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Daily Sitting 2

Wednesday, December 1, 1999.

8.30 o'clock a.m.

Prayers.

Mr. Speaker introduced the Chaplains for the session, Rev. Stanislas Paulin, pastor of Sainte-Anne-des-Pays-Bas Parish and The Very Reverend Keith Joyce, Dean of Fredericton at Christ Church Cathedral.

Mr. Speaker introduced the pages for the session: Jonathan Bishop, Chipman; Renée Bourgoin, Grand Falls; Andrea Fournier, Moncton; Marcel Fournier, Fredericton; Rebecca Gasek, Fredericton; Stephen Harrigan, Miramichi; Dawn Logue, Bristol; Leanne Murray, Woodstock; and Heather Coughlan of Saint John, Head Page.

The Honourable the Premier paid tribute to the late Hédard Robichaud, the first Acadian Lieutenant-Governor of New Brunswick, a former Progressive Conservative Member of the House of Commons for the County of Gloucester, and a former Senator.

The Honourable the Premier paid tribute to the late Fernand Dubé, Progressive Conservative Member of the Legislative Assembly for Campbellton from 1974 to 1987.

Mr. Blanchard and Mr. B. Thériault joined with the Premier in this regard.

Hon. Mr. Green, from the Standing Committee on Procedure, presented the First Report of the Committee, which was read and is as follows:

December 1, 1999.

To the Honourable
The Legislative Assembly of
The Province of New Brunswick

Mr. Speaker:

Your Standing Committee on Procedure begs leave to submit this their First Report of the session.

In accordance with its permanent order of reference which refers to your Committee all *Standing Rules* and practices of the House, together with any matter referred by the Speaker, the Standing Committee on Procedure held a meeting in Room 47-48 of the Legislative Assembly Building on November 4 and November 23, 1999.

Pursuant to Standing Rule 99, the Clerk of the House presided over the election of a Chairman and a Vice-Chairman. On motion of Mr. Forbes, Hon. Mr. Green was elected Chairman, and Mr. McGraw was elected Vice-Chairman.

Among the matters considered by the Committee were:

- the sitting hours of the House;
- the use of laptop computers in the Chamber; and
- the length of time allotted for Members' statements.

Sitting Hours

In the past, concerns have been raised by Members and staff over the relatively long hours of sitting in comparison to other jurisdictions. Accordingly, the matter of the sitting times of the House was referred to the Standing Committee on Procedure for consideration.

Your Committee reviewed the hours of sitting in other provincial and territorial legislatures. It was found that New Brunswick had the longest sitting hours of any jurisdiction.

Your Committee considered the working conditions of Members and of Legislative and Executive Branch staff as well as the effectiveness of all concerned who are expected to carry out responsibilities and duties while the House is in session.

Your Committee is of the opinion that a schedule of shorter sitting hours would allow Members more time to prepare for the work of the House, to tend to constituency issues, to meet with interest groups and citizens, and to accommodate a variety of legislative and other meetings.

Your Committee therefore recommends for adoption the following amendment to the Standing Rules of the Legislative Assembly of New Brunswick as detailed in the schedule hereto:

SCHEDULE

Standing Rule 29(1) is repealed and the following rule is substituted:

29(1) Unless otherwise provided by Standing or Special Order of the House, the time for the daily meeting and adjournment of the sitting of the Assembly shall be as follows:

Tuesday 1:00 p.m. - 6:00 p.m.

Wednesday 10:00 a.m. - 12:30 p.m.

2:00 p.m. - 6:00 p.m.

Thursday 1:00 p.m. - 6:00 p.m.

Friday 10:00 a.m. - 12:30 p.m.

2:00 p.m. - 6:00 p.m.

Members' Statements

In 1988 an amendment to the *Standing Rules* of the Legislative Assembly added a period for Statements by Members during the ordinary daily business of the House. Under Standing Rule 40.1, Members could make statements about any subject of interest or concern in the 10-minute period following Statements by Ministers.

Initially the time limit for a statement was ninety seconds for each Member, for a maximum of 10 minutes. In 1992, the House adopted a further amendment to the *Standing Rules* which limited statements to sixty seconds, after accepting the Report of the Procedure Committee which cited the need to allow as many Members as possible to take advantage of the 10 minutes available, and the need to give more Members the opportunity to raise matters of concern.

Your Committee considered increasing the time limit for making Members' Statements. After careful consideration, your Committee concluded that the 60-second period currently allotted in the Standing Rules under Standing Rule 40.1(1) and the 10-minute time allotted under Standing Rule 40.1(2) is sufficient for Members to articulate their concerns and put them on the public record.

Your Committee therefore does not recommend making changes to the length of time allotted for Members' Statements at this time.

Use of Laptop Computers in the Chamber

Your Committee was asked to consider whether Members should be allowed to use laptop computers in the Chamber. Prior to making a decision on the issue, a survey was conducted on the use of laptop computers in other Assemblies.

The survey revealed that a number of legislatures in Canada allow laptops in the Chamber and a number do not. In those jurisdictions where laptops are allowed, certain restrictions apply.

After careful consideration, your Committee recommends that the use of laptops be allowed in the Chamber on a trial basis during the current session, subject to the following restrictions:

- a) Laptops will be permitted for use in the Committee of the Whole and the Committee of Supply only;
- b) laptops must be programmed to operate silently and in a stand-alone fashion, and must not be connected to the Legislative Assembly network; and
- c) laptops must not be used by any Member who has the floor or who is involved in the exchange of remarks.

Given that one of the main responsibilities of the Speaker is to preserve order and decorum in the House, your Committee acknowledges that the monitoring of the presence of laptops in the Chamber will remain

under the jurisdiction of the Speaker and other Chair occupants.

Your Committee further recommends that a review be undertaken at the conclusion of the current session to determine whether the use of laptops by Members has interfered with the work of the Members or the House.

Your Committee begs leave to make a further report.

Sgd.: Hon. Brad Green,
Chairman.

Ordered that the Report be received, that leave be granted, and the Committee continued.

Hon. Mr. Mockler laid upon the table of the House a document entitled *Bernard Lord's Plan to Change Our Future Together 1999-2003*.

Ms. Weir laid upon the table of the House a document entitled "Report on Child Poverty in Canada 1989-1999" and a letter dated October 28, 1999, from Elizabeth Weir, M.L.A., to Hon. Norman Betts, Minister of Finance.

During proceedings, Mr. Speaker advised Members that cell phones are not permitted in the House, the Gallery or the Press Gallery.

It was agreed by unanimous consent to extend the period for Oral Questions.

It was agreed by unanimous consent to proceed to the Order of Government Motions for the Ordering of the Business of the House.

On motion of Hon. Mr. Green, seconded by Hon. Mr. Lord:

RESOLVED, That when the House adjourns, it stand adjourned until tomorrow at 2.30 o'clock p.m.

On motion of Hon. Mr. Green, seconded by Hon. Mr. Lord:

RESOLVED, That the membership of the Standing Committee on Procedure be amended by adding the name of Hon. Mr. Harrison;

That the membership of the Select Committee on Education be amended by substituting the name of Mr. Malley for Mr. McGraw and by adding the name of Mr. Ashfield.

Hon. Mr. Green gave Notice of Motion 1 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Hon. Mr. Lord:

THAT the recommendations contained in the First Report of the Standing Committee on Procedure be concurred in by the House.

The following Bill was introduced and read the first time:

By Ms. Weir:

Bill 2, *An Act to Amend the Human Rights Act*.

Ordered that the said Bill be read the second time at the next sitting.

Mr. C. Thériault gave Notice of Motion 2 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. Blanchard:

WHEREAS over the past several years a climate of economic confidence has been developed in New Brunswick through the cooperative efforts of governments at all levels, communities, entrepreneurs and the citizens of this Province;

WHEREAS this climate of confidence has prepared us better to participate in the global community;

WHEREAS this climate of confidence is jeopardized by this government's inaction and general paralysis in each area of government responsibility,

BE IT THEREFORE RESOLVED THAT this Legislature urge the government to build on New Brunswick's climate of confidence, by immediately setting forth an agenda on economic development, tourism, job creation, transportation, education and health care.

Mr. Richard gave Notice of Motion 3 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. Lee:

WHEREAS New Brunswick's tourism industry has been growing at a record pace over the last number of years;

WHEREAS this success is largely due to the active participation of thousands of New Brunswickers who are directly involved in the tourism industry;

WHEREAS a timely tourism campaign launch is a key element in tourism growth;

BE IT RESOLVED THAT the Legislative Assembly urge the Government to proceed with the tourism campaign launch before December 31, 1999.

Mr. S. Graham gave Notice of Motion 4 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. Blanchard:

WHEREAS the Premier has made a commitment to the people of New Brunswick to remove the tolls from the new Fredericton-Moncton highway;

WHEREAS the Premier has committed the removal of tolls will not cost the taxpayers of New Brunswick more money;

WHEREAS approximately one-third of toll revenue would come from outside New Brunswick,

BE IT RESOLVED THAT the Legislature urge the Premier to explain to New Brunswickers the real cost of removal of tolls including a clear indication of how the lost toll revenues will be replaced.

Mr. Lee gave Notice of Motion 5 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. B. Thériault:

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 people hired since June 21, 1999, as teachers' aides including their names, addresses and telephone numbers, and an indication of their respective school districts and schools where they work.

Mr. Holder gave Notice of Motion 6 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. Weston:

WHEREAS the shipbuilding industry of Canada, including New Brunswick, is suffering significant economic hardship as a result of an unfair playing field in international markets;

AND WHEREAS the future of the shipbuilding industry in Canada will depend on its ability to compete in the international commercial shipbuilding markets; and foreign competitors have a pricing advantage over Canadian shipyards and international markets, due to support programs provided by their national governments;

AND WHEREAS the New Brunswick shipbuilding industry historically has made a substantial contribution to the economy of our province and continues to offer significant economic and social opportunities to the Province of New Brunswick;

AND WHEREAS the shipbuilding industry of Canada has called upon the Government of Canada to develop a national shipbuilding policy to counter the pricing advantages of foreign competition;

AND WHEREAS all provincial and territorial leaders have reached a consensus to call upon the Government of Canada to develop a national shipbuilding policy, in concert with the shipbuilding industry of Canada and the provinces;

THEREFORE BE IT RESOLVED THAT the Legislative Assembly of New Brunswick support the call on the Government of Canada to develop a national shipbuilding policy in concert with the shipbuilding industry of Canada and the provinces.

Mrs. Mersereau gave Notice of Motion 7 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Haché:

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 documents, including but not limited to memos, letters, correspondence, electronic mail, minutes of meetings, reports since June 21, 1999, regarding the elimination of the debt of the Port of Belledune including any such documentation between the Government of Canada and the Province of New Brunswick.

Mrs. Mersereau gave Notice of Motion 8 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Lee:

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 the people that accompanied the Minister of Human Resources Development & Housing on his recent trip to Wisconsin, copies of the Minister's and each person's respective expense accounts, including all transportation costs.

Mr. Blanchard gave Notice of Motion 9 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. B. Thériault:

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 documents, memos, correspondence, electronic mail, proposals, minutes of meetings, studies, reports, analyses relating to the construction of the natural gas pipeline in New Brunswick and relating to the delivery of natural gas to all regions of New Brunswick.

Mr. Blanchard gave Notice of Motion 10 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. B. Thériault:

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 new motor vehicles purchased by the provincial government since June 21, 1999, including a description of the motor vehicle purchased, its cost, an indication of where the motor vehicle was purchased and who the motor vehicles are assigned to.

Mr. L. Kennedy gave Notice of Motion 11 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mrs. Mersereau:

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 names, addresses, telephone numbers of all communications officers and / or information officers hired by the provincial government since June 21, 1999, including their current job description and immediate previous job description, title and place of employment.

Mr. B. Thériault gave Notice of Motion 12 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. S. Graham:

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 names, addresses, telephone numbers of all additional nurses hired as part of the provincial government's announcement on the creation of 300 new permanent nursing positions and an indication of their respective hospital corporations and specific departments as well as an indication of their previous employment.

Mr. Haché gave Notice of Motion 13 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. C. Thériault:

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 staff hired by each Minister since June 21, 1999, including but not limited to executive assistants, special assistants and political assistants with an indication of their names, position held, job description, salary, and employment history for the previous one (1) year.

During Notices of Motions, Mr. Robichaud rose on a Point of Order, his point being that under the Standing Rules of the House, Members should refer to other Members by constituency rather than by name.

Mr. Speaker agreed that this was a point well taken.

Mr. Richard gave Notice of Motion 14 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. Kennedy:

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 names, addresses and telephone numbers of all people hired in casual,

part-time, full-time or contract positions by the provincial government since the hiring freeze came into effect.

Ms. Weir gave Notice of Motion 15 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House copies of all correspondence, memos, reports, electronic correspondence, or any other document relating to the decision to hold an inquest into the death of Mr. William Hackett at the Irving Oil refinery from the Office of the Chief Coroner, the Workplace, Health, safety and Compensation Commission, the Solicitor General, or any official in his or her Department, the Minister of Labour, or any official in his or her Department, and the Premier's Office.

Ms. Weir gave Notice of Motion 16 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House by the Minister of Aboriginal Affairs all analyses, correspondence, legal opinions and recommendations related to a response by the provincial government to the Report of the Task Force on Aboriginal Issues led by Judge Graydon Nicholas and former supreme court justice Gerard LaForest.

Ms. Weir gave Notice of Motion 17 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House by the Minister of Labour copies of all submissions, consultations, reports, correspondence, memos, minutes of meetings, analyses, electronic mail, or any other documents relating to the Employment Standards Review Process.

Ms. Weir gave Notice of Motion 18 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House by the Minister of Natural Resources and Energy and the Minister of Finance any studies, reports, memos, analyses, or recommendations on opening up the electricity sector to competition and/or privatization.

Ms. Weir gave Notice of Motion 19 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

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 copy of the Public Private Partnership agreement between Cardinal/Pomerleau and the province of New Brunswick for the Centracare Facility in Saint John.

Ms. Weir gave Notice of Motion 20 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House by the Minister of Health all memos, correspondence, electronic mail, reports, analyses, directives and any other documents related to the announcement on September 28, 1999, of 300 new nursing positions and including a breakdown of the number of full-time and part-time nursing positions created by each Hospital Corporation as a result of this policy.

Ms. Weir gave Notice of Motion 21 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House by the Minister of Fisheries and Aquaculture copies of all memos, studies, correspondence, analyses, e-mail, draft policies, technical, scientific and other reports related to the siting policy for salmon cages in the Bay of Fundy.

Ms. Weir gave Notice of Motion 22 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House by the Minister of Environment and the Minister of Fisheries and Aquaculture all correspondence, studies, reports, analyses, e-mail and any other documents related to the memorandum of understanding with the Department of Transportation and the Department of Fisheries for the opening and operation of the Petitcodiac causeway including any orders from DFO to comply with the federal *Fisheries Act* to provide for fish passage.

Ms. Weir gave Notice of Motion 23 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

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 copy of the curriculum vitae and letters of reference submitted by Mr. Charles Murray for the position of Ministerial Assistant in the Department of Justice.

Ms. Weir gave Notice of Motion 24 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

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 regarding any public opinion poll conducted by the government since July 1, 1999, including poll questionnaire and analysis, polling company name and location, and the cost of the poll.

Ms. Weir gave Notice of Motion 25 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House by the Minister of Natural Resources all documents related to the auctioning off of land located in Charlotte and York counties purchased by the New Brunswick government from The Timber Company, a separate operating group of Georgia-Pacific, including the terms of reference for auctioning off this land, terms of reference for bids and a list of all successful bids to date.

Ms. Weir gave Notice of Motion 26 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House by the Minister of Natural Resources and Energy all reports, analyses, studies, financial projections, and recommendations for the decommissioning of Point Lepreau.

Ms. Weir gave Notice of Motion 27 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

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 copy of the lease, details of all expenditures for leasehold improvements, furniture and any other expenses for the suite of offices presently used by NB Power at Hilyard Place, Main Street, Saint John.

Ms. Weir gave Notice of Motion 28 that on Tuesday, December 7, 1999, she would move the following resolution, seconded by Mr. Richard:

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House by the Minister of Environment correspondence, reports, analyses, e-mail, studies and any other documents including progress reports related to the Action Plan to cut mercury emissions in half by the year 2003.

Mr. S. Graham gave Notice of Motion 29 that on Tuesday, December 7, 1999, he would move the following resolution, seconded by Mr. Richard:

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 motor vehicles assigned to Ministers and/or ministerial staff since June 21, 1999, indicating the names of any such assignees and the year, make and model of each motor vehicle.

It was agreed by unanimous consent that second reading of Bill 2 introduced earlier during the sitting be deferred until Friday, December 3, 1999.

And then, 11.25 o'clock a.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 Agriculture and Rural Development, 1997-1998 - March 29, 1999

Annual Report Compensation for Victims of Crime (April 1, 1996 - March 31, 1997) - April 7, 1999

Annual Report Council of Maritime Premiers, 1997-1998 - April 28, 1999

Annual Report Farm Products Marketing Commission, 1997-1998 - September 2, 1999

Annual Report Finance, 1998-1999 - November 1, 1999

Annual Report Fisheries and Aquaculture, 1998-1999 - November 19, 1999

Annual Report Human Resources Development-NB, 1998-1999 - November 1, 1999

Annual Report Justice 1998-1999 - November 3, 1999

Annual Report Labour 1998-1999 - November 29, 1999

Annual Report Labour and Employment Board, 1998-1999 - November 1, 1999

Annual Report Legal Aid New Brunswick, 1998-1999 - November 3, 1999

Annual Report Legislative Activities 1998 - April 19, 1999

Annual Report Lotteries Commission of New Brunswick, 1997-1998 - March 12, 1999

Annual Report NB Investment Management Corporation, 1998-1999 - November 2, 1999

Annual Report NB Liquor, 1999 - September 27, 1999

Annual Report Natural Resources and Energy 1998-1999 - November 29, 1999

Annual Report New Brunswick Highway Corporation, 1998-1999 - November 1, 1999

Annual Report Office of the Comptroller, 1998-1999 - November 1, 1999

Annual Report Office of the Ombudsman, 1997-1998 - September 8, 1999

Annual Report Provincial Holdings Ltd. for the year ending March 31, 1998 - March 23, 1999

Public Accounts for the fiscal year ended 31 March 1998 (Volume 4 - Trust Funds)- March 12, 1999

Annual Report Service New Brunswick, 1998-1999 - October 15, 1999

Annual Report Solicitor General, 1998-1999 - March 23, 1999

Annual Report Transportation, 1998-1999 - November 29, 1999

Annual Report Workplace Health, Safety and Compensation Commission of New Brunswick - March 26, 1999

OTHER DOCUMENTS

Economic Development Fund - Regional Development Corporation Report 1997-98 - April 8, 1999

Energy, Final Report of the Select Committee on Energy - Electricity Restructuring in New Brunswick - May 6, 1999

Members' Expenses Report 1998-1999 - November 23, 1999