



LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK

Third Session, 58th Legislative Assembly

ORDER AND NOTICE PAPER – Sitting No. 17
Thursday, December 15, 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 24, Integrity Commissioner Act - Hon. Mr. Boudreau

Bill 25, An Act to Amend the Child and Youth Advocate Act - Hon. Mr. Boudreau

GOVERNMENT BILLS FOR SECOND READING

Bills Ordered for Second Reading

Bill 32, An Act to Amend the Pre-arranged Funeral Services Act - Hon. Ms. Rogers

Adjourned Debates

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

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

Bill 31, An Act to Amend the New Brunswick Income Tax Act - Hon. Ms. Rogers

STANDING COMMITTEE ON ECONOMIC POLICY

Bill 6, An Act to Amend the Gas Distribution Act, 1999 - Hon. Mr. Doucet

Bill 23, An Act to Amend the Inshore Fisheries Representation Act - Hon. Mr. Doucet

Bill 28, An Act Respecting The Residential Tenancies Act and the Ombudsman Act
- Hon. Ms. Rogers

Bill 30, An Act to Amend the Marriage Act - Hon. Dr. Doherty

BILLS AWAITING ROYAL ASSENT

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 14, An Act to Amend the Coroners Act - Hon. Mr. Landry

Bill 15, An Act to Amend the Workplace Health, Safety and Compensation Commission and
Workers' Compensation Appeals Tribunal Act - Hon. Mr. Arseneault

Bill 18, An Act to Amend the Smoke-free Places Act - Hon. Mr. Boudreau

Bill 19, An Act Respecting Nurse Practitioners - Hon. Mr. Boudreau

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

COMMITTEE OF SUPPLY

Capital Estimates, 2017-2018
Supplementary Estimates, 2015-2016, Volume I

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 19 by Hon. Ms. Rogers, seconded by Hon. Mr. Gallant to propose the following resolution on Tuesday, January 31, 2017:

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

CONCLUDED

Motion 11 by Hon. Mr. Gallant. Debated and carried December 13, 2016.

Motion 12 by Hon. Mr. Gallant. Debated and carried December 7, 2016.

Motion 13 by Hon. Mr. Gallant. Debated and carried December 7, 2016.

Motion 14 by Hon. Mr. Gallant. Debated and carried December 7, 2016.

Motion 16 by Hon. Ms. Rogers. Debated and carried December 14, 2016.

Motion 17 by Hon. Mr. Doucet. Carried December 8, 2016.

GOVERNMENT PRIVATE MEMBERS' MOTIONS

Motion 18 by Mr. Guitard, seconded by Mr. Chiasson to propose the following resolution on Thursday, December 15, 2016:

THAT, notwithstanding the Standing Rules of the Assembly, following the adoption of this motion, there shall be 13 hours of debate remaining for the proceedings at all stages of the passage of Bill 6, which shall include the hours spent considering said Bill from November 22, 2016, and onward, and at the expiration of the said 13 hours, unless sooner concluded, the Speaker or the Chair of the Standing Committee on Economic Policy, as the case may be, shall interrupt the proceedings and put every question necessary to dispose of the order for consideration of the said Bill in Committee and report of the Bill to the House; and the order for third reading and passage of the said Bill and, where necessary, the said Bill shall be allowed to advance more than one stage in one day.

CONCLUDED

Motion 15 by Mr. Bernard LeBlanc. Debated and carried December 13, 2016.

OPPOSITION MEMBERS' BUSINESS

[Order in accordance with notice provided pursuant to Standing Rule 44(4)]

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

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.

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Bill 26, An Act to Amend the Lobbyists' Registration Act - Mr. Fitch

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

Bill 27, An Act to Amend the Motor Vehicle Act - Mr. Jody Carr

Bill 29, An Act to Amend the Crown Lands and Forests Act - Mr. Coon

Bill 33, An Act to Amend the Human Rights Act - Mr. Wetmore

Bill 34, An Act to Amend the Early Childhood Services Act - Mr. Steeves

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 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.

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 4 by Mr. Stewart. Debated and defeated December 8, 2016.

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

Motion 9 by Mr. Keirstead. Debated and defeated December 8, 2016.

PETITIONS

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

(Response, November 29, 2016)

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

(Response, December 9, 2016)

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

Petition 4: Mr. Wetmore, December 9, 2016.
 Petition 5: Mr. Crossman, December 14, 2016.
 Petition 6: Mr. Crossman, December 14, 2016.

COMMITTEE REPORTS

Standing Committee on Economic Policy	First Report, December 6, 2016 Second Report, December 8, 2016 Third Report, December 13, 2016 Fourth Report, December 14, 2016
Standing Committee on Law Amendments	First Report, December 14, 2016

REPORTS/DOCUMENTS

Tabled in the House

Supplementary Estimates, 2015-2016, Volume I
 Transmitted by Message of Her Honour the Lieutenant-Governor, and
 Tabled by Hon. Mr. Melanson December 14, 2016

Capital Estimates, 2017-2018
 Transmitted by Message of Her Honour the Lieutenant-Governor, and
 Tabled by Hon. Ms. Rogers December 14, 2016

Capital Estimates 2017-2018, Hon. Cathy Rogers, Minister of Finance, Province of
 New Brunswick (Remarks)
 Tabled by Hon. Ms. Rogers December 14, 2016

Filed in the Clerk's Office

Annual Report 2015-2016, Department of Public Safety
 (Filed December 14, 2016)

Annual Report 2015-2016, Department of Justice
 (Filed December 14, 2016)

Annual Report 2015-2016, Department of Post-Secondary Education, Training and Labour
 (Filed December 14, 2016)

Donald J. Forestell
 Clerk of the Legislative Assembly