



## **LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK**

### **Fourth Session, 57<sup>th</sup> Legislative Assembly**

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**ORDER AND NOTICE PAPER - Sitting No. 14**  
**Wednesday, November 27, 2013**

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### **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

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### **ORDERS OF THE DAY**

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

## **GOVERNMENT BILLS FOR SECOND READING**

### ***Bills Ordered for Second Reading***

Bill 17, An Act to Amend the Provincial Court Act - Hon. Mr. Lifford

### ***Adjourned Debates***

Bill 11, An Act Respecting Pensions under the *Public Service Superannuation Act*  
- Hon. Mr. Higgs

## **COMMITTEE OF THE WHOLE**

Bill 2, Lobbyists' Registration Act - Hon. Mr. P. Robichaud  
Bill 3, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. P. Robichaud  
Bill 4, An Act to Amend the Fish and Wildlife Act - Hon. Mr. P. Robichaud  
Bill 5, An Act to Amend the Tobacco Tax Act - Hon. Mr. Higgs  
Bill 6, An Act to Amend the Early Childhood Services Act - Hon. Ms. Blais, Q.C.  
Bill 8, An Act to Amend the Executive Council Act - Hon. Mr. P. Robichaud  
Bill 9, An Act to Amend the Securities Act - Hon. Mr. Lifford

## **GOVERNMENT MOTIONS**

### **CONCLUDED**

**Motion 1 by Hon. Mr. P. Robichaud.** Carried November 6, 2013.

**Motion 2 by Hon. Mr. P. Robichaud.** Carried November 6, 2013.

## **OPPOSITION MEMBERS' BUSINESS**

### **OPPOSITION MEMBERS' PUBLIC BILLS FOR SECOND READING**

Bill 7, An Act to Amend the Environmental Trust Fund Act - Mr. Bernard LeBlanc  
Bill 10, An Act to Amend the Environmental Trust Fund Act - Mr. Bernard LeBlanc  
Bill 12, An Act to Amend the Members' Conflict of Interest Act - Mr. Gallant  
Bill 13, An Act to Amend the Political Process Financing Act - Mr. Gallant  
Bill 14, An Act to Amend the Legislative Assembly Act - Mr. Gallant  
Bill 15, An Act to Amend the Political Process Financing Act - Mr. Gallant  
Bill 16, An Act to Amend the Political Process Financing Act - Mr. Gallant  
Bill 18, An Act to Amend the Smoke-free Places Act - Mr. Arseneault  
Bill 19, An Act to Amend the Tobacco Tax Act - Mr. Arseneault

## OPPOSITION MEMBERS' MOTIONS

### *Debatable Motions*

**Motion 5 by Mr. Arseneault**, seconded by Mr. Boudreau to propose the following resolution on Thursday, November 14, 2013:

WHEREAS 12 public consultations were held between September 16 and October 9, leading to a renewal of *Overcoming Poverty Together – The New Brunswick Poverty Reduction Plan*;

WHEREAS the province's Poverty Reduction Plan had the following objective: "By 2015, New Brunswick will have reduced income poverty by 25% and deep income poverty by 50%, and will have made significant progress in achieving sustained economic and social inclusion.";

WHEREAS the province's Poverty Reduction Plan had established specific priority actions, both immediate and over a five year period;

BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick urge the provincial government to table in the House within 30 days a detailed progress report on the province's Poverty Reduction Plan that demonstrates goals met and identifies remaining work and a timeline for achieving unmet goals.

**Amendment moved by Hon. Ms. Shephard, seconded by Hon. Mr. P. Robichaud that Motion 5 be amended as follows:**

**By deleting the resolution clause and substituting the following:**

**"BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick accepts as the most recent progress report, which was tabled in the House on June 14, 2013, and which identified the action items that have been completed to-date and identifies the work remaining."**

***[Debate interrupted due to expiration of time]***

**Motion 8 by Mr. Doucet**, seconded by Mr. Collins to propose the following resolution on Thursday, November 21, 2013:

WHEREAS all Canadians owe a debt of gratitude to our armed forces for their sacrifices on our behalf; and

WHEREAS armed forces personnel have been injured in the line of duty on behalf of our country; and

WHEREAS federal government policy requires armed forces personnel to be ready to be deployed overseas for the entire ten years of their service to qualify for a pension; and

WHEREAS injuries prevent many of these armed forces personnel from being ready to be deployed overseas thereby disqualifying these brave men and women from a pension; and

WHEREAS successive Ministers of National Defense have recognized that this policy is unfair and have pledged to address the problem; and

WHEREAS the problem has still not been addressed;

BE IT THEREFORE RESOLVED that the Legislature of New Brunswick unanimously condemn that current policy and urge the federal government to make provision for armed forces personnel injured in the line of duty to be allowed to remain in the service for their full ten years to qualify for their pensions.

**Motion 12 by Mr. Albert**, seconded by Mr. Doucet to propose the following resolution on Thursday, November 28, 2013:

WHEREAS the Alward government has failed in its efforts to address the economic challenges facing the province;

WHEREAS the Alward government has failed to stimulate job creation and tackle the problem of unemployment;

WHEREAS thousands of New Brunswickers have been forced to leave the province in search of employment elsewhere;

WHEREAS the Premier has not brought forward a comprehensive economic development strategy for the province;

WHEREAS Statistics Canada figures reveal that nearly all New Brunswick economic indicators are well below the national average;

BE IT THEREFORE RESOLVED that the Legislative Assembly condemn this government for its lack of results in growing the economy, tackling unemployment, and creating jobs.

**Motion 13 by Mr. Fraser**, seconded by Mr. D. Landry to propose the following resolution on Thursday, November 28, 2013:

WHEREAS, in 2008, the then Department of Transportation—DOT—implemented a new Asset Management Business Framework to better manage the long-term investment requirements of the province's aging highway infrastructure; and

WHEREAS the Asset Management Business Framework—AMBF—was implemented to make the most efficient use of highway capital repair dollars and take the politics out of paving; and

WHEREAS the Auditor General observed that, in the first three years after adopting the Asset Management Business Framework with optimal funding in place, the department noted positive results; and

WHEREAS the Auditor General has noted that the asset management methodology is sound; and

WHEREAS the Auditor General has concluded that, although the department has the appropriate tools in place to identify and prioritize required highway maintenance projects, current funding levels do not allow for completion of an appropriate level of highway maintenance on a timely basis; and

WHEREAS the Auditor General has expressed concern that this will result in deferring required maintenance to future periods at a greater overall cost to the province; and

WHEREAS it is reported in the Auditor General's report that 40% of capital maintenance projects chosen for completion are not recommended through the asset management capital planning process, and it was suggested that some of these are chosen for political reasons;

BE IT THEREFORE RESOLVED that the Legislature urge the government to return to the principles of asset management that have been implemented since 2008 to restore optimum long-term value to New Brunswick highway capital repairs.

**Motion 14 by Mr. Arseneault**, seconded by Mr. Haché to propose the following resolution on Thursday, November 28, 2013:

WHEREAS the improper housing of exotic animals can result in serious public safety, animal welfare and environmental issues;

WHEREAS the housing of exotic animals is a highly specialized undertaking;

WHEREAS the problem with the current legislative and regulatory environment may result in the proliferation of unaccredited roadside zoos with attendant animal welfare, public safety and environmental concerns as well as the exploitation of exotic animals for profit;

WHEREAS accredited zoos and aquariums can bring significant economic, education and conservation benefits to their communities;

WHEREAS Canada's Accredited Zoos and Aquariums (CAZA) wants to create a more uniform and adequately resourced policy, legislative, regulatory and enforcement regime governing exotic animals in the Atlantic provinces and in all other provinces and territories;

WHEREAS the Cities of New Brunswick Association passed a motion urging the government of New Brunswick to work with the other Atlantic provinces to create a joint task force to study the issue and report to the Council of the Federation with a recommended way forward;

BE IT THEREFORE RESOLVED that the Legislative Assembly urges the Alward Government to conduct a complete review of the provisions of the *Fish and Wildlife Act* and other relevant legislation related to exotic animals and bring forward a detailed action plan to the Legislature including any recommended changes to the legislative and regulatory framework, prior to the closing of the current legislative session.

**Motion 15 by Mr. Collins**, seconded by Mr. Melanson to propose the following resolution on Thursday, November 28, 2013:

WHEREAS the causeway gates on the Petitcodiac River were opened on April 14, 2010 as part of a 3 phase restoration project started under the former Liberal government;

WHEREAS the health of the Petitcodiac River has improved substantially, and life forms have returned to the river since the opening of the causeway gates;

WHEREAS a newly invigorated Petitcodiac River has attracted a number of tourists, including avid surfers, to the Moncton area since the opening of the causeway gates;

WHEREAS the third and final phase of the Petitcodiac River Restoration Project involves the construction of a bridge, to replace the causeway structure, that was due to open in 2013;

BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick urge the provincial government to move forward with its application for federal funding for the third and final phase of the Petitcodiac River Restoration Project to allow for the project's completion.

**Motion 16 by Mr. Arseneault**, seconded by Mr. Collins to propose the following resolution on Thursday, December 5, 2013:

WHEREAS the health budget represents approximately 40% of the total provincial budget; and

WHEREAS according to the report *Modelling New Brunswick's Future Health Care Expenses and Resource Needs*, conducted by the Canadian Institute of Actuaries in conjunction with the New Brunswick Health Council, the health budget will increase by \$1 billion by year 2020; and

WHEREAS according to the aforementioned, smoking represents one of the three main and biggest factors influencing health care costs; and

WHEREAS Canadian Institute for Health Information statistics indicate that New Brunswick exceeds the Canadian average in smoking rates; and

WHEREAS New Brunswick's Wellness Strategy Action Plan only references smoking once, and only in relation to the workplace; and

WHEREAS smoking reduction with a focus on youth, should be a priority for every government;

BE IT THEREFORE RESOLVED that the Legislative Assembly of New Brunswick urge the provincial government to immediately develop a strategy and action plan aimed at reducing youth smoking in New Brunswick.

### ***Motions for Returns***

**Motion 6 by Mr. Arseneault**, seconded by Mr. Fraser to propose the following resolution on Thursday, November 14, 2013:

THAT an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House every position description questionnaire for each senior executive position with Vitalité Health Network, Horizon Health Network and FacilicorpNB, as well as a list of each position description questionnaire that was approved, all between January 1, 2011 and January 1, 2013.

**[Documents requested filed November 20, 2013]**

**Motion 7 by Mr. Arseneault**, seconded by Mr. Fraser to propose the following resolution on Thursday, November 14, 2013:

THAT an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House every position description questionnaire for each senior executive management position with Vitalité Health Network, Horizon Health Network, and FacilicorpNB, as well as the list of each position description questionnaire that was approved, all between January 2, 2013, and the present day.

**[Documents requested filed November 20, 2013]**

**Motion 9 by Mr. Bertrand LeBlanc**, seconded by Mr. Boudreau to propose the following resolution on Thursday, November 21, 2013:

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, between the Department of Public Safety, the Department of Education and Early Childhood Development, the Anglophone North School District, the Francophone sud

school district, and the Royal Canadian Mounted Police regarding school closures in Kent County because of concerns about student safety following recent shale gas protests in the Rexton area.

**[Documents requested filed November 21, 2013]**

**Motion 11 by Mr. Collins**, seconded by Mr. Doucet to propose the following resolution on Thursday, November 21, 2013:

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, however stored, recorded or archived, by electronic means or otherwise, between the Department of Justice, the Office of the Attorney General, the Premier's Office, and Paul D'Astous in relation to auto insurance rates in New Brunswick between October 12, 2010 and the present day.

**CONCLUDED**

**Motion 3 by Mr. Fraser.** Debated and defeated November 14, 2013.

**Motion 4 by Mr. Collins.** Debated and defeated November 21, 2013.

**Motion 10 by Mr. Melanson.** Debated and defeated November 21, 2013.

**PETITIONS**

Petition 1: Mr. Doucet, November 6, 2013.

Petition 2: Mr. Gallant, November 14, 2013.

Petition 3: Ms. Wilson, November 21, 2013.

**REPORTS/DOCUMENTS**

***Filed in the Clerk's Office***

Annual Report 2012-2013, Maritime Provinces Higher Education Commission  
(Filed November 26, 2013)

Legislative Activities 2012  
(Filed November 26, 2013)

Donald J. Forestell  
Clerk of the Legislative Assembly