. Fraser, seconded by Mr. Arseneault to propose the following resolution on Thursday, February 20, 2014:

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 and documentation in relation to the community and stakeholder consultation process leading up to the finalization of the pending provincial forestry plan, including a list of public meetings, stakeholder meetings, and any other forms of consultation that may have been undertaken to gather input from stakeholders and the general public.

Motion 29 by Mr. Fraser, seconded by Mr. Arseneault to propose the following resolution on Thursday, February 20, 2014:

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 and documentation between the Premier's Office, the federal government, the Department of Transportation and Infrastructure and any MLA, or minister including, but not limited to any requests, reports, proposals, agreements, assessments and evaluations in relation to capital improvements to Highway 11, including but not limited to those related to twinning, maintenance, and the expansion of Highway 11 between Moncton and Campbellton.

Motion 30 by Mr. Doucet, seconded by Mr. Boudreau to propose the following resolution on Thursday, February 20, 2014:

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, including mobile to mobile device communication, PINs, SMS text messages, between the Department of Energy, the Department of Finance and the Executive Council Office from November 15, 2010, to the present with respect to the Department of Energy - Saint John office, including but not limited to a detailed breakdown of all expenditures related to the office, any changes in staffing including the number of permanent, part-time and casual employees working out of the Saint John office and any changes to the organizational structure or mandate of the Saint John office.

Motion 31 by Mr. Doucet, seconded by Mr. Boudreau to propose the following resolution on Thursday, February 20, 2014:

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, including mobile to mobile device communication, PINs, SMS text messages, between the Department of Energy, the Department of Finance, the Department of Transportation and Infrastructure, the Executive Council Office and all third parties from November 15, 2010, to the present with respect to renovations to the Department of Energy - Hugh John Flemming complex, including, but not limited to all tenders, RFPs, invitations to tender, contracts, agreements, project fees, estimates, and a detailed breakdown of all costs associated with renovations.

CONCLUDED

Motion 3 by Mr. Fraser. Debated and defeated November 14, 2013.

Motion 4 by Mr. Collins. Debated and defeated November 21, 2013.

Motion 8 by Mr. Doucet. Debated and defeated December 12, 2013.

Motion 10 by Mr. Melanson. Debated and defeated November 21, 2013.

Motion 12 by Mr. Albert. Debated and defeated December 5, 2013.

Motion 14 by Mr. Arseneault. Debated and carried as amended December 5, 2013.

PETITIONS

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| Petition 1: Mr. Doucet, November 6, 2013. | (Response, December 11, 2013) |
| Petition 2: Mr. Gallant, November 14, 2013. | (Response, November 29, 2013) |
| Petition 3: Ms. Wilson, November 21, 2013. | (Response, December 5, 2013) |
| Petition 4: Mr. Savoie, November 29, 2013. | (Response, January 6, 2014) |
| Petition 5: Mr. Harrison, December 10, 2013. | |
| Petition 6: Mr. Albert, December 12, 2013. | (Response, January 17, 2014) |

COMMITTEE REPORTS

Standing Committee on Private Bills

First Report, December 12, 2013

COMMITTEE MEETINGS

The Standing Committee on Estimates will meet in the Chamber of the Legislative Assembly on Tuesday, February 18, 2014, from 2:30 p.m. to 6 p.m., and Thursday, February 20, 2014, from 7 p.m. to 10 p.m.

The Standing Committee on Education will meet in the Chamber of the Legislative Assembly on Tuesday, February 18, 2014, from 7 p.m. to 10 p.m., and Wednesday, February 19, 2014, from 7 p.m. to 10 p.m.

The Legislative Administration Committee will meet on Wednesday, February 19, 2014, at 12:30 p.m. in Room 47 of the Legislative Assembly Building.

Donald J. Forestell
Clerk of the Legislative Assembly