

June 11, 2019

[Original]

### Hydraulic Fracturing

**Mr. McKee:** Mr. Speaker, we have 25 years of case law that outlines clearly that when you have a conflict over Aboriginal title claims and natural resources, all parties are to get together to consult and negotiate. I hope that the Premier has had a chance to review the jurisprudence over the past week since, last week, he said that the consultation process was vague. Mr. Speaker, my question for the Premier is this: What exactly does he find vague and confusing about this process?

**Hon. Mr. Holland:** Mr. Speaker, I want to thank you very much for the question. You know, we talk about a number of different subject matters here in the Legislature. When it comes to discussing the concept, the process, and the responsibilities that government has in relation to full and meaningful consultation with our First Nations, we want to be very clear that nothing could be more important to us as we move forward when it comes to anything related to issues where our First Nations need to be sitting at the table.

We have a team of people who have a variety of different departments that are affected by issues that require us to sit and have that open-ended conversation with our First Nations partners. We are committed to doing that, and we are looking forward to doing that. More importantly, as a government, we are looking forward to being enriched as a result of the feedback and information that the First Nations can bring to us. Thank you very much.

**Mr. McKee:** Mr. Speaker, the government's decision to allow for fracking without consulting the First Nations people has stirred up a hornet's nest, unfortunately. We know that the Premier recently met with Regional Chief Roger Augustine, on May 31. In a letter, Chief Augustine stated that at no point in that meeting did the Premier raise the issue of lifting the moratorium on fracking. Mr. Speaker, to the Premier, if it is so important to his government, why did he not raise the issues of lifting the moratorium and the duty to consult at that meeting if he was so confused by the process?

**Hon. Mr. Holland:** Mr. Speaker, once again, I want to thank the member for Moncton Centre for the question. I want to kind of explain a bit of the process, situations, and circumstances.

From before the point of being elected, we had a platform that talked about responsible natural resource development. Now, fast-forward to recent days or weeks. When we first heard that there were concerns within the First Nations community about the consultation process, believe me, that was something that we did not take lightly. We took it very seriously. We have had a chance to start conversations, and I have sent out invitations to a significant amount of the leadership of First Nations so that we can discuss that. I had conversations last week with



some First Nations leaders, and basically, we sat and expressed that we could do this better. We certainly are committed to doing so, and we look forward to...

**Mr. Speaker:** Time, minister. Time, minister.

**Mr. McKee:** Mr. Speaker, this issue has been ongoing. In 2013, we saw that hornet's nest erupt in the Rexton area, and we do not want to have a repeat of that.

Mr. Speaker, the case law has long outlined what is required by the duty to consult. When the Premier was Finance Minister, his government established a Government of New Brunswick Duty to Consult Policy in November 2011, and it states that "The Province of New Brunswick has a duty to consult with First Nations when contemplating an action or a decision that may infringe upon proven or asserted Aboriginal and treaty rights." Mr. Speaker, the policy provides direction to the provincial government on consultation, so is the Premier willing to admit now that he made a mistake by not consulting on the fracking moratorium with First Nations people before making this Cabinet decision?

[*Translation*]

**Hon. Mr. Holland:** Thank you, Mr. Speaker. Thank you for the question.

[*Original*]

The conversation that we are talking about is crucial. It is absolutely foundational to so much of what the province was built on, and we are committed to honouring that going forward. As I said previously, we did say and I have said that we can do better and we will.

I think it is important to note that in the process of the last few months, there have been situations where we did not seek fanfare or media attention, but I know that the Minister of Aboriginal Affairs and I have actually walked on soil with First Nations leaders and they shared some Indigenous practices with us. We spent a great deal of time talking with them about helping us to understand this. It was an enriching process. You know, I have had First Nations leaders in my boardroom to discuss a variety of different issues.

As I have said, on this and on any issue, we are committed to the process of having an open door, a transparent conversation, and a better New Brunswick because of it. Thank you very much.

**Mr. Speaker:** Time, minister.

[*Translation*]

**Mr. McKee:** Thank you, Mr. Speaker. Chief Augustine sent a letter to the Premier asking him to lead this province to publicly recognize, honour, and respect the rights of First Nations, as



outlined in the *Constitution Act, 1982* and confirmed by the courts. Is this government willing to do that, and, if so, what will the timeline be? Thank you.

[Original]

**Hon. Mr. Holland:** Mr. Speaker, once again, I appreciate the question from the member opposite. I would like to tell a bit of a story. In the not too distant past, I had the opportunity to stand on a piece of ground, a piece of Crown land, with the Minister of Aboriginal Affairs and some leaders from the First Nations community. Do you know what? It was a piece of Crown land that was due to be cut.

Now, it was very symbolic—and emotional at times—that we had a chance to stand with First Nations leaders and bridge the gap through conversation in the natural habitat. When I realized that it was a piece of ground that was allocated to be cut, I immediately took steps. While we were standing there, I removed it from the cut allocation and entered it under conservation forest because that was the beginning of something symbolic and big. That is certainly a piece, and there are many more to come. But I am telling you that with everything that I have within me and this government has within it, this is no joke and we are committed to full and meaningful consultation.

**Mr. Speaker:** Time, minister.

[Translation]

## Health Care

**Mr. D'Amours:** The health care system is clearly ailing. The Saint-Quentin area has experienced multiple setbacks and is facing challenges impacting the health care services that people can receive. In addition to the paramedic and nursing shortages, two doctors have now left because they were not getting the necessary support from the health care system. The sudden resignation of two family doctors, over the weekend, in the Saint-Quentin area, will leave 2 400 people without a family doctor. What is the Minister of Health doing to resolve this very critical and very urgent situation?

[Original]

**Hon. Mr. Flemming:** First of all, Mr. Speaker, they are two salaried doctors, and they resigned, and there are not 2 400 patients. Each doctor saw fewer than 650 patients. They each had fewer than 650. They have given up their primary health care practices and have said: We are quitting, but we want to work in the emergency room. Come and see us in the emergency room.

That is not good medicine, that is not good practice, that is not good primary health care, and that is not something that is acceptable. If these two physicians want to turn their backs on



their patients and say that they are going to the emergency room and to come and see them there, that is not the policy of any reasonable government, this one or the previous one. Primary health care is to be given in a doctor's office.

If they want to quit, I am afraid, Mr. Speaker, that it is a free country.

**Mr. Speaker:** Time, minister.

[*Translation*]

**Mr. D'Amours:** Mr. Speaker, the Health Minister's way of thinking is insulting the intelligence of the people of Saint-Quentin and the entire Restigouche West area. It is also insulting to the family doctors, who are working so hard in New Brunswick to provide primary health care.

We all believe that nurse practitioners would contribute greatly to improving access to health care, not only in the Saint-Quentin area, but also throughout the province. However, we are hearing that, after graduating, nurse practitioners have a hard time finding a job in New Brunswick. They are in fact hired by other provinces.

Will the minister do something to make sure our nurse practitioner graduates who are looking for a job can at least find one here, can be offered a job in New Brunswick, and can meet the primary health care needs of the people of the province? It is not normal that these people leave and go to another province. What is the minister's solution?

[*Original*]

**Hon. Mr. Flemming:** Thank you for the question. You have to realize that I am doing just that, but you cannot have two employees of the Vitalité Health Network saying to their patients: I am done. I am going to the emergency room. Come and see me there.

They have resigned—resignation accepted. There are 5 000 people in the community, and there are three family doctors. I immediately took over this file and arranged for an additional family physician, who is coming. We are having discussions right now, and I believe they will bear fruit very shortly for two nurse practitioners to take over this area.

So the result is that two doctors have resigned and we will have an addition of one doctor and two nurse practitioners and access to primary health care in that community will be even better.



[Translation]

## Paramedics

**Mr. D'Amours:** Mr. Speaker, the Saint-Quentin area went through difficult times in connection with access to ambulance services. Retaining paramedics is a challenge, and working conditions must be improved. Wages do not reflect the tasks to be performed, but, worse still, is the hiring process.

How can we hire if training is eliminated? One of the centres offering this training is the community college in Grand Falls. This Conservative government announced more bad news today. Yes, the paramedic training course in Grand Falls is suspended as of September.

How does the minister intend to fill these positions and guarantee access to ambulance services if the course is simply abolished in one of the training centres? How will the Minister of Health be able to face the people of the province? How will the Minister of Health be able to face the people of Saint-Quentin? How will he be able to ensure the delivery of services throughout the province if he eliminates the paramedic training programs?

[Original]

**Hon. Mr. Holder:** Mr. Speaker, to the member opposite, I can assure him that we are working with the New Brunswick Community College. That program is going to be offered at other campuses throughout the CCNB network, and we will be working with students who are interested in working in that particular area. We will do everything we can with them to make sure that they have the resources to get to that campus and to get the training so that we have the paramedics on the ground and doing what we need them to do in this province.

[Translation]

## Health Care

**Mr. LePage:** Thank you, Mr. Speaker. Can the minister tell us how the severe doctor shortage is affecting the Saint-Quentin area and how it could affect the status of the Saint-Quentin hospital and its operations?

[Original]

**Hon. Mr. Flemming:** You have to understand, Mr. Speaker, that two primary health care physicians, employees of the Vitalité Health Network, said: We quit, and we are going to the emergency room. We are going to work there, and all our patients can come see us there.



This is not what we do. That is not good primary health care. It is not their emergency room, and there are no positions available in the emergency room. I suggest that if two physicians want to blackmail this Minister of Health, they bucked the wrong guy.

[*Translation*]

**Mr. LePage:** Right now, I am asking myself this question: Are the Minister of Health and this Conservative government not turning their backs on the people of Restigouche West?

To continue on the subject of hospitals in the north, an expert has stated that it was not necessary to delay the construction project of the youth mental health facility in Campbellton. Can the minister inform the House on this project, and could he give us the specific timeline for restarting it? Thank you, Mr. Speaker.

[*Original*]

**Hon. Mr. Flemming:** Yes, I can certainly do that. You have to go back to the fact that we have engaged Mr. Weber to do a study and a review. We make our decisions based upon clinical services, not on political, economical, or emotional... Mr. Weber made it abundantly clear that we should not proceed until such time as we have the people in place, the resources in place, and the support in place so that this institution can provide the level of care that is needed. If it cannot reach that threshold, then it should not be there.

This government is not about politics. It is about clinical services and doing the right thing for the people of New Brunswick.

**Mr. Speaker:** Time, minister.

[*Translation*]

## Tuition

**Mr. G. Arseneault:** Thank you, Mr. Speaker. More bad news for students in this province. The Université de Moncton is increasing tuition by 8% for new students and is blaming the increase on the Higgs government. The cuts to the nursing program seem to be the main reason for this. Does the minister now realize the shortsightedness of his decision to cut this program, and can he tell us what impact it will have on students?

[*Original*]

**Hon. Mr. Holder:** First of all, Mr. Speaker, the funding formula is separate and apart from the nursing agreement that the member opposite is referring to. We honoured the MOU, an MOU that the previous government put in place and an MOU that also had a mechanism in place by which the universities could increase tuition at certain times. They exercise that ability, but it





has absolutely nothing to do with the cancellation of the additional seats for nurses—seats that were never filled.

**Mr. G. Arseneault:** Thank you, Mr. Speaker. The minister should come clean with New Brunswickers. With respect to the program that he alludes to, 50% of that funding stayed with universities for clinical services to make sure that their labs are up to date. In addition to the tuition increase, Mr. Speaker, nursing students are going to have to shell out an extra \$500 out of their own pockets to pay for clinical training because of the Higgs government cuts. Is this really the best way to address a critical nursing shortage in New Brunswick—by making it harder and more expensive to receive a nursing degree?

**Hon. Mr. Holder:** Mr. Speaker, the members opposite need to come clean on the fact that they are trying to create fearmongering in this province. The clinical training that the member is referring to was separate and apart. That is done through the regular funding within the university system. The program that we eliminated is the one that was to add additional seats—seats that were never filled. I know that the members opposite think that is okay. I know that they think it is okay to throw money out the door, as I have said time and time again, and never get any results, but we on this side of the House do not. I have said it before, and I said it last week: This government cannot and will not do that any longer.

*[Translation]*

**Mr. G. Arseneault:** Because of this increase, this year, students at the Université de Moncton will have to pay close to \$500 more in tuition. We are seeing significant tuition increases at all New Brunswick universities. This is bad news for students from low-income families. Now that the Higgs government has cancelled the Free Tuition Program, will the minister finally admit that high tuition combined with the free tuition cancellation will limit access to university for the New Brunswick middle class?

*[Original]*

**Hon. Mr. Holder:** Mr. Speaker, what I will admit to is that hundreds more in this province—hundreds more low-income New Brunswick students—have access to a bursary that they did not have before. It was interesting to hear the member from Moncton talk earlier about how we were leaving people behind. Is he happy that in his backyard, at Crandall University and at Oulton College, all kinds of students were left behind under the current program and are not today under ours? I would like to have him answer that question.

*[Translation]*

## Regional Development

**Mr. K. Arseneau:** Past Liberal and Conservative governments as well as this government have long failed to give proper attention to development in our rural areas, particularly northern



areas. Mr. Speaker, we have learned that several budgetary cuts have been made over these past months in the tourism sector, which is important for our rural areas.

In fact, last week, we have learned that Mount Carleton Provincial Park will be closing sooner than expected. The minister has issued a challenge to the park officials so it could stay open. I am questioning the communication methods used by the government to announce cuts and then ultimatums, since, in my humble opinion, there are more constructive ways to work.

My question is for the Minister of Tourism, Heritage and Culture. Can the minister clearly tell us what criteria he looked at before announcing that Mount Carleton Provincial Park will be closing for the fall? Were the park officials consulted before the announcement? Thank you.

**Hon. Mr. Gauvin:** Thank you very much, Mr. Speaker. Thank you for the question. The question we are asking ourselves regarding tourism in New Brunswick is that, although it is good to try to extend seasons, we cannot keep beaches open until November, just like we cannot fish for smelt in July. We must therefore target the seasons. Mount Carleton offers an incredible opportunity in the fall. I talked to the officials last week. I told them: We will agree to be involved if you are able to fill all reservations. I thank the Liberal member opposite, who told me he had spoken to his friends and people from his area and that they were going to get involved.

We will have a nice fall season, but we must be careful. Some seasons are worth extending. Others are summer seasons. Thank you very much, Mr. Speaker.

**Mr. K. Arseneau:** That is not an answer, but we will talk about it again. Thanks anyway. To continue on the subject of rural development, I have seen very few rural development initiatives, if any, from this government, since it took office.

*[Original]*

Rural development cannot be seen with the same lenses as economic development in urban areas. Many challenges are different. Many of the impacts are on a different scale. One job in Bass River Point might not make the front page of a newspaper, but it does change considerably the web of a small community. One big challenge is business succession. A new generation is ready to stand up, but many obstacles exist.

Mr. Speaker, my question is for the Minister of Economic Development and Small Business. Can the minister please tell us what initiatives she is working on to encourage and support small and medium-sized business succession and development in rural regions? Thank you.

**Hon. Mrs. M. Wilson:** Thank you for the question. I would like to stand here and tell you that rural communities here in New Brunswick as well as small businesses are very important to this government. It is the rural communities in our province that need to stay strong and thrive, and





we are doing everything we can to help them. We have decreased the tax burden on businesses, and we are creating the conditions for our private sector to thrive.

We just stopped... The province is not going to adopt the federal passive income rules. We are one of two provinces in Canada that are not harming small businesses in this country, and I am very proud to stand here and speak about that. We have also worked very hard on WorkSafeNB premium reductions, and we continue to do so. We have also established predictable minimum wage increases. That is very important for every small business in New Brunswick, especially in rural communities. We are there to support them, and we are very proud to do so. Thank you.

### Auditor General's Report

**Mr. Austin:** Mr. Speaker, the Auditor General released her report this morning. When she releases a report, there are sometimes issues with policy, and there are sometimes issues with administration or with the effectiveness of certain programs. But every once in a while, there is a bombshell like Atcon, which we saw in previous reports. Well, this morning, it was an Atcon bombshell.

As a matter of fact, with regard to the \$22.8-million agreement with the city of Saint John, I will quote from different parts of the report. She referred to “excessive risks to taxpayers”, “inappropriate incentive for the City to report a deficit”, and other municipalities being “enticed to report deficits and seek financial relief from the Province”. “Legislative authority was not obtained”, and the best one yet is that she says there was “Potential Auditor General Act obstruction” during the Auditor General’s investigation.

With all these things in mind, my question is for the Minister of Finance: Will the Minister of Finance continue to pay out the remaining \$21 million to the city of Saint John?

**Hon. Mr. Carr:** Mr. Speaker, that is an excellent question. I think we in this Legislature should all be concerned, especially the former Premier of this province, who circumvented the Act according to the Auditor General. It is despicable. It is despised, and I think that he should apologize to this Legislature. He should take action and come clean with everybody in this Legislature about his actions for the past four years. Not only did he cross the line on this file, he crossed the line on an unfair property tax assessment scandal that he tried to blame on other people. He blamed a 4 a.m. staffer for mixing up his numbers during the campaign.

I can confirm for the Leader of the People’s Alliance Party that we are going to look at this report very closely and we will take action to make sure that the former Premier of this province pays for his actions and for what he did to the people of this province over the past four years.

**Mr. Austin:** Mr. Speaker, if there is one thing I am certain of, it is that what Saint John does not need is a handout. What it needs is a solution. It needs to stop being financially plundered by



the province. Saint John pays some of the highest taxes in this country and has the largest oil refinery in Canada.

I will ask this again: Will the Minister of Finance stop pillaging communities like Saint John, get the province out of collecting property tax, and do what the rest of Canada does? Will he allow municipalities to collect those taxes and to have comprehensive tax reform to benefit municipalities like the city of Saint John?

**Hon. Mr. Carr:** That is another good question because I would love to follow up on my last answer. I will do it in such a way as to talk about what we have been doing and what we will continue to do.

When we took power on November 9, we became aware of a secret group or secret committee that was working with the city of Saint John to come up with a solution for the city. We in this Legislature all know and understand that if the city of Saint John fails, the province fails. What happened was that when we read the details of this agreement, there were no deliverables. There were no returns on investment. There were no items in that agreement to show where Saint John could do better. We all know that Saint John can do better.

As far as municipal tax reform goes, to the honourable member, we are embarking on that. The honourable member from Service New Brunswick and the Minister of Finance are looking at municipal tax reform because we said during the campaign that it was the right thing to do.

I will go back to what the member said earlier and to my comments earlier. The former Premier of this province has done wrong once again, and he needs to come clean with New Brunswickers.

## Immunization

**Mr. C. Chiasson:** Thank you, Mr. Speaker. I know that we will be debating legislation this week that will ensure that students in public schools are vaccinated. I want to say up front, Mr. Speaker, that we agree with the principle of protecting all children in our schools, especially those who may be vulnerable to certain diseases.

This legislation does, however, raise some questions. The first is this: Has the minister consulted legal experts on concerns around its constitutionality and/or the charter rights that may be affected by this legislation? Could he please share any advice that he may have received?

**Hon. Mr. Cardy:** Mr. Speaker, thanks to the member opposite for the question. Absolutely, there is a range of different legal opinions around any sort of charter-related issue. Of course, the vaccination mandate and regime would be part of that. That is why, by being very clear in briefing the honourable member... I appreciated the chance this morning to chat with him as well as with the other folks on all sides of the floor with whom I have had the chance to talk.



This has never been challenged before. There has never been a case where a province has had, I would argue—and I use this word advisedly—the courage to do what this government is doing: to stand up and put forward a bill that will make sure all children are protected. Absolutely, we look forward to support from the opposite side, and we appreciate that support.

We also look forward, if there is any challenge, to being able to go ahead with making sure that we make decisions in the best interests of the schoolchildren of this province, recognizing that public safety in the public school system has to come first. If there are any questions around constitutionality in the courts, we welcome the opportunity to clarify our position and to stand up for the children—not just students in New Brunswick but students across Canada. That is what we are here to do. Thank you, Mr. Speaker.

**Mr. C. Chiasson:** Mr. Speaker, I am going to take that as a no. He did not consult with legal or constitutional experts. He would rather test this out in a court of law and spend taxpayers' money.

As I understand it, this legislation would apply to students but not to teachers or staff. Could the minister please explain why this is not being considered?

**Hon. Mr. Cardy:** Mr. Speaker, to the member opposite, there seems to be some difficulty in comprehending the answer to the earlier question. I said yes in answer to his question, so let me repeat it again in both official languages. Yes, I consulted with constitutional legal experts.

*[Translation]*

Yes, I consulted with constitutional and legal experts because it is my responsibility. When we talk about issues like this one, namely the protection of children, it is clear that we absolutely need to use all available resources to ensure that a bill such as the one tabled in the House is well prepared.

*[Original]*

Mr. Speaker, again, in both official languages, yes, I did consult. I heard varying opinions. I can tell you what they are in terms of the percentages. I have heard percentages ranging from 100% that this will not be challenged to 100% that it will and from 50% that it will get passed to 60% that it will, and I could keep going on with the different unsolicited opinions that I have received from various people over the past few days.

(Interjections.)

**Hon. Mr. Cardy:** I could not quite hear the question, but I am sure the member opposite will be happy to hop up...

**Mr. Speaker:** Time, minister. Time, minister. Question period is over.

