



**LEGISLATIVE ASSEMBLY**  
**PROVINCE OF NEW BRUNSWICK**

**ORDER AND NOTICE PAPER**

**Daily Sitting No. 08**

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Third Session, 55th Legislative Assembly

**Friday, December 16, 2005**

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**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 Tuesday, December 20, 2005*)**

Bill 24, An Act to Amend the New Brunswick Investment Management Corporation Act  
- Mr. Murphy

**GOVERNMENT BILLS AND ORDERS**

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

***Debate adjourned by Hon. Mr. Lord.***

***Debate to resume on Friday, December 16, 2005.***

**COMMITTEE OF THE WHOLE**

- Bill 2, Fiscal Responsibility and Balanced Budget Act - Hon. Mr. Volpé
- Bill 3, An Act to Amend the New Brunswick Income Tax Act - Hon. Mr. Volpé
- Bill 4, Tuition Tax Cash Back Credit Act - Hon. Mr. Volpé
- Bill 5, Tobacco Damages and Health Care Costs Recovery Act  
- Hon. Mr. Green, Q.C.
- Bill 7, Energy Efficiency and Conservation Agency of New Brunswick Act  
- Hon. Mr. Fitch
- Bill 8, An Act to Amend the Film and Video Act - Hon. Mr. Steeves
- Bill 9, An Act Respecting the Protection of Low-Income Occupiers - Dr. Doherty
- Bill 10, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. Ashfield
- Bill 11, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. Ashfield
- Bill 12, An Act to Amend the Forest Products Act - Hon. Mr. Ashfield
- Bill 13, An Act to Amend the Occupational Health and Safety Act  
- Hon. Mrs. Blaney
- Bill 14, An Act to Amend the Industrial Relations Act - Hon. Mrs. Blaney
- Bill 15, An Act to Amend the Clean Environment Act - Hon. Mr. Holder
- Bill 16, An Act to Amend the Clean Environment Act - Hon. Mr. Holder
- Bill 17, An Act to Amend the Land Titles Act - Hon. Mr. Mockler
- Bill 18, An Act to Amend An Act to Amend the Motor Vehicle Act  
- Hon. Mr. Steeves
- Bill 19, An Act to Amend the Motor Vehicle Act - Hon. Mr. Steeves
- Bill 20, An Act to Amend the Provincial Loans Act - Hon. Mr. Volpé
- Bill 21, An Act to Amend the Shortline Railways Act - Hon. Mr. P. Robichaud
- Bill 22, An Act to Amend the Kings Landing Corporation Act  
- Hon. Mrs. MacAlpine-Stiles

**BILLS STANDING REFERRED TO STANDING COMMITTEE ON LAW AMENDMENTS**

Bill 6, Franchises Act - Hon. Mr. Green, Q.C.

**NOTICES OF MOTIONS**

**GOVERNMENT MOTIONS**

**Motion 19 by Hon. Mr. Volpé**, seconded by Hon. Mr. Lord to propose the following resolution on Tuesday, December 20, 2005:

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

**CONCLUDED:**

**Motion 1 by Hon. Mr. Alward**. Carried December 7, 2005.

**PRIVATE MEMBERS' MOTIONS**

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

***Debatable Motions***

**Motion 11 by Mr. Murphy**, seconded by Mr. V. Boudreau to propose the following resolution on Thursday, December 15, 2005:

WHEREAS in August 1981 a shooting occurred in the Town of Shediac wherein Constable Clarence Bourque was shot five times;

AND WHEREAS a question has arisen with regard to the appropriateness, thoroughness and direction of the investigation by the then Town of Shediac Police and the Royal Canadian Mounted Police; and further said investigation has never officially been closed and the public have received no satisfactory response from the RCMP and the New Brunswick Department of Justice;

BE IT RESOLVED that a debate be held in this Legislative Assembly as to the ordering of the formation of a Commission of Inquiry under the Section 2 of the *Inquiries Act* to determine whether administration of Justice has been brought into disrepute by any inadequate investigation as above noted.

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

**Motion 3 by Mrs. Robichaud**, seconded by Mr. Lamrock to propose the following resolution on Tuesday, December 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 all correspondence, including minutes, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research between January 1, 2005 and November 30, 2005 pertaining to changes in paybands or other remuneration in the schools, school boards and education districts in New Brunswick.

**Motion 4 by Mr. Murphy**, seconded by Mr. Lamrock to propose the following resolution on Tuesday, December 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 all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research pertaining to education financing in New Brunswick exchanged or held by the Department of Education, the Department of Finance and education districts.

**Motion 5 by Mr. Targett**, seconded by Mr. Lamrock to propose the following resolution on Tuesday, December 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 all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research between the Office of Human Resources and the Department of Finance, Executive Council and/or the Department of Education regarding payband adjustments in the Department of Education.

**Motion 6 by Dr. Kennedy**, seconded by Mr. Jamieson to propose the following resolution on Tuesday, December 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 all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research to or from NB Power and/or the Department of Energy regarding the NB Power Defoliant Spraying Program during 1965-1970 timeframe from June 2003 until present.

**Motion 7 by Dr. Kennedy**, seconded by Mr. Jamieson to propose the following resolution on Tuesday, December 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 all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis from the Department of Energy or the then NB Power Corporation pertaining to the NB Power Defoliant Program during the 1965-1970 timeframe including the names of all

individuals who were employed with this program as full-time, part-time, casual or summer students; as well as the names of all defoliant agents used and the location of their usage in the Province of New Brunswick.

**Motion 8 by Mr. Paulin**, seconded by Mr. Branch to propose the following resolution on Tuesday, December 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 all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research between April 1, 2004 and December 7, 2005 pertaining to the authorization of the export of wood from Crown Lands.

**Motion 9 by Mr. Paulin**, seconded by Mr. Branch to propose the following resolution on Tuesday, December 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 all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research between April 1, 2004 and December 7, 2005 pertaining to the budget of the Restigouche River clean-up.

**Motion 12 by Mr. R. Boudreau**, seconded by Mr. V. Boudreau to propose the following resolution on Thursday, December 15, 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, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research pertaining to the Department of Family and Community Services' plan concerning residential services for people with autism.

***(Response filed December 15, 2005)***

**Motion 13 by Mr. Jamieson**, seconded by Mr. S. Graham to propose the following resolution on Tuesday, December 20, 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, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research, between June 7<sup>th</sup>, 1999, and December 13, 2005, pertaining to all applications that have been made by the Department of the Environment and Local Government for infrastructure funding with the Federal Government and environmental projects that have been funded since June 7<sup>th</sup>, 1999.

**Motion 14 by Mr. Albert**, seconded by Mr. Landry to propose the following resolution on Tuesday, December 20, 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 births per month between April 1, 2003, and the end of November 2005, by local service district, village, town or city served by the Acadie-Bathurst Health Authority.

**Motion 15 by Mr. Haché**, seconded by Mr. S. Graham to propose the following resolution on Tuesday, December 20, 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, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research, between June 7<sup>th</sup>, 2003, and December 13<sup>th</sup>, 2005, between Business New Brunswick or any other government department and Research in Motion.

**Motion 16 by Mr. Lamrock**, seconded by Mr. Brewer to propose the following resolution on Tuesday, December 20, 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, reports related to a request by the Government of New Brunswick to the Government of Canada to amend the agreed route for the project known as the "Marysville By-Pass".

**Motion 17 by Mr. Haché**, seconded by Mr. Paulin to propose the following resolution on Thursday, December 22, 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 locations of all outfitters who operate within clusters on Crown Land from June 7<sup>th</sup>, 1999 to December 14, 2005; the specific geographical location and name of those clusters; the date those licences were issued; the names of all the people listed on those operating licences, along with all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research relevant to the approval of the foregoing.

**Motion 18 by Mr. S. Graham**, seconded by Mr. V. Boudreau to propose the following resolution on Thursday, December 22, 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 plan that the Minister of Health and Wellness referred to during Question Period of December 14, 2005, for dealing with a pandemic influenza outbreak.

**Motion 20 by Mr. Albert**, seconded by Mr. Landry to propose the following resolution on Thursday, December 22, 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 about the creation of a geographical names board, including memos, reports, faxes, minutes of meetings, etc., from April 1, 2003, to November 30, 2005.

**Motion 21 by Mr. Murphy**, seconded by Mr. Lamrock to propose the following resolution on Thursday, December 22, 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 copy of all expenses including copies of invoices, receipts, etc. from January 1, 2004 to December 1, 2005 for the Minister of

Intergovernmental and International Relations, Minister responsible for Service New Brunswick, and Minister responsible for the Culture and Sport Secretariat.

**Motion 22 by Mr. Murphy**, seconded by Mr. Lamrock to propose the following resolution on Thursday, December 22, 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 copy of all flight logs from the Government Plane from January 1, 2004 to December 1, 2005.

**Motion 23 by Mr. V. Boudreau**, seconded by Mr. Paulin to propose the following resolution on Thursday, December 22, 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 existing contracts signed between the Government of New Brunswick and all active ambulance service providers since June 2003; all existing contracts signed between the active ambulance service providers and their employees since June 2003.

**Motion 24 by Mr. Lamrock**, seconded by Mr. Murphy to propose the following resolution on Tuesday, December 20, 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, reports related to the approval of certifyonline.com, or the registered owner of that domain name, as an adult training facility.

## **CONCLUDED:**

**Motion 2 by Mr. S. Graham.** Debated and defeated December 13, 2005.

**Motion 10 by Mr. Burke.** Debated and carried December 15, 2005.

## **PETITIONS**

Petition No. 1 by Mr. C. LeBlanc presented December 7, 2005.

Petition No. 2 by Mr. Landry presented December 7, 2005.

Petition No. 3 by Mr. Doucet presented December 9, 2005.

Petition No. 4 by Mrs. Robichaud presented December 13, 2005.

Petition No. 5 by Mr. Kenny presented December 14, 2005.

Petition No. 6 by Mrs. Robichaud presented December 14, 2005.

Petition No. 7 by Mrs. Robichaud presented December 15, 2005.

Petition No. 8 by Mrs. Robichaud presented December 15, 2005.

## **REPORTS/DOCUMENTS**

### **TABLED IN THE HOUSE**

Accounts of the Auditor General for the year ended March 31, 2005.

(Tabled by Hon. Mr. Speaker December 15, 2005)

## **COMMITTEE MEETINGS**

Legislative Administration Committee will meet on Friday, December 16, 2005 at 12 o'clock noon in the Speaker's Conference Room.

Standing Committee on Procedure will meet on Tuesday, December 20, 2005 at 9.30 a.m. in Room 47-48 of the Legislative Assembly Building.

Standing Committee on Crown Corporations will meet on Tuesday, January 10, 2006 at 10 o'clock a.m. in the Legislative Assembly Chamber.

Standing Committee on Public Accounts will meet on Tuesday, January 10, 2006 at 10 o'clock a.m. in the Legislative Assembly Chamber.

Standing Committee on Crown Corporations will meet on Tuesday, Wednesday and Thursday, January 17, 18 and 19, 2006; Tuesday, Wednesday and Thursday, January 24, 25 and 26, 2006 and Tuesday, January 31, 2006.

Loredana Catalli Sonier  
Clerk of the Legislative Assembly