

# Legislative Assembly of New Brunswick

## Oral Questions



**December 15, 2021**

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### CORONAVIRUS

**Mr. Melanson** (Dieppe, Interim Opposition Leader, L): Mr. Speaker, with a view to combating the new Omicron variant and gaining better control of the situation in this connection, the government has announced various measures. In order to use the Legislative Assembly to explain these measures better, I am asking the Premier this morning how he could explain to us what his government considered when making the decision to eliminate organized sports activities for youth 12 and under. In making this decision, did the government consider the fact that young people in this age group could be treated in the same way as those in other age groups? I note that young people aged 12 and over can only have training sessions. However, the Quebec Major Junior Hockey League, for instance, can still hold matches, with a spectator capacity reduction of 50%. Could young people aged 12 and over who are fully vaccinated not be subject to the same guidelines?

[Original]

**Hon. Mrs. Shephard** (Saint John Lancaster, Minister of Health, PC): Mr. Speaker, I appreciate the question. The COVID-19 pandemic is an ever-evolving situation. With the very recent detection of the Omicron variant in our province and with the holidays quickly approaching, we need to take immediate action to support the slowing of the spread of the virus. We understand that this is a difficult decision and that our young people are very dependent on sports to keep active.

Those aged 12 and under, of course, are not fully vaccinated yet. Let me just say that we have recently had public exposures at several sports facilities and tournaments, including at a high school basketball tournament in Miramichi, an under-11 minor hockey tournament in Perth-Andover, and a basketball tournament in Fredericton. I can give you more information.

**Mr. Melanson** (Dieppe, Interim Opposition Leader, L): Thank you to the minister for that information. It is something that I do not think we had.

Would the same type of explanation... In other words, were there any occasions of semiprofessional sporting events potentially being connected with cases? Semiprofessional sports are still able to have their events, with people needing to be fully vaccinated to get in and, obviously, a 50% reduction in capacity.

Just to better understand, why would everyone not be treated in the same way so that if people are at the age of 12 or older and fully vaccinated and there is a 50% reduction in the capacity of any establishment, they could also have their sports? Could the minister explain whether there is any particular difference between the two areas?

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**Hon. Mrs. Shephard** (Saint John Lancaster, Minister of Health, PC): Mr. Speaker, we are trying to treat everyone the same. If you look at the policy, teams can still do skills and drills. They are able to get together, and they are able to practice their skills and do drills on the same team.

With the professional capacity in entertainment, as you know, we have put limitations on admissions. There is a 50% capacity limit for any of these places. Teams have serious testing protocols in place. They have protocols and operational plans that they have to adhere to. All these things come together to help us put forward very important protection measures not only for the venues that they are playing in but also for the people who are around them.

Mr. Speaker, all of this speaks to protecting our general population against the spread of the virus and slowing down the virus.

**Mr. Melanson** (Dieppe, Interim Opposition Leader, L): I appreciate everyone's concern around the spread of this virus and this new variant.

If all these operational guidelines are being used in the establishments where there are sporting events for semiprofessional leagues, could the same kind of operational regulations be applied to sporting events for people aged 12 or older and fully vaccinated, along with the 50% reduction in capacity and all the sanitary guidelines that need to be respected? Have you, as a government, considered that in your decision-making? And, certainly, has Public Health come up with any recommendation of that nature?

**Hon. Mrs. Shephard** (Saint John Lancaster, Minister of Health, PC): The plans that we have put in place are what Public Health is recommending.

May I just say that with the holidays quickly approaching, our youth will be circulating among our aged, and whether people are vaccinated or not, Omicron changes the water on the beans. We must be as diligent as possible. We must take measures now in order to have a safe Christmas. Mr. Speaker, I cannot emphasize this enough. I have talked about the exposures that have happened, and I have talked about our youth circulating with our aged. We must convey the message that we have the potential to keep our spread low, and it is by helping each other to do this. It means sacrifice, and it means that we must do it.

**Mr. Speaker** (Hon. Mr. Oliver): Time, minister.

**Mr. Melanson** (Dieppe, Interim Opposition Leader, L): Mr. Speaker, we fully agree with the fact that we want to keep our cases low. We want to keep infections very low for people. As much as possible, we want to stop the spread of Omicron.

But I guess the question is this: In that context, why are all the sporting events for those aged 12 and older not treated the same? This is only for all of us to understand. I think

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parents want to understand. There seems to be a difference. Certainly, there is a reason for it. By explaining the rationale and the reasons around it, maybe parents will have a better understanding of why. For sporting events for those who are aged 12 and older and doubly vaccinated and respecting all the guidelines, why could they all not do it with these same rules?

**Hon. Mrs. Shephard** (Saint John Lancaster, Minister of Health, PC): Mr. Speaker, if he is comparing our youth and volunteers with professional organizations, it is as though he is comparing apples and oranges. Professional organizations are playing in venues that are controlling access at 50%. The teams are operating under very strict protocols and with operational plans.

We know where the transmissions are taking place. We know that. I just spoke to it. We need to take every precaution that we can right now, and there may be more that have to come. We are trying to understand and to speak to where we know our dangers lie right now, and that is in our younger population. We must control that exposure. That is the key right now.

**Mr. Speaker** (Hon. Mr. Oliver): Time.

*[Translation]*

**Mr. Melanson** (Dieppe, Interim Opposition Leader, L): Through you, Mr. Speaker, my thanks to the minister. In the same vein, just so that we can better understand, among the decisions made by government to implement these new measures aimed at gaining as much control as possible over the spread of the new Omicron variant, did you envisage having regulations that would be adjusted to or depend on hospitalization rates in the various regions or zones of the province? I know that this happened in the past, when we had a higher number of cases in certain zones than in others. Did you take that into account? Alternatively, if there are fewer cases or fewer hospitalizations, could the regulations be a bit different depending on the zone?

*[Original]*

**Hon. Mrs. Shephard** (Saint John Lancaster, Minister of Health, PC): Mr. Speaker, Omicron changes the water on the beans. I do not know how to express it more emphatically than that. We, as a province, are now in this together. When the spread is happening in our younger population—and the spread is going to happen to our older population because of that—we have to take measures to protect everyone.

There are early studies that show Omicron is not so good for our youth, our children. Studies show a 25% increase in the hospitalization of children. We have to make some decisions here. We want to have a safe Christmas, and we want to protect our senior population and our youth. All of that comes together. The province is in this together.

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**Mr. Melanson** (Dieppe, Interim Opposition Leader, L): Mr. Speaker, from the discussions and from the decisions of government, we know that the schools for Grade 6 and under will now be closing on Friday. I guess that the higher grades will still be going to school for another week. Has the government, in making this decision, considered or looked at closing the schools altogether on Friday so that everybody would understand exactly what is going on? If not, why not? What actually is the rationale for making the decision that it has made to close schools for Grade 6 and under and to keep open the schools for Grades 7, 8, 9, 10, 11, and 12?

**Hon. Mr. Cardy** (Fredericton West-Hanwell, Minister of Education and Early Childhood Development, PC): Mr. Speaker, thank you to the Leader of the Opposition for the question and for this exchange, which I think is something New Brunswickers will really appreciate—having questions asked and answered. No rhetoric, just the facts. I think that this is excellent.

The decision around closing K-to-6 schools early was based on some of the same issues that the minister raised in relation to sport. That age group has not had access to vaccines until very recently, and the vaccine levels remain very low. The preliminary information that we are receiving around the Omicron variant is that it is significantly more risky for children compared to the previous editions. For those other students, if we start to see the case numbers move in a direction that alarms Public Health to the point that it makes a recommendation to close the schools, we will not hesitate to close those schools.

We will be making some announcements today about plans for our school system going forward to make sure that we are well prepared to handle what looks as though it could be the variants that we were afraid were coming back in March...

**Mr. Speaker** (Hon. Mr. Oliver): Time, minister.

[Translation]

## LOCAL GOVERNMENT

**Mr. Melanson** (Dieppe, Interim Opposition Leader, L): Thank you, Mr. Speaker. I thank the minister for his response.

I will now move on to a different topic. As you know, local governance reform really is a topical issue of major importance. This is admittedly a pretty ambitious project, all the same. However, for such an ambitious project, there are still many unanswered questions. There is a great deal of information that the public and even municipal leaders are trying to find out, while the government has chosen to allow just a dozen hours for discussion and questions about this bill.

There are in fact several things people would like to know. The minister refused to agree to our amendment, which just asked for an extra 45 days so that the minister could go out to



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each of the 12 regions and have a far more structured and ordered process for getting feedback on his white paper. Could the minister tell us today whether he will reconsider our request and do a 45-day tour?

**Hon. Mr. Allain** (Moncton East, Minister of Local Government and Local Governance Reform, PC): Thank you very much, Mr. Speaker. It is always an honour to talk about local governance reform.

The word “amendment” is long. I do not believe an amendment was proposed.

(Interjections.)

**Hon. Mr. Allain** (Moncton East, Minister of Local Government and Local Governance Reform, PC): I have pretty much explained the process. We have been talking about local governance reform since last year. We set to work in January, and the green paper was released in April. In addition, we carried out consultations throughout the summer. We wrote a document that talked about what we heard. The white paper was published in December. As it contains a large number of regulations and Acts, the public had 28 days to respond. Transition and consultation will take place in January 2022. We will be going out to the regions. So, from my point of view, 45 days or 30 days means going to talk to people and carrying out a transition that will be efficient and beneficial for the people of this province.

[Original]

**Mr. Speaker** (Hon. Mr. Oliver): Time, minister.

**Mr. Melanson** (Dieppe, Interim Opposition Leader, L): Thank you, Mr. Speaker. The minister just said there will be more consultation after Christmas or in the new year. Why did you not support the amendment? All the amendment was doing was allowing another 45 days so that we would see from this government a more structured, more coordinated, and more transparent process for any adjustments needed in the structure.

We have the local service district of South Esk that is asking for changes, as are Sackville, Dorchester, Minto, Chipman, St. George, Blacks Harbour, Westfield LSD, Lac Baker, Saint-André, Rivière-Verte, and Baie-Sainte-Anne. All those areas and more are asking for changes. But it is being done behind closed doors, with the minister, based on who has access to him. It should be very much more open and transparent, and those 45 days would have allowed that. Would you reconsider voting against our amendment, to allow 45 more days for this?

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[Translation]

**Hon. Mr. Allain** (Moncton East, Minister of Local Government and Local Governance Reform, PC): Mr. Speaker, we have never seen such a strong structure. We want to implement the white paper. We have been waiting for reform for 60 years. There was a full year of consultations. There will be a transition and consultation for another year. Mr. Speaker, we will have had two years to set in motion a reform that will have a meaningful impact on New Brunswickers' lives.

The Leader of the Opposition indicates that we have had secret meetings. There have been no secret meetings. The municipalities initiate discussions with the department. We take the information and evaluate it. We have a team working on local governance reform and doing this evaluation. I hope that, by the end of the week or early next week, we will be able to provide the public with answers. On our side of the House, we talk to people. Thank you very much, Mr. Speaker.

## CULTURE

**Ms. Thériault** (Caraquet, L): Mr. Speaker, this government's lack of support for cultural industries, especially during this pandemic, is appalling. I am not sure whether the minister has any sense of the investments being made by cultural industries to ensure that their art is created and shared. While their investments are huge, since the pandemic started, their income has been inadequate. Yet the cultural sector is not giving up. Everyone in the Legislative Assembly has gone to at least one show since the pandemic began. In short, we have all benefited from culture.

Yesterday, the minister announced an incentive program for live performance venues. The total amount is \$300 000. The idea is good, but the amount is ridiculous. Several producers and presenters have contacted me; they lament the fact that this contribution is inexplicably disproportionate to the need. Can the minister tell us whom she consulted to develop this program and how this paltry amount was established? Thank you.

[Original]

**Hon. Ms. Scott-Wallace** (Sussex-Fundy-St. Martins, Minister of Tourism, Heritage and Culture, Minister responsible for Women's Equality, PC): Thank you, Mr. Speaker. I appreciate the question. There is no question that our arts and culture sector has been decimated, really, over the past two years. We are doing so many things and are in constant consultation with people in this sector. In fact, we have a meeting with them at the end of today to discuss further paths forward.

But let me talk about the ticket incentive program, from yesterday. This is a program that allows performing artists to be paid. We will reimburse \$5 per ticket to producers of shows at our venues throughout the province. This was an important step forward, Mr. Speaker,



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because the artists have been asking for it. These are performers who have not been able to take the stage—for some of them, it has been for a couple of years—so this has certainly been a welcome announcement. I appreciate the opportunity to speak to it.

[Translation]

**Ms. Thériault** (Caraquet, L): Thank you, Mr. Speaker. I am not sure whether the minister understands that, in most cases, especially with regard to music, dance, and drama, it takes more than one performance for a production to be viable. We are not talking about a kitchen party, Mr. Speaker; we are talking about shows that are designed, produced, and presented by professionals, artists, directors, writers, composers, and technicians who take years to acquire their professional skills. These people's livelihood depends on having the opportunity to practise these professions.

The minister's Ticket Incentive Program only applies to a single performance or show. These are the guidelines for her program. My question for the minister is this: What percentage of production costs does a maximum of \$2 000 for a single show represent? Has the minister done the math?

[Original]

**Hon. Ms. Scott-Wallace** (Sussex-Fundy-St. Martins, Minister of Tourism, Heritage and Culture, Minister responsible for Women's Equality, PC): Mr. Speaker, thank you. To the member opposite, you are absolutely right that this one Ticket Incentive Program is not enough, but I will tell you that we have a relationship with the artists that is important. The Premier's Task Force on the Status of the Artist was created back in 2014 by the Progressive Conservative government. It sat on a shelf, and nothing was done. Within the past year, we rejuvenated it and released it. In that report, what the artists are asking us for is a transition committee. They want meaningful work to be done. We have created that transition committee at their request. We are going to have further conversations about that this afternoon.

I am very proud of the work that is being done by our department. The arts and culture sector is being heard. We are having the conversations. We are making things better, and I really appreciate the opportunity to talk about it.

## FIRST NATIONS

**Mr. Coon** (Fredericton South, Leader, G): Mr. Speaker, in the event that we do not sit in this House for the next few months, I have some questions that follow up on some earlier commitments made by the Minister of Aboriginal Affairs. Back in April, she said that she would like to see First Nations share in the royalties from natural resource use by industry, citing what she called existing best practice models in Alberta, Manitoba, and Ontario.

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However, she said that she had not spoken to anyone from the major forestry companies about her idea.

Mr. Speaker, it is not any of the business of those companies whether government shares resource royalties with First Nations. As Greens, we have actually gone further and said that the government should be replacing its unilateral approach to forest management on Crown lands with a system of comanagement with First Nations. Does the Minister of Aboriginal Affairs believe that she has to get permission from J.D. Irving before she acts, or has she moved forward on her proposal for royalty sharing?

**Hon. Ms. Dunn** (Saint John Harbour, Minister responsible for Economic Development and Small Business, Minister responsible for Opportunities NB, Minister responsible for Immigration, Minister of Aboriginal Affairs, PC): Mr. Speaker, thank you for the question. I actually take great offense if you think that this government has to get permission from anyone with respect to making things better for First Nations.

If you have been following what is happening with respect to this file, you will note that in April, this government reached out to all leaders of First Nations in the province and asked them to come to the table to negotiate a fair, reasonable partnership based on good economics and on their sharing in the resources and the opportunities in this province. That option was on the table in April. We met with MTI and a number of groups. Those negotiations are ongoing. We hope to have the same principle moving forward with the Wolastoqiyik. Thank you.

**Mr. Coon** (Fredericton South, Leader, G): Mr. Speaker, back in June, the Premier and the Minister of Aboriginal Affairs committed to get to the bottom of the so-called Indian day schools that operated in the province from before Confederation until 1992. At the time, the minister admitted that she had spoken to only one chief on the matter.

In September, the MAWIW Council, headed by Chief Arren Sock of Elsipogtog, Chief Alvery Paul of Esogenoôpetitj, and Chief Ross Perley of Neqotkuk, called on the government to seek Indigenous involvement to get on with the investigation. For the past six months, there has been radio silence on any progress toward investigating the day schools. Will the minister tell us whether there has been any progress at all since she and the Premier committed to investigating the day schools back in June?

**Hon. Ms. Dunn** (Saint John Harbour, Minister responsible for Economic Development and Small Business, Minister responsible for Opportunities NB, Minister responsible for Immigration, Minister of Aboriginal Affairs, PC): Mr. Speaker, thank you again for the question. There actually has been progress. There has been correspondence going back and forth between the government and First Nations leaders in the province, and we actually do want to move on with these initiatives. There have been five requests that have come from First Nations, and we want to move ahead with those initiatives. But we actually want

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to move collaboratively in a partnership with them. Once that occurs, once we have come to the table, we will start working on those. Thank you.

### POLICE

**Mr. Austin** (Fredericton-Grand Lake, Leader, PA): Mr. Speaker, I am continuing to receive calls and complaints from rural residents in relation to policing services. With the growth of illegal hard drugs in New Brunswick, theft and petty crime are on the rise. While some may not see the urgency in these small crimes, it is these types of activities that can often lead to more serious incidents. If the public loses faith in the enforcement and justice system, I am afraid that more people will begin to take matters into their own hands.

Now, I know that the minister agrees and understands that policing is a serious problem in rural areas. As such, my question is for the Minister of Justice and Public Safety. Can the minister give us an idea of what his department is working on to help alleviate the shortfalls of policing in rural areas?

**Hon. Mr. Flemming** (Rothesay, Minister of Justice and Public Safety, Attorney General, PC): Well, I certainly can, Mr. Speaker. I share the member's concern, as do all members of the government. This government understands the issues here.

We have invested \$2.3 million annually in a new provincial police crime reduction unit, which is the RCMP, municipal police, and provincial peace officers working together. They are already at work, and they are making arrests and seizures at this time. We have invested a further \$2 million in a Safer Communities Program. We have hired 26 new staff, dedicated full-time, with another staff now finishing the training. They will supplement the police crime reduction unit, target frontline crime, and disrupt crime by assisting police in using the SCAN legislation to shut down these drug houses.

We agree completely. We are taking action, and we will continue to take action. There is more to do. We have also made collaborative changes with the RCMP, and we are going to look for more accountability, more follow-up, and more policing with respect to the RCMP as well.

**Mr. Speaker** (Hon. Mr. Oliver): Time, minister.

### CORONAVIRUS

**Mrs. Conroy** (Miramichi, PA): Mr. Speaker, we have yet another change of rules in the province, again, affecting our youth. Parents and, more importantly, children are very upset. Since the beginning of the pandemic, we have been told repeatedly that children are not getting as sick with the virus, that they are not passing it along, and that they are not

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putting a strain on the system. Over the past couple of weeks, we have been seeing outbreaks in schools, and that is very concerning.

Extracurricular activities are so essential for our youth's physical, mental, and emotional health. Many students deal with mental illness, drug abuse, and abuse at home, and sports are their only escape from all of this. Participating in sports is the only way students feel included. Sports help them to create goals, boundaries, relationships, and communications skills. Teachers, coaches, and players have been working tirelessly to make sure that kids can participate safely in these activities, even getting vaccinated. They are very worried about the long-term effects that this will have on them.

Does the minister believe that canceling activities is going to slow down the spread of the virus as opposed to applying enhanced safety protocols? Are you seeing cases rising where kids are spreading it to seniors and to vulnerable people? Thank you.

**Hon. Mr. Cardy** (Fredericton West-Hanwell, Minister of Education and Early Childhood Development, PC): Mr. Speaker, thank you for that question. Yes, we are seeing a spread of cases inside schools, despite safety measures. In other provinces, states, and countries, we are seeing Omicron hitting to the point that schools that had no cases in the morning are being closed by the end of the day. We are looking at a situation—again, as I was saying in answer to an earlier question—that is, in many ways, what we feared would come toward us in March 2020. We are going to be ready with mechanisms in our schools to do our very best to keep them safe and open but also to move to online learning if we have to, despite all the drawbacks that entails.

I do not want for a moment to minimize what the member said when she talked about the negative impacts of this. We are in a time of making the least worse choices, not making good choices. We, as a province and as a House, are going to need to be united in talking to the people of New Brunswick about what that is going to mean here in this House and outside. Thank you, Mr. Speaker.

**Mr. Speaker** (Hon. Mr. Oliver): Thank you, minister.

[Translation]

## IMMUNIZATION

**Mr. D'Amours** (Edmundston-Madawaska Centre, L): Mr. Speaker, New Brunswickers may wonder about the Conservative government's ability to have a clear vaccination plan for New Brunswick. On Monday, the Minister of Health was in panic mode with regard to the impact of the Omicron variant on the current situation in terms of allowing people to be injected with a third dose as well as finding a way to give our 5-to-11-year-olds access to their shots. Can the minister provide us with the vaccination plan for the entire province for the coming days, weeks, and months?

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[Original]

**Hon. Mrs. Shephard** (Saint John Lancaster, Minister of Health, PC): I do not recall being panicked, Mr. Speaker.

I am going to take exception to the fact that the member opposite thinks that Public Health, our civil servants who, might I add, have been working around the clock... I see them going into a second Christmas season without seeing their families but being at the office and running the numbers and doing everything that they can to protect this province. We have already begun hosting the mass clinics, and we have availability on the website. They are going to come up just as quickly as we can get them booked and have them staffed, and we are going to have every single immunizer in this province working as quickly as we can.

[Translation]

**Mr. D'Amours** (Edmundston-Madawaska Centre, L): Mr. Speaker, we are not questioning the work being done by our health care professionals; we are questioning this minister's work. We have been in a pandemic situation for more than 18 months. The minister should have planned ahead.

[Original]

Clearly, the Conservative government—and even worse, the minister—has no plan for vaccinations. This is total incompetence. It is exactly the kind of incompetence that the people of the province would want to do without. Being last minute like this is a disgrace for the office we hold. It is time for the minister to get serious about her responsibilities and to get on with the job.

Mr. Speaker, we are just days away from the holiday season, and it appears that there will be no community immunization clinics during the holiday season. Can the minister confirm whether the information that is circulating is true? If yes, why?

**Hon. Mrs. Shephard** (Saint John Lancaster, Minister of Health, PC): Well, Mr. Speaker, here is what I am going to tell the member opposite. Yesterday, the number of third doses went up by 4 064. Children have reached 17 275 doses, up 1 235 from yesterday. The member opposite... That opposition party has an opportunity to sit at our COVID-19 Cabinet table, and we would welcome it—welcome it.

I appreciate the attitude of the Leader of the Opposition in his questions these last two days. They have been thoughtful and meaningful, and they have distributed information that the people of New Brunswick need to hear. We do not need this kind of division, Mr. Speaker, at a time when we need to be united and be together in helping the people of New Brunswick as we shepherd them through the days ahead. Thank you.



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**Mr. Speaker** (Hon. Mr. Oliver): The time for question period has expired.