

Daily sitting 12

Wednesday, December 7, 2016

10 o'clock a.m.

Prayers.

Hon. Mr. Rousselle laid upon the table of the House a document entitled *Transitioning to a Low-Carbon Economy, New Brunswick's Climate Change Action Plan*.

The following Bills were introduced and read a first time:

By Hon. Mr. Boudreau,

Bill 24, *Integrity Commissioner Act*.

Bill 25, *An Act to Amend the Child and Youth Advocate Act*.

By Mr. Fitch,

Bill 26, *An Act to Amend the Lobbyists' Registration Act*.

By Mr. Jody Carr,

Bill 27, *An Act to Amend the Motor Vehicle Act*.

With leave of the House, the Honourable the Premier moved, seconded by Mr. Higgs: (Motion 12)

WHEREAS the Legislative Assembly of New Brunswick enacted the *Members' Conflict of Interest Act* to govern the private interests of the members of the Legislative Assembly and the members of the Executive Council;

WHEREAS subsection 22(1) of that Act provides that a Conflict of Interest Commissioner be appointed by the Lieutenant-Governor in Council on recommendation of the Legislative Assembly;

WHEREAS the acting term of office of Anne Bertrand, Q.C., will expire on December 10, 2016;

WHEREAS a selection committee was established under subsections 22(2) and 22(3) of the Act for the purpose of identifying persons as potential candidates to be appointed Conflict of Interest Commissioner;

WHEREAS the selection committee developed a roster of qualified candidates and submitted the list of names of qualified candidates to the Lieutenant-Governor in Council under subsection 22(4) of the Act;

WHEREAS the selection committee has determined that Hon. Alexandre Deschênes possesses the proper qualifications and

experience to successfully discharge the duties of Conflict of Interest Commissioner;

BE IT THEREFORE RESOLVED that the Legislative Assembly recommend to the Lieutenant-Governor in Council that Hon. Alexandre Deschênes be appointed Conflict of Interest Commissioner for a term of seven years;

BE IT FURTHER RESOLVED that the Legislative Assembly express its appreciation and gratitude to Anne Bertrand for her professional and dedicated service to the Legislature and the people of New Brunswick.

And the question being put, a debate ensued.

And the debate being ended, and the question being put, Motion 12 was resolved in the affirmative.

With leave of the House, the Honourable the Premier moved, seconded by Mr. Higgs: (Motion 13)

WHEREAS the Legislative Assembly of New Brunswick enacted the *Consumer Advocate for Insurance Act* to monitor the practices of insurers, brokers and agents in order to protect and advocate for the rights and interests of consumers;

WHEREAS subsection 2(2) of that Act provides that a Consumer Advocate for Insurance be appointed by the Lieutenant-Governor in Council on recommendation of the Legislative Assembly;

WHEREAS the acting term of office of Charles Murray will expire on December 10, 2016;

WHEREAS a selection committee was established under subsections 2(2.1) and 2(2.2) of the Act for the purpose of identifying persons as potential candidates to be appointed Consumer Advocate for Insurance;

WHEREAS the selection committee developed a roster of qualified candidates and submitted the list of names of qualified candidates to the Lieutenant-Governor in Council under subsection 2(2.3) of the Act;

WHEREAS the selection committee has determined that Michèle Pelletier possesses the proper qualifications and experience to successfully discharge the duties of Consumer Advocate for Insurance;

WHEREAS pursuant to subsection 2(3) of that Act, the Consumer Advocate may not hold any office of trust or profit, other than his or her office as Consumer Advocate, or engage in any other occupation for reward outside the responsibilities of his or her office without prior approval by the Legislative Assembly;

BE IT THEREFORE RESOLVED that the Legislative Assembly recommend to the Lieutenant-Governor in Council that Michèle Pelletier be appointed Consumer Advocate for Insurance for a term of seven years;

BE IT FURTHER RESOLVED that the Legislative Assembly approve, until February 1, 2017, Michèle Pelletier to hold an office of trust or profit other than that of Consumer Advocate for Insurance;

BE IT FURTHER RESOLVED that the Legislative Assembly express its appreciation and gratitude to Charles Murray for his service as acting Consumer Advocate for Insurance.

And the question being put, a debate ensued.

And the debate being ended, and the question being put, Motion 13 was resolved in the affirmative.

With leave of the House, the Honourable the Premier moved, seconded by Mr. Higgs: (Motion 14)

WHEREAS the Legislative Assembly of New Brunswick enacted the *Elections Act* to protect and advocate for the democratic rights and interests of all New Brunswickers through the conduct of free and fair elections;

WHEREAS subsection 5(1) of that Act provides that a Chief Electoral Officer be appointed by the Lieutenant-Governor in Council on recommendation of the Legislative Assembly;

WHEREAS the term of office of Michael Quinn, Q.C., will expire on March 12, 2017;

WHEREAS a selection committee was established under subsections 5(1.1) and 5(1.11) of the Act for the purpose of identifying persons as potential candidates to be appointed Chief Electoral Officer;

WHEREAS the selection committee developed a roster of qualified candidates and submitted the list of names of qualified candidates to the Lieutenant-Governor in Council under subsection 5(1.12) of the Act;

WHEREAS the selection committee has determined that Kimberly Poffenroth possesses the proper qualifications and experience to successfully discharge the duties of Chief Electoral Officer;

BE IT THEREFORE RESOLVED that the Legislative Assembly recommend to the Lieutenant-Governor in Council that Kimberly Poffenroth be appointed Chief Electoral Officer for a term of ten years;

BE IT FURTHER RESOLVED that the Legislative Assembly express its appreciation and gratitude to Michael Quinn, Q.C., for his professional and dedicated service to the Legislature and the people of New Brunswick.

And the question being put, a debate ensued.

And the debate being ended, and the question being put, Motion 14 was resolved in the affirmative.

Mr. Bernard LeBlanc gave Notice of Motion 15 that on Tuesday, December 13, 2016, he would move the following resolution, seconded by Mr. Bourque:

WHEREAS the following public Acts of the Legislature, or provisions of public Acts of the Legislature, were listed in the 2016 Annual Report, *Statute Repeal Act*, tabled in the Legislative Assembly on August 30, 2016, as public Acts or provisions of public Acts that are to come into force by proclamation, that were assented to nine years or more before December 31, 2015, and that have not come into force on or before that date:

Pension Benefits Act, S.N.B. 1987, c.P-5.1, section 2;

Agricultural Land Protection and Development Act, S.N.B. 1996, c.A-5.11, paragraph 8(c) and sections 10, 21 and 22;

An Act to Amend the Judicature Act, S.N.B. 2001, c.29, sections 1 and 5 and paragraph 2(b);

WHEREAS, as a result of being listed in the Annual Report, these public Acts of the Legislature, or provisions of public Acts of the Legislature, will be repealed on December 31, 2016, pursuant to section 2 of the *Statute Repeal Act*, unless the Legislative Assembly adopts a resolution that these Acts or provisions not be repealed;

BE IT THEREFORE RESOLVED that these public Acts of the Legislature, or provisions of public Acts of the Legislature, listed in this resolution, not be repealed.

Ms. Dubé, Opposition House Leader, gave notice that on Thursday, December 8, 2016, Opposition Members' Business would be considered in the following order: Motion 9 and 4; Bill 26.

Hon. Mr. Doucet gave notice that on Thursday, December 8, 2016, Bills 24 and 25 would be called for second reading.

Hon. Mr. Doucet, Government House Leader, announced that following third reading, it was the intention of government that Bills 21, 22, 23 and 17 be called for second reading.

The following Bills were read a third time:

Bill 2, *An Act to Repeal An Act to Comply with the Request of The City of Saint John on Taxation of the LNG Terminal.*

Bill 3, *An Act Respecting Government Reorganization.*

Bill 4, *An Act to Amend the Adult Education and Training Act.*

Bill 5, *An Act Respecting Cost of Credit Disclosure and Payday Loans.*

Bill 8, *An Act to Amend the Legal Aid Act.*

Bill 9, *An Act to Amend the New Brunswick Income Tax Act.*

Bill 11, *An Act to Amend the Clean Environment Act.*

Bill 12, *An Act Respecting Agreements with the Canada Revenue Agency.*

Bill 13, *Advance Health Care Directives Act.*

Ordered that the said Bills do pass.

The Order being read for third reading of Bill 15, *An Act to Amend the Workplace Health, Safety and Compensation Commission and Workers' Compensation Appeals Tribunal Act*, a debate arose thereon.

And after some time, Mr. Coon, seconded by Ms. Dubé, moved in amendment:

AMENDMENT

THAT the motion for third reading be amended by deleting all the words after the word “that” and substituting the following:

“Bill 15, *An Act to Amend the Workplace Health, Safety and Compensation Commission and Workers’ Compensation Appeals Tribunal Act*, be not now read a third time but that the order for third reading be discharged and the subject matter of the Bill referred to the Standing Committee on Law Amendments.”

Mr. Speaker put the question on the proposed amendment and a debate ensued.

And the debate being ended, and the question being put, the amendment was defeated.

The question being put that Bill 15 be now read a third time, it was resolved in the affirmative.

Accordingly, Bill 15, *An Act to Amend the Workplace Health, Safety and Compensation Commission and Workers’ Compensation Appeals Tribunal Act*, was read a third time and passed.

The Order being read for second reading of Bill 21, *An Act to Amend the Tobacco Tax Act*, a debate arose thereon.

At 12 o’clock p.m., Mr. Speaker left the chair to resume again at 1.30 p.m. to accommodate a meeting of the Legislative Administration Committee.

1.40 p.m.

Mr. Speaker resumed the chair.

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

And the debate being ended, and the question being put that Bill 21 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 21, *An Act to Amend the Tobacco Tax Act*, was read a second time and ordered referred to the Standing Committee on Economic Policy, as designated by the Government House Leader.

The Order being read for second reading of Bill 22, *An Act to Amend the Revenue Administration Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 22 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 22, *An Act to Amend the Revenue Administration Act*, was read a second time and ordered referred to the Standing Committee on Economic Policy, as designated by the Government House Leader.

The Order being read for second reading of Bill 23, *An Act to Amend the Inshore Fisheries Representation Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 23 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 23, *An Act to Amend the Inshore Fisheries Representation Act*, was read a second time and ordered referred to the Standing Committee on Economic Policy, as designated by the Government House Leader.

Debate resumed on the adjourned debate on the motion that Bill 17, *An Act to Amend the Judicature Act*, be now read a second time.

And after some time, Mr. Speaker resumed the chair.

And after some further time, Hon. Mr. Doucet moved the adjournment of the debate.

And the question being put, it was resolved in the affirmative.

And then, 3.05 p.m., the House adjourned.

The following documents, having been deposited with the Clerk of the House, were deemed laid upon the table of the House pursuant to Standing Rule 39:

Annual Report 2015-2016

Department of Energy and Mines

Annual Report 2014-2015

December 5, 2016

December 7	<i>Journal of Assembly</i>	8
Farm Products Commission Annual Report 2015-2016		December 6, 2016
Farm Products Commission Annual Report 2015-2016		December 6, 2016
Voices of New Brunswick Women Consensus-Building Forum		December 6, 2016