



LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK

First Session, 56th Legislative Assembly

ORDER AND NOTICE PAPER - Sitting No. 54
Thursday, May 17, 2007

ROUTINE PROCEEDINGS

Prayers
Condolences and Messages of Sympathy (*Prior Notice to Speaker*)
Introduction of Guests
Congratulatory Messages (*10 minutes*)
Presentations of Petitions
Answers to Petitions and Written Questions
Presentations of Committee Reports
Tabling of Documents
Statements by Ministers
Statements by Members (*10 minutes*)
Oral Questions (*30 minutes*)
Introduction of Bills
Notices of Motions
Government Motions for the Ordering of the Business of the House
Orders of the Day

ORDERS OF THE DAY

THIRD READING

Bill 52, An Act to Amend the Provincial Offences Procedure Act
- Hon. Mr. Burke, Q.C.

Bill 53, An Act to Amend the Energy and Utilities Board Act - Hon. Mr. Keir
 Bill 54, An Act to Amend the Petroleum Products Pricing Act - Hon. Mr. Keir
 Bill 61, An Act to Amend the Support Enforcement Act - Hon. Mr. Burke, Q.C.
 Bill 62, An Act to Amend the Securities Act - Hon. Mr. Burke, Q.C.

SECOND READING

Bill 65, Petroleum Act - Hon. Mr. Arseneault
 Bill 66, An Act to Amend the Pension Benefits Act - Hon. Mr. Burke, Q.C.

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

Debatable Motions

Motion 57 by Mr. Holder, seconded by Mr. Northrup to propose the following resolution on Thursday, May 17, 2007:

WHEREAS the Liberal government has said that they will develop clear protocols for New Brunswick Kyoto credits to ensure that all carbon credits from Crown corporations, lands and government initiatives are the property of the people of New Brunswick; and

WHEREAS the Liberal government has said that the environmental agreements signed between the New England states and Eastern Canadian Provinces are extremely important; and

WHEREAS the Liberal government has said that the Government of New Brunswick must choose to meet the (Kyoto) accord's goal on its own; and

WHEREAS the Liberal government has said that they will commit to better enforcement of current regulations under the Department of the Environment; and

WHEREAS the Liberal Party of New Brunswick said on May 25, 2006 that the New Brunswick government should put the Kyoto Accord targets into law;

THEREFORE BE IT RESOLVED that this Legislative Assembly call upon the government to fulfill its promises on the environment and table a climate change action plan that will significantly reduce greenhouse gas emissions in New Brunswick.

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

Motion 37 by Mr. Fitch, seconded by Mr. D. Graham to propose the following resolution on Tuesday, April 3, 2007:

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 documentation, including correspondence regarding the \$60 million credit union bailout package recently announced by the Minister of Justice.

[Response filed April 3, 2007]

Motion 38 by Mr. MacDonald, seconded by Mr. Holder to propose the following resolution on Thursday, April 12, 2007:

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 documentation, correspondence, minutes of meetings, and all other related material pertaining to the McLeod Hill, Chateau Heights water supply development.

[Documents requested filed May 10, 2007]

Motion 39 by Mr. Volpé, seconded by Mr. MacDonald to propose the following resolution on Thursday, April 12, 2007:

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 in the possession of the government related to advertising campaigns launched within and outside New Brunswick by the current Liberal government since October 3, 2006, including advertisements about self-sufficiency. The documentation includes: mandates, terms of reference, budgets, a list of advertising agencies and staff, fees, advertising transcripts, the tendering process, a list of bidders, their proposals, and copies of the contracts.

Motion 42 by Mr. Williams, seconded by Mr. Northrup to propose the following resolution on Thursday, April 19, 2007:

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 job descriptions of all unionized and non-unionized employees hired, and all persons engaged or retained through contract, by NB Power since October 3rd, 2006.

[Documents requested filed May 3, 2007]

Motion 43 by Mr. Williams, seconded by Mr. Stiles to propose the following resolution on Thursday, April 19, 2007:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House detailed expense reports for every Minister, Deputy Minister, Assistant Deputy Minister, Executive Assistant and Special Assistant since October 3rd, 2006.

[Documents requested filed May 1, 2007]

Motion 46 by Mr. Williams, seconded by Mr. Robichaud to propose the following resolution on Tuesday, April 24, 2007:

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 documentation and correspondence in possession of the government relating to licenses issued for Crab processing in New Brunswick.

[Documents requested filed May 11, 2007]

Motion 48 by Mr. Fitch, seconded by Mr. Alward to propose the following resolution on Thursday, April 26, 2007:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House copies of any and all inspection reports related to the Rexton Credit Union filed with the Office of the Superintendent of Credit Unions or the Department of Justice since January 1st, 2000 and copies of any and all responses by the Rexton Credit Union or the Audit Committee of the Rexton Credit Union to said reports filed with the Office of the Superintendent of Credit Unions or the Department of Justice since January 1st, 2000.

[Documents requested filed May 1, 2007]

Motion 49 by Mr. Fitch, seconded by Mr. Williams to propose the following resolution on Thursday, April 26, 2007:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House copies of any and all documentation or reports prepared by Marcil Lavalée Chartered Accountants relating to the Caisse Populaire de Shippagan.

[Documents requested filed May 1, 2007]

Motion 50 by Mrs. Poirier, seconded by Mr. Williams to propose the following resolution on Thursday, April 26, 2007:

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 documentation from the Department of Transportation detailing the amount of money that was spent per year on roads in the ridings of Kent, Kent South and Rogersville-Kouchibouguac from 1997 to 2007 inclusive.

[Documents requested filed May 10, 2007]

Motion 51 by Ms. Dubé, seconded by Mr. Olscamp to propose the following resolution on Thursday, April 26, 2007:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House any and all documentation for the Non-Profit Taskforce from January 9th, 2007 to present date, including "Appendix A" from the contract made between the Government of New Brunswick and Claudette Bradshaw.

[Documents requested filed May 3, 2007]

Motion 55 by Mr. Volpé, seconded by Mr. D. Graham to propose the following resolution on Tuesday, May 15, 2007:

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 documentation pertaining to the budget, expenses, any invoices, and contracts for any outside work completed for the Self-Sufficiency Task Force.

Motion 56 by Mr. Volpé, seconded by Mr. D. Graham to propose the following resolution on Tuesday, May 15, 2007:

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 submissions and recommendations, in any format, that were made to the Self-Sufficiency Task Force.

[Documents requested filed May 15, 2007]

Motion 58 by Mrs. Poirier, seconded by Mr. Williams to propose the following resolution on Thursday, May 17, 2007:

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 documentation from the Department of Transportation detailing the amount of money that was spent per year on roads in the riding of Rogersville-Kouchibouguac from 1997 to 2007 inclusive.

Motion 59 by Mrs. Poirier, seconded by Mr. Williams to propose the following resolution on Thursday, May 17, 2007:

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 documentation from the Department of Transportation detailing the amount of money that was spent per year on roads in the riding of Kent from 1997 to 2007 inclusive.

Motion 60 by Mr. Williams, seconded by Mrs. Poirier to propose the following resolution on Thursday, May 17, 2007:

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 documentation from the Department of Transportation detailing the amount of money that was spent per year on roads in the riding of Kent South from 1997 to 2007 inclusive.

GOVERNMENT BILLS AND ORDERS

GOVERNMENT MOTIONS

COMMITTEE OF THE WHOLE

Bill 11, An Act to Amend the Elections Act - Mr. Harrison

Bill 23, An Act to Amend the Members' Conflict of Interest Act - Hon. Mr. Graham

Bill 31, An Act to Amend the Motor Vehicle Act - Hon. Mr. Foran

Bill 39, An Act to Amend the Tuition Tax Cash Back Credit Act

- Hon. Mr. V. Boudreau

Bill 40, An Act to Amend the New Brunswick Income Tax Act

- Hon. Mr. V. Boudreau

- Bill 41, An Act to Amend the New Brunswick Income Tax Act
- Hon. Mr. V. Boudreau
- Bill 42, An Act to Repeal the New Brunswick Advisory Council on Seniors Act
- Hon. Mrs. Robichaud
- Bill 43, Special Appropriation Act 2007 - Hon. Mr. V. Boudreau
- Bill 51, An Act Respecting the Transfer of Responsibilities to Service New Brunswick
- Hon. Mr. Byrne, Q.C.
- Bill 57, An Act to Amend the Small Business Investor Tax Credit Act
- Hon. Mr. V. Boudreau
- Bill 63, An Act to Amend the Assessment Act - Hon. Mr. Byrne, Q.C.
- Bill 64, An Act Respecting the Members' Pension Act and the Members' Superannuation Act - Hon. Mr. Albert

BILLS AWAITING ROYAL ASSENT

- Bill 3, An Act to Amend the Liquor Control Act - Hon. Mr. Foran
- Bill 12, An Act to Amend the Gasoline and Motive Fuel Tax Act
- Hon. Mr. V. Boudreau
- Bill 22, An Act to Amend the Forest Products Act - Hon. Mr. Arseneault
- Bill 24, An Act to Amend An Act to Amend the Police Act - Hon. Mr. Foran
- Bill 25, An Act to Amend the Police Act - Hon. Mr. Foran
- Bill 47, An Act to Incorporate The New Brunswick Registered Barbers' Association - Mr. A. LeBlanc
- Bill 49, An Act to Amend the Legislative Assembly Act - Hon. Mr. Jamieson
- Bill 50, An Act to Amend the Political Process Financing Act - Hon. Mr. Jamieson
- Bill 59, An Act to Amend the Natural Products Act - Hon. Mr. Arseneault

COMMITTEE OF SUPPLY

Main Estimates 2007-2008
(Transmitted by Message of His Honour the Lieutenant-Governor Herménégilde Chiasson March 13, 2007)

Supplementary Estimates 2005-2006 Volume II
(Transmitted by Message of His Honour the Lieutenant-Governor Herménégilde Chiasson March 21, 2007)

ADJOURNED DEBATES

Resuming the adjourned debate on the motion that Bill 7, *An Act to Amend the Fiscal Responsibility and Balanced Budget Act* **[Mr. Volpé]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 8, *Rural Economic Development Fund Act* **[Mr. Mockler]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 9, *An Act to Amend the Assessment Act* **[Mr. Betts]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 10, *An Act to Amend the New Brunswick Income Tax Act* **[Mr. Steeves]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 15, *An Act to Amend the Environmental Trust Fund Act* **[Mr. Holder]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 16, *An Act to Amend the Quarriable Substances Act* **[Mr. Ashfield]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 17, *An Act to Amend the Off-Road Vehicle Act* **[Hon. Mr. Foran]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 37, *An Act to Amend the Marriage Act* **[Mr. Alward]** be now read a second time.

Resuming the adjourned debate on the amendment to the motion that Bill 38, *An Act Respecting Payday Loans* **[Mr. Fitch]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 44, *An Act to Amend the Credit Unions Act* **[Hon. Mr. Burke, Q.C.]** be now read a second time.

Resuming the adjourned debate on the motion that Bill 58, *An Act to Amend the New Brunswick Income Tax Act* **[Hon. Mr. V. Boudreau]** be now read a second time.

BILLS STANDING REFERRED TO STANDING COMMITTEE ON LAW AMENDMENTS

Bill 32, *Franchises Act* - Hon. Mr. Burke, Q.C.

Bill 60, *An Act to Amend the Industrial Relations Act* - Mrs. Blaney

BILLS STANDING REFERRED TO STANDING COMMITTEE ON PRIVATE BILLS

Bill 55, An Act to Authorize an Easement Through Certain Lands in The City of Saint John for Natural Gas Pipeline Purposes - Dr. Kennedy

Bill 56, An Act to Incorporate the Filles de Jésus Moncton - Mr. B. LeBlanc

NOTICES OF MOTIONS

GOVERNMENT MOTIONS

CONCLUDED:

Motion 19 by Hon. Mr. Jamieson. Carried February 9, 2007.

Motion 20 by Hon. Mr. Jamieson. Carried February 9, 2007.

Motion 25 by Hon. Mr. Jamieson. Carried February 20, 2007.

Motion 26 by Hon. Mr. Jamieson. Carried February 20, 2007.

Motion 28 by Hon. Mr. V. Boudreau. Debated March 13, 15, 16, 20, 21 and 22 and carried March 23, 2007.

Motion 31 by Hon. Mr. Jamieson. Carried March 21, 2007.

PRIVATE MEMBERS' MOTIONS

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

Debatable Motions

Motion 61 by Mr. C. LeBlanc, seconded by Mr. Mockler to propose the following resolution on Thursday, May 24, 2007:

WHEREAS the Moncton Food Depot Alimentaire plays an integral role in supporting food banks in New Brunswick; and

WHEREAS this facility has the unique capability and capacity to safely and properly house large amounts of food and distribute this food efficiently to the districts; and

WHEREAS it is important to support food banks, soup kitchens and food depots to ensure that all New Brunswickers in need are helped, as quick as possible; and

WHEREAS the Moncton Food Depot Alimentaire has been instrumental in storing and transporting over two million pounds of donated food; therefore

BE IT RESOLVED that this Legislative Assembly call upon the government to continue to support the Moncton Food Depot Alimentaire and allow the Depot to fulfill its mandate of providing essential support to the food banks of New Brunswick.

Motion 63 by Mr. Mockler, seconded by Mr. Volpé to propose the following resolution on Tuesday, May 22, 2007:

WHEREAS communities, local service districts, villages, and other small municipalities are scattered across New Brunswick, from north to south, and help shape the identity and unique character of our province;

WHEREAS rural New Brunswick does not have economic development resources comparable to those of urban centres, does not have such a diversified economy, and is facing the challenges of out-migration and an aging population;

WHEREAS, in these circumstances, any loss of jobs or government services or decrease in support for its economy has a serious impact on rural New Brunswick by jeopardizing its survival;

WHEREAS the New Brunswick government has a duty to promote the economic growth and the cultural and social vibrancy of all small communities, small municipalities, villages, and local service districts—basically, any rural environment under its jurisdiction;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the New Brunswick government to promote a rural employment policy so that any employment losses in the provincial public sector are offset as soon as possible by the creation of new jobs

AND FURTHER that the New Brunswick government be asked to adopt a private sector job maintenance and creation policy in order to develop and revitalize our rural regions.

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

Motion 62 by Mr. Mockler, seconded by Mr. Olscamp to propose the following resolution on Tuesday, May 22, 2007:

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 following information related to the Premier's Community Non-Profit Task Force:

1. actual copies of all receipts submitted by Claudette Bradshaw for her expenses as head of the Task Force;
2. a copy of Schedule "A" to the contract between Claudette Bradshaw and the Province of New Brunswick;
3. a copy of all contracts of employment, or contracts for personal or professional services, related to the Task Force, other than Claudette Bradshaw's contract; and
4. a copy of any and all documents related to the Premier's Community Non-Profit Task Force from April 26th, 2007 to the present date.

CONCLUDED:

Motion 1 by Mr. R. Boudreau. Debated and carried February 27, 2007.

Motion 2 by Mr. Volpé. Debated and carried as amended February 22, 2007.

Motion 3 by Mr. Carr. Debated and carried as amended February 20, 2007.

Motion 4 by Mr. Carr. Withdrawn March 1, 2007.

Motion 5 by Mr. Carr. Withdrawn March 1, 2007.

Motion 6 by Mr. Betts. Withdrawn March 1, 2007.
Motion 7 by Mr. Steeves. Withdrawn March 1, 2007.
Motion 8 by Mr. Fitch. Withdrawn April 5, 2007.
Motion 9 by Mrs. Poirier. Withdrawn March 1, 2007.
Motion 10 by Mr. Stiles. Withdrawn March 1, 2007.
Motion 11 by Mr. Robichaud. Withdrawn March 1, 2007.
Motion 12 by Mr. Robichaud. Withdrawn April 5, 2007
Motion 13 by Mr. Robichaud. Withdrawn March 1, 2007.
Motion 14 by Mr. Olscamp. Withdrawn March 1, 2007.
Motion 15 by Mr. Robichaud. Withdrawn March 1, 2007.
Motion 16 by Mr. Williams. Withdrawn March 1, 2007.
Motion 17 by Mr. Northrup. Withdrawn March 1, 2007.
Motion 18 by Mrs. Dubé. Withdrawn March 1, 2007.
Motion 21 by Mr. Volpé. Withdrawn April 5, 2007.
Motion 22 by Mrs. Blaney. Withdrawn March 1, 2007
Motion 23 by Mr. Northrup. Withdrawn April 5, 2007.
Motion 24 by Mr. Betts. Debated and carried as amended March 1, 2007.
Motion 27 by Mr. Williams. Withdrawn April 5, 2007.
Motion 29 by Mr. Huntjens. Withdrawn March 20, 2007.
Motion 30 by Mr. Williams. Debated and carried as amended March 22, 2007.
Motion 32 by Dr. Kennedy. Withdrawn April 3, 2007.
Motion 33 by Mr. MacDonald. Withdrawn April 5, 2007.
Motion 34 by Mr. R. Boudreau. Withdrawn April 10, 2007.
Motion 35 by Mr. Volpé. Debated and carried as amended March 27, 2007.
Motion 36 by Mrs. Blaney. Withdrawn April 5, 2007.
Motion 40 by Mr. Northrup. Debated and carried as amended April 12, 2007.
Motion 41 by Mrs. Blaney. Debated and carried as amended April 17, 2007.
Motion 44 by Mr. Ashfield. Debated and carried April 26, 2007.
Motion 45 by Mr. R. Boudreau. Withdrawn April 24, 2007.
Motion 47 by Mr. Volpé. Debated and carried as amended May 1, 2007.
Motion 52 by Mr. R. Boudreau. Debated and carried May 8, 2007.
Motion 53 by Mr. Robichaud. Debated and carried as amended May 10, 2007.
Motion 54 by Mr. Kenny. Withdrawn May 15, 2007.

PETITIONS

Petition No. 1 by Mr. Brewer presented February 20, 2007.
 (Response filed March 7, 2007)
 Petition No. 2 by Mr. Steeves presented February 20, 2007.
 (Response filed March 9, 2007)
 Petition No. 3 by Mr. Steeves presented February 21, 2007.
 (Response filed March 20, 2007)
 Petition No. 4 by Hon. Mr. Doucet presented February 21, 2007.
 (Response filed March 14, 2007)

Petition No. 5 by Mr. A. LeBlanc presented February 21, 2007.
(Response filed March 12, 2007)

Petition No. 6 by Mr. Fraser presented February 22, 2007.
(Response filed March 2, 2007)

Petition No. 7 by Hon. Mr. Jamieson presented February 28, 2007.
(Response filed March 14, 2007)

Petition No. 8 by Hon. Mr. Albert presented March 14, 2007.
(Response filed March 28, 2007)

Petition No. 9 by Mr. Huntjens presented March 20, 2007.
(Responses filed March 30 and April 17, 2007)

Petition No. 10 by Mr. Williams presented March 21, 2007.
(Response filed April 3, 2007)

Petition No. 11 by Hon. Mr. Murphy presented March 27, 2007.
(Response filed April 3, 2007)

Petition No. 12 by Mr. R. Boudreau presented April 3, 2007.
(Response filed April 17, 2007)

Petition No. 13 by Hon. Mr. Murphy presented April 3, 2007.
(Response filed April 17, 2007)

Petition No. 14 by Mr. Brewer presented April 4, 2007.

Petition No. 15 by Mr. Steeves presented April 10, 2007.
(Response filed April 24, 2007)

Petition No. 16 by Mr. Williams presented April 17, 2007.
(Response filed May 1, 2007)

Petition No. 17 by Mr. Fitch presented April 17, 2007.
(Response filed May 1, 2007)

Petition No. 18 by Hon. Mr. Murphy presented April 18, 2007.
(Response filed May 1, 2007)

Petition No. 19 by Mr. Northrup presented April 18, 2007.
(Response filed May 3, 2007)

Petition No. 20 by Hon. Mr. V. Boudreau presented April 19, 2007.
(Response filed May 3, 2007)

Petition No. 21 by Mr. Steeves presented April 19, 2007.
(Response filed May 3, 2007)

Petition No. 22 by Mr. Collins presented April 20, 2007.
(Response filed May 8, 2007)

Petition No. 23 by Mr. Steeves presented April 24, 2007.

Petition No. 24 by Hon. Dr. Doherty presented April 25, 2007.
(Response filed May 8, 2007)

Petition No. 25 by Mr. C. LeBlanc presented April 25, 2007.
(Response filed May 10, 2007)

Petition No. 26 by Mr. Williams presented April 25, 2007.
(Response filed May 8, 2007)

Petition No. 27 by Mr. Steeves presented April 26, 2007.

Petition No. 28 by Mr. Steeves presented May 1, 2007.
(Response filed May 15, 2007)

Petition No. 29 by Hon. Ms. Robichaud presented May 2, 2007.

Petition No. 30 by Mr. Betts presented May 2, 2007.

Petition No. 31 by Ms. Dubé presented May 2, 2007.
Petition No. 32 by Mr. Alward presented May 3, 2007.
Petition No. 33 by Mr. Steeves presented May 9, 2007.
Petition No. 34 by Mr. Williams presented May 15, 2007.
Petition No. 35 by Mr. Kenny presented May 15, 2007.

COMMITTEE REPORTS

First Report of the Standing Committee on Private Bills presented April 26, 2007.

COMMITTEE MEETINGS

The Standing Committee on Private Bills will meet on Thursday, May 17 from 8.30 o'clock a.m. until 12 o'clock noon in the Legislative Council Chamber to take into consideration Bill 55, *An Act to Authorize an Easement Through Certain Lands in The City of Saint John for Natural Gas Pipeline Purposes*.

Loredana Catalli Sonier
Clerk of the Legislative Assembly