



## **LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK**

### **First Session, 56<sup>th</sup> Legislative Assembly**

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**ORDER AND NOTICE PAPER - Sitting No. 59**  
**Friday, May 25, 2007**

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### **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

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### **ORDERS OF THE DAY**

### **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
- Bill 65, Petroleum Act - Hon. Mr. Arseneault
- Bill 66, An Act to Amend the Pension Benefits Act - Hon. Mr. Burke, Q.C.
- Bill 67, An Act to Amend the Mining Act - Hon. Mr. Arseneault
- Bill 68, An Act to Amend the Quarriable Substances Act - Hon. Mr. Arseneault
- Bill 69, An Act to Repeal the Quieting of Titles Act - Hon. Mr. Burke, Q.C.

### **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 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 59, An Act to Amend the Natural Products Act - Hon. Mr. Arseneault

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.

## 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 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 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 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.

**[Documents requested filed May 24, 2007]**

**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.

**[Documents requested filed May 24, 2007]**

**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.

**[Documents requested filed May 24, 2007]**

**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 26<sup>th</sup>, 2007 to the present date.

**Motion 64 by Mr. Huntjens**, seconded by Mr. Alward to propose the following resolution on Thursday, May 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 applications for special care homes over the last five years in the order they were received by the government and the current status of these applications.

**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 37 by Mr. Fitch.** Withdrawn May 17, 2007.  
**Motion 38 by Mr. MacDonald.** Withdrawn May 17, 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 42 by Mr. Williams.** Withdrawn May 17, 2007.  
**Motion 43 by Mr. Williams.** Withdrawn May 17, 2007.  
**Motion 44 by Mr. Ashfield.** Debated and carried April 26, 2007.  
**Motion 45 by Mr. R. Boudreau.** Withdrawn April 24, 2007.  
**Motion 46 by Mr. Williams.** Withdrawn May 17, 2007.  
**Motion 47 by Mr. Volpé.** Debated and carried as amended May 1, 2007.  
**Motion 48 by Mr. Fitch.** Withdrawn May 17, 2007.



**Motion 49 by Mr. Fitch.** Withdrawn May 17, 2007.  
**Motion 51 by Ms. Dubé.** Withdrawn May 17, 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.  
**Motion 57 by Mr. Holder.** Debated and carried as amended May 22, 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.  
(Response filed May 24, 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.  
(Response filed May 17, 2007)

Petition No. 30 by Mr. Betts presented May 2, 2007.  
(Response filed May 24, 2007)

Petition No. 31 by Ms. Dubé presented May 2, 2007.

Petition No. 32 by Mr. Alward presented May 3, 2007.  
(Response filed May 17, 2007)

Petition No. 33 by Mr. Steeves presented May 9, 2007.  
(Response filed May 23, 2007)

Petition No. 34 by Mr. Williams presented May 15, 2007.

Petition No. 35 by Mr. Kenny presented May 15, 2007.

Petition No. 36 by Mr. Brewer presented May 17, 2007.

Petition No. 37 by Mr. Williams presented May 18, 2007.

Petition No. 38 by Mr. Northrup presented May 22, 2007.

## **COMMITTEE REPORTS**

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

Second Report of the Standing Committee on Private Bills presented May 17, 2007.

Third Report of the Standing Committee on Private Bills presented May 24, 2007.

Loredana Catalli Sonier  
Clerk of the Legislative Assembly