

JOURNALS

of the

LEGISLATIVE ASSEMBLY

of the

PROVINCE OF NEW BRUNSWICK

THIRD SESSION OF THE FIFTY-FIFTH LEGISLATIVE ASSEMBLY, 2005-2006

THE HONOURABLE HERMÉNÉGILDE CHIASSON LIEUTENANT-GOVERNOR

Fredericton, N.B.
Thursday, December 6, 2005.

PROCLAMATION

WHEREAS I have proclaimed that the second session of the fifty-fifth Legislative Assembly of this Province be prorogued on the sixth day of December, 2005, in the forenoon;

AND WHEREAS I have thought fit to call the third session of the fifty-fifth Legislative Assembly of this Province into session, I hereby issue a Proclamation that the same be called to meet on the sixth day of December, 2005, at 3:00 o'clock in the afternoon.

Given under my hand and the Great Seal
of the Province at Fredericton on this
16th day of November, 2005, in the fifty-
fourth year of Her Majesty's Reign.

BY COMMAND OF THE LIEUTENANT-GOVERNOR

Bradley Green, Q.C.
Attorney General

Herménégilde Chiasson.
Lieutenant-overnor.

This being the day appointed for the opening of the Third Session of the Fifty-fifth Legislative Assembly of the Province of New Brunswick for the dispatch of business pursuant to the proclamation hereinbefore annexed, and the Members being present:

His Honour, the Lieutenant-Governor was announced and having been bidden to enter, took his seat in the chair upon the Throne and was pleased to open the session with the following speech from the Throne:

Mr. Speaker, Honourable Members of the Legislative Assembly, invited guests and all residents of New Brunswick.

Welcome to the opening of the Third Session of the 55th Legislative Assembly of the Province of New Brunswick.

This year's Speech from the Throne is dedicated to your government's continuing work to build and preserve a prosperous and united New Brunswick by pursuing greater economic success combined with greater social progress for all people and all regions of the province.

In opening this new legislative session, it is important to acknowledge that today is the National Day of Remembrance and Action on Violence Against Women - named in memory of the 14 women massacred at the École polytechnique de Montréal. We ask all New Brunswickers to take a moment on this day to remember all victims of violence and ask themselves what they can do to help end family violence.

Recognizing New Brunswickers

This Throne Speech begins by acknowledging the remarkable accomplishments of individual New Brunswickers.

Since the last Speech from the Throne, we have inducted 10 more outstanding New Brunswickers into the Order of New Brunswick.

They included Gordon Fairweather, William Gale, Margaret LaBillois, Roméo LeBlanc, Antonine Maillet, Mary Majka, Dan O'Brien, William O'Ree, Jeannette Pelletier and David Adams Richards.

Nine New Brunswickers have been invested into the Order of Canada since the last Speech from the Throne: Officers Carol Loughery and Margaret Conrad; and Members Jack Fenety, David Ganong, Thomas Condon, Frederick Horgan, Alexander Lilly, Eileen Travis, and former Speaker of this Assembly, Shirley Dysart.

I offer the congratulations of all New Brunswickers to Anne Compton of Rothesay, who won the 2005 Governor General's Literary Award for Poetry for her book, *Processional*.

Congratulations are also extended to members of the New Brunswick team that represented our province at the 2005 Canada Summer Games in Regina, Saskatchewan.

We also acknowledge our young athletes who are preparing to compete for New Brunswick in athletic and cultural competitions at the Fifth Games of La Francophonie being held in Niamey, Niger beginning tomorrow.

We would also like to extend a special welcome to our province to the many international students who have chosen to study here in New Brunswick. The growing number of international students and immigrants in our province enhances our communities and deepens our understanding of peoples and cultures the world over.

Since the Legislative Assembly last met, we have lost three former members of this assembly, Jim Wilson, Kenneth Johnson and Laurier Lévesque. We offer our condolences to their families.

This year marks the 60th anniversary of the end of the Second World War and has been designated the "Year of the Veteran." A number of events and ceremonies have been held throughout the year to honour those who fought and died for our country and those who have served and continue to serve on peacekeeping missions throughout the world in the cause of freedom and peace.

On behalf of all New Brunswickers, we extend our deepest sympathies to the family and colleagues of Pte. Braun Scott Woodfield of Eastern Passage, N.S., who was recently killed on patrol near Kandahar, Afghanistan, while serving with the Second Battalion of the Royal Canadian Regiment from CFB Galetown.

We send our best wishes for a speedy recovery to Sgt. Tony McIver of McAdam, N.B.; Cpl. James Edward McDonald of Pembroke, Ont.; Cpl. Shane Dean Jones, of White Rock, B.C.; and Pte. Paul Schavo, of London, Ont.

Building and Promoting Economic Success

Greater Opportunity is New Brunswick's plan to address the fundamentals of prosperity by Investing in People, Embracing Innovation, Building Strategic Infrastructure and Creating a Competitive Business and Fiscal Environment.

During this session, your government will introduce a number of initiatives to **create new job opportunities**.

One of the most critical areas of our provincial economy is our forestry sector. This sector employs thousands of New Brunswickers, from harvesting trees to the production of value-

added wood and paper products. The changing world market for forest products has affected many provinces, and New Brunswick is no exception.

Since the early fall, a working group of Cabinet has been reviewing and consulting on recent developments in the forestry sector. The recommendations of this working group will be presented and a **framework for implementation** will be brought forward to support and strengthen the sector.

Our agricultural sector is a central and vibrant part of our economy and a way of life for thousands of New Brunswickers. In response to concerns from agricultural land owners, your government will continue consultation with stakeholders on the current design of the **Farm Land Identification Program** in order to improve its delivery and benefits to the agriculture industry.

In keeping with its commitment to make more land available for agriculture production, your government has recently completed the **New Brunswick Agri-Land Enhancement Strategy**. This strategy was developed in close consultation with the New Brunswick agriculture industry. Over the coming year, several initiatives identified in the strategy will be implemented to deliver on your government's commitment to support land development for this critical sector.

In anticipation of the ministerial meeting of the World Trade Organization in Hong Kong, your government will introduce a motion in this Assembly to affirm its support of the **supply management system** for the marketing of dairy, poultry and egg products in Canada. Members will be asked to send a clear message to the federal government to maintain the current system in order to protect the interests of agricultural producers.

In the fisheries and aquaculture sectors, **amendments to the Fish Processing Act** will be introduced in order to modernize and strengthen the processing and handling of fish products in New Brunswick.

The aquaculture sector presents continued opportunities for growth and economic development in many regions of our province. However, for this sector to continue to grow, it needs to be supported by a national framework addressing key policy and development issues. Your government will pursue negotiations on the development of an **Aquaculture Framework Agreement**.

In keeping with the commitment made in *Reaching Higher. Going Further.*, **minimum wage levels** will be increased on January 1 of

the coming year. As part of a phased-in approach to increasing the minimum wage for thousands of low-income workers while respecting the need of employers for stable and predictable wage growth, your government will propose additional future increases in the minimum wage.

Following up on work conducted over the past several years in partnership between the Office of the Attorney General and all Canadian jurisdictions under the Uniform Law Conference, legislation to address franchiser-franchisee power imbalances will be brought forward in the form of New Brunswick's first **Franchise Act**.

Your government will continue to play a critical role in **building our province's strategic infrastructure**. The prosperity plan focuses on four main categories of strategic infrastructure: transportation, communications, energy and key public infrastructure that improves quality of life and supports the attraction of new investment and people to our province. Significant investments will be made in the coming year.

Innovation is a key factor in achieving international competitiveness. Through innovation, ideas and knowledge are turned into competitive products and services and productivity improvements are gained. Your government has made significant investments through the **New Brunswick Innovation Agenda**, which includes an innovation fund, technology adoption and commercialization, total development fund and an eNB Action Plan. In the coming year, further investments and initiatives will be launched to promote innovation.

In addition, your government will continue to **support our tourism industry** with new investments in marketing and infrastructure.

To ensure New Brunswick continues to have a competitive fiscal and business environment, your government will make certain New Brunswick remains the lowest tax jurisdiction for small businesses in Canada, the third-lowest jurisdiction for corporate taxes, and the lowest jurisdiction in Eastern Canada for personal income taxes through **amendments to the Income Tax Act** and other related legislation.

A quality education is essential to succeed in today's global economy. Your government is working towards an education and training system that promotes a culture of excellence and high achievement exemplified by innovation and lifelong learning.

To help realize this vision, your government will release the **final two stepping stones of the Quality Learning Agenda**, which

includes early childhood development and adult and lifelong learning.

Following upon already significant progress and as part of the Quality Learning Agenda stepping stone on early childhood development, your government will bring forward an exciting initiative in the area of early learning.

Specifically, your government will introduce a **quality pre-Kindergarten school-readiness program** in all regions of the province. This new program will give four-year olds the skills they need to enter Kindergarten. By building on the learning that is first nurtured in the home, it will address the need of parents and guardians to have a quality, universal, accessible and developmentally sound program for their children.

This year, elementary school teachers will continue to focus on strengthening literacy skills and new, additional specialized training will be offered. New strategies designed to improve **student achievement in math and science** at the elementary and middle school levels will also be launched.

This year, the **dedicated notebook computer research project** has been expanded from nine to 18 classes, giving more students the opportunity to use the latest technologies in the classroom.

Ongoing evaluations are being carried out by research partners at Université de Moncton and Mount Allison University to assess the impact on teaching and learning in public schools.

Your government will continue to implement **Quality Schools, High Results**, the K-12 stepping stone of the Quality Learning Agenda. In September 2006, your government will add 100 new teachers, together with 115 the following year, for a grand total of **625 new teachers** over a five-year period. Your government will consider additional increases in the number of teachers to reduce class sizes.

Your government will continue to promote literacy in the province by **improving our library system** to ensure we have modern collections, to ensure uniform hours of operation throughout the province and to enhance e-library services for all people in New Brunswick.

On receiving the **MacKay Study on Inclusive Education**, your government will develop a policy framework to ensure children receive appropriate programs and services within an integrated framework of government services.

With the release of *Quality Post-Secondary Opportunities*, the post-secondary stepping stone of the Quality Learning Agenda, your government has placed considerable importance on **post-secondary education and training**.

Legislation will be introduced to allow the implementation of the **New Brunswick Tuition Tax Cash Back Credit**.

The **Youth Assistance Act** will be amended to streamline and improve the delivery of student aid services for post-secondary students in New Brunswick.

Following the commitment made in *Reaching Higher. Going Further.*, your government will launch a **Commission on the Future of New Brunswick Universities** to make recommendations on how our universities can grow and become stronger over the long term.

Following extensive consultations, new legislation to modernize the **governance of the New Brunswick Community College network** will also be brought forward.

Your government has invited the federal government to participate in the *Greater Opportunity* prosperity plan through a collaborative investment proposal, entitled **Accelerating Greater Opportunity**, which will be tabled before this assembly.

This partnership offer could help close more quickly the gaps between New Brunswick and the rest of Canada in terms of income, employment, innovation, productivity and export diversity. It would also make sure the federal government meets its constitutional obligation to ensure comparable economic development in all regions of Canada.

Building and Preserving Social Progress

New Brunswick is a great place to live, work and raise a family.

Your government will enact a number of key measures during this session to enhance the health and wellness of New Brunswickers, protect children and youth, create more affordable housing, enhance senior care, address the rising cost of energy and improve and promote our unique culture and way of life.

Your government will continue to implement **Healthy Futures**, with additional investments to secure New Brunswick's health and senior care system and make it sustainable well into the future.

The promotion of wellness is an important component of our health care system and has been a priority of your government since it took office. An **Action Plan to improve the general wellness of New Brunswickers** will be released and will include

initiatives to support the Wellness Strategy set out in the Provincial Health Plan.

The elimination of the regular fee for **emergency ambulance services** has been well received by New Brunswickers. To continue to modernize this important service, further changes will be implemented.

Work is progressing on your government's plan for the renovation or replacement of 12 nursing homes in the province. The new nursing home in Gaagetown opened for residents in November and the new Villa du Repos in Moncton is expected to open this spring.

During this session, your government will introduce additional measures and investments to **enhance and strengthen services for New Brunswick seniors**.

Your government will bring forth legislation to allow the Province to take **legal action against tobacco companies** to recover the significant costs incurred by the health system in New Brunswick due to the effects of tobacco use.

To render the justice system more accessible to residents and to provide greater public protection in civil matters, a **Class Proceedings Act** will be introduced that will allow **class action law suits** in New Brunswick courts.

Over the years, New Brunswick has put in place a number of successful initiatives to deter impaired driving. Building on this, your government will introduce amendments to the *Motor Vehicle Act* to establish an **Ignition Interlock Program**.

Amendments to the Pre-Arranged Funerals Act will also be considered to strengthen and modernize provisions intended to protect the public.

A new **Child Protection Service Delivery Model** will be developed to better protect child victims of abuse and neglect and provide enhanced service to protect at-risk families.

As well, a new **strategy to deal with Youth at Risk**, and in particular those aged 16 to 18, will be brought forward during this session.

Following on the work of the Task Force on Responsible Pet Ownership, a proposal will be presented to improve the framework governing the **responsibilities of pet owners for their animals**.

As part of its ongoing efforts to build safer communities, your government will bring forward amendments to the *Film and Video Act* to mandate the use of a **classification system for video games**.

Your government will introduce measures that will **get tougher on slum landlords** and those who refuse to provide the basic standard of adequate human shelter.

These measures will give By-law Enforcement Officers the tools they need to ensure that New Brunswickers can live in **safe and affordable quality housing units**.

Your government will also modernize the **Residential Tenancies Act** by introducing amendments to bring roomers and boarders under the protection of this legislation.

Building stronger and safer communities also means ensuring that our homes and buildings are safe. As part of the Red Tape Reduction Initiative, your government will establish a **Building Safety Advisory Committee** to propose key elements in the development of a **New Brunswick Building Code Act**.

Following the Premier's recent meetings with First Nations Chiefs and leaders of aboriginal organizations and the recent First Ministers Meeting on Aboriginal Issues, your government believes it is necessary to close the social and economic gaps that exist between aboriginals and other Canadians.

Your government will continue to strengthen its commitment to addressing the education needs of our aboriginal community. Your government will organize a post-First Ministers Strategic Planning session. This session will continue laying the groundwork for the first-ever **New Brunswick First Nations Education Strategy** focused on the learning needs of our aboriginal children.

In addition, your government will conduct a **First Nations Housing Conference**, work toward the creation of a **New Brunswick Aboriginal Health Blueprint** and develop an economic development plan aimed at improving infrastructure, diversification, innovation and training in First Nations communities.

Moreover, your government is prepared to facilitate the move toward an **Accord on Relationships** and **Tripartite Talks on Aboriginal and Treaty Rights**.

Your government will continue to work with representatives of the cultural community and our stakeholders to build on the success of the **Cultural Policy** and to further enhance culture in New Brunswick. The second phase of New Brunswick's Cultural Policy will be forthcoming.

Building on the success of the Cultural Policy, a **Heritage Preservation Act** will be brought forward.

As part of the second phase of the Cultural Policy, your government will work with the arts and literary communities to develop a comprehensive **Book Policy for New Brunswick** that will include making New Brunswick-authored books more accessible within schools and public libraries.

The ongoing protection of the environment is a major objective of your government.

The creation of a **Community Environmental Partnership** will combine the research and policy capacity of the provincial government with the operational experience of local governments to put in place community-friendly environmental projects.

A **mechanism to enable and promote brownfield redevelopment** will be introduced and will be based on guidelines to promote the revitalization of former industrial sites and other properties.

A **multi-material stewardship program** to co-ordinate recycling efforts with industry and manufacturers will be formalized through legislation during this session.

In keeping with *Reaching Higher. Going Further.*, your government will develop a **Water for Life strategy** intended to ensure safe, secure drinking water, reliable water supplies for economic development, and healthy lakes and rivers for recreation and tourism.

Your government continues to work aggressively to meet the many challenges that have arisen in the energy sector.

While many recent events have been beyond our control, such as the disruptions caused by hurricanes along the U.S. Gulf Coast, we recognize there are actions we can take here at home that will benefit all New Brunswickers.

For example, your government is following through on the commitment to provide relief on **home heating oil bills** to more than 37,000 New Brunswick families.

As of November 1, a **rebate program** is available to home owners and renters living in oil-heated accommodations. Applicants are eligible for rebates of up to \$200.

As well, those New Brunswickers who are clients of social assistance programs have seen significant **increases to their fuel supplements**.

Taken together, these actions will not only protect the most vulnerable from oil price shock, but provide relief to middle-class New Brunswickers as well.

And we will not stop there. Your government recognizes there are New Brunswickers who are more greatly affected by rising energy prices, and it is important they are provided some relief. In the coming year, your government will continue to provide help to families who will be hardest hit by rising energy costs.

One of the most effective ways to deal with higher energy demand and the rising cost of many forms of energy are to find ways to use energy more efficiently. That is why your government created the new **Energy Efficiency and Conservation Agency**, which has a mandate to educate the public about energy consumption and efficiency, and provide incentives to help reduce energy use.

The creation of this crown corporation will be formalized through the introduction of a ***New Brunswick Energy Efficiency and Conservation Agency Act***.

As well, **amendments to the *Crown Lands and Forests Act*** will be introduced to implement your government's recently approved **Wind Energy Development Policy**.

A new ***Pipeline Act*** is being proposed to modernize the regulatory environment for the construction and operation of pipelines in New Brunswick.

Amendments to the *Gas Distribution Act, 1999* are also being proposed to improve the viability of the natural gas distribution system and to create opportunities for the distribution of natural gas from the Canaport LNG facility.

Building and Providing Effective Government

Prosperous societies and economies have strong foundations underneath to support their efforts to build prosperity and share prosperity with people. These are strong democratic foundations with more participation by people and greater accountability by government; strong public service foundations with the skills, technology, and innovative desire to go further; and strong partnership foundations with other governments to find common solutions to common problems.

In response to the recommendations of the Commission on Legislative Democracy, your government will table an action plan, entitled ***Changing the Way Government Works***.

By combining the powers and authorities of the Chief Electoral Officer and the Supervisor for Political Financing, your government will create a new, more effective body to be known as **Elections New Brunswick**.

As well, a *New Brunswick Referendum Act* will be introduced during this session of the Legislature.

In keeping with the recommendations of the Commission on Legislative Democracy, your government will **change the way appointments are made to agencies, boards and commissions**. Specifically, the guidelines for appointments will be strengthened, and a greater emphasis will be placed on openness and accountability in the appointment process.

Your government will seek to institute a new, open and accountable framework governing **party leadership conventions and riding nominations**.

Going further than the recommendations of the Commission on Legislative Democracy, your government will bring forward amendments to modernize the *Right to Information Act*.

Working together makes New Brunswick stronger. Our common goal of more prosperity for New Brunswickers, as Canadians, helps unite us. Your government has established a strong record of partnering to meet this common goal.

The government will continue to undertake extensive consultations with New Brunswickers prior to tabling the provincial budget. As part of these discussions, the Premier will hold a series of **consultation forums** with provincial stakeholders on topics including early learning and child care, the economy and jobs, wellness, the environment, labour and culture, among others.

In addition, the **pre-budget consultation process** will once again include public meetings held throughout the province by the Minister of Finance. New Brunswickers will have an opportunity to express their views on the issues that matter to them the most. Other ministers will also continue to meet with their departmental stakeholders leading up to the provincial budget.

As part of reforms already underway to the regulatory environment in the insurance industry, your government will continue to pursue the project of **Maritime Insurance Harmonization** for non-automotive products.

A *Fiscal Responsibility and Balanced Budget Act* will be introduced to replace and go further than existing Balanced Budget legislation. The new Act will require government to meet high standards of fiscal management and to introduce **new reporting guidelines** for the province's financial statements.

During this session, Members of the Legislative Assembly will also be asked to review and approve **another balanced budget** presented by the Minister of Finance, a Statement of Estimated Revenues and Expenses, and Capital Account appropriations for 2006-2007.

Conclusion

This year's Speech from the Throne is dedicated to your government's continuing work to build and preserve a prosperous and united New Brunswick by pursuing greater economic success combined with greater social progress for all people and all regions of the province.

As the legislative session progresses, ministers will provide more details regarding the initiatives contained in the Speech from the Throne.

As well, a number of amendments to a variety of Acts of the Legislative Assembly will be introduced and debated in order to support your government's goal of continuous improvement in service for the public.

Your government will also provide details on additional policy and program matters of importance to the people of New Brunswick.

May divine providence guide you in your deliberations.

His Honour then retired from the Chamber.

Mr. Speaker resumed the Chair.

Ordered that Hon. Mr. Lord, Premier, have leave to introduce a Bill entitled "An Act to Perpetuate a Certain Ancient Right." (Bill 1)

He accordingly presented the said Bill to the House and the same was received and read a first time.

The Speaker then informed the House that in order to prevent mistakes he had obtained a copy of His Honour's speech, which he offered to read. (Reading dispensed)

On motion of Mr. Stiles, seconded by Mr. Williams,

RESOLVED, that the speech of His Honour the Lieutenant-Governor be forthwith taken into consideration.

Mr. Stiles, a Member for the electoral district of Petitcodiac, proposed an Address to His Honour the Lieutenant-Governor in answer to the speech, which he read in his place, and being seconded by Mr. Williams, a Member for the electoral district of Kent South, it was handed to the Chair where it was again read and is as follows:

Fredericton, N.B.
December 6, 2005.

To His Honour,
The Honourable Herménégilde Chiasson,
Lieutenant-Governor of the Province of New Brunswick.

May It Please Your Honour:

We, Her Majesty's most dutiful and loyal subjects of the Legislative Assembly of the Province of New Brunswick, now in session, beg leave to extend our humble thanks to Your Honour for the gracious speech which Your Honour has addressed to us, and we assure Your Honour that all matters which may be submitted to us during the session will receive our most careful attention and consideration.

And a debate arising, after some time, it was on motion of Mr. S. Graham, the Leader of the Opposition and the Member for the electoral district of Kent, adjourned over.

And then, 4.42 o'clock p.m., the House adjourned.