

February 18, 2015

[Original]

Legislative Reform

Mr. Fitch: In *Proposals for Legislative Reform in New Brunswick* in 2011, Don Desserud and Cody Waite wrote: “We suggest that the first consultations be with the elected MLAs, and it is unfortunate that we were not able to complete such a consultation ourselves. We also recommend a broad public consultation.” That is the opinion of Don Desserud and Cody Waite, two experts in the field of legislative reform.

I wonder whether the Premier can explain why he decided that neither of these recommendations was necessary. Is it because he disagrees with the report? Does he just not feel that New Brunswickers’ opinions on this matter count?

[Translation]

Hon. Mr. Gallant: It is important to improve our democratic institution. It is always necessary to ask ourselves whether it is possible to be more efficient and equitable, and that is exactly what we want to do. We want to have constructive discussions.

[Original]

It is unfortunate that we do not seem to be getting the constructive debate and discussion that we need to advance our province and to really better the lives of New Brunswickers. That is what we are trying to do with the rule changes, and I think that the display we saw today demonstrates why we have to improve our legislative and democratic institutions. Having the opposition members call us shameful, selfish—three times—and self-serving and even refer to us as bullies is not constructive.

They do not have to agree with what we want to do. They can agree, I would hope, on some things. We can debate some things. We can discuss things, but we can do it in a respectful manner. I believe that all the members here were elected because they want to make a difference, and that certainly includes the members on this side of the Legislature.

Mr. Fitch: It is quite ironic that the Premier gets up to talk about constructive debate, but that it is his government that moved to limit debate on these subjects. We came to the Legislature early, and the government now wants to limit debate. That is contrary to the constructive debate that needs to be held here in the province.

Besides Mr. Desserud’s report, there was also a report done in 2004. Neither one of those reports recommended moving standing votes to the next day in the House—neither one of



those reports from experts on legislative reform. I wonder: Is the Premier just ignoring these reports because he does not believe that this type of democracy is important in New Brunswick? Is he just trying to protect his two-person majority on the floor of the Legislature?

[*Translation*]

Hon. Mr. Gallant: As I have said, our intention and our goal are to improve our democratic institution. We can be more efficient. In fact, we can have more constructive discussions and debates, and that is what we will try to do. Unfortunately, it seems we do not have the support of the opposition in this regard.

[*Original*]

The members opposite do not have to support our policies, but I would assume that they would support the fact that we want to improve our democratic institutions.

Again, I want to ask the Leader of the Opposition if he thinks that we have been constructive so far on the floor of the Legislature and if his team has been constructive. We had five members' statements from the opposition, and we were called shameful, selfish—three times—self-serving, and bullies with five statements of one minute each. Instead, the opposition members could be talking about their ideas on how to save money and get our finances in order. They could talk about their ideas on how we are going to create jobs together and their ideas on how we are going to help families that are struggling.

Mr. Fitch: I guess we have touched a nerve with the Premier today because, as a matter of fact, we have been putting forward constructive ideas. We have been putting forward ideas on how to create jobs in New Brunswick. The government members have shut them down. They shut the debate down before Christmas. When the House was called for a very short and condensed sitting before Christmas, the government members moved to invoke closure, and, now, we see them invoking closure of a debate again. When it comes to constructive debate here in the House, I believe that this side has risen to a level that is far above what the government is putting forward, because of the closure before Christmas plus the limited debate here.

I wonder if the Premier could clarify exactly what he is trying to accomplish with the closure motions. Is he just trying to get out the House as fast as he can because he knows the government is in trouble?

Hon. Mr. Gallant: Once again, I think we can do a better job and we can see our Legislature and our democratic institutions do a better job of being constructive.

Again, the Leader of the Opposition talks about our bringing in closure. We have been talking about these bills for quite some time. In fact, we started talking about them before Christmas. This has been debated in the media. This has been discussed on the floor of the Legislature. We have reached out to the opposition members to join us in meetings to discuss some of their



issues, concerns, and ideas. What they do is show up for five minutes and start screaming and yelling and slamming doors and saying that they have to hurry to send a press release to say that this is undemocratic. It was a press release that, I might say, was sent minutes after the meeting, and it was already translated. I do not think that is very constructive.

Again, the Leader of the Opposition just said that he thinks that he is rising above the fray and that his team is rising above the fray when it comes to the debates. Is he okay with his team calling us shameful, selfish—three times—self-serving, and bullies within five minutes of their speaking?

Mr. Fitch: The Premier has had a very, very rose-coloured review of history. I might remind him that, at those meetings, our people were told this: Look, we can discuss these points and we can discuss what you want, but we are voting it in the way that we are. That is what happened at the meeting. I believe my representatives who were at that meeting. That is what happened, so the Premier should double-check with his people to see exactly what transpired. Again, the assault on democracy that occurred in those meetings has now spilled onto the floor of the Legislature. That is what is really going on here.

The Premier wants to muzzle the debate, reduce the number of question periods, and make sure that things are done in the evenings, when the press or the people are not looking so closely. Again, the Premier wants to try to save face here. I will give him a helpful suggestion. We think they should consult with people. Why does he not piggyback on the blame-the-people tour, which still has a number of stops around the province? It is already budgeted at \$94 000. Why does he not start asking questions...

Mr. Speaker: Time, member.

[Translation]

Hon. Mr. Gallant: I think it is necessary to correct what the Leader of the Opposition said. Indeed, we had meetings with the members of the opposition and with the member of the third party represented here in the House. The team that met with these members was in fact prepared to make changes and listen to other people's concerns and ideas.

[Original]

In fact, after the official opposition members left the room, slamming the door, the Leader of the Third Party stayed and had a discussion with the members of the government who were present at the meeting. They actually came to some agreement on things that could be changed, and that ended up in an amendment.

Again, I ask the Leader of the Opposition, who not only is not saying whether he thinks it is okay that we have been called shameful, selfish—three times—self-serving, and bullies but also is now adding on to that by saying that we are blaming the people of New Brunswick... Another



one got up today and said that we are trying to fool New Brunswickers. This language is not helping us to create jobs or to get our finances in order. We need more from the opposition.

Mr. Speaker: Time.

Mr. Fitch: It is interesting because the motion that was put on the floor by the government to limit debate here in the House may prevent any ideas from the Leader of the Third Party to actually get on the floor for debate. These are fundamental, democratic issues that need to be addressed. The Premier, through his committee, put forward tactics to tell our people: This is the way that it is going to be, and this is the way that we are going to vote. We can discuss these things, but they are not going to go forward.

That, to me, is an assault on democracy. That, to me, is not the way that things should be discussed. When the Premier said that he would be doing things differently, we did not know that meant just ramming items through and trying to protect his slim majority on the floor of the Legislature.

I would ask this of the Premier again. You have already got the tour dates set up, and people know. They have been focused on three questions and only three questions. Why do you not expand those questions—there is time available in those meetings—and ask one or two questions of the people regarding democracy. Then you can, at least, tick that off your list...

Mr. Speaker: Time, member.

Hon. Mr. Gallant: The Leader of the Opposition talks about fundamental changes. I would like to know what fundamental changes he believes are being made here. Is it the fact that we will have a standard time for question period? Is that a fundamental change? We simply would have the exact same type of question period, yet we would just make sure that we tell New Brunswickers, the people who would want to watch question period in the gallery, exactly what time it would be held. Is the fundamental change the fact that we would have deferred votes?

[Translation]

This is something that exists in other provinces, in other legislatures and parliaments. Is the fact that we want more debate and discussion in committee an assault on our democratic institution?

[Original]

Is it the fact that we want congratulatory notes and condolence messages to be at the end of the sitting day? Is that a fundamental change in our democracy? Is it the fact that we are hoping that members' statements will be about the ridings that the people represent instead of about calling the other party shameful, selfish—three times—self-serving, and bullies? Are these the fundamental changes that the opposition is worried about?



[Translation]

Ms. Dubé: I listened to the Premier, and I see he is trying to convince New Brunswickers that he is really interested in modernizing parliamentary proceedings, while it is very well known that his government has a slim majority—in fact, a two-seat majority. Let me tell you, this complicates things when the House resolves itself into a committee.

So, my question is for the House Leader. Can he finally admit in the House that, really, the goal of these changes is not to modernize—a nice title in the electoral platform of the party in power—but rather to protect the slim majority that this government got in the last election in September?

Hon. Mr. Gallant: The answer is this: Yes, we want to modernize the process in the Legislative Assembly. We want more discussions and debates within the committees. We want New Brunswickers, the media, and people who want to come in the House to watch the debates and discussions to know the exact time question period will take place each day.

This will help us to hold ourselves accountable and will modernize the way the Legislative Assembly works. As for deferred votes, that is something we see in several provinces; it is something very normal that we see in many places. Also, having congratulations and condolences at the end of the day makes sense to us. People who come from far away and want to watch the debate and discussions often do not have a chance to be there, since question period is not at a set time. That is all we want to do; what is the problem?

Ms. Dubé: The Premier is asking what the problem is. Regarding his report, he says this is not a big thing. He just wants question period to be at a specific time every day. We are in full agreement and have no problem with having a set time for question period. The real problem is making sure that there will be question periods. In fact, what this government is proposing will reduce the number of sitting days. In fact, everything will happen in committee, and less work will be done in the House. This is the same Premier who talks about transparency and cooperation.

Here is my question for the Premier: Are you prepared to set a work schedule for the House and to guarantee us sitting days? Are you also prepared to assure us that we will not have fewer question periods and parliamentary proceedings here in the House? This is all to ensure that you are transparent, as you say, and to enable the opposition to do its work and ask the government questions to make it accountable.

[Original]

Hon. Mr. Gallant: I am very happy to hear that they agree with a standardized time for question period. We have been debating that for a few days. Thank you. It is fantastic to hear that. We could have heard that at the meeting that they did not want to stay at because they wanted to send out their press release, which was already translated, saying that we were being



undemocratic. It is unfortunate that they could not have already given us the credit for that a couple of weeks ago—months ago, actually—and said: We agree with this. We have some issues with this. We have some ideas we would like to talk about.

Instead, they left the room. They did not want to have a conversation with us. Now, they come to the floor of the Legislature and use the Legislature and the time of the people of New Brunswick to call us shameful, selfish—three times—self-serving, and bullies. That is their approach to having a constructive debate. Unfortunately, that is not constructive at all. New Brunswickers need more and deserve more from the opposition, from us, and from all political parties and people who are elected. We are going to give them more.

[*Translation*]

Ms. Dubé: This is really sad. The Premier was worried because a press release was published. I want to remind members and all New Brunswickers that, at our first meeting, 24 hours after the committee members were appointed, this government had already written the report. By the way, there was also a press release, but the entire report had been written. The members of this committee told us: That is the way it is, do whatever you want; we are here at the Premier's request, and this is what we want to put forward, so we will be voting in favour of the report.

We were told: If you have any objections, bring them to the floor of the House; you will have the opportunity to debate this and propose amendments. We are proposing amendments and having a debate, but what are the Premier and his government doing? They are shutting down the debate. They still want to close down the debate and not continue the discussion, which flies in the face of what the Premier is trying to make New Brunswickers believe. When will you really admit that you are doing this because you are scared of your slim majority in the House?

I am looking at you, Mr. Speaker, and the Premier can answer.

[*Original*]

Mr. Speaker: Time, member.

Hon. Mr. Gallant: The version of the facts that we just heard from the member of the opposition does not really line up with what we have seen happen. There was a meeting in which the opposition was asked to join members of government on this side of the Legislature. The member for Fredericton South was invited as well. If, in fact, the message that was delivered by the government members was to be that this is what it is and there is no changing it, we would not have seen an amendment that we support coming from the member for Fredericton South. This was an idea that he brought forward during that meeting, because there was a productive discussion.



It is a bit unfortunate that, after weeks and weeks of knowing about these changes, this is actually the first time that we have heard the opposition say that it actually agrees with one part of what we are presenting. It really is unfortunate.

[*Translation*]

I can tell you that we will work very hard to modernize the process at the Legislative Assembly. We want to have more debates and discussions in committee, and we want to help New Brunswickers make sure we are accountable. That is what the proposed changes will enable us to do.

[*Original*]

Mr. Speaker: You have had your three questions, member.

Mr. B. Macdonald: It is a pity that we cannot refer to the transcripts of those committee meetings, but we cannot, because they were held in secret. I will tell you that we have said many times, in those committee meetings and on the floor of the Legislature, that we agree with some of the changes. However, I am shocked today to see that the Premier does not even understand the gravity of his own changes. There are fundamental changes being made here. He has to ask us what they are, so I will give him a primer on three quick points.

First of all, we have committees. It is a fundamental right of all MLAs to participate at the committee stage of any bill, to amend and to vote. That is an essential part, and this is changing it. Second, there is the ability to debate and vote on any motion immediately, and that is what deferral of vote means. It means that you are not going to vote on it until another day. Third, we have members' statements. Members' statements mean that members can stand up here in the Legislature and speak about whatever they want. It is an essential aspect of freedom of speech.

Now that I have told the Premier what the fundamental changes are, I want to know what he is going to do about them. Is he going to have a public debate, or is he going to continue to close the...

Mr. Speaker: Time, member.

Hon. Mr. Fraser: It is unfortunate that the member opposite is going on a rant about this when, in fact, he was the very first member to go out and slam the door at the first meeting. He was the very first member. At the very first meeting of the procedures committee, it was our intent to put a proposal on the table for discussion. We could not have a discussion because none of the members opposite who were on the committee would participate. Instead, they chose to walk out and slam the door. At our second meeting, the same thing happened.



Fortunately, the member for Fredericton South, the Leader of the Green Party, stayed, and we had a productive discussion with him. We went through the rules one by one, and we came up with some productive changes to the rules. We put an amendment on the floor, which we intend to vote on, because of the productive discussion we had with the member from the Green Party.

It is very clear that the members opposite just want to play politics with this file, just like every other file that comes before this House.

Mr. B. Macdonald: It is a pity that the Premier has ceased to answer questions on this. He must know that he is on the wrong foot.

As I have mentioned, we cannot refer to the transcripts of these committees because they were held in secret, but I have here a number of amendments—in fact, seven—that our opposition is prepared to offer. For example, we have an amendment on how question period can better improve transparency, an amendment on the freedom of members to discuss their constituents, an amendment on how bills can better be processed through committee, an amendment to stop votes being deferred to another day, an amendment on standing votes in committee. There is an amendment to stop circumventing Committee of the Whole—an essential right of all MLAs—and silencing members' voices. There is an amendment on how members' statements should be preserved to allow freedom of speech in this House.

This side of the House is ready to participate in that debate, but we do not have the opportunity. When is the Premier going to extend debate on this motion and have a fully transparent, open, public discussion about these fundamental changes?

Mr. Speaker: Time, member.

Hon. Mr. Gallant: First, why would these things, these issues that the opposition members have, not have been brought up during the meetings that they had with the committee? It is unfortunate that they have to grandstand here on the floor of the Legislature.

Second, basically, they are proposing amendments that go against everything that we have proposed. To say that they are trying to be constructive is a bit of a stretch. It is unfortunate that we could not have a proper discussion. We certainly had a willingness to negotiate and to compromise. We showed that when we dealt with the member for Fredericton South.

With regard to one of the amendments, saying that it is undemocratic in terms of the members' statements proposal that we are suggesting... It is the way that it works in Parliament. Is Parliament undemocratic according to the member opposite?

(Interjection.)

Mr. Speaker: The member for Edmundston-Madawaska Centre will come to order.



Hon. Mr. Gallant: Honest to goodness, I think that it is important that we really raise the level of debate. We have important things to discuss. We have an economy that we need to grow, and we need to create jobs. We need to get our finances in order. Grandstanding on things that are going to help us have a constructive debate is unfortunate, and we need more from the opposition.

Mr. B. Macdonald: I will tell you, there is no doubt that jobs and the economy are essential to the future of this province, but there is nothing more fundamental to debate in this Legislature than the rights of the people to exercise free speech and to exercise their control over where government money goes.

We keep hearing about these committee meetings for which there are no transcripts, because they are secret. The reason that the opposition brought this to the floor of this Legislature is because we need this discussion to be public.

I have a 66-page report here by Don Desserud and Cody Waite. Do you know what? Do you know what it says? In one word, it says, a verb, “consult”. That is what this says. We had no consultation. We have no end of political science professors around this province who should be consulted in this process.

I would like to know this: Now that the Premier understands the fundamental nature of this bill and why it is so important to the rights of New Brunswickers, what is he going to do to consult New Brunswickers? When is he going to make this public and make sure that people are consulted, not just the people who are sitting in these seats, but also the people of New Brunswick?

Hon. Mr. Gallant: To answer the member opposite, we made it public a couple of weeks ago, actually. We have made it public. We have been debating. We have been discussing. Again, I think that it is unfortunate that they are focused on something that, I believe, will help us modernize the Legislature. It is going to help us to be more efficient. It is going to help us to have more debate and more discussion. I think we can do better when it comes to our democratic institutions, and I think that all New Brunswickers believe that as well. Will this be perfect? No. We will certainly be open to always improving our democratic institutions—always.

We want to have the principles of having a good debate and a good discussion. We want to make sure that there is accountability and transparency. That is what guided this policy and these changes. That is what will continue to guide and influence the way that we can improve our democratic institutions.

Meanwhile, we are going to be focused on creating jobs. We are going to be focused on growing the economy. We are going to be focused on getting our finances in order. Unfortunately, that is something that the last government just could not do.



Mr. Speaker: Time.

Student Loans

Mr. Higgs: I do not think that there has ever been a time when we all agreed that we have to work together to improve this province. The consideration of real ideas is paramount. Doing government differently is more than just doing it backward. It is more than taking away what already exists and more than... It is building on success in order to achieve more success.

Yesterday, there was talk about the reversal of the student loan and parental contribution process, which has been a platform of the government. That has been considered to be rolled back from the previous government's decision. There is not anything that actually says that it affected student enrollment. What it does do, however, is cause parental oversight. It causes students not to come out of university with excessive debt because money is so accessible. It is more than just about debt for the province. It is about debt for every individual citizen in the province. It is about growing our young people to be responsible and having the oversight to do so.

I would like to ask this of the Minister of Post-Secondary Education, Training and Labour: What is the plan to ensure our students can grow, learn, and be accountable in the future?

[Translation]

Hon. Mrs. Landry: Our government has committed to making postsecondary education more accessible and affordable, and that is what we are working on right now. We are currently reviewing several Student Financial Services programs and are specifically looking into the issue of eliminating the parental contribution. We are looking at the different options available to us, and we will have answers very soon.

[Original]

Accountability

Mr. Higgs: Free education or free loans have never been proven to reduce debt, but responsibility and accountability do just that.

That brings me to the next point about the *Fiscal Transparency and Accountability Act*. What was the reason that this was even considered? It was trying to put controls around election costing that was killing this province economically because it was an unfettered process in which economics did not even play a role. Better decisions could be made, and there was always a need to do so through the government process; however, there was always a reason not to and to move forward. It became a matter of looking at the bigger picture, trying to control how we thought every day because of the big picture.



Personal conviction is enhanced by personal involvement or impact. While it may be symbolic to reduce the wages... I agree that symbolism plays a role. It says that we are all part of it, and we need to be. However, there also has to be a factor there that is considered, which is that everyone plays a role in making it last.

The fiscal accountability Act and the administrative penalty saw just that. I want to ask the Premier: Will he ensure that this stays intact...

Mr. Speaker: Time, member. Time.

Hon. Mr. Melanson: I can appreciate what the member opposite is discussing, because this is very fundamental for our government. We, as a government, and I, as Finance Minister, clearly understand that we need to get our expenditures under control.

I know that the member worked really hard when he was Finance Minister, but, at the end of the day, when he speaks about the bigger picture... We also look at the bigger picture. That is why, as a government, we have been saying—and we have been very consistent in what we are saying—that we are looking at both sides of the balance sheet. That is why, through the Strategic Program Review, we are looking at this and discussing with New Brunswickers how we can get our fiscal house in order. What we realize is that the previous government tried to put a lot of controls on expenditures, and we are also committed to doing that. However, we realized that they could never meet their targets in terms of trying to balance the books in the time frame that they wanted to. Therefore, we are looking at both sides of the balance sheet. We are consulting with New Brunswickers, and we will get the job done.

Mr. Speaker: Member, these are questions—your second and third—that are supposed to deal with your first question, so I would ask you to stick with postsecondary education.

Mr. Higgs: Thank you, Mr. Speaker. However, the whole point of the question is related to financing and to rolling things backward instead of moving forward. That was an example, with the parental contribution. The next one was in terms of the fiscal accountability Act. The next one is in terms of pension reform, but it is all about moving forward and about the finances and the tough decisions required to get there. That is the theme.

Pensions

I would like to follow up with the pension reform discussion, because it is about tough decisions. It is about maintaining tough decisions and moving forward, not rolling back. If we continue to roll back, then we do not move forward. We just reverse. That is why we cannot put new proposals forward, because we are fighting to keep the old ones that work intact.

Our pension reform, as related by independent actuaries, has the number one highest rating in North America, so it works. It is sustainable, it works for the employees, and it works for the taxpayers.



Tough decisions are more than talk. Tough decisions are substantiated, they are needed, and they have to grow... People will respect that.

I want to know if the pension reform, as it has been done, will be left intact.

Mr. Speaker: Time, member.

Hon. Mr. Melanson: You are right. Leadership is about making tough decisions. With our government, our Premier has been very, very clear. We will make the difficult decisions that your government, as a government, did not make previously.

When it comes to pension reform, we clearly said in our platform—and we have been very consistent since we were privileged to be elected—that we will have discussions with the retirees and the nonbargaining employees. Those changes were imposed on them, and we are having discussions with them.

We understand that difficult decisions need to be made on the expenditure side of the balance sheet of the province. However, we also need to grow the economy and find additional incremental revenues so that we can get to a position where we increase our fiscal capacity to be able to invest in some strategic needs of New Brunswickers.

Hunting

Mr. Savoie: In a recent article in the *Telegraph-Journal*, the government announced that it was cancelling the turkey hunt. When I look at the work that was done over the past four years by the previous government, there was lots of consultation. Government took the time to get it right. It was to be a limited hunt—a maximum of 50 birds. We know that the Agricultural Alliance of New Brunswick was in favour of this.

We know that the minister, when he gets up to respond, is going to say that there were people putting domestic turkeys into the wild stock. The reality is that a process would have been put in place to prevent people from adding to the wild stock.

My question for the minister is this: What scientific studies, if any, were used to arrive at the decision that you made? Thank you.

[*Translation*]

Hon. Mr. Landry: I have already answered this question, maybe not in the House, but in response to questions from journalists. I said that we would not eliminate the wild turkey hunt indefinitely. I said that, this year, there would be no wild turkey hunt in the spring.

I have consulted biologists from the department; we do not even know in what condition the wild turkeys will be in the spring, including how many of them will still be around when winter





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is over. That is what we need to find out. We know these animals have difficulty living in winter. What we want to find out is how many wild turkeys are left at the end of winter. Based on that information, we will make decisions over the next year.

