



LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK Third Session, 58th Legislative Assembly

**ORDER AND NOTICE PAPER – Sitting No. 12
Wednesday, December 7, 2016**

ROUTINE PROCEEDINGS

Prayers
Introduction of Guests
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 2, An Act to Repeal An Act to Comply with the Request of The City of Saint John on Taxation of the LNG Terminal - Hon. Dr. Doherty
 Bill 3, An Act Respecting Government Reorganization - Hon. Mr. Doucet
 Bill 4, An Act to Amend the Adult Education and Training Act - Hon. Mr. Arseneault
 Bill 5, An Act Respecting Cost of Credit Disclosure and Payday Loans - Hon. Ms. Rogers
 Bill 8, An Act to Amend the Legal Aid Act - Hon. Mr. Landry
 Bill 9, An Act to Amend the New Brunswick Income Tax Act - Hon. Ms. Rogers
 Bill 11, An Act to Amend the Clean Environment Act - Hon. Mr. Rousselle, Q.C.
 Bill 12, An Act Respecting Agreements with the Canada Revenue Agency - Hon. Mr. Horsman
 Bill 13, Advance Health Care Directives Act - Hon. Mr. Boudreau
 Bill 15, An Act to Amend the Workplace Health, Safety and Compensation Commission and Workers' Compensation Appeals Tribunal Act - Hon. Mr. Arseneault

GOVERNMENT BILLS FOR SECOND READING

Bills Ordered for Second Reading

- Bill 21, An Act to Amend the Tobacco Tax Act - Hon. Ms. Rogers
 Bill 22, An Act to Amend the Revenue Administration Act - Hon. Ms. Rogers
 Bill 23, An Act to Amend the Inshore Fisheries Representation Act - Hon. Mr. Doucet

Adjourned Debates

- Bill 17, An Act to Amend the Judicature Act - Hon. Mr. Landry

STANDING COMMITTEE ON ECONOMIC POLICY

- Bill 6, An Act to Amend the Gas Distribution Act, 1999 - Hon. Mr. Doucet
 Bill 14, An Act to Amend the Coroners Act - Hon. Mr. Landry
 Bill 18, An Act to Amend the Smoke-free Places Act - Hon. Mr. Boudreau
 Bill 19, An Act Respecting Nurse Practitioners - Hon. Mr. Boudreau

STANDING COMMITTEE ON LAW AMENDMENTS

- Bill 16, An Act to Amend the Crown Construction Contracts Act - Hon. Mr. Fraser

GOVERNMENT MOTIONS

Motion 10 by Hon. Mr. Doucet, seconded by Hon. Mr. Boudreau to propose the following resolution on Wednesday, December 7, 2016:

THAT unless otherwise provided by Standing Rule or Special Order of the House, the Legislative Assembly adopt the following sessional calendar upon resumption of the Third Session of the Fifty-Eighth Legislature on December 6, 2016:

Tuesday, December 6 to Friday, December 9, 2016, inclusive;
 Tuesday, December 13 to Friday, December 16, 2016, inclusive;
 Tuesday, January 31 to Friday, February 3, 2017, inclusive;
 Tuesday, February 7 to Friday, February 10, 2017, inclusive;
 Tuesday, March 14 to Friday, March 17, 2017, inclusive;
 Tuesday, March 21 to Friday, March 24, 2017, inclusive;
 Tuesday, March 28 to Friday, March 31, 2017, inclusive;
 Tuesday, April 25 to Friday, April 28, 2017, inclusive; and
 Tuesday, May 2 to Friday, May 5, 2017, inclusive;

THAT during certain weeks in which the Assembly is adjourned, the following dates are available to the standing committees to meet to consider bills, estimates and the public accounts of various government departments and Crown corporations;

Tuesday, January 17 to Friday, January 20, 2017, inclusive;
 Tuesday, February 14 to Friday, February 17, 2017, inclusive;
 Tuesday, February 21 to Friday, February 24, 2017, inclusive;
 Tuesday, February 28 to Friday, March 3, 2017, inclusive;
 Tuesday, April 11 to Thursday, April 13, 2017, inclusive;
 Tuesday, April 18 to Friday, April 21, 2017, inclusive;
 Tuesday, June 6 to Friday June 9, 2017, inclusive;
 Tuesday, June 13 to Friday June 16, 2017, inclusive;
 Tuesday, September 26 to Friday, September 29, 2017, inclusive;
 Tuesday, October 3 to Friday October 6, 2017, inclusive; and
 Tuesday, October 10 to Friday, October 13, 2017, inclusive,

THAT notwithstanding the above dates available to committees, that the chairs of standing and select committees may continue to call meetings with appropriate notice on dates of their choosing;

THAT when the Assembly adjourns on Friday May 5, 2017, it stand adjourned until Wednesday, November 1, 2017;

PROVIDED ALWAYS THAT if it appears to the satisfaction of Mr. Speaker, after consultation with the Government, that the public interest requires that the House should meet at an earlier time during any period of adjournment, Mr. Speaker may give notice that he is so satisfied and in such notice shall state a time at which the House shall meet, and thereupon the House shall meet at the time so stated and shall transact its business as if it had been duly adjourned to that time, and

THAT in the event of Mr. Speaker being unable to act owing to illness or other cause, either of the Deputy Speakers shall act in his stead for the purpose of this order.

Motion 11 by Hon. Mr. Gallant, seconded by Mr. Higgs to propose the following resolution on Friday, December 9, 2016:

WHEREAS a major west-east crude oil pipeline would enable access to substantially more Canadian crude oil in Atlantic Canada, ensuring security of supply;

WHEREAS the City of Saint John has an ice-free deep water port facility, capable and experienced in managing the world's largest crude carrying vessels;

WHEREAS the construction of a crude oil pipeline to New Brunswick is in the national interest, as the ability to export crude from the east coast means that western Canadian producers will become less reliant on US markets, giving our producers access to global markets;

WHEREAS New Brunswick is the location of Canada's largest oil refinery;

WHEREAS New Brunswick has recent experience in working effectively with regulators and communities on energy pipeline projects;

WHEREAS a major crude pipeline project would result in significant direct and indirect employment opportunities, both during the construction phase and in the long term, providing ongoing economic benefits for the whole province, our region, and the entire country;

WHEREAS Canadian crude oil supplied by pipeline to our refinery would decrease production costs and make the refined petroleum more competitive;

BE IT RESOLVED that the Legislative Assembly of New Brunswick recommits its support for the construction of the Energy East pipeline to bring western crude oil to Saint John.

OPPOSITION MEMBERS' BUSINESS

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Bill 7, Green Jobs Act - Mr. Coon

Bill 10, An Act to Amend the Education Act - Mr. Coon

Bill 20, An Act to Amend the Political Process Financing Act - Mr. Coon

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

Motion 3 by Mr. Savoie, seconded by Mr. K. MacDonald to propose the following resolution on Thursday, November 10, 2016:

WHEREAS the softwood lumber agreement between Canada and the United States of America has expired and the two countries are in the midst of negotiations for a new agreement;

WHEREAS 83 percent of New Brunswick's land base is forested and about half of that is Crown forest;

WHEREAS the forest industry in New Brunswick employs over 22,000 people;

WHEREAS the forest industry in New Brunswick contributes over \$1.45 billion to the economy annually;

WHEREAS New Brunswickers have a vested interest in the negotiations of a new softwood lumber agreement;

WHEREAS impositions of tariffs and trade caps with the United States could pose a significant risk to New Brunswick's economy;

BE IT THEREFORE RESOLVED THAT this Assembly urges the current government to meet with the federal government to continue to promote New Brunswick interests with regard to the negotiations of a new softwood lumber agreement.

Motion 4 by Mr. Stewart, seconded by Mr. Fairgrieve to propose the following resolution on Thursday, November 10, 2016:

WHEREAS the Auditor General is responsible for leading and directing independent audits and advising on how well the provincial government is managing its responsibilities and resources;

WHEREAS the Auditor General conducts financial audits of government services and programs to support the amounts and disclosures in the financial statements submitted to government and the public;

WHEREAS the Auditor General conducts performance audits of government services and programs, providing a systematic and objective assessment of how well government is managing its activities, responsibilities and resources;

WHEREAS the Auditor General conducts special examination of our Crown Corporations, providing assurance that their assets are safeguarded, their resources are managed economically and efficiently and their operations are carried out effectively;

WHEREAS government spent considerable time and effort on a Strategic Program Review, but refused more resources to the Auditor General, even though it is this office that performs financial, performance and special reviews of government services, and provides recommendations to government to improve these practices;

BE IT THEREFORE RESOLVED THAT this Assembly urges the current government to start supporting the Auditor General's office, and allowing additional performance audits and special investigations to be conducted, so that we can reach the goal of a balanced budget and better taxpayer protection.

[Debate interrupted due to expiration of time]

Motion 6 by Mr. Coon, seconded by Mr. Keirstead to propose the following resolution on Thursday, November 17, 2016:

WHEREAS the government tables each year its Main Estimates and its public accounts of government expenses and revenues;

WHEREAS revenues foregone through tax expenditures including tax credits and tax exemptions are not currently included in the expenses of the government's Main Estimates;

WHEREAS international organizations including the International Monetary Fund and the Organization for Economic Cooperation and Development promote public sector accounting standards that require governments to report tax expenditures;

WHEREAS other jurisdictions within Canada, including British Columbia and the Government of Canada report tax expenditures annually;

WHEREAS it is the responsibility of government to be accountable to the people it represents;

BE IT RESOLVED THAT the Legislative Assembly urge the government to include in its main estimates the total revenue foregone as a result of tax expenditures each fiscal year, beginning with 2017-2018.

Motion 7 by Mr. Coon, seconded by Mr. Bertrand LeBlanc to propose the following resolution on Thursday, November 24, 2016:

WHEREAS all Members of the Legislative Assembly are elected representatives of the people of New Brunswick;

WHEREAS it is important that the role and responsibilities of MLAs be well understood by the public;

WHEREAS it would be helpful for Members of the Legislative Assembly to have guidelines to aid them in the conduct of their duties;

WHEREAS the effectiveness of MLAs, and their accountability to the people of New Brunswick, may be improved if the Legislative Assembly establishes a formal statement of the key roles and responsibilities of MLAs;

WHEREAS the Legislative Administration Committee recommended the adoption of a statement on the Roles and Responsibilities of an MLA and a Code of Conduct for MLAs in its report to the Legislative Assembly tabled April 3, 2003;

BE IT THEREFORE RESOLVED THAT the Standing Committee on Procedure, Privileges and Legislative Officers take into consideration the adoption of a statement on the Roles and Responsibilities of an MLA and a Code of Conduct for MLAs.

Motion 8 by Mr. Higgs, seconded by Mr. Crossman to propose the following resolution on Thursday, December 8, 2016:

WHEREAS the recent assessment results indicate that the majority of Grade 12 students, who started in the Grade 1 Immersion program, have utterly failed to meet expected outcomes; and

WHEREAS those assessment results indicate that not even 42% of those tested met or exceeded the Advanced Proficiency level, when the provincial target was 85%; and

WHEREAS those assessment results indicate that a large percentage of the students who started the Grade 1 Immersion program either dropped out of the program or no longer met the program definition by the time they reached Grade 12; and

WHEREAS a number of those Grade 12 students who dropped out of the program or failed to meet the definition under Policy 309 took the assessment test anyway – but that these results are not publicly reported; and

WHEREAS the Gallant government made a political promise during the last election campaign to reinstate the Grade 1 French Immersion despite these completely dismal assessment results and without having any evidence concerning the new Grade 3 Program;

BE IT THEREFORE RESOLVED THAT this Assembly urges the government to put a moratorium on reinstating the Grade 1 French Immersion program; and

BE IT FURTHER RESOLVED THAT this Assembly urge the government to release their transition plan to reinstate Grade 1 French Immersion program so that parents, teachers, administrators, and students can judge whether the plan addresses the serious failings of the original Grade 1 program.

Motion 9 by Mr. Keirstead, seconded by Mr. Jody Carr to propose the following resolution on Thursday, December 8, 2016:

WHEREAS the Select Committee on Climate Change worked diligently to consult with New Brunswickers, stakeholder groups, and experts, on developing a plan to address climate change; and

WHEREAS the Committee made a recommendation to “Develop a made-in-New Brunswick carbon pricing mechanism, as opposed to having one imposed on New Brunswickers by the federal government”; and

WHEREAS the Committee recommended this mechanism be conditional upon:

- a. Directing all revenue from carbon pricing to a dedicated climate change fund, not general revenue;
- b. Undertaking a detailed analysis of the social, financial, economic, and environmental impacts of the various carbon pricing mechanisms and revenue investment options.
- c. Protecting low-income New Brunswickers;
- d. Including all economic sectors;
- e. Considering the approach taken by neighboring jurisdictions;
- f. Developing the mechanism with the engagement of all concerned interests; and

g. Ensuring the carbon-pricing mechanism is outlined in legislation and receives public consultation through a committee of the Legislative Assembly.

BE IT THEREFORE RESOLVED THAT this Assembly urges the government to meet all of the conditions recommended by the Committee before imposing a new carbon tax or carbon pricing mechanism on the already over-burdened taxpayers of New Brunswick.

CONCLUDED

Motion 1 by Mr. Higgs. Debated and carried as amended November 10, 2016.

Motion 2 by Mr. Savoie. Debated and defeated November 17, 2016.

Motion 5 by Mr. Urquhart. Debated and defeated November 17, 2016.

PETITIONS

Petition 1: Mr. Crossman, November 3, 2016.

(Response, November 29, 2016)

Petition 2: Mr. Crossman, November 3, 2016.

Petition 3: Mr. Coon, December 6, 2016.

COMMITTEE REPORTS

Standing Committee on Economic Policy

First Report, December 6, 2016

COMMITTEE MEETINGS

The Standing Committee on Economic Policy will meet on Wednesday, December 7, 2016, in the Chamber of the Legislative Assembly following adjournment of the House until 10 p.m.

The Legislative Administration Committee will meet on Wednesday, December 7, 2016, and Wednesday, December 14, 2016, at 12 noon in Room 47-48 of the Legislative Assembly Building.

REPORTS/DOCUMENTS

Filed in the Clerk's Office

Annual Report 2015-2016, Department of Energy and Mines

(Filed December 5, 2016)

Annual Report 2014-2015, Farm Products Commission

(Filed December 6, 2016)

Annual Report 2015-2016, Farm Products Commission

(Filed December 6, 2016)

Annual Report 2015-2016, Voices of New Brunswick Women Consensus-Building Forum
(Filed December 6, 2016)

Donald J. Forestell
Clerk of the Legislative Assembly