



## **LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK**

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

---

**ORDER AND NOTICE PAPER - Sitting No. 25**  
**Wednesday, March 26, 2008**

---

### **ROUTINE PROCEEDINGS**

Prayers  
Condolences and Messages of Sympathy (*Prior Notice to Speaker*)  
Introduction of Guests  
Messages of Congratulation and Recognition (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  
Notice of Opposition Members' Business  
Government Motions for the Ordering of the Business of the House  
Orders of the Day

---

### **ORDERS OF THE DAY**

#### **GOVERNMENT BILLS AND ORDERS**

**Resuming the adjourned debate on the motion that this House approves in general the budgetary policy of the government. (Motion 56)**  
***Debate adjourned by Hon. Mr. Murphy, Q.C.***

## GOVERNMENT BILLS FOR THIRD READING

### *Bills Ordered for Third Reading*

## GOVERNMENT BILLS FOR SECOND READING

### *Bills Ordered for Second Reading*

Bill 35, New Brunswick Health Council Act - Hon. Mr. Murphy, Q.C.  
Bill 36, An Act to Amend the Ambulances Services Act - Hon. Mr. Murphy, Q.C.  
Bill 26, An Act to Amend the Judicature Act - Hon. Mr. Burke, Q.C.  
Bill 27, Management of Seized and Forfeited Property Act - Hon. Mr. Burke, Q.C.  
Bill 30, An Act Respecting the Office of the Attorney General - Hon. Mr. Burke, Q.C.  
Bill 31, An Act to Amend the Pension Benefits Act - Hon. Mr. Burke, Q.C.  
Bill 32, An Act to Amend the Executive Council Act - Hon. Mr. Graham  
Bill 42, An Act to Amend the Municipal Elections Act - Hon. Mr. Murphy, Q.C.

### *Bills to be Ordered for Second Reading*

Bill 37, An Act to Amend the New Brunswick Income Tax Act - Hon. Mr. V. Boudreau  
Bill 38, An Act to Amend the Harmonized Sales Tax Act - Hon. Mr. V. Boudreau  
Bill 39, An Act Respecting the Penalties for Provincial Offences  
- Hon. Mr. Burke, Q.C.  
Bill 40, An Act to Amend the Cost of Credit Disclosure Act - Hon. Mr. Burke, Q.C.  
Bill 41, An Act to Amend the Pre-arranged Funeral Services Act  
- Hon. Mr. Burke, Q.C.  
Bill 43, An Act to Amend the Fish and Wildlife Act - Hon. Mr. Arseneault  
Bill 44, An Act to Amend the Municipalities Act - Hon. Mrs. Robichaud  
Bill 46, An Act to Amend the Public Service Superannuation Act - Hon. Mr. Stiles

### *Adjourned Debates*

Resuming the adjourned debate on the motion that Bill 34, *An Act to Amend the Regional Health Authorities Act* [**Hon. Mr. Murphy, Q.C.**] be now read a second time.

## COMMITTEE OF THE WHOLE

Bill 2, An Act to Amend the Insurance Act - Hon. Mr. Burke, Q.C.  
Bill 4, An Act Respecting Payday Loans - Hon. Mr. Burke, Q.C.

## **PRIVATE BILLS STANDING REFERRED TO STANDING COMMITTEE ON PRIVATE BILLS**

Bill 22, An Act to Amend the City of Saint John Pension Act - Mr. Kennedy

## **BILLS AWAITING ROYAL ASSENT**

Bill 45, Supplementary Appropriations Act 2007-2008(2) - Hon. Mr. V. Boudreau

## **COMMITTEE OF SUPPLY**

2008-2009 Capital Estimates  
 Supplementary Estimates 2006-2007 Volume II (Adopted December 19, 2007)  
 Supplementary Estimates 2007-2008 Volume I (Adopted December 18, 2007)  
 Supplementary Estimates 2007-2008 Volume II (Adopted March 19, 2008)  
 2008-2009 Main Estimates

## **GOVERNMENT MOTIONS**

**Motion 34 by Hon. Mr. Murphy, Q.C.**, seconded by Hon. Mr. Premier to propose the following resolution on Friday, March 14, 2008:

THAT, unless otherwise provided by Standing Rule or Special Order of the House, the Legislative Assembly adopt the following sessional calendar for the remainder of the Second Session, of the Fifty-sixth Legislative Assembly:

Tuesday, March 11 to Friday, March 14, inclusive;  
 Tuesday, March 18 to Thursday, March 20, inclusive;  
 Tuesday, March 25 to Friday, March 28, inclusive;  
 Tuesday, April 1 to Friday, April 4, inclusive;  
 Tuesday, April 15 to Friday, April 18, inclusive;  
 Tuesday, April 22 to Friday, April 25, inclusive;  
 Tuesday, April 29 to Friday, May 2, inclusive;  
 Tuesday, May 13 to Friday, May 16, inclusive;  
 Tuesday, May 20 to Friday, May 23, inclusive;  
 Tuesday, May 27 to Friday, May 30, inclusive;

THAT when the Assembly adjourns on Friday, May 30, 2008, it shall stand adjourned until Tuesday, November 25, 2008;

PROVIDED ALWAYS THAT if it appears to the satisfaction of Mr. Speaker, after consultation with the Government, that the public interest requires that the House should meet at an earlier time during any period of adjournment, Mr. Speaker may give notice that he is so satisfied and in such notice shall state a time at which the House shall meet, and thereupon the House shall meet at the time so stated and shall transact its business as if it had been duly adjourned to that time, and

THAT in the event of Mr. Speaker being unable to act owing to illness or other cause, either of the Deputy Speakers shall act in his stead for the purpose of this order.

## **CONCLUDED**

**Motion 1 by Hon. Mr. Lamrock.** Carried November 28, 2007.

**Motion 25 by Hon. Mr. Murphy, Q.C.** Carried November 28, 2007.

**Motion 27 by Hon. Mr. V. Boudreau.** Carried December 11, 2007.

**Motion 31 by Hon. Mr. Murphy, Q.C.** Carried December 18, 2007.

**Motion 32 by Hon. Mr. Murphy, Q.C.** Carried December 18, 2007.

**Motion 33 by Hon. Mr. Murphy, Q.C.** Carried December 20, 2007.

**Motion 35 by Hon. Mr. Murphy, Q.C.** Carried March 19, 2008.

## **OPPOSITION MEMBERS' BUSINESS**

*[order in accordance with notice provided pursuant to S.R. 44(4)]*

### ***Opposition Members' Public Bills for Second Reading***

Bill 14, An Act to Amend the Environmental Trust Fund Act - Mr. Holder

Bill 15, An Act to Amend the New Brunswick Income Tax Act - Mr. Steeves

Bill 16, An Act to Amend the Motor Vehicle Act - Mr. Steeves

Bill 24, Referendum Act - Mr. Harrison

### ***Adjourned Debates***

Resuming the adjourned debate on the motion that Bill 23, *Heritage Hunting, Fishing and Trapping Act* **[Mr. Ashfield]** be now read a second time.

## **OPPOSITION MEMBERS' MOTIONS**

### ***Debatable Motions***

**Motion 59 by Mr. Volpé**, seconded by Mr. Fitch to propose the following resolution on Thursday, March 27, 2008:

WHEREAS the Premier and the Liberal Party of New Brunswick campaigned on a promise to not raise any taxes; and

WHEREAS the Liberal Government did raise taxes for individuals and businesses both large and small; and

WHEREAS the Liberal Government has created an economic environment that is uncompetitive and detrimental to the financial stability of the Province by maintaining a taxation rate that is unnecessarily inflated to off-set this Government's poor financial management; and

WHEREAS the Government has failed to decrease small business and personal taxes while maintaining a budget surplus;

THEREFORE BE IT RESOLVED that this Legislative Assembly condemn the Government for failing the people and businesses of New Brunswick by over-taxing and mismanaging the once good financial condition of the Province of New Brunswick.

**Motion 60 by Mr. Betts**, seconded by Mr. Holder to propose the following resolution on Thursday, March 27, 2008:

WHEREAS with a recent increase in the price for uranium, much of the area in southeast New Brunswick has been staked in preparation for the mining of uranium; and

WHEREAS the possible health risks to individuals resulting from the mining operations, radioactive tailings, and chemicals used to extract the uranium are substantial; and

WHEREAS the potential for water supplies to become contaminated with uranium, radon gas and chemicals is significant; and

WHEREAS, in particular, the Turtle Creek watershed, which is a major source of drinking water for the City of Moncton and surrounding areas, has been staked for prospecting;

THEREFORE BE IT RESOLVED that this Legislative Assembly calls on the Government for an immediate moratorium on uranium exploration in the Moncton area, and that the moratorium remain in force until appropriate and acceptable public hearings have been held, which demonstrate a worthwhile financial benefit to the Province, and that there is no health risk to New Brunswickers.

**Motion 61 by Mrs. Dubé**, seconded by Mr. Northrup to propose the following resolution on Thursday, March 27, 2008:

WHEREAS the Province of New Brunswick is the only officially bilingual province in all of Canada; and

WHEREAS the current government is hampering access to one of the official languages to a majority of our school children until grade 5; and

WHEREAS New Brunswick will become the only province in Canada without an Early French Immersion Program; and

WHEREAS the efficacy of this educational strategy has not been supported by a single study; and

WHEREAS the Early French Immersion Program has proven to be very effective, and is supported by experts, many studies and the experiences of students, parents and teachers;

THEREFORE BE IT RESOLVED that this Legislative Assembly calls upon the Government to reconsider its decision and re-establish French programs, that government commit to making the necessary improvements to the Core and French Immersion programs, and that Government ensures that parents will continue to have the choice to determine which is the right program for their children.

## OPPOSITION MEMBERS' MOTIONS

### *Motions for returns*

**Motion 36 by Mr. Betts**, seconded by Mr. Harrison to propose the following resolution on Thursday, March 20, 2008:

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 information in the possession of the government related to the Commissioner on the future of Local Governance, including but not limited to the Commissioner's schedule, term of reference, budget, staffing, staff's background, salaries, background material, briefing notes, and any submissions to the Commissioner since December 6<sup>th</sup>, 2007.

**[Documents requested filed March 19, 2008]**

**Motion 37 by Mr. Alward**, seconded by Mr. Landry to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to tires on the provincial ambulance fleet, including but not limited to information on existing tires removed from ambulances, and new tires installed on ambulances.

**Motion 38 by Mr. Carr**, seconded by Ms. Dubé to propose the following resolution on Thursday, March 20, 2008:

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 in the possession of the Government including any communication and minutes of meetings related to the implementation of the government's non-profit initiative.

**Motion 39 by Mr. Ashfield**, seconded by Mr. Northrup to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to any initiatives, contracts, discussions or programs between the Government of New Brunswick and the ATCON group of companies.

**Motion 40 by Ms. Dubé**, seconded by Mr. Carr to propose the following resolution on Thursday, March 20, 2008:

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, public submissions, and consultation related to *A Comprehensive Review of French Second Language Programs and Services Within the Anglophone Sector of the New Brunswick Department of Education*.

**Motion 41 by Mr. Fitch**, seconded by Mr. Williams to propose the following resolution on Thursday, March 20, 2008:

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 in the possession of the Government related to discussions, plans, meetings or initiatives related to any Credit Union or caisses populaires and the sale of private insurance in the Province of New Brunswick.

**Motion 42 by Mr. D. Graham**, seconded by Mr. Mockler to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to work performed for the Province of New Brunswick by Revolution Strategy, including but not limited to contracts, letters of engagement, letters of instruction, correspondence, invoices, expense claims, reports, or recommendations.

**Motion 43 by Mr. Harrison**, seconded by Mrs. Blaney to propose the following resolution on Thursday, March 20, 2008:

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 information in the possession of the government with targets, benchmarks, forecasts or time-lines related to the government's self-sufficiency initiatives.

**[Documents requested filed March 20, 2008]**

**Motion 44 by Mr. Holder**, seconded by Mrs. Blaney to propose the following resolution on Thursday, March 20, 2008:

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 information in the possession of the government related to the creation of the additional 12,000 Community College seats including the number of seats created to date, the number of seats to be created over the next year and the projected completion date for the total 12,000 seats since December 6<sup>th</sup>, 2007.

**Motion 45 by Mr. Landry**, seconded by Mr. Fitch to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to any consideration of potential changes to the existing structure of the regional health authorities and governance in the health care system.

**Motion 46 by Mr. MacDonald**, seconded by Mr. Urquhart to propose the following resolution on Thursday, March 20, 2008:

That an address be presented to His Honor the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documentation including correspondence between the Provincial Government and private industry related to extending high-speed internet service to all regions of New Brunswick and any related Federal / Provincial agreements.

**Motion 47 by Mr. Mockler**, seconded by Mr. D. Graham to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to work performed for the Province of New Brunswick by former provincial cabinet minister Doug Tyler, including but not limited to contracts, letters of engagement, letters of instruction, correspondence, invoices, expense claims, reports, or recommendations.

**Motion 48 by Mr. Northrup**, seconded by Mr. Carr to propose the following resolution on Thursday, March 20, 2008:

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, reports or publications related to the Post-Secondary Education Working Group.

**Motion 49 by Mr. Olscamp**, seconded by Mr. Landry to propose the following resolution on Thursday, March 20, 2008:

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 list of doctors and medical specialists (with their area of specialization) hired by New Brunswick health authorities since December 6<sup>th</sup>, 2007, as well as their place of work, the name of the facility, and the regional authority to which these doctors have been assigned.

**[Documents requested filed March 20, 2008]**

**Motion 50 by Mrs. Poirier**, seconded by Mr. Harrison to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to the development of the new provincial logo and all information related to the cost of adopting the new logo, including but not limited to costs associated with the printing of new stationery, business cards, signs, etc. with the new logo.



**Motion 51 by Mr. Steeves**, seconded by Mr. Robichaud to propose the following resolution on Thursday, March 20, 2008:

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 information including flight records, final destination, duration of stay, unscheduled stops, and occupants however recorded, stored or archived, by electronic means or otherwise, related to the operation and usage of the provincially leased airplane since January 1<sup>st</sup>, 2008.

**Motion 52 by Mr. Urquhart**, seconded by Mr. Huntjens to propose the following resolution on Thursday, March 20, 2008:

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 any format, in the possession of the Government related to the cost of repainting ambulances for the provincial ambulance fleet.

**Motion 53 by Mr. Robichaud**, seconded by Mr. D. Graham to propose the following resolution on Thursday, March 20, 2008:

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 related to any request for proposals to replace the provincial aircraft by purchase or by lease and the storage of the aircraft.

**Motion 54 by Mr. Volpé**, seconded by Mr. MacDonald to propose the following resolution on Thursday, March 20, 2008:

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 each Minister, Deputy Minister, Assistant Deputy Minister, Executive Assistant and Special Assistant since December 6<sup>th</sup>, 2007.

**Motion 55 by Mr. Williams**, seconded by Mrs. Dubé to propose the following resolution on Thursday, March 20, 2008:

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 in the possession of the Government related to the loss of personal health files between the Province of New Brunswick and the Province of British Columbia and the action taken by the governments to recover those files.

**Motion 57 by Mrs. Dubé**, seconded by Mr. D. Graham to propose the following resolution on Thursday, March 27, 2008:

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 any format, in the possession of the Government related to advertising purchased to promote the Department of Education's recently announced changes to French immersion.

**Motion 58 by Mr. C. Landry**, seconded by Mr. D. Alward to propose the following resolution on Thursday, March 27, 2008:

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 any format, in the possession of the Government related to advertising purchased to promote the Government's new health plan.

## **CONCLUDED**

**Motion 26 by Mr. C. Landry.** Debated and defeated December 6, 2007.

**Motion 29 by Mrs. Blaney.** Debated and carried as amended December 13, 2007.

## **WITHDRAWN AS DOCUMENTS TABLED**

Motions 2, 3, 4, 5, 6, 11, 13, 14, 16, 17, 18 and 28 withdrawn December 20, 2007.

Motions 7, 8, 9, 10, 12, 15, 19, 20, 21, 22, 23, 24 and 30 withdrawn March 11, 2008.

## **PETITIONS**

Petition No. 1 presented by Mr. Urquhart on November 28, 2007.

(Response filed January 2, 2008)

Petition No. 2 presented by Mr. Alward on November 28, 2007.

(Response filed December 12, 2007)

Petition No. 3 presented by Mr. Betts on December 18, 2007.

(Response filed January 29, 2008)

Petition No. 4 presented by Mr. Williams on December 20, 2007.

(Response filed January 29, 2008)

Petition No. 5 presented by Mr. Northrup on March 13, 2008.

## **COMMITTEE REPORTS**

First Report of the Standing Committee on Procedure presented November 28, 2007.

**REPORTS / DOCUMENTS**

**FILED IN THE CLERK'S OFFICE**

2006-2007 Annual Report, New Brunswick Forest Products Commission  
(Filed March 25, 2008)

Loredana Catalli Sonier  
Clerk of the Legislative Assembly