

LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK Fourth Session, 56th Legislative Assembly

ORDER AND NOTICE PAPER - Sitting No. 36 Friday, February 5, 2010

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

GOVERNMENT BILLS FOR SECOND READING

Bills Ordered for Second Reading

Bill 26, An Act to Amend the Medical Services Payment Act - Hon. Mrs. Schryer

COMMITTEE OF THE WHOLE

- Bill 12, New Brunswick Internal Services Agency Act Hon. Mr. Doherty
- Bill 16, An Act to Amend the Elections Act Hon. Mr. Murphy, Q.C.
- Bill 19, An Act to Amend the Political Process Financing Act - Hon. Mr. Murphy, Q.C.
- Bill 22, An Act to Amend the Family Services Act Hon. Mr. Murphy, Q.C.
- Bill 25, An Act to Amend the Motor Vehicle Act Mr. Alward

PRIVATE BILLS STANDING REFERRED TO STANDING COMMITTEE ON PRIVATE BILLS

Bill 27, An Act Respecting the College of Physiotherapists of New Brunswick - Mr. MacIntyre

BILLS AWAITING ROYAL ASSENT

Bill 7, Heritage Conservation Act - Hon. Mr. Albert Bill 17, An Act to Amend the Metallic Minerals Tax Act - Hon. Mr. Byrne, Q.C. Bill 18, An Act to Amend the Real Property Tax Act - Hon. Mr. Byrne, Q.C.

COMMITTEE OF SUPPLY

Main Estimates 2010-2011 Supplementary Estimates Volume II 2008-2009 Supplementary Estimates Volume I 2009-2010

GOVERNMENT MOTIONS

CONCLUDED

Motion 4 by Hon. Mr. Murphy, Q.C. Carried November 20, 2009. Motion 9 by Hon. Mr. Byrne, Q.C. Debated December 1, 3, 4, 8, 9 and 11; carried December 11, 2009.

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GOVERNMENT PRIVATE MEMBERS' MOTIONS

CONCLUDED

Motion 17 by Mr. Paulin. Debated and carried December 15, 2009.

OPPOSITION MEMBERS' BUSINESS

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Bill 29, An Act to Amend the Motor Vehicle Act - Mr. Urquhart

Adjourned Debates

Resuming the adjourned debate on the motion that Bill 24, *An Act to Amend the Human Rights Act* [Mr. Alward] be now read a second time.

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

Motion 29 by Mr. Fitch, seconded by Mr. Alward to propose the following resolution on Thursday, January 21, 2010:

WHEREAS the province has indicated through the current 2010-2011 budget that the projected date in which the province will return to a balanced budget has been pushed back until the 2014-2015 fiscal year; and

WHEREAS the current budget projects that revenue for the province will increase by 10.7% from the current fiscal year until the 2014-2015 fiscal year; and

WHEREAS expenditures are slated to increase by only 1% over the same period;

BE IT RESOLVED that this Legislative Assembly urge the government to provide to this House detailed financial forecasts and analysis from the Department of Finance or any outside source that supports the projections and ability of government to keep spending far below historic levels of inflation from the current year until the projected 2015 return to a balanced budget.

[Debate interrupted due to expiration of time]

WHEREAS communities in New Brunswick depend upon healthy forests not only for manufacturing and economic reasons, but also for clean water, clean air and for the future of all outdoor activities; and

WHEREAS forests are not only about the trees that exist within them and because New Brunswickers want to have a say in the planning of the future for what we will leave to future generations; and

WHEREAS private woodlot owners are an important component of what our forests contribute to our province and these owners want to be a part of planning for the future; and

WHEREAS the manner in which our forests are managed can have a significant impact on our environment both positively and negatively with respect to clean water, erosion, fire and wildlife; and

WHEREAS keeping the integrity and biodiversity of our forests is of primary importance; therefore

BE IT RESOLVED that this Legislative Assembly urge the Government to join with industry to organize a Forestry Summit in order to bring together all levels of government and all forestry stakeholders to discuss the challenges that the forestry industry is facing today; and

BE IT FURTHER RESOLVED that the purpose of this Forestry Summit be to provide a forum for an open discussion on the future of forestry in New Brunswick, to examine potential long-term solutions to the challenges affecting the industry, and to ensure the survival and viability of this critically important component of New Brunswick's economy.

Motions for Returns

Motion 1 by Mr. Alward, seconded by Mr. Fitch to propose the following resolution on Thursday, November 26, 2009:

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 all correspondence however recorded or stored between the Office of the Premier, Premier Shawn Graham, and the Minister of Energy since October 3, 2006 related to any business dealings with the Province of Quebec and Hydro-Quebec.

Motion 2 by Mr. Robichaud, seconded by Mr. Alward to propose the following resolution on Thursday, November 26, 2009:

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 between Premier Shawn Graham, the Office of the Premier of New Brunswick, Mr. Doug Tyler, the Office of the Minister of Energy, Minister Jack Keir and the Office of the Premier of Quebec and Premier Jean Charest, since January 1, 2009. **Motion 3 by Mr. Volpé,** seconded by Mr. Robichaud to propose the following resolution on Thursday, November 26, 2009:

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 between Premier Shawn Graham, the Office of the Premier of New Brunswick, the Office of the Minister of Energy, Minister Jack Keir, and NB Power, since October 3, 2006.

Motion 5 by Mr. Fitch, seconded by Mr. Robichaud to propose the following resolution on Thursday, November 26, 2009:

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 all studies, reports, memorandum, or correspondence within the possession of government, including any Crown Corporation of New Brunswick related to the valuation of NB Power and any or all of its assets since October 3, 2006.

Motion 7 by Mr. Fitch, seconded by Mr. Alward to propose the following resolution on Thursday, December 3, 2009:

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 all correspondence however recorded or stored between the Office of the Premier, Premier Shawn Graham, the Minister of Energy, Mr. Doug Tyler and the President and Chief Executive Officer of NB Power since January 1, 2009 related to any business dealings with the Province of Quebec and Hydro-Quebec.

Motion 8 by Mr. Robichaud, seconded by Mr. Alward to propose the following resolution on Thursday, December 3, 2009:

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 all correspondence however recorded or stored between the Office of the Premier, Premier Shawn Graham, the Minister of Energy, Mr. Doug Tyler and any member of the Board of Directors of NB Power since January 1, 2009 related to any business dealings with the Province of Quebec and Hydro-Quebec.

Motion 13 by Mr. Fitch, seconded by Mr. Alward to propose the following resolution on Thursday, December 10, 2009:

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 government however recorded or stored related to any government contract or spending by any Department, Agency or Crown Corporation related to advertising the sale of NB Power to Hydro-Quebec by mail, print, internet, radio or television including contracts that require future advertising since October 1st, 2009.

Motion 19 by Mr. Fitch, seconded by Mr. Steeves to propose the following resolution on Thursday, December 17, 2009:

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, however recorded, stored or archived, by electronic means or otherwise, related to the current costs to date and projected future costs regarding the restoration of the Petitcodiac River.

Motion 21 by Mr. Robichaud, seconded by Mr. Volpé to propose the following resolution on Thursday, December 24, 2009:

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, memorandums, contracts and personal service contracts between the Government of New Brunswick, Premier Shawn Graham, the Office of the Premier, the Office of the Minister of Energy, Minister Jack Keir, Mr. Doug Tyler and Mr. Eugene (Gene) Meehan and or NERA Economic Consulting since January 1, 2009.

Motion 23 by Mrs. Poirier, seconded by Mrs. Dubé to propose the following resolution on Thursday, December 24, 2009:

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 government possession, however recorded or stored, concerning the management agreements and construction contracts for the two schools being built in partnership with the private sector in Moncton and Rexton.

Motion 24 by Mr. Williams, seconded by Mr. Robichaud to propose the following resolution on Thursday, December 24, 2009:

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 equipment hired, rented or leased by the Department of Transportation by district and Department of Transportation garage or depot whether tendered or untendered, lists of the names of contractors or individuals, the amount and value of each contract and a description of the services delivered since November 1, 2008.

Motion 28 by Mr. Fitch, seconded by Mr. Robichaud to propose the following resolution on Thursday, January 21, 2010:

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 government however recorded or stored related to any government contract or spending between any Department, Agency or Crown Corporation and the firms of Hill & Knowlton, Colour and Bristol Group Inc. related to the sale of NB Power to Hydro-Quebec since October 1st, 2009. **Motion 31 by Mr. Williams**, seconded by Mrs. Blaney to propose the following resolution on Thursday, January 28, 2010:

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 government possession, however recorded or stored, concerning New Brunswick Health Council expenditures that are considered business expenses, consulting fees, freelance research, and promotional material and that are included in accounts for the current fiscal year beginning April 1, 2009.

Motion 32 by Mr. Robichaud, seconded by Mr. C. Landry to propose the following resolution on Thursday, January 28, 2010:

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 all projects that received funding under the fund for northern initiatives during the fiscal year beginning April 1, 2009, including the names of the companies or organizations that benefited, the locations or communities where projects were undertaken, the amount provided and number of jobs created per project, and a brief description of each project subsidized by this fund.

Motion 33 by Mr. Robichaud, seconded by Mr. C. Landry to propose the following resolution on Thursday, January 28, 2010:

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 all projects that received funding under the northern development fund during the fiscal year beginning April 1, 2009, including the names of the companies or organizations that benefited, the locations or communities where projects were undertaken, the amount provided and number of jobs created per project, and a brief description of each project subsidized by this fund.

Motion 37 by Mr. Williams, seconded by Mr. Fitch to propose the following resolution on Thursday, February 11, 2010:

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 government including correspondence, email between the Office of the Premier, the Department of Transportation, Supply and Services, Business New Brunswick and the three companies that made submissions on the Princess Margaret Bridge project, including the composition of the Province's financial evaluation team and analysis and a copy of the final contract that was awarded.

Motion 38 by Mr. Fitch, seconded by Mrs.Blaney to propose the following resolution on Thursday, February 11, 2010:

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 government including correspondence, minutes of meetings and any memorandum however recorded or stored between the Office of the Premier, the Department of Environment, the Minister of Environment, the Fredericton Region Solid Waste Commission and any other individuals regarding Elmtree Environmental Ltd. since October 3rd, 2006.

Motion 39 by Mr. Williams, seconded by Mr. Fitch to propose the following resolution on Thursday, February 11, 2010:

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 all contracts, personal service contracts and or monetary retainers between any government department, agency or crown corporation and the law firm of Stewart McKelvey and/or Mr. Britt Dysart including the hourly billing rate since October 3rd, 2006.

CONCLUDED

Motion 6 by Mr. Alward. Debated and defeated November 26, 2009.
Motion 15 by Mr. Alward. Debated and defeated December 10, 2009.
Motion 16 by Mrs. Dubé. Debated and carried December 8, 2009.
Motion 22 by Mr. Fitch. Debated and defeated January 14, 2010.
Motion 30 by Mr. Alward. Debated and defeated January 21, 2010.
Motion 34 by Mr. Alward. Debated and defeated February 4, 2010.
Motion 35 by Mr. Jody Carr. Debated and carried as amended February 4, 2010.

WITHDRAWN AS DOCUMENTS TABLED

Motions 10, 11, 12, 14, 18, 20, 25, 26 and 27 withdrawn February 4, 2010.

PETITIONS

Petition 1 : Mr. McGinley, Q.C., November 18, 2009. (Response, December 14, 2009) Petition 2 : Mr. D. Graham, November 18, 2009. (Response, December 1, 2009) Petition 3 : Mr. Urguhart, November 20, 2009. (Response, December 2, 2009) Petition 4 : Mr. Northrup, November 20, 2009. (Response, December 7, 2009) Petition 5 : Mr. Huntjens, November 20, 2009. (Response, November 26, 2009) Petition 6: Mr. Paulin, November 24, 2009. (Response, December 11, 2009) Petition 7: Mr. Urguhart, November 24, 2009. (Response, December 4, 2009) Petition 8: Mr. D. Graham. November 24, 2009. (Response, December 4, 2009) Petition 9: Mr. Harrison, November 24, 2009. (Response, December 4, 2009) Petition 10: Mr. Kennedy, November 25, 2009. (Response, January 5, 2010) Petition 11: Mr. Alward, November 25, 2009. (Response, December 3, 2009) Petition 12: Mr. D. Graham, November 25, 2009. (Response, December 9, 2009) Petition 13: Mr. Olscamp, November 25, 2009. (Response, December 4, 2009) (Response, December 8, 2009) Petition 14: Mr. Steeves, November 25, 2009. Petition 15: Mr. Betts, November 25, 2009. (Response, December 8, 2009) Petition 16: Mr. Williams, November 25, 2009. (Response, December 11, 2009) Petition 17: Mrs. Poirier, November 25, 2009. (Response, December 9, 2009) Petition 18: Mr. Northrup, November 25, 2009. (Response, December 8, 2009)

Petition 19: Mr. Holder, November 26, 2009. Petition 20: Mr. D. Graham, November 26, 2009. Petition 21: Mr. C. LeBlanc, November 26, 2009. Petition 22: Mr. Urguhart, November 26, 2009. Petition 23: Mrs. Blaney, November 26, 2009. Petition 24: Mr. Jack Carr, November 26, 2009. Petition 25: Mr. Williams, November 26, 2009. Petition 26: Mrs. Dubé, November 26, 2009. Petition 27: Mr. Steeves, December 2, 2009. Petition 28: Mr. D. Graham, December 2, 2009. Petition 29: Mrs. Poirier, December 2, 2009. Petition 30: Mr. C. LeBlanc, December 2, 2009. Petition 31: Mr. Holder, December 2, 2009. Petition 32: Mr. Fitch, December 2, 2009. Petition 33: Mr. Williams, December 2, 2009. Petition 34: Mr. C. Landry, December 2, 2009. Petition 35: Mr. Northrup, December 2, 2009. Petition 36: Mr. Huntjens, December 4, 2009. Petition 37: Mr. Robichaud, December 4, 2009. Petition 38: Mrs. Blaney, December 4, 2009. Petition 39: Mr. D. Graham, December 4, 2009. Petition 40: Mr. Holder, December 4, 2009. Petition 41: Mr. Williams, December 4. 2009. Petition 42: Hon. Mrs. Schrver, December 8, 2009. Petition 43: Mrs. Dubé, December 8, 2009. Petition 44: Mr. Volpé, December 8, 2009. Petition 45: Mrs. Poirier, December 8, 2009. Petition 46: Mr. C. Landry, December 8, 2009. Petition 47: Mr. Northrup, December 8, 2009. Petition 48: Mr. Williams. December 8, 2009. Petition 49: Mr. D. Graham, December 8, 2009. Petition 50: Mr. C. LeBlanc, December 8, 2009. Petition 51: Mr. Olscamp, December 8, 2009. Petition 52: Hon. Mr. Arseneault, December 9, 2009. Petition 53: Hon. Mr. Arseneault, December 9, 2009. Petition 54: Mr. Fitch, December 9, 2009. Petition 55: Mrs. Dubé, December 9, 2009. Petition 56: Mr. Urguhart, December 9, 2009. Petition 57: Mrs. Poirier, December 9, 2009. Petition 58: Mr. Urguhart, December 10, 2009. Petition 59: Mr. Steeves, December 10, 2009. Petition 60: Mr. Williams, December 10, 2009. Petition 61: Mr. Holder, December 10, 2009. Petition 62: Mr. C. LeBlanc, December 10, 2009. Petition 63: Mr. Jody Carr, December 10, 2009.

(Response, December 15, 2009) (Response, December 11, 2009) (Response, December 15, 2009) (Response, December 14, 2009) (Response, December 11, 2009) (Response, December 14, 2009) (Response, December 14, 2009) (Response, January 4, 2010) (Response, December 17, 2009) (Response, December 17, 2009) (Response, December 17, 2009) (Response, December 17, 2009) (Response, December 11, 2009) (Response, January 5, 2010) (Response, December 21, 2009) (Response, December 21, 2009) (Response, January 4, 2010)

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(Response, December 22, 2009) (Response, January 4, 2010) (Response, December 23, 2009) (Response, December 23, 2009) (Response, December 23, 2009) (Response, January 27, 2010) (Response, January 27, 2010)

Petition 109: Mrs. Blaney, January 14, 2010. Petition 110: Ms. Dubé, January 14, 2010. Petition 111: Mr. C. LeBlanc, January 14, 2010. Petition 112: Mr. Jody Carr, January 14, 2010. Petition 113: Mr. Steeves, January 14, 2010. Petition 114: Mr. Holder, January 14, 2010. Petition 115: Mr. Olscamp, January 14, 2010. Petition 116: Mr. Fitch, January 14, 2010. Petition 117: Mr. Jack Carr, January 14, 2010. Petition 118: Mr. Urguhart, January 14, 2010. Petition 119: Mr. C. Landry, January 14, 2010. Petition 120: Mr. Williams, January 15, 2010. Petition 121: Mr. Betts, January 15, 2010. Petition 122: Mr. D. Graham, January 15, 2010. Petition 123: Mrs. Poirier, January 15, 2010. Petition 124: Mr. Alward, January 19, 2010. Petition 125: Mrs. Poirier, January 19, 2010. Petition 126: Mr. Olscamp, January 19, 2010. Petition 127: Mr. MacDonald, January 19, 2010. Petition 128: Mr. C. Landry, January 19, 2010. Petition 129: Mr. Holder, January 19, 2010. Petition 130: Mr. Betts, January 19, 2010. Petition 131: Mr. Steeves, January 19, 2010. Petition 132: Ms. Dubé, January 19, 2010. Petition 133: Mr. Fitch, January 19, 2010. Petition 134: Mr. Steeves, January 20, 2010. Petition 135: Mr. Betts, January 20, 2010. Petition 136: Mr. Williams, January 20, 2010. Petition 137: Mr. Steeves, January 21, 2010. Petition 138: Mr. Betts, January 21, 2010. Petition 139: Mr. Fitch, January 21, 2010. Petition 140: Mr. D. Graham, January 21, 2010. Petition 141: Ms. Dubé, January 21, 2010. Petition 142: Mr. Williams, January 21, 2010. Petition 143: Mr. Huntjens, January 21, 2010. Petition 144: Mr. Holder, January 21, 2010. Petition 145: Mr. C. Landry, January 21, 2010. Petition 146: Mr. Jack Carr, January 22, 2010. Petition 147: Mr. C. LeBlanc, January 22, 2010. Petition 148: Mr. D. Graham, January 22, 2010. Petition 149: Mr. Holder, January 22, 2010. Petition 150: Mr. Williams, January 22, 2010. Petition 151: Mr. Betts, January 26, 2010. Petition 152: Mrs. Blaney, January 26, 2010. Petition 153: Mr. D. Graham, January 26, 2010. Petition 154: Mr. C. Landry, January 26, 2010. Petition 155: Mr. Williams, January 27, 2010.

(Response, January 27, 2010) (Response, February 1, 2010)

(Response, February 1, 2010)

(Response, February 1, 2010)

- Petition 156: Ms. Dubé, January 27, 2010. Petition 157: Mr. Northrup, January 27, 2010. Petition 158: Mr. Northrup, January 28, 2010. Petition 159: Mr. Williams, January 28, 2010. Petition 160: Mrs. Poirier, January 28, 2010. Petition 161: Mr. C. Landry, January 28, 2010. Petition 162: Ms. Dubé, January 28, 2010. Petition 163: Mrs. Blaney, January 28, 2010. Petition 164: Mr. Steeves, January 29, 2010. Petition 165: Mr. Betts, January 29, 2010. Petition 166: Mr. Olscamp, January 29, 2010. Petition 167: Mr. C. LeBlanc, February 2, 2010. Petition 168: Mr. Olscamp, February 2, 2010. Petition 169: Mr. D. Graham, February 2, 2010. Petition 170: Mr. C. Landry, February 2, 2010. Petition 171: Ms. Dubé, February 2, 2010. Petition 172: Mr. C. LeBlanc, February 3, 2010. Petition 173: Mr. Williams, February 3, 2010. Petition 174: Mr. D. Graham, February 3, 2010. Petition 175: Mr. C. Landry, February 3, 2010. Petition 176: Mr. Paulin, February 4, 2010. Petition 177: Mr. Northrup, February 4, 2010. Petition 178: Mr. Steeves, February 4, 2010. Petition 179: Mr. Betts, February 4, 2010.
- Detition 199. Mr. Deus, 1 ebiuary 4, 2010.
- Petition 180: Mr. D. Graham, February 4, 2010.
- Petition 181: Mr. C. Landry, February 4, 2010.

Loredana Catalli Sonier Clerk of the Legislative Assembly