

December 19, 2014

[Original]

Hydraulic Fracturing

Mr. Fitch: We had our first look at the legislative changes the Liberals are putting forward in order to enact their bill on the ban on natural gas. Anyone looking for those details would have been quite disappointed because there were not a lot of details, and we have seen a swift condemnation from the companies in New Brunswick that employ people here in New Brunswick who work in that industry. We have seen industry groups, again, saying that it is a wasted opportunity, a missed opportunity.

It is unfortunate that the members today even stand up and read their statements that say that they are for jobs and the economy yet what they are doing with this ban is destroying jobs and the economy here in the province. The diversified approach that we had before the election included a number of the issues that the Premier talked about, such as the west-east pipeline and the Sisson mine, but it is a little less diversified now under this reign.

The question is with regard to the regulations that are talked about in the bill. Are those regulations drafted, and are they going to be posted on the Web site?

[Translation]

Hon. Mr. Gallant: I will have to repeat what I said yesterday. Obviously, we were very clear and gave a lot of information during our press briefing yesterday. I thought the Leader of the Opposition had also received this information.

[Original]

We provided a backgrounder to the media, and we thought that the Leader of the Opposition got it. That would explain in detail what was announced yesterday regarding the moratorium on hydraulic fracturing. Unfortunately, during the comments in the members' statements today, they continue to use the word "ban". It is unfortunate. If we could at least have the same set of information when it comes to the backgrounders that were provided, we could then have a debate on the substance, and we would be glad to do that.

We hope that the Leader of the Opposition will acknowledge that it is a moratorium. We made that very clear several times yesterday, and I assume that I will have to make it clear several times today. I hope that we will be able to have that proper discussion. To answer the question of the Leader of the Opposition, we focus on jobs and on doing it in a responsible manner.



Mr. Fitch: Maybe I could alert the Premier to the *Webster's* dictionary. When you look at the *Webster's* dictionary, you see that the definition of "prohibit" is to "forbid by authority". The government has the authority, through regulations, to forbid this action, the shale gas industry, here in New Brunswick. The first synonym listed under that definition is the word "ban".

Again, the Premier is pointing to a piece of paper that was written by his communications officer and saying that, if it is on this piece of paper, it must be a moratorium and not a ban. Let's get beyond this—I agree. The Premier will probably accuse me of harassing him again today, but, whether it is a ban or not, the reason we talk about it is that the government has the authority, under the regulations, to ban the activity in the province. Is the Premier going to put those regulations on the Web site? Are they drafted, and will they be posted on the Web site?

Hon. Mr. Gallant: As we have been doing with this file since the beginning, we will make sure that we are very transparent about what our intentions are. I think that we have been doing that.

I would like the Leader of the Opposition to acknowledge that it is not a ban. If he reads the backgrounder that he says he has received—and I will take his word on that—we make it very clear. This is the second question that we put in the backgrounder:

Does the moratorium amount to an outright ban?

No, the moratorium is a temporary cessation and prohibition of all types of hydraulic fracturing in New Brunswick.

I really hope that we are going to be able to have a debate that is centred on the facts, and the facts are that we have a diversified approach to creating jobs and growing the economy—the Jobs Board, Opportunities New Brunswick, reducing the small business tax, the Youth Employment Fund, investing strategically in our infrastructure, developing a skilled workforce, a strategy for tourism, a strategy for immigration, and ensuring that more women are participating. These are the things that are going to help us grow the economy.

Mr. Fitch: Again, to my point, it is a little less diversified today than it was yesterday because of the ban that this government has put on the exploration and development of shale gas in New Brunswick. Just because the Premier declares or decrees something, it must be absolute truth. Just as the members stood up and said that they are for jobs and the economy yet congratulated the government on shutting down an industry, their actions do not line up with their words.

I ask these questions: What is the social license? What is the definition of "social license"? It does not even appear in the bill that was put forward yesterday. Will the regulations that will be banning this activity in New Brunswick be posted for feedback, and will they include a definition of "social license"?



[Translation]

Hon. Mr. Gallant: As I said yesterday, it is unfortunate to see opposition members using the strategy of repeating themselves over and over, hoping that people will eventually believe that what they are saying is the truth.

[Original]

The old trick in politics, which is to repeat, repeat, repeat and then people will start to believe that it is true, is unfortunately being used by the opposition. I am going to correct those members every single time that they use the word “ban”. It is not a ban. It is in black and white. It is a moratorium. We define what the moratorium is. I really hope that they do not continue to use political rhetoric while we are trying to debate this important issue.

Again, I have to make this comment to the Leader of the Opposition, saying that those members are questioning our diversified approach. Does the Leader of the Opposition support the Jobs Board? The opposition members do not support Opportunities NB. They do not support reducing the small business tax. Do they support the Youth Employment Fund? They do not support our investments in infrastructure. Do they support our skilled workforce initiatives? Do they support our diversified approach to growing the economy? I put that to the Leader of the Opposition.

Mr. Fitch: It was very clear when we left government. We had the Department of Economic Development and Invest NB, and they were producing jobs in New Brunswick. What the Premier is doing is just realigning, reorganizing, painting everything red, and making sure that he gets rid of anything that has a blue tinge to it. Again, his political vengeance in trying to get to the CEO of Invest NB is the real motivation behind Opportunities NB, not creating jobs.

The second criterion that the Premier has put out in his material from yesterday calls for “clear and credible information”. Clear and credible information. I asked him to define “social license” and whether it is going to be in the regulations. Already, the Premier is contradicting himself. He will not address the definition of “social license”, and he next says that he wants clear and concise information. Can the Premier be clear and concise and give us a definition?

Mr. Speaker: Time, member.

Hon. Mr. Gallant: We welcome the idea of taking all of question period to clarify things that the opposition and the Leader of the Opposition are stating.

Yet again, he is talking about Invest NB and Economic Development having success in creating jobs under the previous government. That is certainly not the way that we see it. The status quo is not working for us.



First off, I will make the point that, again, the Leader of the Opposition is, in his comments, making a difference between creating jobs through a mechanism like Invest NB but actually having a net gain of jobs when it comes to the overall economy of the province. It is something that he pretends he does not understand now that he is in opposition.

However, let's also go back to the thing at the heart of this question. We are not going to accept the status quo. The status quo left us with the last government being the first government in 40 years not to have a net gain in jobs throughout its mandate, so the status quo is unacceptable to us. We are going to focus on growing the economy, creating jobs, and getting New Brunswickers working here in our province.

Mr. Fitch: The question goes back to this: If the Premier really wants people working here in the province, why is he shutting down an industry that would create additional opportunities in New Brunswick and that diversified approach for creating jobs and an economy here in the province?

I asked for the definition of "social license" because the Premier has said that it needs to be satisfied before he will lift his ban or moratorium. The question is this: Does he really want the moratorium or ban lifted, or has he put himself in a position where he cannot define "social license" and therefore cannot fulfill that condition and the ban will never be lifted? Does the Premier, who has been pounding on this industry for the last three years, really want to see a future in which jobs and the economy are moving forward in this particular industry?

[Translation]

Hon. Mr. Gallant: Over the last few weeks and months, as well as before, during, and after the election campaign, we have very clearly indicated that job creation and economic growth are our priorities.

We have also very clearly indicated that we want job creation and economic growth to be done in a sustainable way and that we want to develop the economy responsibly. As for job creation, we will always want all possible information in order to make an informed decision.

Many provinces, including Newfoundland and Labrador, Quebec, and Nova Scotia, as well as, very recently, New York State, have seen the rise of movements to ban hydraulic fracturing because not enough information is available on the subject. When it comes to risks for our water, our environment, and our health, there are too many unknown factors. As a government, our priority is to choose an approach that will enable us to grow the economy in a sustainable way.

[Original]

Mr. Fitch: Again, the Premier's words are not lining up with his actions. He has not defined what the social license is, and he has not put a timeline on how much information he is going to



get from the public or from whomever it is going to come. He hung his hat on a couple of reports when he was in opposition, and those reports say that you need to move forward in order to answer the questions that you have on this particular industry. The Premier talks about creating jobs in New Brunswick, yet he will not allow an industry, which could create thousands of jobs and greatly increase the GDP, to move forward. Again, his actions are not lining up with the words that he speaks.

If their reading from papers during members' statements proves that it is jobs and the economy that he is for, why does he not put the regulations forward, define what "social license" is, put an exact timeline on how long these—what were the words that were used?—"extensive consultation and engagement exercises"... Why do you not put a timeline on those issues?

[*Translation*]

Hon. Mr. Gallant: The Leader of the Opposition is trying to give the impression that all we do is talk about creating jobs and growing the economy.

[*Original*]

We have been leading with our actions when it comes to job creation and when it comes to growing the economy. That is exactly why we created the Jobs Board. That is exactly why we created Opportunities New Brunswick, with the Minister of Economic Development ensuring that it would be client-focused for once—that it would be focused on the people who are making the investments and who want to create jobs in the province. We have reduced the small business tax to give small businesses a fair shake. Did you create the Youth Employment Fund to help our young people to get the skills that they need, to help our young people to stay here, to be able to work and help small businesses and businesses of all sizes in the province?

We support the Energy East Pipeline. We support the Sisson mine. We support the LNG terminal conversion, and that is why I went to Houston to talk about that, something the last government did not do. That is why I went to Calgary, to push the Energy East Pipeline.

(Interjections.)

Mr. Speaker: Order.

Hon. Mr. Gallant: That is why I will continue to do that, so that we can continue to create jobs in this province.

Mr. Stewart: Let's pretend for a moment that the government is actually interested in moving natural gas forward. Let's look at the First Nations condition. The Premier says that there must be a process in place to respect our obligations under the Duty to Consult Policy with First Nations. On this side of the House, we firmly believe that, as a government, we met that duty and went over and above to meet the obligation.



However, the First Nations were very clear that they would not consider the duty to consult to have been met until there were oil and gas revenue-sharing agreements in place and specific economic plans detailing the number of jobs that First Nations members would have on specific projects. This was despite the fact that the exploration programs that require hydraulic fracturing to determine the economic potential of specific projects had not been completed.

My question is for the Premier. Would this First Nations definition of “duty to consult” be part of the process that he requires for the conditions to be met?

Hon. Mr. Gallant: The question from the member of the opposition just tells us that they were not able to actually come to a meeting of the minds with First Nations. It is very important—and we have seen this across the country—to have proper consultation with all communities, and yes, that includes First Nations. Even more importantly, because of the Supreme Court of Canada findings, it is very important that the Crown always discharge its duty to consult and, where applicable, to accommodate, to ensure that First Nations’ rights are always considered when taking on natural resource projects, energy projects, or, frankly, any project that could infringe on those rights. This is something that is now enshrined in our democratic institutions, with the findings of the Supreme Court of Canada...

We are a government that is very attuned to and aware of the duty to consult when it comes to all the projects that we hope will be able to move forward—like the Sisson mine, like the Energy East Pipeline. These are things that we are going to do, with the Minister responsible for Aboriginal Affairs, to ensure that all New Brunswickers, including First Nations, benefit from our job creation efforts.

Mr. Stewart: It is very clear today that the Premier is not able to answer these questions. My relationship with the First Nations people of this province is possibly greater than his, and I know a lot more about what is not going on over there. The Premier is only starting to read this book while everyone else is on the last chapter. There is a thorough understanding of what the duty to consult is.

The Premier has said many times that First Nations do not get a veto in these matters, yet, throughout the consultations that the previous government had with First Nations, it was a veto until revenue-sharing agreements were in place, job quotas were set, and a variety of other agreements were in place. Clearly, this is an impossible task if the exploration that is required to determine the size and scope of a potential industry is not allowed, which is now the situation with the government’s ban on gas development.

I know that the members opposite are laughing. Can the Premier explain how his First Nations condition can be met if the actions that need to be taken to meet the First Nations requirements are actually banned?



[Translation]

Hon. Mr. Gallant: It is hard to know where to begin, because the member said several unfortunate things.

[Original]

First off, I really do not think that New Brunswickers' best interests are served by trying to have a competition on the floor of the Legislature about who thinks he knows more about a certain subject. I do not think the opposition member's comments are very helpful or constructive. If he feels that he knows a lot about the duty to consult and that his relationship with First Nations is better than mine, I will allow him to come to that conclusion.

That being said, our government is very aware of our duty to consult. We are very aware of the need to build a better relationship with First Nations in the province, not only because it is the right thing to do, but also because we need to do this, based on the findings of the Supreme Court of Canada, to ensure that we discharge the duty to consult and to accommodate.

The opposition member is correct. I did say that. It is a fact. There is no veto given to First Nations when it comes to these projects. I will acknowledge that the opposition member is correct when he says that.

Mr. Stewart: I am demonstrating the fact that the Premier's conditions are not conditions. They are roadblocks. They are open-ended requirements that the Premier will continually change so that the gas industry never develops in New Brunswick. It is clear that he is taking a path that puts New Brunswick further into an economic hole so that he can say he has crossed off a platform item, one with which many areas of the province clearly do not agree.

Again, I ask the Premier to clarify how he intends to deliver what First Nations have been very clear that they will require to participate in the oil and gas sector. How can the Premier enter into agreements on sharing benefits with First Nations without even knowing what the total benefits are?

[Translation]

Hon. Mr. Gallant: I will quote again from the document we released and distributed yesterday:

Does the moratorium amount to an outright ban?

No, the moratorium is a temporary cessation and prohibition of all types of hydraulic fracturing in New Brunswick.



[Original]

I hope that the member of the opposition now understands that it is not a ban. I realize that the opposition members, because of their time in government, cannot comprehend how we are checking off the items in our platform. This group of people, when in government, delivered on none of its platform commitments.

We have. We are lowering the small business tax. We have the smallest Cabinet. We have the Jobs Board, Opportunities NB, and the Youth Employment Fund. We are revisiting the forestry and drug plans. We are dealing with women's right to choose, regional cooperation, and the continued reorganization of the restructuring of NB Power. We are promoting the Energy East Pipeline project, the LNG terminal conversion, the trade mission to Alberta, and cultural and economic opportunities in Senegal. We are undertaking gender-based analysis and raising the minimum wage for the most vulnerable of our province. We are checking off items in our platform.

Poverty

Mr. Coon: My question is for the Minister of Social Development and of Healthy and Inclusive Communities. At this time of year, there are many excellent fundraisers around the province, such as the Feed a Family Campaign at CBC here in Fredericton, for people to support food banks to ensure that people have a Christmas dinner. We know that the use of food banks is rising, and we know that families and individuals living in poverty need help every day, not only on Christmas Day.

My question for the minister is this: What are her personal priorities for the coming year to help alleviate poverty among families and individuals in this province?

Hon. Ms. Rogers: I would like to thank the Leader of the Third Party for this good question. Our government is very committed to working on poverty. We see poverty as a problem in New Brunswick, as many other provinces across Canada do. Our government is very committed to responding to this problem in a variety of ways, including what our government's top priorities are: creating jobs and stimulating the economy as well as getting our fiscal house in order and helping vulnerable families. That goes a long way to addressing poverty.

I am very committed to working very closely, as well, with the Minister responsible for the Economic and Social Inclusion Corporation to move our poverty reduction plan forward. In fact, I have been involved in this plan since the outset. I helped to put it together. I am very, very committed to helping vulnerable families. Thank you.



Poverty Reduction Plan

Mr. Coon: Since 1989, childhood poverty has increased in this province. There are 11 000 children living in poverty. At the same time, the economy has grown, on a per capita basis, by 40%. Many, many jobs were created, so job creation and economic growth just do not cut it in addressing poverty. Clearly, that is the evidence.

My question is this: What will the minister do in terms of beefing up and improving the poverty reduction plan specifically to help families and individuals living in poverty?

Hon. Ms. Rogers: Eradicating poverty is, of course, a joint responsibility. It is a responsibility of everyone in the community and a responsibility of all government departments and government levels, but it is also a responsibility of individuals. The Department of Social Development and the Department of Healthy and Inclusive Communities play a strong role here because people in poverty experience more than a lack of income. People in poverty experience a diminished meeting of their basic needs. They experience a lack of full participation in their society, and they also experience a more vulnerable position when being protected.

Addressing all these concerns means that we have to provide the tools to help vulnerable New Brunswick families and individuals. The Department of Social Development is very committed to helping in the areas of income assistance to supplement and also to help with affordable housing, to help with seniors...

Mr. Speaker: Time, minister.

Mr. Coon: One of the things that could really help the working poor in particular is for the provincial portion of income tax to be removed for people who are essentially living on the minimum wage or thereabouts and are considered to be among the working poor. My question for the Minister of Social Development is this: Will she, under advisement, urge the Minister of Finance to take under advisement my recommendation to urge him to reduce the provincial portion of income tax on the working poor?

Hon. Ms. Rogers: I am certainly very pleased to support our recent initiatives to increase the minimum wage. We all know that the minimum wage still leaves a lot of people in poverty. In fact, those who work 40 hours a week at minimum wage—which is rare because people are usually given only 30 hours a week—still fall under the low-income cutoff. I will be discussing many opportunities that we can bring forward, including discussing this with the Minister of Finance so that we can ensure that we have a fair and equitable tax system that helps our vulnerable people in New Brunswick.



Abortion

Mr. Higgs: I must say that I was bit surprised by your request to revisit the motion that was defeated yesterday. Having said that, I would like to revisit some of the decisions that we make here in the House.

We certainly saw yesterday that our personal convictions are not cherished and are not recognized as being worthy of stating. We also see that there is much debate about the fact that, because this is a divisive issue, we do not want to talk about it. We do not want our personal views to be considered. We think it is a political ploy if we are allowed to express our personal views. We feel that we cannot have a free vote on issues that are so sensitive because we are not prepared to live by the wishes of the majority of people who cherish life and the majority of people who believe that there are other options.

Is there a right to end life? In many cases, you have to say that we believe that, in all other aspects of society, there is not a right to end life. Is it convenient? Well, yes, it seems that we think it is.

My question is for the Premier. Given the decision that was made by his government yesterday...

Mr. Speaker: Time, member.

Hon. Mr. Boudreau: I thank the member opposite. I know that he did not get a chance to get his question in, but I understand where the question was going. We had that debate on the floor of the Legislature yesterday. This is an issue that our party campaigned on prior to the last election. We said that we were going to identify barriers to reproductive rights. It should not be a surprise to anybody that we have acted on our commitment, just as we have acted on many commitments that we made during the last campaign in our initial 10 weeks or so here in government. This is a commitment that was made, and it is a commitment that we intend to keep. We want to make sure that we remove the barriers to reproductive rights, but, by doing that, we also want to make sure that the proper supports are in place to assist women in getting the care and the...

Mr. Speaker: Time, minister.

Mr. Higgs: If the Minister of Health got the gist of my question, the question that was, basically, how many abortions we think are going to be funded by the taxpayer as a result of this... I have two questions. That is the first one. I would appreciate an answer, but I guess this is what we expected, that there will not be any real answers.

The next part of this question—and I will give him another opportunity to answer that part—focused on assisting young mothers. While it may not be convenient, it would seem that the



objectives of both pro-life and pro-choice could better be served by assisting young mothers to complete the full term of their pregnancy.

If abortion is to be treated like any other procedure, it is the doctor, not the patient, who will assess the necessity to perform this procedure. Yesterday, the Minister of Health stated: The medical professionals were not qualified to make such a decision. Yet, we call this reproductive health. We say medical professionals are the ones who can best advise, so I can only assume that, if the medical professionals are not qualified here, he will be evaluating other decisions made by the medical professionals, since he considered himself more qualified to do so. Will doctors be required to...

Mr. Speaker: Time. Time, member.

Hon. Mr. Boudreau: I want to remind the member opposite... The member opposite is making this sound as though this is a new procedure in the province. I think it is important to remind all members of the House and the public that reproductive rights and abortions are something... This is a procedure that has been performed in our publicly funded hospitals for decades. The only thing is that additional obstacles were put in place when talking about this medical procedure as opposed to other medical procedures. The commitment that we made during the last campaign was to identify those obstacles and remove them so that we did treat this procedure like every other. This is not a new service being funded by Medicare or a new procedure being funded by Medicare. I think it is very important for all the people following this debate to understand.

Mr. Higgs: I have just one simple question: Is a third-trimester abortion now legal in this province?

Hon. Mr. Boudreau: Again, there is nothing new here. What is new in this debate and what is new with this issue, is the fact that we have removed some barriers. One of the barriers we removed is that there had to be two doctors who recommended this procedure. The other barrier that was removed was that it needed to be a specialist who would perform this procedure. It is all about addressing women's right to choose. That is what this is about. Those are the barriers that were identified and removed, and we need to make sure that the services are provided in a responsible manner. That is why we want to limit those services to hospitals.

We have asked our RHAs to ramp up the service, to be able to provide it in a safe manner. We have also asked the RHAs to communicate with the various medical professionals to make sure that women can receive unbiased opinions and advice on this topic.

Mr. Speaker: Time, minister.

Member for Saint John Lancaster, this is the final question.



Mrs. Shephard: We spent some time debating a motion yesterday, asking the government to bring forth its proposed changes to the abortion services in our province. It is clear that the government wanted to deflect from the intent of our motion. The government did not post the regulation 30 days prior to implementation, as required by our previous government, so I would like to ask the Premier if he could provide us today with a copy of the newly defined regulation.

Hon. Mr. Boudreau: Again, I thank the member opposite for the question. In her preamble, the member opposite makes it sound as though there was no opportunity to debate this. I would remind the member opposite that our Premier, when he was Leader of the Opposition, offered to have that debate. That debate was turned down by the now opposing party. During the campaign, the members opposite did not want to talk about it, despite the commitments that we had made with respect to this issue.

(Interjections.)

Mr. Speaker: Order.

Hon. Mr. Boudreau: As I pointed out yesterday, as of yesterday, we had had eight question periods in this House. We had had ample opportunity for the opposition members to make their views known and to ask questions of the government. They chose not to do so. Yet, they chose two full question periods to ask the very same question about fracking over and over again, which, again, was another commitment that we were keeping. We on this side of the Legislature keep our commitments. I know the members opposite are not used to that, but we on this side of the House are going to be keeping our commitments.

Mr. Speaker: The time for question period has expired.

