



LEGISLATIVE ASSEMBLY
PROVINCE OF NEW BRUNSWICK

ORDER AND NOTICE PAPER

Daily Sitting No. 44

Second Session, 55th Legislative Assembly

Friday, May 27, 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
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Orders of the Day

ORDER AND NOTICE PAPER

ORDERS OF THE DAY

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.
- Bill 45, An Act Respecting a Fair Deal for Cities and Communities in New Brunswick
 - Hon. Mr. Volpé
- Bill 47, An Act to Amend the Assessment Act - Hon. Mr. Volpé
- Bill 48, Support Enforcement Act - Hon. Mr. Green, Q.C.
- Bill 49, An Act to Amend the Provincial Offences Procedure Act
 - Hon. Mr. Green, Q.C.
- Bill 50, An Act to Amend the Police Act - Hon. Mr. Steeves

BILLS STANDING REFERRED TO STANDING COMMITTEE ON LAW AMENDMENTS

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

BILLS AWAITING ROYAL ASSENT

Bill 46, An Act to Amend An Act Respecting The Certified General Accountants' Association of New Brunswick - Mr. Stiles

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.
Motion 90 by Hon. Mr. Green. Carried May 13, 2005.

PRIVATE MEMBERS' MOTIONS

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

Debatable Motions

Motion 91 by Ms. Weir, seconded by Hon. Mr. E. Robichaud to propose the following resolution on Thursday, May 26, 2005:

WHEREAS cancer is the leading cause of premature death in Canada;
WHEREAS cancer rates are soaring largely due to our aging population and growing population;

WHEREAS the number of cancer cases will increase by over 60% over the next decade if nothing is done;

WHEREAS cancer cost Canadians over 14 billion dollars in 1998 alone and these costs are expected to increase;

WHEREAS the Canadian Strategy for Cancer Control was developed by more than 700 cancer care experts and cancer survivors to ensure that Canada's health system is prepared to meet this growing demand;

WHEREAS Canada will not be prepared to meet the cancer challenge unless action is taken immediately;

BE IT THEREFORE RESOLVED that the Legislative Assembly call upon the federal government to implement and fund a national strategy on cancer control in collaboration with the provinces and all stakeholders.

Motion 94 by Mr. Albert, seconded by Mr. Doucet to propose the following resolution on Tuesday, May 31, 2005:

WHEREAS ongoing challenges exist in the snow crab fisheries;

WHEREAS disputes over the lobster fisheries have led to conflicts and concerns;

WHEREAS the fisheries throughout this province face challenges regarding boundaries and fishing rights;

WHEREAS year after year the fish processing plant workers experience great difficulty;

BE IT RESOLVED that this Legislature urge the Minister of Agriculture, Fisheries and Aquaculture to establish a working group to address fisheries issues including representatives from Aboriginal Affairs, Public Safety and the associations representing fishermen and fisheries workers;

BE IT FURTHER RESOLVED that this Legislature urge the Minister to present the framework for the working group to the Legislative Assembly during the current session of the Legislature.

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

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 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 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 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 84 by Mr. Allaby, seconded by Mr. McGinley 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 pertaining to any Department of Transportation projects on Route 102 since June 9, 2003 in particular any documents pertaining to cost overruns on such projects.

Motion 85 by Mr. Arseneault, seconded by Mr. Paulin 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, list of participants and/or reports pertaining to the tourism focus groups held at Larry's Gulch on Labour Day weekend of 2003 by the Department of Tourism and Parks and its Minister.

Motion 88 by Mr. V. Boudreau, seconded by Mr. Albert to propose the following resolution on Thursday, May 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 documents, emails, memos and correspondence between the Regional Health Authorities and the Department of Health and Wellness regarding ambulance trips accompanied by a nurse since June 2003.

Motion 89 by Mr. V. Boudreau, seconded by Mr. Albert to propose the following resolution on Thursday, May 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 the numbers for each Regional Health Authority of ambulance trips accompanied by a nurse including the amount of overtime paid to nurses for ambulance trips, replacement costs and additional

transportation costs incurred to return nurses to their regular place of employment since June 2003.

Motion 92 by Mr. Albert, seconded by Mr. Landry to propose the following resolution on Tuesday, May 31, 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 breakdown of costs paid or payable by the Acadie-Bathurst Authority and the province of New Brunswick as a result of the lawsuit by the town of Caraquet, the Amis de l'Hôpital, and Fernand Rioux concerning the Hôpital de l'Enfant-Jésus in Caraquet, including the costs (salaries and expenses) of the Crown prosecutors, lawyer or lawyers, administration, employees, and civil servants involved.

Motion 93 by Mr. Jamieson, seconded by Mr. S. Graham to propose the following resolution on Tuesday, May 31, 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 correspondence, e-mails, reports, studies and any other documents related to handling fees for refundable containers internal to the Department of the Environment and Local Government as well as with the Executive Council Office, other government departments and stakeholders.

Motion 95 by Mr. Haché, seconded by Mr. Lamrock to propose the following resolution on Thursday, June 2, 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, correspondence and/or reports, between the Department of Health and Wellness, the Department of Fisheries and Oceans and the Canadian Food Inspection Agency since January 1, 2004.

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.
Motion 79 by Mr. MacIntyre. Debated and carried May 12, 2005.
Motion 83 by Mr. V. Boudreau. Debated and defeated May 24, 2005.
Motion 86 by Mrs. Robichaud. Debated and defeated May 26, 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.
(Response filed May 25, 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.
(Response filed May 16, 2005)

Petition No. 28 by Mr. V. Boudreau presented April 28, 2005.
(Response filed May 11, 2005)

Petition No. 29 by Mr. Landry presented April 28, 2005.
(Response filed May 11, 2005)

Petition No. 30 by Mr. Jamieson presented May 3, 2005.

Petition No. 31 by Mr. MacIntyre presented May 5, 2005.
(Response filed May 20, 2005)

Petition No. 32 by Mr. Jamieson presented May 5, 2005.
(Response filed May 20, 2005)

Petition No. 33 by Mr. A. LeBlanc presented May 5, 2005.
(Response filed May 20, 2005)

Petition No. 34 by Ms. Weir presented May 5, 2005.
(Response filed May 20, 2005)

Petition No. 35 by Mr. A. LeBlanc presented May 6, 2005.

Petition No. 36 by Mr. Targett presented May 13, 2005.
(Response filed May 26, 2005)

Petition No. 37 by Mr. Paulin presented May 13, 2005.

Petition No. 38 by Mr. Haché presented May 24, 2005.

Petition No. 39 by Mr. Kenny presented May 24, 2005.

Petition No. 40 by Mr. V. Boudreau presented May 24, 2005.

Petition No. 41 by Mr. A. LeBlanc presented May 24, 2005.

Petition No. 42 by Mr. Ouellette presented May 24, 2005.

Petition No. 43 by Mr. Paulin presented May 24, 2005.

Petition No. 44 by Mr. R. Boudreau presented May 24, 2005.

Petition No. 45 by Mr. Malley presented May 25, 2005.

Petition No. 46 by Hon. Mr. Huntjens presented May 26, 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.

First Report of the Standing Committee on Private Bills presented May 24, 2005.

REPORTS/DOCUMENTS

TABLED IN THE HOUSE

Document entitled *Believing In Achieving 2005* - A progress report on the targets of the Quality Learning Agenda - Quality Schools, High Results - Kindergarten to Grade 12 - Quality Learning Agenda and Highlights (Tabled by Hon. Mrs. Dubé May 26, 2005)

COMMITTEE MEETINGS

The Legislative Administration Committee will meet on Friday, June 3, 2005 immediately upon the adjournment of the House in the Speaker's Conference Room.

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.

Question No. 3 by Mr. Kelly Lamrock, MLA

Directed to: Hon. Elvy Robichaud
Minister of Health and Wellness

The Government has been working on changes to the Act governing dental hygienists for several years now. When can the Legislative Assembly expect to receive new legislative changes to the legislation governing the dental hygienist profession for its consideration?