

**LEGISLATIVE ASSEMBLY
PROVINCE OF NEW BRUNSWICK**

Second Session, 55th Legislative Assembly
Wednesday, December 15, 2004.

ROUTINE PROCEEDINGS

Prayers
Condolences and Messages of Sympathy (*Prior Notice to Speaker*)
Introduction of Guests
Congratulatory Messages
Presentations of Petitions
Answers to Petitions and Written Questions
Presentations of Committee Reports
Tabling of Documents
Statements by Ministers
Statements by Members
Oral Questions
Introduction of Bills
Notices of Motions
Government Motions for the Ordering of the Business of the House
Orders of the Day

**ORDER AND NOTICE PAPER
ORDERS OF THE DAY**

SECOND READING (*deferred until Thursday, December 16, 2004*)

Bill 15, An Act to Amend the Pension Benefits Act - Hon. Mrs. Blaney
Bill 16, Pension Benefits Guarantee Fund Act - Mr. S. Graham

GOVERNMENT BILLS AND ORDERS

Resuming the adjourned debate on the motion for an Address in Reply to the Speech from the Throne.

Debate adjourned by Hon. Mr. Lord.

Debate to resume on Wednesday, December 15, 2004.

COMMITTEE OF THE WHOLE

Bill 2, An Act to Amend the Motor Vehicle Act - Hon. Mr. Steeves
 Bill 3, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. Ashfield
 Bill 4, An Act to Amend the Fish and Wildlife Act - Hon. Mr. Ashfield
 Bill 5, Queen's Printer Act - Hon. Mr. Green, Q.C.
 Bill 6, An Act to Amend the Judicature Act - Hon. Mr. Green, Q.C.
 Bill 7, An Act to Amend the Elections Act - Hon. Mr. Green, Q.C.
 Bill 8, An Act to Amend the Assessment and Planning Appeal Board Act
 - Hon. Mrs. Fowlie
 Bill 9, An Act to Amend the Family Services Act - Mr. Burke
 Bill 10, Public Trustee Act - Mr. S. Graham
 Bill 11, An Act Respecting Rural Communities - Hon. Mrs. Fowlie
 Bill 12, An Act to Amend An Act to Amend the Human Rights Act - Hon. Mrs. Blaney
 Bill 13, An Act to Amend the Municipal Assistance Act - Hon. Mr. Volpé
 Bill 14, An Act to Amend the Assessment Act - Hon. Mr. Volpé

NOTICES OF MOTIONS

GOVERNMENT MOTIONS

Motion 20 by Hon. Mr. Volpé, seconded by Hon. Mr. Lord to propose the following resolution on Thursday, December 16, 2004:

That this House approves in general the capital budgetary policy of the government.

CONCLUDED:

Motion 22 by Hon. Mr. Green. Carried December 10, 2004.

Motion 23 by Hon. Mr. Green. Carried December 14, 2004.

PRIVATE MEMBERS' MOTIONS

[In accordance to rotation prescribed by Standing Rules 44(2.4), (2.5), and (2.6)]

Debatable Motions

Motion 1 by Mr. Graham, seconded by Mr. Doucet to propose the following resolution on Thursday, December 9, 2004:

WHEREAS the CEO of NB Power has indicated that rate hikes exceeding 3% are impending; and

WHEREAS NS Power has asked for 13% rate hikes; and

WHEREAS the breakup of NB Power is costing rate payers of New Brunswick millions of dollars in extra administration cost; and

WHEREAS the government's mishandling of orimulsion negotiations is costing New Brunswick rate payers hundreds of millions of dollars; and

WHEREAS the government has removed public policy goals from its new *Electricity Act*;

BE IT THEREFORE RESOLVED that the Legislature condemn the government for not protecting the interests of the people of New Brunswick with regard to stability of price and continuity of supply of electrical energy.

Motion 3 by Mr. MacDonald, seconded by Mr. Malley to propose the following resolution on Thursday, December 9, 2004:

WHEREAS the forest industry is a major contributor to the province's economy;

WHEREAS the industry is a major contributor to jobs and economic activity in many local communities;

WHEREAS the Official Opposition has opposed measures to alleviate some of the burdens this important industry has faced;

WHEREAS the government of New Brunswick is working diligently with industry stakeholders to sustain and to strengthen this sector of the economy;

BE IT THEREFORE RESOLVED that the House support the government's intention to establish quantifiable wood supply objectives as recommended by the Select Committee on Wood Supply and its intention to bring forward a solid wood supply plan and to provide sustainable silviculture funding to meet five-year management plan objectives.

Motion 19 by Mr. Williams, seconded by Mr. C. LeBlanc to propose the following resolution on Thursday, December 16, 2004:

WHEREAS the Governor General of Canada issued a Royal Proclamation on December 10, 2003 designating July 28 as A Day of Commemoration of the Great Upheaval;

WHEREAS, in 2004, Acadia is celebrating the 400th anniversary of its founding;

WHEREAS Acadia will commemorate, in 2005, the 250th anniversary of the Great Upheaval;

WHEREAS the Acadian people have been contributing for 400 years to the economic, cultural, and social vitality of New Brunswick and Canada;

WHEREAS it is in the interest of all New Brunswickers to become better acquainted with the rich historical and cultural heritage of the Acadians;

WHEREAS the New Brunswick government supported efforts leading to the issuing of the Royal Proclamation;

BE IT THEREFORE RESOLVED that the Legislative Assembly recognize the suffering and the hardships of the Acadians during the Great Upheaval as well as the importance of those events in the history of New Brunswick and of Canada as a whole; and that the Legislative Assembly also recognize the determination of Acadians to forge a better future for themselves.

Motions for returns [In order of their introduction in the House]

Motion 2 by Mr. Graham, seconded by Mr. Murphy to propose the following resolution on Thursday, December 9, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, e-mails, correspondence, between the Department of Family and Community Services, the Department of Justice, the Department of Education, the Department of Public Safety and the Premier's Office related to the establishment of the Office of the Child and Youth Advocate including but not limited to the scope, mandate, limitations, and exclusions from April 2004.

(Documents requested filed December 9, 2004)

Motion 4 by Mr. Allaby, seconded by Mr. Lamrock to propose the following resolution on Thursday, December 9, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House a copy of all of the statements filed by insurers to the Superintendent of Insurance under the requirements of subsection 79(1) of the *Insurance Act* for the calendar year 2003;

Motion 5 by Mr. Arseneault, seconded by Mr. R. Boudreau to propose the following resolution on Thursday, December 9, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all e-mails, correspondence, minutes of meetings between the Department of Intergovernmental and International Relations, the Premier's Office and/or any other government departments and the Government of Québec regarding the discussions, correspondence or negotiations between the governments of New Brunswick and Québec dealing with improving labour mobility between New Brunswick and Québec.

(Documents requested filed December 9, 2004)

Motion 6 by Mr. Arseneault, seconded by Mr. R. Boudreau to propose the following resolution on Thursday, December 9, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House a copy of all flight logs from the government plane from January 1, 2004 to June 30, 2004 and a breakdown of expenditures arising from the ongoing operation of the government plane from January 1, 2004 to December 1, 2004.

Motion 7 by Mr. Arseneault, seconded by Mr. R. Boudreau to propose the following resolution on Thursday, December 9, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all names and remuneration received by any individual, who has been employed on a full time, part time or contract basis or who has been appointed to a government board or commission since June 10, 2003.

Motion 8 by Mr. MacIntyre, seconded by Mr. A. LeBlanc to propose the following resolution on Thursday, December 9, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, e-mails, correspondence, regarding any initiative by the Department of Family and Community Services to cover needles and test strips for diabetics who have a low income but not on social assistance and qualify for health care through the Department of Family and Community Services since June 1999.

Motion 9 by Mr. Jamieson, seconded by Mr. MacIntyre to propose the following resolution on Thursday, December 9, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, e-mails, correspondence, between the Department of Health and Wellness and the Department of Environment and Local Government regarding soil and sediment testing in the Belledune area, including but not limited to soil and sediment testing and results for lead, arsenic and cadmium since June 1999.

Motion 10 by Mr. Lamrock, seconded by Mr. MacIntyre to propose the following resolution on Thursday, December 16, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all requests for bridge financing, short-term loans, financial advances and permissions to borrow funds made by a Regional Health Authority to the Department of Finance or the Department of Health and Wellness from March 31, 2004 onward.

Motion 11 by Mr. Lamrock, seconded by Mr. MacIntyre to propose the following resolution on Thursday, December 16, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all financial updates and financial statements provided to the Department of Finance or the Department of Health and Wellness by any Regional Health Authority from March 31, 2004 onward.

Motion 12 by Mr. Lamrock, seconded by Mr. Boudreau to propose the following resolution on Thursday, December 16, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all invoices, contracts, letters of engagement and payments pertaining to media training, public speaking training or analogous services provided by a private source to Ministers, and Ministers' Executive Assistants from March 31, 2004 onward.

Motion 13 by Mr. Lamrock, seconded by Mr. Boudreau to propose the following resolution on Thursday, December 16, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all lease agreements and all correspondence related to renovations and cost of all renovations done to the building where the Department of Family and Community Services is housed in their Campbellton office - 157 Water Street, 7th floor.

(Documents requested filed December 14, 2004)

Motion 14 by Mr. Murphy, seconded by Mr. Burke to propose the following resolution on Thursday, December 16, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and reports pertaining to the economic unit policy in New Brunswick.

Motion 15 by Mr. Targett, seconded by Mr. S. Graham to propose the following resolution on Thursday, December 16, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, correspondence, e-mails, and/or reports regarding the Ste Anne Nackawic Pulp Company's employee pension funds with any and all government departments including but not limited to the Department of Training and Employment Development, the Department of Natural Resources, Business New Brunswick, the Department of Finance, the Department of Justice and the Premier's Office since June 1999.

Motion 16 by Mr. S. Graham, seconded by Mr. Jamieson to propose the following resolution on Thursday, December 16, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House the full details of the Molson brewery deal including, but not limited to, the cost/benefit analysis, research on the possible impacts of the subsidy on local brewers, and the total amount of first receipt fees that NB Liquor will forgo under this deal.

Motion 17 by Mr. S. Graham, seconded by Mr. MacIntyre to propose the following resolution on Thursday, December 16, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House the aggregate amounts of the first receipt fees charges by NB Liquor on all Molson products by product line for the 2003-04 fiscal year.

Motion 18 by Mr. S. Graham, seconded by Mr. A. LeBlanc to propose the following resolution on Thursday, December 16, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence between the Executive

Council of the Province of New Brunswick and the Executive Council and the Province of Quebec concerning the interprovincial trade of beer since January 1, 2004.

Motion 21 by Mr. Doucet, seconded by Mr. Jamieson to propose the following resolution on Thursday, December 16, 2004:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents including but not limited to correspondence, memos, analysis and tenders pertaining to the precipitators and scrubbers at Coleson Cove.

PETITIONS

- Petition No. 1 by Mr. Armstrong presented December 3, 2004.
- Petition No. 2 by Mr. Ouellette presented December 3, 2004.
- Petition No. 3 by Mr. A. LeBlanc presented December 3, 2004.
- Petition No. 4 by Mr. Sherwood presented December 8, 2004.
- Petition No. 5 by Mr. Paulin presented December 8, 2004.
- Petition No. 6 by Mr. Betts presented December 9, 2004.
- Petition No. 7 by Mr. Paulin presented December 9, 2004.
- Petition No. 8 by Mr. Doucet presented December 9, 2004.
- Petition No. 9 by Mr. Williams presented December 10, 2004.
- Petition No. 10 by Mrs. Robichaud presented December 10, 2004.
- Petition No. 11 by Ms. Weir presented December 10, 2004.
- Petition No. 12 by Mr. Paulin presented December 10, 2004.

REPORTS/DOCUMENTS

FILED IN CLERK'S OFFICE

Report of the Auditor General of New Brunswick - Volume 2 - 2004
(Filed December 14, 2004)

Report of the Auditor General of New Brunswick - Highlights - Volume 2 - 2004
(Filed December 14, 2004)

Loredana Catalli Sonier
Clerk of the Legislative Assembly