



LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK

Third Session, 57th Legislative Assembly

ORDER AND NOTICE PAPER - Sitting No. 14
Wednesday, December 19, 2012

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 THIRD READING

Bill 16, An Act to Amend the Tobacco Tax Act - Hon. Mr. Higgs
Bill 17, An Act to Amend the Gasoline and Motive Fuel Tax Act - Hon. Mr. Higgs
Bill 18, An Act to Amend the Financial Administration Act - Hon. Mr. Higgs
Bill 19, Community Funding Act - Hon. Mr. Fitch
Bill 21, An Act to Amend the Guardianship of Children Act - Hon. Ms. Blais, Q.C.

GOVERNMENT BILLS FOR SECOND READING

Bills to be Ordered for Second Reading

Bill 26, An Act to Amend the Workers' Compensation Act - Hon. Mr. Soucy

COMMITTEE OF THE WHOLE

Bill 5, An Act to Amend the Motor Vehicle Act - Hon. Mr. Trevors
Bill 15, An Act to Amend the Executive Council Act - Hon. Mr. P. Robichaud
Bill 20, An Act to Amend the Pension Benefits Act - Hon. Ms. Blais, Q.C.
Bill 23, An Act to Amend the Parks Act - Hon. Mr. Holder

BILLS AWAITING ROYAL ASSENT

Bill 2, An Act Respecting Property Tax Reform - Hon. Mr. Fitch
Bill 3, An Act Respecting the Regional Service Delivery Act - Hon. Mr. Fitch
Bill 4, An Act to Amend the Natural Products Act - Hon. Ms. Blais, Q.C.
Bill 6, An Act to Amend the Medical Services Payment Act
- Hon. Mr. Flemming, Q.C.
Bill 9, An Act to Amend the Elections Act - Hon. Mr. P. Robichaud
Bill 10, An Act to Amend An Act Respecting Vital Statistics - Hon. Ms. Stultz
Bill 11, An Act to Amend the Personal Health Information Privacy and Access Act
- Hon. Mr. Flemming, Q.C.
Bill 12, An Act Respecting the Convention of Atlantic Baptist Churches
- Mr. Steeves
Bill 13, City of Saint John Government Act - Mr. Killen
Bill 22, Supplementary Appropriations Act 2011-2012 (1) - Hon. Mr. Higgs

COMMITTEE OF SUPPLY

Capital Estimates, 2013-2014
Supplementary Estimates, Volume I, 2011-2012 (Adopted December 12, 2012)

GOVERNMENT MOTIONS

Motion 22 by Hon. Mr. Higgs, seconded by Hon. Mr. Alward to propose the following resolution on Tuesday, March 26, 2013:

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

CONCLUDED

Motion 4 by Hon. Mr. P. Robichaud. Carried November 28, 2012.

Motion 8 by Hon. Mr. Higgs. Debated and carried December 11, 2012.

Motion 13 by Hon. Mr. P. Robichaud. Carried December 6, 2012.

OPPOSITION MEMBERS' BUSINESS

OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING

Bill 7, An Act to Amend the Members' Conflict of Interest Act - Mr. Boudreau

Bill 8, Lobbyists' Registration Act - Mr. Fraser

Bill 14, Tanning Beds Act - Mr. Arseneault

Bill 24, An Act to Amend the Municipalities Act - Mr. Bernard LeBlanc

Bill 25, An Act to Amend the Emergency Measures Act - Mr. Doucet

OPPOSITION MEMBERS' MOTIONS

Debatable Motions

Motion 1 by Mr. Kenny, seconded by Mr. Haché to propose the following resolution on Thursday, December 6, 2012:

WHEREAS the impending closure of the Xstrata Mine in Bathurst will result in the loss of hundreds of jobs, both directly and indirectly;

WHEREAS the northern economy has suffered numerous blows in recent years with the decline of various industries, and the Xstrata closure will only exacerbate this economic downturn;

WHEREAS the knowledge base, expertise and human resources in the region would provide an excellent training ground for those interested in learning mining skills;

WHEREAS mining companies around the world are looking for thousands of workers skilled in mining trades;

WHEREAS a mining trades program and a mining centre of excellence, and resulting research opportunities, would provide important economic opportunities for northern New Brunswick;

WHEREAS the training facility and centre of excellence would help both northern New Brunswick and mining all across Canada;

BE IT THEREFORE RESOLVED that the Legislature urge the provincial government to engage the mining industry and the federal government in a partnership to establish a Mining Centre of Excellence and training centre in Bathurst following the mine's shutdown.

Amendment moved by Hon. Mr. Soucy, seconded by Hon. Mr. P. Robichaud that Motion 1 be amended as follows:

In the resolution clause, by deleting all the words following “urge the provincial government to” with “continue engaging the mining industry, the Mining Industry Human Resource Council, and the Federal Government in a dialogue concerning the possibility of establishing a Mining Centre of Excellence and college-level training centre in conjunction with the Collège Communautaire du Nouveau-Brunswick – campus de Bathurst following the mine’s shutdown.”

[Debate interrupted due to expiration of time]

Motion 14 by Mr. Boudreau, seconded by Mr. Collins to propose the following resolution on Thursday, December 13, 2012:

WHEREAS the Alward government has not questioned the federal government on reductions to federal transfer payments to New Brunswick;

WHEREAS the Alward government has refused to take on the federal government for the \$1 billion in cost overruns caused by AECL, a federal crown corporation;

WHEREAS the Alward government has decided not to fight for the interests of New Brunswick by seeking compensation for the millions of dollars in additional costs the province will be burdened with in relation to the new federal omnibus crime bill;

WHEREAS the Alward government did not even seek adequate compensation from the federal government for the future upkeep and maintenance of the Harbour Bridge;

WHEREAS the Alward government has not voiced concern about federal job cuts in New Brunswick;

WHEREAS the Alward government has not spoken out against cuts by ACOA to the regional economic development agencies;

WHEREAS the Alward government was silent on cuts to the National Research Council in New Brunswick;

WHEREAS the Alward government has not stood up for New Brunswick in relation to the proposed EI eligibility changes which will have a devastating effect on our seasonal industries, our communities and our people;

WHEREAS the Alward government was not successful in convincing the federal government to keep Canadian Blood Services in New Brunswick;

WHEREAS the Alward government has been unable to persuade the federal government to partner with it on the twinning of Route 11;

WHEREAS the Alward government has not fought against cuts to rail service in New Brunswick;

BE IT THEREFORE RESOLVED that the Legislature urge the government and opposition to coordinate a strong position on behalf of the people of New Brunswick to stand up and speak out against the federal government on measures that have such negative economic and financial consequences for New Brunswick.

[Debate interrupted due to expiration of time]

Motion 15 by Mr. Fraser, seconded by Mr. Boudreau to propose the following resolution on Thursday, December 20, 2012:

WHEREAS the previous Liberal government undertook an unprecedented public engagement in 2009 with the business sector, the non-profit sector, and citizens living in poverty, and collaborated with the Leader of the Opposition in the development of a bipartisan poverty reduction plan;

WHEREAS the Premier, then the Leader of the Opposition, participated fully in the engagement process and the announcement of the poverty reduction plan;

WHEREAS the Premier, then the Leader of the Opposition, stated that he was “proud” to have participated in the process and committed his party to implementing the recommendations of the poverty reduction task force;

WHEREAS the Premier, then the Leader of the Opposition, stated in an opinion column published in various provincial newspapers in November 2009 that we have to do more;

WHEREAS, since forming the government, the Alward Conservatives have ignored or postponed several important agreed-upon deadlines for the implementation of poverty reduction initiatives;

BE IT THEREFORE RESOLVED that the Legislature urge the government to collaborate with the Opposition in the implementation of the poverty reduction plan, and

BE IT FURTHER RESOLVED that the Legislature ask the government to provide a schedule for full implementation of the poverty reduction plan.

Motion 21 by Mr. Kenny, seconded by Mr. Fraser to propose the following resolution on Thursday, December 20, 2012:

WHEREAS public transportation is a vital component to economic growth, particularly in rural areas of the province;

WHEREAS VIA Rail is eliminating its ticket agents and decreasing its routes in northern New Brunswick;

WHEREAS CN Rail has recently threatened to abandon its Newcastle line in northern New Brunswick;

WHEREAS these services connected communities and brought social and economic opportunities to New Brunswickers;

WHEREAS jurisdiction for inter-provincial transportation rests with the federal government;

BE IT THEREFORE RESOLVED that the Legislative Assembly urge the provincial government to demand the federal government invest in infrastructure and provide the necessary funding to ensure these public transportation opportunities continue to exist, for the socio-economic well-being of our province.

Motions for Returns

Motion 3 by Mr. Arseneault, seconded by Mr. Albert to propose the following resolution on Thursday, December 6, 2012:

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 but not limited to correspondence, however recorded, stored or archived, by electronic means or otherwise, related to contracts between all departments, agencies, Crown Corporations, boards or other entities of the provincial government and Alexander Proudfoot, from October 13, 2010 to present.

Motion 5 by Mr. Fraser, seconded by Mr. Arseneault to propose the following resolution on Thursday, December 13, 2012:

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 provincial airplane, and any other chartered airplane, since October 13, 2010.

Motion 6 by Mr. Fraser, seconded by Mr. Bernard LeBlanc to propose the following resolution on Thursday, December 13, 2012:

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, however recorded, stored or archived, including but not limited to any correspondence in any form, between the Department of Social Development, any other government department, agency or Crown Corporation, any stakeholder group, and any government employee, including but not limited to Ministers, MLAs and departmental staff, regarding the applicants for social assistance who were rejected due to being without a permanent address, since October 13, 2010.

Motion 7 by Mr. Collins, seconded by Mr. Kenny to propose the following resolution on Thursday, December 13, 2012:

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 since October 1, 2010, including correspondence, however recorded, stored or archived, by electronic means or otherwise, between the Department of Energy and Mines, the Premier's Office, the Executive Council Office, the Department of Natural Resources and any other individuals, or corporations with respect to the engagement of consultants, communications companies and/or public relations companies engaged to provide strategic communications advice, public relations advice, marketing advice or other such guidance and/or materials in relation to the public discussion of issues related to shale gas exploration and development, including, but not limited to all correspondence, memos, contracts, directives, proposals, and invoices and detailed information of all costs incurred for such services.

Motion 10 by Mr. Arseneault, seconded by Mr. Fraser to propose the following resolution on Thursday, December 13, 2012:

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, however recorded, stored or archived, including but not limited to any correspondence in any form, between the Department of Health, any other government department, agency or Crown Corporation, any stakeholder group, and any government employee, including but not limited to Ministers, MLAs and departmental staff, in relation to the savings realized from generic drug pricing.

Motion 11 by Mr. Doucet, seconded by Mr. Arseneault to propose the following resolution on Thursday, December 13, 2012:

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 but not limited to correspondence, however recorded, stored or archived, regarding the Department of Public Safety's consultation on the Graduated Driver's Licence Program, from October 13, 2010.

Motion 12 by Mr. Fraser, seconded by Mr. D. Landry to propose the following resolution on Thursday, December 13, 2012:

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 list, however recorded, stored or archived, of all roads identified for work based on the Asset Management System, in order of priority, including the date they were identified and the estimated cost of each project, for the years 2011-2012, 2012-2013 and 2013-2014.

Motion 16 by Mr. Fraser, seconded by Mr. D. Landry to propose the following resolution on Thursday, December 20, 2012:

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 work contracted out, for each district government garage, to local contractors via an invitation to bid, including the amount of the successful bids, a description of the work done and the area in which the work was done, since October 13, 2010.

Motion 17 by Mr. Fraser, seconded by Mr. D. Landry to propose the following resolution on Thursday, December 20, 2012:

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 Department of Transportation and Infrastructure tenders awarded, including a description of the tender, the name of the successful bidder and the amount of the successful tender, since October 13, 2010.

Motion 18 by Mr. Fraser, seconded by Mr. Bernard LeBlanc to propose the following resolution on Thursday, December 20, 2012:

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 overpayments owing to the Department of Social Development, with a breakdown of those owing due to accounting errors, due to unreported income, and due to change in economic unit; the date and amount of each overpayment; the number of accounts settled and the amount of each settlement; and whether the individual overpaid is a current social assistance client.

Motion 19 by Mr. Fraser, seconded by Mr. D. Landry to propose the following resolution on Thursday, December 20, 2012:

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 but not limited to correspondence from any MLA, Minister or government department, regarding Chancery Place, since October 13, 2010.

Motion 20 by Mr. Fraser, seconded by Mr. D. Landry to propose the following resolution on Thursday, December 20, 2012:

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 Department of Transportation and Infrastructure tenders recalled, cancelled and/or changed, including any correspondence regarding the recalls, cancellations or changes, since October 13, 2010.

Motion 23 by Mr. Fraser, seconded by Mr. Bernard LeBlanc to propose the following resolution on Thursday, December 27, 2012:

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 but not limited to correspondence, regarding the Department of Social Development's Household Unit Policy, since October 13, 2010.

Motion 24 by Mr. Fraser, seconded by Mr. Bernard LeBlanc to propose the following resolution on Thursday, December 27, 2012:

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 but not limited to correspondence, regarding any and all tenders called by the New Brunswick Housing Corporation, including a description of the work, the name of the successful bidder, and the dollar amount of the contract, including receipts for materials used and services rendered, since October 13, 2010.

CONCLUDED

Motion 2 by Mr. Collins. Debated and carried as amended December 6, 2012.

Motion 9 by Mr. Melanson. Debated and defeated December 13, 2012.

PETITIONS

Petition 1: Mr. Kenny, December 4, 2012.

(Withdrawn, December 5, 2012)

Petition 2: Hon. Mr. Trevors, December 11, 2012.

COMMITTEE REPORTS

Select Committee on the Revision
of the *Official Languages Act*
Standing Committee on Private Bills

Interim Report, December 5, 2012

First Report, December 13, 2012

REPORTS/DOCUMENTS

Tabled in the House

Report of the Advisory Committee on Health Benefits: An Insurance Plan for
Prescription Drugs for Uninsured New Brunswickers, Prepared for ESIC Board of
Directors, Final Report, December 2012

(Tabled by Hon. Ms. Shephard, December 18, 2012)

Filed in the Clerk's Office

Annual Report 2011-2012, New Brunswick Internal Services Agency

(Filed December 18, 2012)

Annual Report 2011-2012, Vehicle Management Agency

(Filed December 18, 2012)

WRITTEN QUESTIONS (see Appendix "A")

Donald J. Forestell
Clerk of the Legislative Assembly

APPENDIX "A"

WRITTEN QUESTIONS

Question No. 1

By Mr. Arseneault

Directed to: Hon. Mr. Flemming, Q.C., Minister of Health

Can the Department of Health provide me with a list of all drugs covered by the prescription drug formulary, including the annual cost of each?