

# JOURNALS

of the

## LEGISLATIVE ASSEMBLY

of the

## PROVINCE OF NEW BRUNSWICK

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SECOND SESSION OF THE FIFTY-FIFTH  
LEGISLATIVE ASSEMBLY, 2004-2005

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THE HONOURABLE HERMÉNÉGILDE CHIASSON  
LIEUTENANT-GOVERNOR

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Fredericton, N.B.  
Thursday, December 2, 2004.

### PROCLAMATION

**WHEREAS** I have proclaimed that the first session of the fifty-fifth Legislative Assembly of this Province be prorogued on the second day of December, 2004, in the forenoon;

**AND WHEREAS** I have thought fit to call the second session of the Fifty-fifth Legislative Assembly of this Province into session, I hereby issue a Proclamation that the same be called to meet on the second day of December, 2004, at 3:00 o'clock in the afternoon.

Given under my hand and the Great Seal  
of the Province at Fredericton on this 19  
day of November, 2004, in the fifty-third  
year of Her Majesty's Reign.

**BY COMMAND OF THE  
LIEUTENANT-GOVERNOR**

Bradley Green, Q.C.  
Attorney General

Herménégilde Chiasson.  
Lieutenant-Governor.

This being the day appointed for the opening of the Second Session of the Fifty-fifth Legislative Assembly of the Province of New Brunswick for the dispatch of business pursuant to the proclamation hereinbefore annexed, and the Members being present:

His Honour, the Lieutenant-Governor was announced and having been bidden to enter, took his seat in the chair upon the Throne and was pleased to open the session with the following speech from the Throne:

Mr. Speaker, Honourable Members of the Legislative Assembly, invited guests and all residents of New Brunswick.

Welcome to the opening of the Second Session of the 55th Legislative Assembly of the Province of New Brunswick.

The cover of this year's Speech from the Throne features the many faces of New Brunswick. We are a province of increasing diversity, a province in which people of many cultures, aboriginal, French, English and New Canadians, live side by side with each other in harmony. We are united by common values and a desire to build a stronger New Brunswick for all.

#### **Recognizing New Brunswickers**

This Throne Speech begins by recognizing the extraordinary accomplishments of individual New Brunswickers.

Since the last Speech from the Throne, we have inducted 17 more New Brunswickers into the Order of New Brunswick.

One of my first official acts as lieutenant-governor was the investiture of Corinne Pichette, Claude Gauvin, Ludmila Knezkova-Hussey, Clifton Furrow, Mathieu Duguay, Wallace McCain, and the late K.C. Irving into the Order in October 2003.

This past September, I had the privilege of joining with Premier Lord in investing Linna O'Hara, Paul Boucher, Roland Maurice, the Hon. Brenda Robertson, Frederick Moar, Matilda Murdoch, the Hon. Frank McKenna, P.C., Gérard Saint-Cyr and the late Fred Cogswell into the Order.

Four New Brunswickers received appointments to the Order of Canada in 2004: Leonard H. Lockhart, Officer; Eldon Hay, Fred Ross and Carolyn McNulty, Members.

Congratulations are also extended those New Brunswickers who were members of Canada's Olympic and Paralympic teams in Athens. We especially salute paralympian David Durepos of New Maryland, who was once again a gold medalist in Wheelchair Basketball, and Jason Dickson of Miramichi, who pitched for the fourth-place Canadian baseball team.

We acknowledge the achievement of Rebecca Nicholson of Lower Cape, who was named 2004 Special Olympics Canada Female Athlete of the Year, and the 2004 National Junior Curling Champions from Quispamsis, consisting of team members Ryan Sherrard, Darren Roach, Jared Bezanson, Jason Roach and coach Bob Sherrard.

Since the Legislative Assembly last met, a number of notable New Brunswickers have passed away. We have lost former members of this Chamber Rodman Logan of Grand Bay-Westfield and Gerald Merrithew of Saint John. We have also lost Extra-Mural Hospital pioneer Gordon Ferguson of Fredericton.

During this year which marks the 400th anniversary of the first French settlement in North America, we have lost three beloved Acadian cultural figures: folklorist Père Anselme Chiasson of Moncton, educator and community leader Adelard Savoie of Moncton and broadcaster, author and teacher Léone Boudreau-Nelson of Riverview.

As well, we honour the sacrifice of two brave New Brunswickers, Lt. Chris Saunders of Quispamsis and Sgt. Robert Short of New Maryland, who died tragically in the service of our country since the last Throne Speech.

In honour of our fighting men and women, it is fitting that 2005 will be known as "The Year of the Veteran." Throughout the year, ceremonies and events will commemorate the achievements and sacrifices of veterans and recognize the 60th anniversary of the end of the Second World War.

### **A Stronger New Brunswick for All**

Your government is dedicated to building a stronger and more prosperous province, to improving the quality of life of all New Brunswickers. Since taking office, your government's priorities have remained clear: better health and senior care; quality education; job creation; helping those who need help the most; strong, vibrant communities; a cleaner environment; lower taxes; and balanced budgets.

This session marks the continuation of the implementation of your government's platform entitled *New Brunswick: Reaching Higher. Going Further*, designed to bring greater prosperity to all New Brunswickers.

Your government has been working diligently since 1999 to establish fiscal stability and live within its means in order to get the fundamentals right for socio-economic development and growth. Your government has been pursuing a vision of greater economic success combined with greater social progress for all New Brunswickers.

Significant results have been achieved on a number of fronts.

New Brunswick is leading the country in job growth this year. Our labour force is also growing faster than the national average, while average wage rates are growing at nearly twice the national average.

The growth of our labour force also means there are far fewer New Brunswickers needing Employment Insurance and over 15,000 fewer on social assistance since your government took office.

New Brunswick has the best small business and third best general corporate income tax rate in the country, while personal income taxes have also been cut by 11 per cent and there are more than 40,000 additional New Brunswickers who do not have to pay provincial income tax.

As a result of your government's efforts to manage smarter, our provincial credit rating has been upgraded and our net debt has been reduced.

As well, we are enjoying record investments in health care and education with more doctors and more nurses working throughout New Brunswick and more teachers per student in the classroom.

We've made real progress.

In its desire to maintain a balanced approach, your government is putting forth this Speech from the Throne to achieve greater prosperity for all, from children to seniors, from working families to entrepreneurs, from community volunteers to those in need.

While significant progress has been made, your government and the people of New Brunswick want and can do more.

The initiatives set out in this Throne Speech will build a stronger New Brunswick for all.

#### **A Stronger Economy for Workers and Entrepreneurs**

Your government will continue to aggressively pursue New Brunswick's prosperity plan, *Greater Opportunity*. This plan is helping our province achieve lasting prosperity and greater opportunity for all New Brunswickers in all regions of New Brunswick. Your government's objective is to make New Brunswick an investment magnet for Canada and a gateway for trade in North America.

While all New Brunswickers are affected by global economic forces and industry transitions, some recent events here in New Brunswick remind us of our need to continuously adapt to global change.

Over the last year, the **Select Committee on Wood Supply** conducted hearings which gave New Brunswickers a chance to

express their opinions about the management of our Crown forests. As recommended by the Select Committee, your government will establish **quantifiable wood supply objectives**.

Ensuring the forest sector continues to grow and diversify is a key component of your government's Total Development strategy. Your government will put forward a solid plan for the **future of wood supply in New Brunswick** and provide **sustainable silviculture funding** to meet five-year forest management plan objectives and take other measures necessary for the long-term sustainability of our forests.

As part of your government's overall Total Development strategy, the following initiatives will be introduced to promote innovation, resource management and development across a number of sectors:

- Amendments to the *Fish Processing Act* will be brought forward to help processors compete.
- Your government will continue to pursue the development of a **National Aquatic Animal Health Program** to address the rapid expansion of aquaculture in Canada.
- Your government will introduce measures to follow up on the recommendations of the **New Brunswick Potato Cluster Study**.
- A **Life Science and Bioeconomy strategy** will also be released aimed at expanding New Brunswick's presence in these emerging areas.

Your government will increase its support for innovation and research and development in New Brunswick.

Your government will continue its unprecedented support for small business with further **reductions to small business income taxes**.

Building strategic infrastructure is one of the four building blocks of the prosperity plan. Your government will announce new investments for infrastructure throughout the province. Specifically, a new initiative for **rebuilding rural roads** will be launched, with new resources allocated to strengthen these vital ties to rural New Brunswick.

As well, your government will continue its **support for tourism** with new investments in infrastructure and marketing.

Reducing red tape is a cornerstone of your government's prosperity plan. In response to recommendations from the Red Tape Reduction Committee, an enhanced webbased **Directory of Services** will be launched to provide uniform information and access to government programs, regulations, fees and services.

Your government will pursue the objective of eliminating the wage gap by adopting an action plan in response to the **Wage Gap Roundtable**.

Your government believes New Brunswick workers should enjoy a safe and healthy working environment. Amendments to the *Occupational Health and Safety Act* will be made to improve the functioning of **Joint Health and Safety Committees** and **new first aid regulations** will be introduced to enhance first aid services in the workplace.

#### **A Stronger Education System for Children and Youth**

A quality education is essential for future growth and prosperity.

Your government has a vision of an education and training system that promotes a culture of excellence and high achievement exemplified by innovation and lifelong learning.

Your government put forward a 10-year Quality Learning Agenda for Kindergarten to Grade 12 in the spring of 2003 to help realize this goal and vision. Your government will release the **final three stepping stones** of the Quality Learning Agenda, including early childhood development, post-secondary education and training, and adult and lifelong learning.

As the basic foundation for learning, your government will continue to **focus on early and adult literacy**. Significant steps have been taken to improve academic performance in these areas and progress is being made.

To complement this emphasis on literacy, significant action will also be taken to **focus on math and science**, including new **professional development strategies** and working with parents by **sharing expected outcomes**.

As your government committed to in *Reaching Higher. Going Further*, **service to postsecondary students** will be improved by integrating the provincial student financial assistance program with the federal program. This will mean that, by May 2005, most students will only have to manage one loan instead of two.

As well, your government will further enhance support for students through **new financial aid initiatives** to maintain affordability and access to post-secondary education and will continue to support our universities with **increased funding for operations and infrastructure**.

Your government will **restructure New Brunswick's Community Colleges** to better serve students and employers. For example, program delivery will be redesigned from the traditional "school-type" format to one that is "course-based" to ensure it meets the changing needs of students, life-long learners and employers.

Your government will also work with post-secondary institutions and municipalities to create a **welcoming environment for international students and new immigrants** with a view to building awareness of different cultures and diversifying our communities.

#### **Stronger Health Care for Seniors and Families**

Your government's vision is of a single, integrated, sustainable provincial health care system that is patient-focused and community-based. Its goal is to provide the right health care services in the right way at the right time by the right provider at a cost taxpayers can afford.

Earlier this year, your government put in place *Healthy Futures*, a four-year provincial health plan to secure New Brunswick's health care system and make it sustainable well into the future. This plan provides for meaningful, enduring change to our health care system that will sustain and improve it not just for today, but for tomorrow as well.

High-quality ambulance service is crucial to health care delivery in our province. Your government has taken significant steps to **modernize ambulance services** and will introduce further measures to enhance these services to maintain a high level of patient care.

Other health plan initiatives include:

- **expanding immunization for children** to protect against meningitis, chickenpox, whooping cough and pneumonia, with influenza vaccine for children up to age six provided beginning this year;
- **establishing methadone clinics** in Moncton, Saint John, Fredericton and Miramichi;
- **expanding dialysis services** and the establishment of four new **satellite dialysis units** to serve rural communities;
- creating the **New Brunswick Cancer Network** to provide co-ordinated, effective services for cancer patients; and
- improving cardiac care by **strengthening the New Brunswick Heart Centre**.

The health care system needs to focus not just on taking care of us when we are sick, but also on encouraging us to live healthy lives in the first place. The promotion of wellness is central to the provincial health plan. The investments we make in promoting wellness are an investment in the health and quality of life for all New Brunswickers.

As a result, your government will take the next steps in its Wellness Strategy through new investments in prevention and the promotion

of healthy living. One initiative to improve the wellness of children will be the implementation of a **province-wide nutrition policy** in New Brunswick's public schools.

### **Stronger Communities and Services for People**

Communities are the heart of our province and the heart of our democratic society.

Government provides many important services that residents want and need. These range from the day-to-day services used by New Brunswickers to services which help those who need it the most.

Your government will adopt a number of measures this session to build stronger communities in New Brunswick and improve services for all New Brunswickers.

Your government has made significant **investments to improve the quality and affordability of child care** in New Brunswick. Through the Quality Improvement Funding Support Program, child care workers are receiving significant increases in wage and bonuses since 2001 and a joint training initiative is increasing the number of trained child care workers in the province. The family income threshold as well as the subsidy rate is also being raised under the Day Care Assistance Program.

In this session, your government will announce new investments to build upon these measures and to enhance the wages and benefits of **child care workers** in New Brunswick.

Amendments will be introduced to the *Child and Youth Advocate Act* which was passed in this House last session. These amendments will clarify the role of the **Child and Youth Advocate** to ensure that it best meets the needs of New Brunswick children and youth.

An **Office of the Public Trustee** will be established to safeguard those New Brunswickers who have become unable to make important decisions concerning their own health and finances.

Your government is committed to **improving services to persons with disabilities** so they are better able to participate fully in all aspects of life in their communities. Acting on a recommendation of the Disability Framework Working Group, two pilot projects will be undertaken in Fredericton and Edmundston to test new approaches for support delivery to persons with disabilities.

Your government believes that social programs should ensure dignified and meaningful lives for those who need assistance, but also to provide the support and resources necessary to enable these individuals to be self-reliant and take responsibility for their own lives.



In this session, your government is committed to **increasing social assistance rates and enhancing other social assistance benefits**, including the **fuel supplement benefit**, to help those New Brunswickers who need help the most.

As part of its ongoing efforts to eliminate barriers to work and to help social assistance recipients to become self-reliant, your government will **extend health card benefits** for up to a year for those who make the transition from social assistance to work; offer a **one-time benefit** to assist with specific costs in making the transition to work; give recipients access to a range of **training and employment supports** and provide **postemployment counselling** to help those making the transition to stay in the workforce.

Building on the success of the Kids Can't Wait to Have a Family adoption program, which has successfully placed 363 children with new families to date, your government will bring forward **amendments to the *Family Services and Intercountry Adoption Acts*** which will modernize the process for international, private and ministerial adoptions.

Your government is pleased with the success of the *A Better World for Women* action plan and will be examining further ways to improve the lives of women and children who have been victims of violence. Following up on the Woman Abuse Protocols which were introduced earlier this year, **Child Abuse and Adult Victim of Abuse Protocols** will also be launched.

Amendments will also be introduced to the *Victims Services Act* to further improve quality of life and safety for victims of crime.

The **911 system** is part of your government's plan to build a safer New Brunswick. It is important for New Brunswickers to have quick access to emergency services, such as fire, police and ambulance services. Enhancements will be made to the operation and the infrastructure of the provincial 911 system.

Volunteers make an enormous contribution to improving the quality of life of New Brunswickers. In fact, volunteers make up nearly 90 per cent of our provincial fire service. Skills training is an important cornerstone of your government's prosperity plan. Your government is committed to continuing to work with **volunteer firefighters** and the fire service to address issues related to recruitment, training and liability protection.

**Municipal and regional police** forces are a key partner in your government's efforts to build a safe and secure province. During this legislative session, amendments will be made to the *Police Act* to

address concerns these forces have had for many years relating to the current complaints and discipline process.

In order to promote more efficient law enforcement, your government will introduce **amendments to the *Provincial Offences Procedures Act*** which will allow enforcement officers to issue tickets for minor offences in order to better protect our fish, wildlife and forest resources.

New Brunswick has become a true leader in providing services online. This is a key component of the eNB.ca strategy as part of your government's plan for Embracing Innovation.

Your government will put in place an **e-justice pilot initiative** which will enable certain court proceedings to be conducted via the Internet and an **e-laws initiative** to develop a fully automated publication system for New Brunswick Statutes. The land registry system will be modernized through the **electronic submission of documents**, using technology to make it easier to conduct business with government.

The success of **Family Support Order Services** will be built upon through the introduction of new legislation and technology to make this important service more efficient and effective.

As part of the government's commitment to **lower auto insurance rates** and to make insurance more fair and accessible for New Brunswick motorists, the **No Frills** policy and the **First Chance Driver Discount** will be available Jan. 1.

New Brunswick's first-ever **Consumer Advocate for Insurance** will be appointed and the **Graduated Drivers Licence** program will be strengthened to assist new drivers in their efforts to be safe drivers for life.

Your government believes that economic growth and resource development take place in an environmentally sustainable manner and that decisions taken reflect the shared role of government, business, and individuals as stewards of the environment for the current and future generations.

Therefore, your government will move forward with a co-ordinated **Greening of Government initiative** to ensure the efficient use of energy, the reduction of greenhouse gas emissions and the introduction of environmentally responsible purchasing and operations for provincial departments and agencies.

A **multi-material stewardship program** will also be developed which will require various industries to take responsibility for the life-cycle of their products. Such an approach will place waste management

responsibility with those who generate the products, reducing the volume of waste going to landfills and providing further incentives to recycle.

Your government will develop an initiative to encourage the clean up of a number of former industrial properties and other contaminated sites, commonly known as “brown fields,” as a means of offering **revitalized and environmentally managed properties** for future development. This initiative will encourage the purchase and redevelopment of existing properties while minimizing expansion into undeveloped land.

As part of its Energy Policy, your government has committed to improving our environment by building opportunities for renewable energy and energy efficiency. Regulations are being developed to require a certain percentage of our electricity supply to come from renewable energy sources and an **energy efficiency program** is being created to help homeowners, businesses and institutions reduce energy use. These measures will reduce greenhouse gas emissions, encourage the construction of **renewable energy facilities** and the development of energy efficient products and services.

Your government recognizes that municipalities are important partners in the delivery of services to people. Consequently, more funding and a new **municipal unconditional grant mechanism** will be brought forward as proposed amendments to the *Municipal Assistance Act*. All municipalities will have predictable and stable funding for planning purposes.

In order to help many existing unincorporated communities achieve greater control over their local affairs, and as a first step of implementing the government response to the final report of the **Select Committee on Local Governance and Regional Collaboration**, your government will pursue a series of legislative and regulatory amendments to make possible the establishment and empowerment of rural communities as a means of local governance.

Your government will fulfill another commitment to bring forward amendments to the *Assessment Act* in order to implement a **provincial property tax relief initiative for the non-profit housing sector** on qualifying low-income rental housing property.

Your government will be introducing a property tax incentive program for approved restorations to designated heritage properties. This will help encourage investment in the **rehabilitation and preservation of heritage properties** in New Brunswick.

Your government will table legislation to create a **Provincial Capital Commission** in order to showcase the historical and cultural richness of our province. As well, government will undertake work on **toponymy** to deal with the naming of places and geographic features.

In this session, your government and all members will consider the report of the **Commission on Legislative Democracy**.

In response to recommendations of the Human Rights Commission, your government will be proposing changes to the *Human Rights Act*.

#### **Stronger Value for Taxpayers**

Your government will continue its record of strong, prudent financial management and fiscal discipline. Your government is committed to fiscal responsibility and to living within its means.

By managing the public purse responsibly, your government can focus government resources on the priorities that matter the most to people while providing stronger value for taxpayers.

With that objective in mind, your government will continue to pursue the elimination of waste and duplication and the streamlining of government services and programs to make them more effective and efficient and to ensure they meet the ongoing needs of New Brunswickers.

As part of its commitment to fiscal responsibility, your government has met the provisions of the *Balanced Budget Act* over the 2000-2001 to 2003-2004 period. Your government has turned its attention to meeting its objectives over the current four-year budget cycle.

In addition, your government is committed to going beyond existing Balanced Budget Legislation in order to achieve balanced results.

During this session, your government will introduce a *Fiscal Responsibility Act* with more robust and comprehensive fiscal performance measurement tools.

Your government will also ensure New Brunswickers continue to enjoy the **lowest personal income taxes** in Eastern Canada and will provide further personal income tax relief to individuals and working families.

During this session, Members of the Legislative Assembly will also be asked to review and approve another balanced budget presented by the Minister of Finance, a Statement of Estimated Revenues and Expenses, and Capital Account appropriations for 2005-2006.

**Conclusion**

We are a province of many people and many cultures. We are a province of two official languages that speak in harmony. We all want to pass on to our children and grandchildren a New Brunswick that is more prosperous, healthier, better educated and more compassionate.

This year's Speech from the Throne sets out a focused agenda to make New Brunswick stronger for all.

As the legislative session progresses, ministers will provide more details on the initiatives contained in the Speech from the Throne. Additional legislation will also be introduced on other matters.

Your government will also provide details on additional policy and program matters of importance to the people of New Brunswick.

May divine providence guide you in your deliberations.

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His Honour then retired from the Chamber.

Mr. Speaker resumed the Chair.

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Ordered that Hon. Mr. Lord, Premier, have leave to introduce a Bill entitled "An Act to Perpetuate a Certain Ancient Right." (Bill 1)

He accordingly presented the said Bill to the House and the same was received and read a first time.

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The Speaker then informed the House that in order to prevent mistakes he had obtained a copy of His Honour's speech, which he offered to read. (Reading dispensed)

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Unanimous consent was granted for Mr. C. LeBlanc, the Member for Dieppe-Memramcook, to address the Assembly from a seat other than his own.

On motion of Mr. C. LeBlanc, seconded by Mr. Malley,

RESOLVED, that the speech of His Honour the Lieutenant-Governor be forthwith taken into consideration.

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Mr. C. LeBlanc, a Member for the electoral district of Dieppe-Memramcook, proposed an Address to His Honour the Lieutenant-Governor in answer to the speech, which he read in his place, and being seconded by Mr. Malley, a Member for the electoral district of Miramichi—Bay-du-Vin, it was handed to the Chair where it was again read and is as follows:

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Fredericton, N.B.  
December 2, 2004.

To His Honour,  
The Honourable Herménégilde Chiasson,  
Lieutenant-Governor of the Province of New Brunswick.

May It Please Your Honour:

We, Her Majesty's most dutiful and loyal subjects of the Legislative Assembly of the Province of New Brunswick, now in session, beg leave to extend our humble thanks to Your Honour for the gracious speech which Your Honour has addressed to us, and we assure Your Honour that all matters which may be submitted to us during the session will receive our most careful attention and consideration.

And a debate arising, after some time, it was on motion of Mr. S. Graham, the Leader of the Opposition and the Member for the electoral district of Kent, adjourned over.

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And then, 4.30 o'clock p.m., the House adjourned.