

**LEGISLATIVE ASSEMBLY
PROVINCE OF NEW BRUNSWICK**

Second Session, 55th Legislative Assembly
Wednesday, January 19, 2005.

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

Bill 19, Supplementary Appropriations Act 2003-2004 (2) - Hon. Mr. Volpé
Bill 20, Supplementary Appropriations Act 2004-2005 (1) - Hon. Mr. Volpé
Bill 21, An Act to Amend the Child and Youth Advocate Act - Hon. Mr. Huntjens
Bill 22, An Act to Amend the Legal Aid Act - Hon. Mr. Green, Q.C.
Bill 23, An Act to Amend the Youth Assistance Act - Mr. Lamrock
Bill 24, An Act to Amend the Youth Assistance Act - Mr. Lamrock
Bill 25, An Act to Amend the Auditor General Act - Mr. S. Graham

GOVERNMENT BILLS AND ORDERS

COMMITTEE OF THE WHOLE

Bill 2, An Act to Amend the Motor Vehicle Act - Hon. Mr. Steeves
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 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 17, An Act to Amend the Electricity Act - Mr. Doucet

COMMITTEE OF SUPPLY

Capital Estimates 2005-2006

(Transmitted by Message of His Honour the Lieutenant-Governor December 16, 2004)

Supplementary Estimates 2003-2004 Volume II (Concluded January 5, 2005)

Supplementary Estimates 2004-2005 Volume I (Concluded January 5, 2005)

(Transmitted by Message of His Honour the Lieutenant-Governor January 4, 2005)

BILLS STANDING REFERRED TO STANDING COMMITTEE ON LAW AMENDMENTS

Bill 16, Pension Benefits Guarantee Fund Act - Mr. S. Graham

BILLS AWAITING ROYAL ASSENT

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

NOTICES OF MOTIONS

GOVERNMENT MOTIONS

Motion 39 by Hon. Mr. Volpé, seconded by Hon. Mr. Premier to propose the following resolution on Wednesday, March 30, 2005:

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

CONCLUDED:

Motion 20 by Hon. Mr. Volpé. Debated and carried January 5, 2005.

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

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

Motion 41 by Hon. Mr. Green. Carried January 18, 2005.

PRIVATE MEMBERS' MOTIONS

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

Debatable Motions

Motion 28 by Mr. Lamrock, seconded by Mr. Allaby to propose the following resolution on Thursday, December 23, 2004:

BE IT RESOLVED that this Legislature affirm that a deficit occurs when expenditures in a fiscal year are greater than its revenues.

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.

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.

(Documents requested filed December 16, 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.

(Documents requested filed December 22, 2004)

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.

(Documents requested filed December 16, 2004)

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.

(Documents requested filed December 16, 2004)

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.

(Documents requested filed December 16, 2004)

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.

(Documents requested filed December 20, 2004)

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.

(Documents requested filed December 16, 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.

Motion 24 by Mr. S. Graham, seconded by Mr. Lamrock to propose the following resolution on Thursday, December 23, 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 private pensions in the Province of New Brunswick since June 2003.

(Documents requested filed December 23, 2004)

Motion 25 by Mr. Albert, seconded by Mr. Landry to propose the following resolution on Thursday, December 23, 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, and correspondence between the Minister of Training and Employment Development and the government of Canada concerning seafood processing plant workers, from January 2002 to the present.

(Documents requested filed December 23, 2004)

Motion 26 by Mr. Albert, seconded by Mr. Landry to propose the following resolution on Thursday, December 23, 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, and correspondence between the province of New Brunswick and the government of Canada concerning the employment insurance program, from June 1999 to the present.

(Documents requested filed December 23, 2004)

Motion 27 by Mr. Doucet, seconded by Mr. Lamrock to propose the following resolution on Thursday, December 23, 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, invoices, e-mails, faxes, etc. for out of province medical expenses for NB Power employees and executives since September 1, 2002 to present.

(Documents requested filed January 14, 2005)

Motion 29 by Mr. MacIntyre, seconded by Mr. Arseneault to propose the following resolution on Tuesday, January 11, 2005:

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 statistical data generated from and regarding the Provincial Ambulance Payment Centre in Dalhousie including but not restricted to the number of invoices sent each year, the number of payments received, the number of incidences involving ambulance service classified as urgent, or non-urgent, and

the number of facility transfers, etc.

Motion 30 by Mr. Arseneault, seconded by Mr. Lamrock to propose the following resolution on Tuesday, January 11, 2005:

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 government of New Brunswick's Workforce Profile in each category as of June 30, 2004, as well as December 31, 2004.

(Documents requested filed January 10, 2005)

Motion 31 by Mr. Arseneault, seconded by Mr. Lamrock to propose the following resolution on Tuesday, January 11, 2005:

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 number of civil servants who qualified and received the Workforce Adjustment Program, as of December 31, 2004, within each category: Category 1 (Early retirement), Category 2 (Bridge to 55), and Category 3 (Redeployment or severance), as well as the total cost of the Workforce Adjustment Program per category.

(Documents requested filed January 10, 2005)

Motion 32 by Mr. Jamieson, seconded by Mr. MacIntyre to propose the following resolution on Tuesday, January 11, 2005:

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 and correspondence from the Department of Environment in regards to environmental infractions committed from June 2003 to present. These documents, e-mails, and correspondence to include the companies involved, the nature of the infraction and the total fine payable.

Motion 33 by Mr. Paulin, seconded by Mr. Landry to propose the following resolution on Tuesday, January 11, 2005:

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 and correspondence between the Department the Department of Natural Resources and Mactaquac Provincial Park for the 2004 calendar year.

(Documents requested filed January 11, 2005)

Motion 34 by Mr. Paulin, seconded by Mr. Landry to propose the following resolution on Tuesday, January 11, 2005:

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 and correspondence between the Department of Natural Resources and Grand Lake Provincial Park for the 2004 calendar year.

Motion 35 by Mr. Paulin, seconded by Mr. Landry to propose the following resolution on Tuesday, January 11, 2005:

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 and correspondence between the Department of Tourism and Parks and Sugarloaf Park related to operations.

Motion 36 by Mr. Paulin, seconded by Mr. Landry to propose the following resolution on Tuesday, January 11, 2005:

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, and correspondence exchanged between the Department of Natural Resources and Mount Carleton Provincial Park for the 2004 calendar year.

Motion 37 by Mr. Paulin, seconded by Mr. Landry to propose the following resolution on Tuesday, January 11, 2005:

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 and correspondence between the Department of Tourism and Parks and Larry's Gulch for the 2004 calendar year including the guest list.

Motion 38 by Mr. Arseneault, seconded by Mr. Kenny to propose the following resolution on Thursday, January 13, 2005:

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 breakdown of all expenditures incurred under the following line items: 4202.001 and 4202.002 (DIIR-special initiatives - administrative expenses) which is identified in the 2003-2004 Regional Development Corporation's Annual Report, including but not limited to invoices and travel claims, etc. for those items.

(Documents requested filed January 17, 2005)

Motion 40 by Mr. Paulin, seconded by Mr. Landry to propose the following resolution on Tuesday, January 25, 2005:

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 and correspondence between the Department of Tourism and Parks and Mactaquac Provincial Park for the 2004 calendar year.

CONCLUDED:

Motion 1 by Mr. S. Graham. Debated and defeated January 4, 2005.

Motion 19 by Mr. Williams. Debated and carried December 17, 2004.

PETITIONS

- Petition No. 1 by Mr. Armstrong presented December 3, 2004.
(Response filed January 6, 2005)
- 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.
(Response filed January 4, 2005)
- Petition No. 5 by Mr. Paulin presented December 8, 2004.
(Response filed December 21, 2004)
- Petition No. 6 by Mr. Betts presented December 9, 2004.
(Response filed January 4, 2005)
- Petition No. 7 by Mr. Paulin presented December 9, 2004.
(Response filed December 21, 2004)
- Petition No. 8 by Mr. Doucet presented December 9, 2004.
(Response filed January 4, 2005)
- Petition No. 9 by Mr. Williams presented December 10, 2004.
(Response filed January 4, 2005)
- Petition No. 10 by Mrs. Robichaud presented December 10, 2004.
(Response filed January 4, 2005)
- Petition No. 11 by Ms. Weir presented December 10, 2004.
(Response filed January 4, 2005)
- Petition No. 12 by Mr. Paulin presented December 10, 2004.
(Response filed January 17, 2005)
- Petition No. 13 by Mr. Targett presented December 17, 2004.
- Petition No. 14 by Mr. Foran presented January 4, 2005.
- Petition No. 15 by Mr. A. LeBlanc presented January 4, 2005.
- Petition No. 16 by Mr. Holder presented January 18, 2005.
- Petition No. 17 by Mr. Holder presented January 18, 2005.

COMMITTEE REPORTS

First Report of the Standing Committee on Law Amendments presented
December 16, 2004.

WRITTEN QUESTIONS (see Appendix "A")

REPORTS/DOCUMENTS

FILED IN THE CLERK'S OFFICE

2003-2004 Annual Report, Office of the Ombudsman (Filed January 17, 2005)
2003-2004 Annual Report, Business New Brunswick (Filed January 18, 2005)

COMMITTEE MEETINGS

The Standing Committee on Crown Corporations will meet on the following dates:

- Tuesday, Wednesday, Thursday and Friday, January 25, 26, 27 and 28, 2005 at 9.00 o'clock a.m.; and
Tuesday and Wednesday, February 1 and 2, 2005 at 9 o'clock a.m.

The Standing Committee on Public Accounts will meet on the following dates:

- Thursday, February 3, 2005 at 1 o'clock p.m.
- Friday, February 4, 2005 at 9 o'clock a.m.
- Tuesday, February 8, 2005 at 10 o'clock a.m.
- Wednesday, Thursday and Friday, February 9, 10 and 11, 2005 at 9 o'clock a.m.
- Tuesday, February 15, 2005 at 10 o'clock a.m.
- Wednesday, Thursday and Friday, February 16, 17 and 18, 2005 at 9 o'clock a.m.

The Select Committee on Health Care will hold public hearings at 10 o'clock a.m. each day on the following dates at the following locations:

- Miramichi - Tuesday, February 22, 2005
- Shippagan - Wednesday, February 23, 2005
- Campbellton - Thursday, February 24, 2005
- Edmundston - Friday, February 25, 2005
- Dieppe - Tuesday, March 1, 2005
- Saint John - Wednesday, March 2, 2005
- Fredericton - Thursday, March 3, 2005

Loredana Catalli Sonier
Clerk of the Legislative Assembly

APPENDIX "A"

WRITTEN QUESTIONS

Question No. 1 by Mr. Rick Brewer, MLA

Directed to: Hon. Wayne Steeves
Minister of Public Safety

1. What is the Department of Transportation policy regarding black permanent registration tags seen on Department of Transportation licence plates?
2. Are any private sector companies eligible for these license tags? If so what are the specifics of this policy and how long has it been in place?

Response filed January 5, 2005.