



LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK

Third Session, 60th Legislative Assembly

ORDER AND NOTICE PAPER – Sitting No. 12
Friday, November 3, 2023

ROUTINE PROCEEDINGS

Prayers
Introduction of Guests
Statements of Condolence and Congratulation
Statements by Members
Oral Questions (30 minutes)
Tabling of Documents
Statements by Ministers
Presentations of Petitions
Answers to Petitions and Written Questions
Presentations of Committee Reports
Introduction of Bills
Notices of Motions
Notice of Opposition Members' Business
Government Motions for the Ordering of the Business of the House
Deferred Recorded Divisions
Orders of the Day

ORDERS OF THE DAY

GOVERNMENT BILLS AND ORDERS

GOVERNMENT BILLS FOR THIRD READING

Bill 3, An Act Respecting the Fisheries Bargaining Act and the Industrial Relations Act
– Hon. Ms. Dunn

Bill 4, An Act to Amend the New Brunswick Liquor Corporation Act – Hon. Ms. M. Wilson

Bill 5, An Act to Amend the Real Property Tax Act – Hon. Mr. Steeves

GOVERNMENT BILLS FOR SECOND READING

Bills Ordered for Second Reading

Bill 12, An Act Respecting Trespass on Agricultural Lands – Hon. Ms. Johnson

Bill 13, An Act to Amend the Executive Council Act – Hon. Mr. G. Savoie

Bill 14, An Act to Amend the Police Act – Hon. Mr. Austin

Bill 15, An Act to Amend the Assessment Act – Hon. Ms. M. Wilson

Adjourned Debates

Bill 11, An Act to Amend the Fish and Wildlife Act – Hon. Mr. Holland

STANDING COMMITTEE ON ECONOMIC POLICY

Bill 2, An Act to Repeal the Beverage Containers Act – Hon. Mr. Crossman

Bill 6, An Act to Amend the Clean Environment Act – Hon. Mr. Crossman

Bill 7, An Act to Amend the Trespass Act – Hon. Mr. Austin

Bill 8, An Act to Amend the Private Investigators and Security Services Act – Hon. Mr. Austin

Bill 9, An Act Respecting Child and Youth Well-Being – Hon. Ms. Green

Bill 10, An Act to Amend the Electricity Act – Hon. Mr. Holland

GOVERNMENT MOTIONS

CONCLUDED

Motion 16 by Hon. Mr. G. Savoie. Carried October 31, 2023.

OPPOSITION MEMBERS' BUSINESS

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

Motion 1 by Mr. Coon, seconded by Ms. Mitton to propose the following resolution on Thursday, October 26, 2023:

WHEREAS, on September 20, the Premier of New Brunswick told protesters outside the Legislative Assembly, “children are being taught to lie to their parents” by teachers;

WHEREAS that statement by the Premier of New Brunswick was disrespectful to teachers;

WHEREAS the teachers of New Brunswick play a pivotal role in shaping the future of our province through their dedication and hard work in educating our children;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the Premier of New Brunswick to issue a formal apology to the teachers of New Brunswick.

Motion 2 by Mr. Coon, seconded by Ms. Mitton to propose the following resolution on Thursday, October 26, 2023:

WHEREAS the Human Development Council reported that there are at least 560 unhoused people living in New Brunswick's three major cities who cannot be housed without significant support mechanisms;

WHEREAS British Columbia offers complex care housing, which provides an enhanced level of health and social supports to address the needs of people who have overlapping mental health and substance use issues, trauma, or acquired brain injuries who are often left to experience homelessness or at risk of eviction;

WHEREAS there is limited peer-supported housing with wrap-around services for homeless people or people at risk of becoming homeless in New Brunswick;

WHEREAS providing wrap-around services such as mental health support, addiction treatment, employment assistance, and case management is crucial to preventing more New Brunswickers from experiencing homelessness and addressing the complex needs of homeless individuals;

WHEREAS a comprehensive and holistic approach to homelessness can significantly reduce the strain on social services, healthcare, and law enforcement while promoting community well-being;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to take immediate action to fund and implement a comprehensive program for peer-supported housing for the homeless, along with wrap-around services to address their diverse needs;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to set targets and measurable outcomes to gauge the success of this program, with regular reporting to the public.

Motion 3 by Mr. Arseneau, seconded by Mr. Coon to propose the following resolution on Thursday, October 26, 2023:

WHEREAS New Brunswickers are facing financial challenges due to the rising costs of gasoline, which are affecting their daily lives, commuting, and overall cost of living;

WHEREAS the Parliamentary Budget Officer estimated that the average New Brunswick household is expected to pay at least \$501 more on gas per year;

WHEREAS the Higgs government authorized a new tax to be added to regulated fuel prices to force consumers to pay for Irving Oil's additional costs in complying with the federal clean fuel regulations;

WHEREAS the Higgs government gas tax has added as much as seven cents for a regular unleaded litre of gasoline since its introduction on July 1, 2023, making New Brunswick's gasoline among the most expensive in Canada;

WHEREAS there was no need for the Higgs government to make it legally possible for Irving Oil to pass the costs for cleaning up their petroleum products to New Brunswickers since there was a 36-cent increase in refinery margins in New Brunswick between 2019 and 2022;

WHEREAS the Energy and Utilities Board plans to review the Higgs government's gas tax formula after six months of its implementation;

WHEREAS there is no way for customers who have been paying the Higgs government gas tax to get their money back if, after its review, the Energy and Utilities Board finds that the tax was too high or unnecessary;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to immediately eliminate the Higgs government's tax on gasoline prices.

Motion 4 by Ms. Mitton, seconded by Mr. Arseneau to propose the following resolution on Thursday, October 26, 2023:

WHEREAS consecutive Liberal and Conservative governments have implemented policies to centralize the management of New Brunswick's healthcare system;

WHEREAS the decentralization of our healthcare system will provide better decision-making that reflects local realities, allowing for more responsive and effective healthcare services;

WHEREAS involving local decision-making can improve healthcare services, increase community engagement, and lead to more innovative solutions to address healthcare issues at the grassroots level;

WHEREAS an Angus Reid Institute survey, in collaboration with the Canadian Medical Association, indicates that New Brunswickers' dissatisfaction towards the province's management of the healthcare system was the highest in Canada, with a combined 82% saying they are either "moderately" or "very dissatisfied";

WHEREAS the same survey shows that 82% of New Brunswickers feel that the overall quality of healthcare in New Brunswick has deteriorated over the past 10 to 15 years;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to reinstate locally elected board members for the Regional Health Authorities boards;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to re-establish the essential role of hospital administrators to manage their local hospitals, in collaboration with the medical and non-medical staff who work there.

Motion 5 by Mr. McKee, seconded by Mr. Losier to propose the following resolution on Thursday, October 26, 2023:

WHEREAS New Brunswick's healthcare system has been grappling with a multitude of challenges, including critical shortages of healthcare workers and staffing retention issues that need to be addressed;

WHEREAS patients in New Brunswick endure prolonged wait times for essential healthcare services;

WHEREAS New Brunswick has a significant senior population and one of the highest rates of chronic health conditions in the nation, which further emphasizes the pressing need for a healthcare system that is readily accessible to all residents;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to table, no later than April 1, 2024, a healthcare worker retention plan.

[Debate interrupted due to expiration of time.]

Motion 6 by Mr. Gauvin, seconded by Mr. LePage to propose the following resolution on Thursday, October 26, 2023:

WHEREAS the COVID-19 pandemic emphasized the risk of spread of airborne illnesses in public institutions such as schools, hospitals, and nursing homes if significant improvements to air quality systems in government buildings are not made;

WHEREAS the Auditor General's report on the government's response to the COVID-19 pandemic revealed that 73% of nursing homes do not meet design standards that are now

almost a decade old and that departmental staff acknowledged that they believe that the infrastructural deficiencies in nursing homes contributed to the COVID-19 outbreaks because the buildings were inadequate to mitigate airborne diseases;

WHEREAS the Auditor General's same report also acknowledged that the Department of Social Development has no formal plan to bring these nursing homes up to standard;

WHEREAS in the 2nd session of the 60th Legislative Assembly, the House unanimously adopted Motion 36 urging the government to modernize the *Clean Air Act* and urging the government to bring forward a plan to monitor, report on, and improve air quality systems in public buildings;

BE IT RESOLVED that the Legislative Assembly urge the government to table a strengthened *Clean Air Act* in this session;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to present a formal plan of capital investment, no later than April 1, 2024, to bring all nursing homes to the most recent departmental design standards.

Motion 7 by Mr. Gauvin, seconded by Ms. Holt to propose the following resolution on Thursday, October 26, 2023:

WHEREAS seniors prefer to stay in the familiar surroundings of their homes for as long as possible;

WHEREAS caregivers play an important role in supporting seniors to stay in their homes, which may delay or even avoid the need for more costly forms of long-term care services and may also lead to better overall health and quality of life for seniors;

WHEREAS caregiving comes at considerable personal and professional sacrifice with significant financial cost for the caregiver, who is expected to cover fuel when transporting seniors to medical appointments or other household spending such as snow removal or lawn care;

WHEREAS the gendered nature of caregiving imposes undue burdens on women for family care work, which the University of Alberta's Research on Aging Policies and Practice Centre estimates to be worth an economic value of \$2.4 billion in New Brunswick;

WHEREAS legislative regimes in other jurisdictions maintain programs that support caregivers through direct compensation, which produce positive benefits for both the caregiver and the cared;

WHEREAS the support of caregivers and their role in providing essential aid is of significant importance to New Brunswick;

BE IT RESOLVED that the Legislative Assembly urge the government to establish a direct compensation benefit to caregivers in the 2024-2025 budget.

Motion 9 by Mr. Arseneau, seconded by Mr. Coon to propose the following resolution on Thursday, November 2, 2023:

WHEREAS New Brunswick is already experiencing the effects of climate change, including but not limited to extreme weather events, such as more frequent and severe storms, hurricanes, flooding, droughts, and forest fires;

WHEREAS effective communication during climate-related emergencies is vital to ensure public safety and minimize the impact of climate-related disasters;

WHEREAS access to cellphone coverage remains inconsistent across New Brunswick, with numerous rural areas experiencing inadequate or unreliable cellular network service, rendering rural New Brunswickers vulnerable during times of climate-related emergencies;

WHEREAS cellphones and wireless communication provide a crucial means of broadcasting timely and life-saving information to the public during emergencies, such as evacuation notices, weather alerts, and safety instructions;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to take immediate action to guarantee provincewide cellphone coverage, including the implementation of necessary public infrastructure and financial investments to ensure reliable network connectivity.

Motion 10 by Ms. Mitton, seconded by Mr. Arseneau to propose the following resolution on Thursday, November 2, 2023:

WHEREAS the increasing cost of rent is exacerbating the affordability crisis that many New Brunswickers are facing;

WHEREAS housing is a fundamental human right, and affordable and stable housing is essential for the well-being of all New Brunswickers;

WHEREAS a temporary rent cap was implemented in 2022;

WHEREAS the Higgs government is failing to protect tenants from unaffordable rent increases;

WHEREAS a permanent rent cap can provide a long-term solution to protect renters from excessive rent increases and create stability in the housing market;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to establish a permanent rent cap.

Motion 12 by Mr. McKee, seconded by Mr. Arseneault to propose the following resolution on Thursday, November 2, 2023:

WHEREAS there is a need to revisit the decision regarding the funding of the new RSV (respiratory syncytial virus) vaccine for seniors to enhance their overall health and well-being;

WHEREAS there is a general consensus on the importance of funding the RSV vaccine for seniors to alleviate the strain on hospitals and ensure more efficient healthcare resource allocation;

WHEREAS it is evident that RSV is a significant contributor to hospital admissions during certain periods of the year and that redirecting the funding of the associated hospital costs could serve to provide vaccines to a substantial number of seniors in need;

WHEREAS RSV disproportionately affects people aged 65 and older, infants, and immunocompromised individuals, leading to hospitalization and, in some cases, fatalities;

BE IT RESOLVED that the Legislative Assembly urge the government to fund the voluntary RSV vaccine beginning in 2023 for seniors and other vulnerable groups, considering the potential benefits it represents for public health and healthcare system efficiency;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to classify RSV as a notifiable disease under public health regulations, which will enable the collection of essential data for a more informed response to this health challenge.

[Debate interrupted due to expiration of time.]

Motion 13 by Ms. Thériault, seconded by Ms. Holt to propose the following resolution on Thursday, November 2, 2023:

WHEREAS pay equity is an internationally recognized human right;

WHEREAS, in 2017, the Institute for Women's Policy Research estimated that pay equity would halve the poverty rate among working women;

WHEREAS the care sector is one of the main employment sectors for women in New Brunswick, but one of the least well-paid and most undervalued;

WHEREAS, in New Brunswick, women make up the majority of the 11 000 people employed by some 700 community care agencies in rural and urban areas;

WHEREAS care services meet the needs of the most vulnerable groups, including seniors, children, and people living with disabilities or mental illness;

WHEREAS the sector includes home care, daycares, specialized care homes, community residences, family support, the Employment and Support Services Program (ESSP), and transition houses;

WHEREAS the sector faces significant difficulties in recruiting and retaining staff, and that the lack of a long-term plan to achieve pay equity and provide better working conditions has exacerbated the crisis, hampering the quality and availability of care;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to develop a plan before April 1, 2024, to achieve pay equity across the community care sector by 2026, including:

- (a) public investments in salaries in the sector until pay equity is achieved;
- (b) the development of salary scales that take into account pay equity;
- (c) the annual indexation of these salary scales according to the Consumer Price Index;
- (d) pay equity exercises for all jobs in the community care sector that have not been evaluated.

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to subsequently ensure the maintenance of pay equity every five years, to cover the cost of social benefits (health insurance, paid sick leave, pension) and to develop a process of more rigorous verification of the transfer of wage subsidies to female employees and a complaint system for the sector's workforce.

Motion 14 by Mr. Coon, seconded by Ms. Mitton to propose the following resolution on Thursday, November 2, 2023:

WHEREAS New Brunswickers are struggling to make ends meet due to rising energy costs;

WHEREAS the Enhanced Energy Savings Program has been effective in promoting energy efficiency, reducing energy costs for low-income families, and decreasing greenhouse gas emissions;

WHEREAS, although the provincial government recently announced that it will spend another \$30 million on the Enhanced Energy Savings Program, an investment of \$150 million is needed to clear the existing waitlist of about 16,000 households;

WHEREAS there is a growing need to address the energy efficiency concerns of moderate-income households, which may not qualify for the Enhanced Energy Savings Program under the current income threshold;

WHEREAS NB Power is projected to expand its energy efficiency savings target to 0.75 % of sales by 2028-29, below what is recommended by experts;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to invest a minimum of \$120 million to clear the Enhanced Energy Savings Program's existing waitlist;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to raise the income threshold of the Enhanced Energy Savings Program to \$75,000 and establish zero-interest loans for moderate income households to furnish the capital for cost-effective energy retrofits of homes;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to raise the energy efficiency savings target to 1.5% of sales by 2025.

Motion 15 by Ms. Mitton, seconded by Mr. Arseneau to propose the following resolution on Thursday, November 9, 2023:

WHEREAS New Brunswick's neonatal intensive care and special care nursery admission rates continue to be above the national average;

WHEREAS the accessibility of midwifery services is limited in New Brunswick, hindering options for expectant parents and placing more strain on the existing healthcare system;

WHEREAS the Midwifery Demonstration Site in Fredericton has attended 271 births since its inception in October 2017, reporting extraordinary client experience of 99% satisfaction with the care they received;

WHEREAS an evaluation done by a third party on Fredericton's Midwifery Demonstration Site in 2022 highlighted that the inclusion of midwives in perinatal care improves health outcomes and empowers expectant parents to make informed choices about their care;

WHEREAS the same evaluation on Fredericton's Midwifery Demonstration Site calls on the government to expand the midwifery services across the province, immediately scale up the existing Fredericton clinic, begin looking at options to create spots for New Brunswickers in midwifery educational programs, and overhaul the *Midwifery Act*;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to immediately implement the recommendations from the Fredericton Midwifery Demonstration Site Summary Evaluation Report, in consultation with the Midwifery Council of New Brunswick.

Motion 17 by Mr. McKee, seconded by Mr. J. LeBlanc to propose the following resolution on Thursday, November 9, 2023:

WHEREAS the Mental Health Court offers an alternative for offenders with mental health issues;

WHEREAS this program is widely praised by mental health advocates for its focus on community treatment as opposed to incarceration or other penalties;

WHEREAS the Mental Health Court program was developed based on best practices in other jurisdictions and informed by research;

WHEREAS there is a need to expand the Mental Health Court program to other regions of the province so that more offenders with mental health issues can avail themselves of this invaluable service for addressing their mental health needs;

WHEREAS other provinces including our neighbouring province of Nova Scotia have recognized the benefits of having a Mental Health Court and have made a commitment to expanding availability;

BE IT RESOLVED that the Legislative Assembly urge the government to expand the Mental Health Court program throughout the province in this session.

Motion 20 by Mr. Coon, seconded by Ms. Mitton to propose the following resolution on Thursday, November 9, 2023:

WHEREAS, despite the government's social assistance reform, New Brunswick's social assistance rates are still the lowest in Canada for all household categories;

WHEREAS social assistance recipients in New Brunswick are still living well below the poverty line and in deep poverty, struggling to meet their basic needs and attain a decent standard of living;

WHEREAS the Higgs government's austerity measures led to six consecutive surpluses, including a surplus of over \$1 billion for the fiscal year 2022-23;

WHEREAS implementing a guaranteed liveable income program for social assistance recipients would eliminate poverty by ensuring that individuals and families have the financial means to meet their basic needs;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to take immediate action to develop a strategy to implement a guaranteed liveable income program in consultation with experts, social assistance recipients, and advocacy groups.

Motion 21 by Ms. Landry, seconded by Ms. Thériault to propose the following resolution on Thursday, November 9, 2023:

WHEREAS the right to food is a basic right, families are struggling to obtain enough quality food, and food is the market basket item that has increased in price the most;

WHEREAS school breakfasts are important to give children the energy and food they need to start the day right, and not all children have access to a nutritious breakfast (which can include fruit, milk and dairy products, eggs, cereal, and wholegrain bread);

WHEREAS these programs aim to reduce absenteeism and promote healthy eating habits;

WHEREAS education and health are intrinsically linked to children's success, and a free, universal breakfast program provides equal opportunity to access food and improves the health, wellbeing, and academic performance of all students;

WHEREAS many regions provide school breakfast programs to ensure that all students have access to a nutritious meal in the morning;

WHEREAS the current program in New Brunswick is inequitable, since it only funds schools with no community or volunteer involvement;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to introduce and fund a public and universal breakfast program to provide a free morning meal to all students in every public school, regardless of their financial or social situation, before the beginning of the 2024-25 school year.

Motion 22 by Mr. Arseneau, seconded by Mr. Coon to propose the following resolution on Thursday, November 9, 2023:

WHEREAS many New Brunswickers are struggling with an escalating affordability crisis that has seen skyrocketing prices for essentials, including food, housing, medication, heating oil and gasoline;

WHEREAS, although New Brunswick recently increased the minimum wage to \$14.75 per hour, it remains the lowest in Atlantic Canada and the second lowest in Canada;

WHEREAS the Human Development Council calculates living wages in New Brunswick by investigating the real-life and real-time costs of living and considers the current living wage to be an average of \$20 per hour in New Brunswick;

WHEREAS ensuring that all New Brunswickers earn a living wage is crucial to lift individuals out of poverty, increase economic security, reduce financial stress, support one's physical and mental wellness, encourage healthy child growth and development, promote social inclusion and belonging, and improve quality of life;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government to create a plan to increase the minimum wage to a living wage;

BE IT FURTHER RESOLVED that the Legislative Assembly urge the government to create a program to provide temporary financial support to help employers with any increased costs resulting from the transition from a minimum wage to a living wage.

Motions for Returns

Motion 18 by Mr. M. LeBlanc, seconded by Mr. Losier to propose the following resolution on Thursday, November 9, 2023:

THAT an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House all documentation related to the expenses incurred by Elections New Brunswick relating to the preparation and planning of a potential provincial election since May 1, 2023.

Motion 19 by Mr. M. LeBlanc, seconded by Mr. Losier to propose the following resolution on Thursday, November 9, 2023:

THAT an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House all documentation, information, notes, memos, records, correspondence, however stored, electronically or otherwise, including but not limited to, e-mails, mobile to mobile device communication, PINs, and SMS text messages, regarding all communications between the Premier's Office, the Executive Council Office, and Elections New Brunswick relating to the preparation and planning of a potential provincial election since May 1, 2023.

CONCLUDED

Motion 8 by Ms. Landry. Debated and carried as amended October 26, 2023.

Motion 11 by Mr. Legacy. Debated and defeated November 2, 2023.

PETITIONS

Petition 1: Ms. Mitton, October 18, 2023.

(Response, November 1, 2023)

Petition 2: Ms. Mitton, October 18, 2023.

(Response, November 1, 2023)

Petition 3: Ms. Landry, October 25, 2023.

Petition 4: Mr. Coon, October 25, 2023.

Petition 5: Ms. Thériault, November 2, 2023.

COMMITTEE REPORTS

Standing Committee on Economic Policy

First Report, November 1, 2023

Shayne Davies
Clerk of the Legislative Assembly