



**LEGISLATIVE ASSEMBLY
PROVINCE OF NEW BRUNSWICK**

ORDER AND NOTICE PAPER

Daily Sitting No. 38

Second Session, 55th Legislative Assembly

Wednesday, May 11, 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
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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 45, An Act Respecting a Fair Deal for Cities and Communities in New Brunswick -
Hon. Mr. Volpé

GOVERNMENT BILLS AND ORDERS

GOVERNMENT MOTIONS

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 17, An Act to Amend the Electricity Act - Mr. Doucet
Bill 21, An Act to Amend the Child and Youth Advocate Act - Hon. Mr. Huntjens
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 31, Civil Service Accountability Act - Mr. Burke
Bill 32, Right to Read Act - Mr. Lamrock
Bill 33, Healthy Students Act - Mrs. Robichaud
Bill 34, Franchises Act - Mr. Haché
Bill 35, Capital Appropriations Act 2005-2006 - Hon. Mr. Volpé
Bill 37, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. Ashfield
Bill 39, An Act to Amend the Emergency 911 Act - Hon. Mr. Steeves
Bill 40, An Act to Amend the Victims Services Act - Hon. Mr. Steeves
Bill 41, An Act to Amend the Forest Products Act - Hon. Mr. Ashfield
Bill 42, An Act to Amend the Marital Property Act - Hon. Mr. Green, Q.C.
Bill 43, An Act to Repeal the Marine Insurance Act - Hon. Mr. Green, Q.C.
Bill 44, An Act to Amend the Assignments and Preferences Act
- Hon. Mr. Green, Q.C.

BILLS STANDING REFERRED TO STANDING COMMITTEE ON LAW AMENDMENTS

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

COMMITTEE OF SUPPLY

Main Estimates 2005-2006

(Transmitted by Message of His Honour the Lieutenant Governor by Hon. Mr. Volpé on March 30, 2005)

NOTICES OF MOTIONS

GOVERNMENT MOTIONS

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 39 by Hon. Mr. Volpé. Debated March 30, April 1, 5, 6, 7, 8 and carried April 15, 2005.

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

Motion 54 by Hon. Mr. Green. Carried March 31, 2005.

Motion 66 by Hon. Mr. Lord. Carried April 12, 2005.

PRIVATE MEMBERS' MOTIONS

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

Debatable Motions

Motion 79 by Mr. MacIntyre, seconded by Mr. A. LeBlanc to propose the following resolution on Thursday, May 12, 2005:

WHEREAS the City of Saint John has requested that the Province of New Brunswick enact enabling legislation which would allow the City of Saint John to alter the Municipal Real Property Tax otherwise payable;

BE IT RESOLVED that any concession to facilitate the proposed liquified natural gas terminal take into consideration the provincial benefits, the tax burden and the future needs of the City of Saint John.

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

Motion 55 by Mr. Arseneault, seconded by Mr. Landry to propose the following resolution on Thursday, April 7, 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, correspondence, e-mails, invoices, reports pertaining to the Department of Tourism and Parks for a trip to London that was scheduled for the month of March 2005, including any invitations extended to potential participants by the province of New Brunswick.

(Documents requested filed April 15, 2005)

Motion 56 by Mr. Albert, seconded by Mr. Landry to propose the following resolution on Thursday, April 7, 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 information and details regarding publicity carried out by Health Authority 6 from March 31, 2004, to March 31, 2005, including media announcements (written, oral, and visual), publicity for the health plan, the logo, *Synopse* magazine, and advertising posters.

(Documents requested filed May 2, 2005)

Motion 57 by Mr. V. Boudreau, seconded by Mr. Albert to propose the following resolution on Thursday, April 7, 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 definitions used by Ambulances Services for the types of patients transported as generated in statistical reports by the Provincial Ambulance Centre and/or the Department of Health and Wellness regarding the payment Centre. The definitions requested include: 1. Emergent 2. Urgent 3. Non-urgent 4. Invalid Transfer.

(Documents requested filed April 18, 2005)

Motion 58 by Mr. V. Boudreau, seconded by Mr. MacIntyre to propose the following resolution on Thursday, April 7, 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 nurses in each of the categories: full-time, part-time and casual for each of the Regional Health Authority as of December 31, 2003 to December 31, 2004.

(Documents requested filed April 22, 2005)

Motion 60 by Mr. V. Boudreau, seconded by Mr. Murphy to propose the following resolution on Tuesday, April 12, 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 letters, e-mails, documents and/or report sent or received by the Department of Health and Wellness regarding the request for the establishment of a satellite cardiac cath lab in Moncton.

(Documents requested filed May 2, 2005)

Motion 61 by Mr. V. Boudreau, seconded by Mr. Albert to propose the following resolution on Thursday, April 14, 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 information and details regarding publicity carried out by each health authority, the Department of Health and Wellness, and Communications New Brunswick, on behalf of the Department of Health and Wellness, from March 31, 2004, to March 31, 2005, including media announcements (written, oral, and visual), publicity for the health plan, the logo, and advertising posters.

Motion 62 by Mr. R. Boudreau, seconded by Mr. McGinley to propose the following resolution on Thursday, April 14, 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, reports, e-mails, correspondence, relating to foster family care, to and by the Department of Family and Community Services, including but not limited to the Minister of Family and Community Services from January 1, 2005 to present.

Motion 63 by Mr. Lamrock, seconded by Mr. Allaby to propose the following resolution on Thursday, April 14, 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, correspondence, e-mails, reports between the Department of Justice and any other Province of Canada on any lawsuit against tobacco companies since June 9, 2003.

(Documents requested filed May 3, 2005)

Motion 64 by Mr. Lamrock, seconded by Mr. Allaby to propose the following resolution on Thursday, April 14, 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, correspondence, e-mails, reports between the Department of Education and the Government of Canada regarding the elimination of parental deduction from student loans since June 9, 2003.

(Documents requested filed April 14, 2005)

Motion 65 by Mr. Arseneault, seconded by Mr. Paulin to propose the following resolution on Tuesday, April 19, 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 payments made by the Department of Tourism and Parks to individuals, media outlets, including but not limited to the names and amounts paid to TV, radio and print outlets to printing companies and advertising since June 1999.

(Documents requested filed May 6, 2005)

Motion 69 by Mr. Albert, seconded by Mr. Landry to propose the following resolution on Thursday, April 21, 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 information concerning the tax on beer exports and imports between New Brunswick and Quebec, including all correspondence, faxes, e-mails, and/or reports on meetings from December 1, 2004, to April 14, 2005.

(Documents requested filed April 26, 2005)

Motion 70 by Mr. Albert, seconded by Mrs. Robichaud to propose the following resolution on Tuesday, May 3, 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 information concerning the signing on January 24, 2001, of the three-year Agreement on Official Languages in Education and the amounts of investments by the government of Canada provided for in the agreement as well as the amounts promised by the government of New Brunswick, including all correspondence, memos, e-mails, faxes, agreements, contracts, and information about the amounts of money invested in order to support minority language education and second language education at the primary, high school, college, and university levels, and a breakdown of these amounts.

Motion 71 by Mr. Albert, seconded by Mr. Landry to propose the following resolution on Tuesday, May 3, 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, correspondence, memos, e-mails, and faxes about labour mobility between the province of Quebec and New Brunswick, including the number of meetings held between May 1, 2003, and April 26, 2005.

(Documents requested filed May 3, 2005)

Motion 72 by Mr. Arseneault, seconded by Mr. Paulin to propose the following resolution on Tuesday, May 3, 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 information gathered by the Department of Tourism and Parks from the NB Tourism and Parks Communications Centre (1-800-565-0123) as well as all statistical information gathered by the Department of Tourism and Parks on the NB Tourism Website (www.tourismnewbrunswick.ca and eauchaude.ca) on a monthly basis since January 2004.

(Documents requested filed May 10, 2005)

Motion 73 by Mr. V. Boudreau, seconded by Mr. MacIntyre to propose the following resolution on Tuesday, May 3, 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 for each Regional Health Authority of those waiting for surgery on the dates of December 31, 2003 and December 31, 2004 in each of the following surgical specialities: general surgery; eye surgery; ear, nose

and throat; orthopedic; plastic surgery, neurosurgery; gynecology; urology and vascular surgery.

Motion 74 by Mr. V. Boudreau, seconded by Mr. MacIntyre to propose the following resolution on Tuesday, May 3, 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 nurses in each of the categories: full-time, part-time and casual for each of the Regional Health Authorities as of each of the following dates: December 31, 2003 and December 31, 2004.

Motion 77 by Mr. Jamieson, seconded by Mr. V. Boudreau to propose the following resolution on Thursday, May 5, 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 Chaleur Area Health Study prepared for the Department of Health and Wellness during 2004.

Motion 80 by Mr. Albert, seconded by Mr. Ouellette to propose the following resolution on Thursday, May 12, 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 information concerning unconditional grants to local service districts, including all memos, faxes, and correspondence, as well as a list of all amounts of money and the names of LSDs that received money for the 2004-05 fiscal year.

Motion 81 by Mr. Murphy, seconded by Mr. Lamrock to propose the following resolution on Thursday, May 12, 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 names and addresses of all individuals who applied for temporary zoning permits from all Municipal and Regional Planning Districts for the year 2004 and from January 1, 2005 to April 30, 2005.

Motion 82 by Mr. Targett, seconded by Mr. S. Graham to propose the following resolution on Tuesday, May 17, 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, correspondence, e-mails and/or reports between the Government of New Brunswick and the Government of Canada concerning the St Anne-Nackawic Pulp Mill since January 1, 2005.

CONCLUDED:

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

Motion 2 by Mr. S. Graham. Withdrawn March 31, 2005.

Motion 3 by Mr. MacDonald. Withdrawn April 5, 2005.

Motion 4 by Mr. Allaby. Withdrawn April 12, 2005.
Motion 5 by Mr. Arseneault. Withdrawn March 31, 2005.
Motion 6 by Mr. Arseneault. Withdrawn March 31, 2005.
Motion 7 by Mr. Arseneault. Withdrawn April 12, 2005.
Motion 8 by Mr. MacIntyre. Withdrawn March 31, 2005.
Motion 9 by Mr. Jamieson. Withdrawn April 12, 2005.
Motion 10 by Mr. Lamrock. Withdrawn March 31, 2005.
Motion 11 by Mr. Lamrock. Withdrawn April 12, 2005.
Motion 12 by Mr. Lamrock. Withdrawn March 31, 2005.
Motion 13 by Mr. Lamrock. Withdrawn March 31, 2005.
Motion 14 by Mr. Murphy. Withdrawn April 12, 2005.
Motion 15 by Mr. Targett. Withdrawn March 31, 2005.
Motion 16 by Mr. S. Graham. Withdrawn March 31, 2005.
Motion 17 by Mr. S. Graham. Withdrawn March 31, 2005.
Motion 18 by Mr. S. Graham. Withdrawn March 31, 2005.
Motion 19 by Mr. Williams. Debated and carried December 17, 2004.
Motion 21 by Mr. Doucet. Withdrawn April 12, 2005.
Motion 24 by Mr. S. Graham. Withdrawn March 31, 2005.
Motion 25 by Mr. Albert. Withdrawn March 31, 2005.
Motion 26 by Mr. Albert. Withdrawn March 31, 2005.
Motion 27 by Mr. Doucet. Withdrawn March 31, 2005.
Motion 28 by Mr. Lamrock. Carried March 31, 2005.
Motion 29 by Mr. MacIntyre. Withdrawn April 12, 2005.
Motion 30 by Mr. Arseneault. Withdrawn March 31, 2005.
Motion 31 by Mr. Arseneault. Withdrawn March 31, 2005.
Motion 32 by Mr. Jamieson. Withdrawn April 12, 2005.
Motion 33 by Mr. Paulin. Withdrawn March 31, 2005.
Motion 34 by Mr. Paulin. Withdrawn March 31, 2005.
Motion 35 by Mr. Paulin. Withdrawn March 31, 2005.
Motion 36 by Mr. Paulin. Withdrawn March 31, 2005.
Motion 37 by Mr. Paulin. Withdrawn March 31, 2005.
Motion 38 by Mr. Arseneault. Withdrawn March 31, 2005.
Motion 40 by Mr. Paulin. Withdrawn March 31, 2005.
Motion 42 by Mr. Ouellette. Withdrawn March 31, 2005.
Motion 43 by Mr. Ouellette. Withdrawn March 31, 2005.
Motion 44 by Mr. V. Boudreau. Withdrawn April 12, 2005.
Motion 45 by Mr. V. Boudreau. Withdrawn March 31, 2005.
Motion 46 by Mr. Lamrock. Withdrawn March 31, 2005.
Motion 47 by Mr. Lamrock. Withdrawn April 12, 2005.
Motion 48 by Mr. Haché. Debated and defeated April 12, 2005.
Motion 49 by Mr. V. Boudreau. Withdrawn March 31, 2005.
Motion 50 by Mr. Arseneault. Withdrawn March 31, 2005.
Motion 51 by Mr. Paulin. Withdrawn March 31, 2005.
Motion 52 by Mr. Foran. Withdrawn March 31, 2005.

- Motion 53 by Mr. Allaby.** Withdrawn April 12, 2005.
Motion 59 by Mr. S. Graham. Withdrawn April 12, 2005.
Motion 67 by Mr. Foran. Debated and carried April 26, 2005.
Motion 68 by Mr. Jamieson. Debated and defeated April 28, 2005.
Motion 75 by Mr. Paulin. Debated and defeated May 3, 2005.
Motion 76 by Mr. Lamrock. Debated and carried as amended May 5, 2005.
Motion 78 by Mr. Allaby. Debated and defeated May 10, 2005.

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.
(Response filed February 3, 2005)
Petition No. 3 by Mr. A. LeBlanc presented December 3, 2004.
(Response filed February 17, 2005)
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.
(Response filed January 13, 2005)
Petition No. 14 by Mr. Foran presented January 4, 2005.
(Response filed January 27, 2005)
Petition No. 15 by Mr. A. LeBlanc presented January 4, 2005.
(Response filed January 27, 2005)
Petition No. 16 by Mr. Holder presented January 18, 2005.
(Response filed February 10, 2005)
Petition No. 17 by Mr. Holder presented January 18, 2005.
(Response filed February 10, 2005)

- Petition No. 18 by Hon. Mr. Alward presented January 19, 2005.
(Response filed February 10, 2005)
- Petition No. 19 by Mr. Malley presented January 19, 2005.
(Response filed February 10, 2005)
- Petition No. 20 by Mr. Graham presented March 31, 2005.
(Response filed April 28, 2005)
- Petition No. 21 by Ms. Weir presented March 31, 2005.
(Response filed April 20, 2005)
(Response filed May 3, 2005)
- Petition No. 22 by Mr. Kenny presented March 31, 2005.
- Petition No. 23 by Mr. Albert presented March 31, 2005.
(Response filed April 28, 2005)
- Petition No. 24 by Mr. Landry presented March 31, 2005.
(Response filed April 28, 2005)
- Petition No. 25 by Mr. Doucet presented April 6, 2005.
- Petition No. 26 by Mr. Targett presented April 7, 2005.
(Response filed April 28, 2005)
- Petition No. 27 by Hon. Mr. Huntjens presented April 14, 2005.
- Petition No. 28 by Mr. V. Boudreau presented April 28, 2005.
- Petition No. 29 by Mr. Landry presented April 28, 2005.
- Petition No. 30 by Mr. Jamieson presented May 3, 2005.
- Petition No. 31 by Mr. MacIntyre presented May 5, 2005.
- Petition No. 32 by Mr. Jamieson presented May 5, 2005.
- Petition No. 33 by Mr. A. LeBlanc presented May 5, 2005.
- Petition No. 34 by Ms. Weir presented May 5, 2005.
- Petition No. 35 by Mr. A. LeBlanc presented May 6, 2005.

COMMITTEE REPORTS

First Report of the Standing Committee on Crown Corporations presented
May 5, 2005.

First Report of the Select Committee on Health Care presented April 27, 2005.

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

Second Report of the Standing Committee on Law Amendments presented
April 26, 2005.

WRITTEN QUESTIONS (see Appendix "A")

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.

Question No. 2 by Mr. Roy Boudreau, MLA

Directed to: Hon. Tony Huntjens
Minister of Family and Community Services

1. The number of permanent administrative positions in the Department of Family and Community Services as of April 1, 2005; January 1, 2005; January 1, 2004; January 1, 2003 and January 1, 2002; the results distinguishing between administrative personnel working on payment systems and administrative personnel doing support work for social workers.
2. Who developed the NB Families computer program and what is its purpose. If this system links to other services and/or departments, such as Mental Health or Public Health. If so, how does this system link to other services and/or departments and what are those services. Again, if so, how does this system link to other services and/or departments in keeping with the sharing of information as recommended by the Children Come First Report.
3. The individual caseload for each social worker related to child protection and child care. The individual caseload for social workers for each region in New Brunswick, the results itemized in Priority 1, 2, 3, and 4 cases, related to child protection and child care. The number of cases, related to child protection and child care, which have gone to court broken down for the years 2002, 2003, 2004 and 2005 as of April 1, 2005. The number of partners there are for each case (partners being for example different parents, schools, foster parents, Mental Health, doctors, etc.) related to child protection and child care.
4. The individual caseload for each social workers related to adult services. The individual caseload for social workers for each region in New Brunswick, the results itemized in Priority 1, 2, 3, and 4, related adult services. The number of cases, related to adult services, which have gone to court broken down for the years 2002, 2003, 2004 and 2005 as of April 1, 2005. The number of partners there are for each case (partners being for example different parents, schools, foster parents, Mental Health, doctors, etc.) Related to adult services.
5. The number of social worker positions which existed with Family and Community Services broken down for the years 2000, 2001, 2002, 2003, 2004 and 2005 as of April 1, the results being broken down for adult services and children services and also broken down to include casual, temporary, permanent positions and any other type of classification.

6. The number of social work positions which existed with Family and Community Services related to the adoption project broken down for the years 2000, 2001, 20002, 2003, 2004 and 2005 as of April 1, the results being broken down for casual, temporary, permanent positions and any other type of classification. Related to the adoption project, the number of casual position which were made permanent broken down for the years 2003, 2004 and 2005 as of April 1. The number of children who were under the Adoption Program broken down for the years 2003, 2004 and 2005 as of April 1. The number of adoption placement breakdowns, broken down for the years 2003, 2004 and 2005 as of April 1. The number of children who were placed for adoption of foster homes. The number of foster homes which were opened, broken down for the years 2003, 2004 and 2005 as of April 1. The number of foster homes which were closed, broken down for the years 2003, 2004 and 2005 as of April 1.
7. The number of social workers on leave broken down for the years 2003, 2004 and 2005 as of April 1, the results broken down by type of leave (maternity, sickness, educational, disability, etc.)
8. The number of social worker changes clients had, broken down for the years 2003, 2004 and 2005 as of April 1.