



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

ORDER AND NOTICE PAPER – Sitting No. 44
Tuesday, May 2, 2017

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 57, An Act Respecting Research - Hon. Mr. Boudreau

Bill 58, An Act Respecting the Education Act and the Personal Health Information Privacy and Access Act - Hon. Mr. Boudreau

Bill 62, An Act to Amend the Legislative Assembly Act - Hon. Mr. Boudreau

GOVERNMENT BILLS FOR SECOND READING

Bills Ordered for Second Reading

Bill 61, Transparency in Election Commitments Act - Hon. Mr. Boudreau

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

PRIVATE BILLS FOR SECOND READING

Bills to be Ordered for Second Reading

Bill 43, An Act to Amend the Pension Plan for Employees of the City of Moncton Act
- Ms. LeBlanc

Bill 50, An Act to Amend the Anglican Church Act, 2003 - Ms. Shephard

Bill 63, An Act to Amend An Act Respecting the Association of Registered Interior Designers of New Brunswick - Ms. LeBlanc

Bill 64, Licensed Counselling Therapy Act - Mr. Harvey

Bill 65, Psychologists Act - Mr. Bourque

STANDING COMMITTEE ON ECONOMIC POLICY

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

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

Bill 40, An Act to Amend the Members' Conflict of Interest Act - Hon. Mr. Doucet

Bill 59, An Act to Amend the Right to Information and Protection of Privacy Act
- Hon. Mr. Melanson

Bill 66, An Act Respecting the Political Process Financing Act - Hon. Mr. Boudreau

Bill 67, An Act Respecting Family Day - Hon. Mr. Gallant

Bill 68, Loan Act 2017 - Hon. Ms. Rogers

STANDING COMMITTEE ON PRIVATE BILLS

Bill 38, An Act to Amend An Act to Incorporate The New Brunswick Registered Barbers' Association - Ms. Shephard

COMMITTEE OF THE WHOLE

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

BILLS AWAITING ROYAL ASSENT

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

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

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

Bill 37, An Act Respecting the Change of Name Act and the Vital Statistics Act

- Hon. Dr. Doherty

Bill 39, An Act Respecting the Opening of Sealed Adoption Records - Hon. Mr. Horsman

Bill 42, An Act Respecting Animal Protection - Hon. Mr. Rousselle, Q.C.

Bill 44, Local Governance Act - Hon. Mr. Rousselle, Q.C.

Bill 45, Community Planning Act - Hon. Mr. Rousselle, Q.C.

Bill 46, An Act Respecting Local Governance and Community Planning

- Hon. Mr. Rousselle, Q.C.

Bill 48, An Act Respecting "Ellen's Law" - Hon. Mr. Landry

Bill 49, An Act to Amend the Family Services Act - Hon. Ms. Harris

Bill 51, An Act to Amend the Human Rights Act - Hon. Mr. Arseneault

Bill 53, An Act to Amend the Public Works Act - Hon. Mr. Fraser

Bill 54, An Act to Amend the Collection Agencies Act - Hon. Ms. Rogers

Bill 55, Credit Reporting Services Act - Hon. Ms. Rogers

Bill 56, An Act to Amend the Political Process Financing Act - Hon. Mr. Boudreau

Bill 69, Appropriations Act 2017-2018 - Hon. Ms. Rogers

Bill 70, Supplementary Appropriations Act 2015-2016 (1) - Hon. Mr. Melanson

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 30 by Hon. Mr. Arseneault, seconded by Mr. Guitard to propose the following resolution on Wednesday, May 3, 2017:

WHEREAS the leader of the opposition spoke at length on Wednesday, April 26, 2017 at the Standing Committee on Estimates and Fiscal Policy about the tax deal brought in by the Conservative government of the day in 2005 to benefit the Canaport LNG site at the expense of the people of the City of Saint John; and

WHEREAS the current Liberal government repealed the tax break restoring fairness to the people of the City of Saint John; and

WHEREAS as a result of the Liberal legislation to repeal the tax break, significantly more taxes will be paid on the Canaport site which this year provided the City of Saint John with \$2.6 million in revenue compared to the \$500,000 they received under the Conservative deal;

WHEREAS the leader of the opposition indicates on his LinkedIn profile that his only employment for 33 years of his adult life was with Irving Oil from 1977 to 2010; and

WHEREAS the official biography of the leader of the opposition on the Conservative website says, quote, "He was a member of the Irving team negotiating with Repsol on the Canaport LNG project. He also served on the Board of Directors for Canaport LNG;" and

WHEREAS the leader of the opposition now claims to be opposed to the very deal he says he helped negotiate;

BE IT RESOLVED THAT this Assembly call upon the leader of the opposition to explain to the House the nature of his involvement in obtaining this special tax break for Irving and Canaport and the rationale and timing of his change of opinion on this matter.

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.
Motion 19 by Hon. Ms. Rogers. Debated February 7, 9, 10, 14, 15, 16, and 17, 2017
and carried February 17, 2017.
Motion 22 by Hon. Mr. Doucet. Carried February 14, 2017.
Motion 28 by Hon. Mr. Doucet. Carried April 27, 2017.
Motion 31 by Hon. Mr. Doucet. Carried April 28, 2017.

GOVERNMENT PRIVATE MEMBERS' MOTIONS**CONCLUDED**

- Motion 15 by Mr. Bernard LeBlanc.** Debated and carried December 13, 2016.
Motion 18 by Mr. Guitard. Debated and carried December 15, 2016.

OPPOSITION MEMBERS' BUSINESS**OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING**

- Bill 7, Green Jobs Act - Mr. Coon
Bill 27, An Act to Amend the Motor Vehicle Act - Mr. Jody Carr

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 27 by Mr. K. MacDonald, seconded by Mr. Jeff Carr to propose the following resolution on Thursday, April 6, 2017:

WHEREAS school bus cameras are widely used throughout Canada, and more particularly, in our neighbouring provinces of Prince Edward Island and Nova Scotia;

WHEREAS careless drivers put students' safety at risk by failing to stop for school buses on a daily basis;

WHEREAS video footage would help law enforcement apprehend drivers who do not stop for school buses by recording license plate numbers and providing evidence of the infraction;

WHEREAS the safety of our children, when being transported to and from school by bus drivers, who do tremendous work and provide excellent service, is of utmost importance to all New Brunswick parents;

BE IT THEREFORE RESOLVED THAT this Assembly urges the current government to put a school bus camera program in place, where cameras are placed on buses for the purposes of capturing license plate images and evidence to report to law enforcement officials;

BE IT FURTHER RESOLVED THAT this Assembly urges the current government to allow registered owners of vehicles to be charged for failing to stop for a school bus if they are not willing to give law enforcement officials the name of the driver who failed to stop.

Amendment moved by Hon. Mr. Kenny, seconded by Mr. Chiasson that Motion 27 be amended as follows:

In the first resolution clause, by deleting all the words after the words "current government to" and replacing them with "further explore best practices in relation to school bus safety including the use of technological aids"; and

By deleting the second resolution clause.

[Debate interrupted due to expiration of time.]

Motion 29 by Mr. K. MacDonald, seconded by Mr. Northrup to propose the following resolution on Thursday, May 4, 2017:

WHEREAS the New Brunswick agriculture/agri-food industry contributes \$1.4 billion to the Gross Domestic Product of our province on an annual basis;

WHEREAS every dollar generated by New Brunswick agricultural producers generates three additional dollars in our provincial economy;

WHEREAS Canadian agricultural producers are being forced to deal with four new non-production cost increases by 2018, namely CPP and Unemployment Insurance employer contributions, minimum wage, carbon tax, and corporate tax;

WHEREAS New Brunswick agricultural producers are incurring increased costs relating to WorkSafe NB rate increases;

WHEREAS the *Safe Food for Canadians Act* as it is currently written will require agricultural producers selling products outside of their home province to have an interprovincial license;

WHEREAS interprovincial licensing will require agricultural producers to pay increasingly more in fees associated with Canadian Food Inspection Agency inspections and cost recovery initiatives;

WHEREAS the aforementioned non production costs combine to form a competitive disadvantage in relation to other farm product producing jurisdictions;

BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick urge the government to lobby against the cost recovery initiative by the Canadian Food Inspection Agency and against the *Safe Food for Canadians Act* as it is currently written.

Motion 32 by Ms. Dubé, seconded by Mr. Wetmore to propose the following resolution on Thursday, May 4, 2017:

WHEREAS service dogs have been increasingly used to support people with physical or mental disabilities such as post-traumatic stress disorder, debilitating chronic illness, autism, blindness, deafness, mobility and speech disabilities;

WHEREAS service dogs can dramatically improve the quality of life for those coping with a physical or mental disability, and thus reducing the need for medication and treatments necessary to maintain the standard of health, comfort and happiness experienced by a patient;

WHEREAS service dogs require outdoor activity and exercise, this encourages the owner to also participate in outdoor activity and exercise, promoting participation in the community and the benefits of regular physical exercise and a routine for the owner;

WHEREAS persons with mental disabilities may experience constant tension and pressure in social situations, service dogs provide a physical barrier that keeps others at a comfortable distance, allowing the owner to fully participate in social and economic activities;

WHEREAS service dogs are trained to recognize an individual's behavior and physical cues and may be able to prevent further injury or distress to the owner, thus reducing the need for further medical intervention or treatment from occurring;

WHEREAS studies have shown that interactions with animals cause biochemical changes in both the person and the animal, resulting in feelings of calmness and lowered blood pressure;

WHEREAS service dog owners live with a physical or mental disability and therefore are more likely to live on a low income and be unable to fully participate in the workforce;

WHEREAS the health and care of service dogs is necessary for the good health and care of the owners with a disability;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the government of New Brunswick to add veterinary services for service dogs as a benefit under the Social Development Health Services Program, as it is a necessity for the health and well-being of persons with disabilities.

Motion for Returns

Motion 23 by Mr. Jeff Carr, seconded by Mr. Wetmore to propose the following resolution on Thursday, February 23, 2017:

THAT an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House a list of all staffing levels and equipment inventory for each Department of Transportation and Infrastructure maintenance depot in the Province of New Brunswick for the years 2013-2014, 2014-2015, 2015-2016 and 2016-2017.

Motion 24 by Mr. Coon, seconded by Mr. Keirstead to propose the following resolution on Thursday, February 23, 2017:

THAT an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House the following contracts and a list of unsuccessful bidders for each of the following contracts:

Shannex, Fredericton, 2008 (five year contract);
 Shannex, Quispamsis, 2008 (five year contract);
 Shannex, Riverview, 2008 (five year contract);
 Villa Beauséjour, Caraquet, 2010;
 Villa Maria Nursing Home, Saint-Louis de Kent, 2014; and
 Victoria Glen Manor, Perth-Andover, 2015.

[Documents requested filed April 13, 2017]

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 7 by Mr. Coon. Carried March 16, 2017.

Motion 8 by Mr. Higgs. Debated and defeated December 15, 2016.

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

Motion 20 by Mr. Holder. Debated and defeated March 16, 2017.

Motion 21 by Mr. Wetmore. Debated and carried as amended March 16, 2017.

Motion 25 by Mr. Fairgrieve. Debated and carried March 30, 2017.

Motion 26 by Mr. K. MacDonald. Debated and defeated April 27, 2017.

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.	(Response, December 21, 2016)
Petition 4: Mr. Wetmore, December 9, 2016.	(Response, December 19, 2016)
Petition 5: Mr. Crossman, December 14, 2016.	(Response, January 26, 2017)

Petition 6: Mr. Crossman, December 14, 2016.	(Response, January 26, 2017)
Petition 7: Mr. Albert, February 8, 2017.	(Response, April 7, 2017)
Petition 8: Mr. Oliver, February 8, 2017.	(Response, February 17, 2017)
Petition 9: Mr. Oliver, February 10, 2017.	(Response, February 17, 2017)
Petition 10: Mr. Oliver, February 14, 2017.	(Response, February 17, 2017)
Petition 11: Mr. Crossman, February 14, 2017.	(Response, March 31, 2017)
Petition 12: Mr. Crossman, February 15, 2017.	(Response, March 31, 2017)
Petition 13: Mr. Crossman, February 16, 2017.	(Response, March 31, 2017)
Petition 14: Hon. Mr. Arseneault, March 14, 2017.	(Response, March 28, 2017)
Petition 15: Mr. Wetmore, March 14, 2017.	(Response, March 31, 2017)
Petition 16: Mr. Wetmore, March 15, 2017.	(Response, March 31, 2017)
Petition 17: Mr. Wetmore, March 16, 2017.	(Response, March 31, 2017)
Petition 18: Mr. Harvey, March 17, 2017.	(Response, March 31, 2017)
Petition 19: Mr. Wetmore, March 17, 2017.	(Response, March 31, 2017)
Petition 20: Mr. Wetmore, March 21, 2017.	(Response, March 31, 2017)
Petition 21: Mr. Wetmore, March 22, 2017.	(Response, March 31, 2017)
Petition 22: Mr. Wetmore, March 23, 2017.	(Response, March 31, 2017)
Petition 23: Mr. Savoie, March 24, 2017.	(Response, April 7, 2017)
Petition 24: Mr. Coon, March 24, 2017.	(Response, April 12, 2017)
Petition 25: Mr. Wetmore, March 24, 2017.	(Response, March 31, 2017)
Petition 26: Mr. Higgs, March 28, 2017.	(Response, April 7, 2017)
Petition 27: Mr. Wetmore, March 28, 2017.	(Response, April 7, 2017)
Petition 28: Mr. Wetmore, March 29, 2017.	(Response, April 7, 2017)
Petition 29: Mr. Wetmore, March 30, 2017.	(Response, April 7, 2017)
Petition 30: Mr. Wetmore, March 31, 2017.	(Response, April 7, 2017)
Petition 31: Mr. Wetmore, April 25, 2017.	
Petition 32: Mr. Wetmore, April 26, 2017.	
Petition 33: Mr. Wetmore, April 27, 2017.	
Petition 34: Mr. Wetmore, April 28, 2017.	

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 Fifth Report, December 16, 2016 Sixth Report, March 23, 2017 Seventh Report, April 25, 2017 Eighth Report, April 27, 2017 Ninth Report, April 28, 2017
Standing Committee on Estimates and Fiscal Policy	First Report, April 27, 2017
Standing Committee on Law Amendments	First Report, December 14, 2016
Standing Committee on Private Bills	First Report, April 25, 2017

WRITTEN QUESTIONS (see Appendix A)

Donald J. Forestell
Clerk of the Legislative Assembly

APPENDIX A**WRITTEN QUESTIONS****Question No. 1 by Mr. Higgs**

Directed to: Hon. Mr. Gallant
Premier of New Brunswick

Will the Premier give us precisely the deficit figure that he is claiming to have cut in half? What was the top number, what was the bottom number, and where was the contingency fund during all this calculation?

Question No. 2 by Mr. Higgs

Directed to: Hon. Mr. Gallant
Premier of New Brunswick

Two documents were posted to the government of New Brunswick website. One document is on the economic outlook for 2017-18, and the other document is the budget speech. These documents may conflict. As such, which document is accurate?

Question No. 3 by Mr. Higgs

Directed to: Hon. Mr. Doucet
Minister of Energy and Resource Development

I would like to refer the minister to Volume 2 of the 2015 report of the Auditor General and her recommendations on private wood supply. On page 176, in paragraph 4.20, the Auditor General states:

4.20 We reviewed documentation supplied by the Department regarding its strategic planning and implementation. We could not identify a documented strategy, goal or objective for wood supply from private woodlots. Although it has initiated some actions related to private wood supply, none were complete.

Can the minister advise the House as to whether this has been acted upon? Can he share the department's documented strategy, goal, or objective for wood supply from private woodlots?

Question No. 4 by Mr. Higgs

Directed to: Hon. Ms. Landry
Minister responsible for Opportunities New Brunswick

Can the minister responsible for Opportunities New Brunswick advise the House as to how many companies receiving government financial assistance are behind on their commitments to create jobs?

Question No. 5 by Mr. Higgs

Directed to: Hon. Ms. Rogers
Minister of Finance

The Gallant government made two announcements, one regarding Sisson Mine and the other regarding First Nations gasoline and tobacco taxation.

Could the minister explain what consultation was done and what consideration was given, if any, to the concerns of the independent gasoline retailers, such as decoupling from HST or providing a cap?