

December 10, 2015

[Original]

Human Resources

Mr. Fitch: I would like to welcome the Premier and his entourage back from the trip to Paris. I am sure that he has been well briefed, but I think that there are a number of things that happened during his absence that he should be aware of.

His ministers took advantage of his absence to do a few things. The Minister of Health fired the Chief Medical Officer of Health, and the Government Services Minister put up another number of fees at Service New Brunswick. We heard that the Education Minister is closing many school cafeterias, and the Minister of Transportation and Infrastructure leaked out parts of the capital budget. The Minister of Energy and Mines made up a number of stories again, but I am sure that the Premier expected that anyway.

I would like to ask the Premier whether he preapproved the firing of the Chief Medical Officer of Health before he went or whether he was informed of it when he was in Paris.

[Translation]

Hon. Mr. Gallant: It seems clear to me that I did not miss anything while I was in Paris. We think the Leader of the Opposition shows a certain lack of respect for the House and, by extension, for New Brunswickers. He is well aware that he is not supposed to refer to the absence of a member in the House. I know that he did so during question periods while I was in Paris, and he is doing it again this morning, even though he is not supposed to. He has been a member for a long time, so he knows the Standing Rules. He does it on purpose just to spread negativity.

That being said, we are facing serious challenges as a province, and we must debate and discuss them. The most important thing is to think of solutions; we must find out how to overcome these challenges together. We have choices to make, and I can tell you that our government is focused on the choices to be made to kick-start our economy and get our fiscal house in order to make sure New Brunswick is a good place to live.

[Original]

Mr. Fitch: It is obvious that the Premier is exhibiting some jet-lag fatigue symptoms today. Again, the first question that I asked is perfectly within the scope of the Legislature and the rules therein.

I would like to read an excerpt of the mandate letter that the Premier sent to the Minister of Health. It says:



The Office of the Premier plays a critical role in moving the government agenda forward, coordinating activities, monitoring performance and managing critical issues. We work as a team and, as such, you are expected to:

- *consult on decisions regarding the staffing of positions and Ministerial appointments*

Can the Premier tell us whether this means that he is to be consulted on the firing of people or just on the hiring of Liberal cronies?

[Translation]

Hon. Mr. Gallant: In his first question, the Leader of the Opposition, in my opinion, showed a lack of respect for the House so many times that I did not have the opportunity to address each case. We think that what the Leader of the Opposition is saying about the Minister of Energy and Mines is not appropriate.

The Leader of the Opposition also knows that we cannot comment on human resources. It is somewhat surprising to hear this from the Leader of the Opposition, because he was a minister under various governments, so he understands the decision-making process within government. He understands that at no time can we talk publicly about human resources, and especially not on the floor of the House.

I find this situation somewhat unfortunate because, once again, we have very difficult decisions to make. We have very important choices to make as a province. We will discuss and debate these choices, and we will encourage New Brunswickers to share their suggestions and ideas with us, and that includes the opposition.

[Original]

Mr. Fitch: I was asking about the process, whether or not the Premier knew about and whether or not he approved of the firing of the Chief Medical Officer of Health. It is a high-profile case. The former Liberal Minister of Health said that he hired her. If the minister gets to hire, the minister also gets to fire. We are asking whether the Premier knew or not. That is what we are asking. It is based on process.

Atcon

There is another thing that I do not know whether the Premier knew about or has been briefed on, but it goes back to some of the other questions that we have been asking. That was on the Atcon issue. We have been looking at some of the information that we have received off the servers that we gave to the RCMP.



The point is that there has also been right to information Act information. Here is an excerpt from an email. It says: “that a second MEC is contemplated to request, under section 12 of the *Auditor General Act*, a forensic audit of the money trail. I can assist in the composition of that MEC if desired”. This is the question: Why did the Premier shut down the investigation?

[*Translation*]

Hon. Mr. Gallant: These two questions have already been asked several times.

The Leader of the Opposition is talking about a subject that goes back many years. When we were in opposition, we unanimously supported the motion introduced by the government of the time requesting that a comprehensive study of this file be conducted from every angle. Of course, the goal was to see and to better understand what had happened in this specific case. Since the beginning, we have very clearly said that we were open to any analysis, and, in fact, several studies have been conducted. The file was reported in the media; legislative officers have also commented on it.

Once again, the member opposite is asking questions about human resources, even though he knows full well that we cannot talk about these issues. We would like to do so and would like to be able to tell people exactly what is going on in this file, but we cannot. We cannot talk about human resource issues on the floor of the House. The Leader of the Opposition should understand that.

[*Original*]

Mr. Speaker: Time, Premier.

Mr. Fitch: Once again, the Premier is being selective in what he hears and in what he says. The question was simply this: Did he approve or not approve of the hiring of the Chief Medical Officer of Health? It goes to process, not reason.

The issue with the email that we received is that it was during his tenure as Premier. It is not something that happened in the distant past. It is something that happened while he was at the wheel, while he was the one in control of making decisions. Based on this email, he made the decision to stop the investigation of the Atcon file. There was a memorandum to Executive Council that would have allowed the forensic audit to go forward based on the information they had. The information that we have received under the right to information Act contemplates that a second MEC could be approved by the council that would find out where the \$50 million of taxpayers' money went. I will ask the Premier this again: Why did you shut down the forensic audit of the Atcon file?



[Translation]

Hon. Mr. Gallant: Once again, we have very clearly indicated that, if the Auditor General wants to further examine this file, we encourage her to do so. In fact, we have very clearly said that we are prepared to do everything in our power to facilitate things in this type of study. In addition, we have clearly said that we will follow the recommendations from the Auditor General to make sure similar situations do not arise again in the future. All this has been done to date, and we will continue this work.

Last evening, when I returned from Paris, I spoke to a friend to find out a little bit about what had happened during question period, which he often follows. He told me he could not believe the opposition was still talking about this eight-year-old file. I find this all the more unfortunate because the province has to make some very important choices. What are opposition members talking about? They are talking about a file that dates back years and has been analyzed and studied. I am asking the Leader of the Opposition to focus on the right subjects, including how to get the fiscal house in order.

[Original]

Mr. Fitch: This is unacceptable. This did not happen eight years ago. This happened when the Premier was in Cabinet. This happened within the past number of months. This MEC could have ended the questions around the Atcon file. It would have been a forensic audit conducted by the Auditor General.

Now, the Premier is saying that he will do whatever it takes, whatever is necessary. That is what I am hearing. The Auditor General is coming back on Tuesday. That is not eight years ago. That is Tuesday, which is in the future. Will the Premier, if he is committed to doing whatever needs to be done with respect to this file, commit to going forward with a forensic audit by the Auditor General on Tuesday?

[Translation]

Hon. Mr. Gallant: I am not going to answer hypothetical questions; we will see what the Auditor General says when she presents her report. Once again, we have clearly indicated from the beginning that we intended to cooperate in the analysis of this file. In fact, when I was the Leader of the Opposition, we supported a motion from the previous government to thoroughly analyze, evaluate, and examine this situation.

Several legislative officers have thoroughly looked into this situation, and we are still open to the idea of the Auditor General doing the work needed to examine the situation; we certainly agree. However, I would like to remind the Leader of the Opposition that we have choices to make: choices valued at approximately \$1 billion, either by increasing revenues or by reducing spending. I am asking the opposition to take part in the discussion that will help the future of our province.



[Original]

Mr. Fitch: We are taking part in that discussion, and we have been. We are making suggestions that everything—the expenditures and the revenues—should be put in the options book so that we can have a talk about where the government is spending the money. That is creating some of the problems.

However, the Premier has changed his tune here. When he was in opposition, he supported having the Auditor General look at the Atcon file. When he became Premier, based on this email, he shut it down. Now, we are hearing him say: I am opening the door a little bit, and maybe we will go further, based on what we hear on Tuesday. Again, the Premier is saying one thing when he is in opposition and saying another thing when he is in government.

Again, I am asking the Premier if he is committing to a forensic audit by the Auditor General under section 12 of the *Auditor General Act*.

Hon. Mr. Gallant: I have given the answer numerous times, not only today but throughout many question periods.

I have to take issue with what was said by the Leader of the Opposition however. He is trying to give the impression that he has been giving some suggestions on the choices that are before us as a province when it comes to getting our finances in order so that we can invest in the priorities of New Brunswickers, like jobs, health care, and education. I listened very attentively when the member opposite got up to speak with his reply to the throne speech, and here are the suggestions he gave: He wants us to advance PTSD and drinking and driving, he wants the timing of the education plan to be reconsidered, he wants us to reverse the tuition tax rebate, even if the representatives of students across the province do not want that, and he wants us to reverse our taxing of the 1%.

Not one of these suggestions will help us with our financial challenges. In fact, many of them will make them worse. The Leader of the Opposition has not given one answer or one suggestion. I would ask the Leader of the Opposition to step up and give the choices that he would make.

[Translation]

Physicians

Ms. Dubé: The Minister of Health has had a few days to think about the bad news that we are dead last in Canada with regard to the waiting list to see a specialist.

When a general practitioner wants to refer a patient to a specialist, we know it means other measures are needed. For example, it could be surgery or other procedures.



What I would like to know from the Minister of Health is this: Given that his government has been in power for a year, what has he done to make sure that this situation is resolved?

Hon. Mr. Boudreau: As a former Minister of Health, the member opposite should know full well that the current situation did not arise in the last 12 months. We can go back five years and see that waiting lists have continued to get longer. We are definitely facing some challenges. In fact, New Brunswick has one of the most rapidly aging populations in Canada; this is a reality, and it puts a certain strain on our health system.

We also have several vacant specialist positions in the province, and I would like to note that we had as many when the member for Edmundston-Madawaska Centre was Minister of Health. We are working to resolve this situation, and, when we tabled our first budget, we announced a collaborative approach based on working with the two health networks and the New Brunswick Medical Society. We established a strategy to address the recruitment issue, and we are about to hire a recruitment specialist. We are hoping that this strategy will produce results.

Ms. Dubé: I agree with the minister that this situation is not new. However, I am very well aware that, when the member for Shediac—Beaubassin—Cap-Pelé was in the opposition, he would rise and say loud and clear that a Liberal government would do better. He has been Minister of Health for over a year, and although he said he would do better, the only thing we have heard since then is that he would hire another person to do some recruiting.

The health networks, the department, officials, and the New Brunswick Medical Society have been making efforts for years, though; there is absolutely nothing new about this. Does the minister expect to work miracles by paying more employees?

I am asking the minister my question again, because I recognize that he only had a minute to answer. What does he plan on doing to actually solve the problem of our province ranking dead last with regard to wait times to see a specialist? There is nothing to brag about.

[Original]

Mr. Speaker: Time, member.

[Translation]

Hon. Mr. Boudreau: As I just said, the situation was not created overnight. There are several vacant specialist positions throughout the province. In our very first budget, we put staff in place to establish a provincial recruiting strategy.

It is true that the health networks, the New Brunswick Medical Society, and the Department of Health had been doing certain things for years, but there was no collaboration or coordination.



A resident or a new health graduate who wanted to come and work in New Brunswick had to call around and do follow-ups across the province. The idea now is to have a centralized location, with only one person, one phone number, and one email address, to inform people about job opportunities in New Brunswick. We want a much more strategic and coordinated approach to fill these positions.

Ms. Dubé: Some people around the minister must be disappointed to hear him say that there was no coordinated approach in the past. I can tell you that coordinated efforts have been made for a long time.

In addition, the Department of Health is and always has been the central point to get a medical billing number, regardless of where one wants to work in New Brunswick. It is always necessary to go through the department, so I think that it is the central point. There has always been coordination and collaboration with regard to recruiting.

I am asking the minister my question again. Knowing that the situation has been deteriorating for a year, the only idea that came to him is to hire more staff at the central office of the Department of Health. I am giving the minister another chance; does he have other ideas about ways to recruit the specialists we need to fill the vacant positions? It might also be necessary to look...

[Original]

Mr. Speaker: Time, member.

Hon. Mr. Boudreau: If the job was so easy, I wonder why she did not do it in the four years that she was there. She and her colleague had four years to address this problem, and, clearly, they did not address it. It is not totally their fault. It is a difficult situation. We compete for these specialists. When you graduate as a specialist in health care, you can just about pick wherever you want to go across the country.

The problem was that New Brunswick... Yes, work was being done—and this is not a slant or an attack on the people who did recruitment—but it was done in an uncoordinated way. What we need to do is to focus our attention. We are still a very small province in Canada. However, we do have multiple facilities, and we need to have a coordinated approach to make sure that we fill those positions.

Government Funding

Mr. K. MacDonald: To the minister in charge of RDC, we may have yet another Atcon in the making.

The Gallant government committed \$8 million to the Naval Center in Caraquet. The Premier even held, true to form, not one but two press conferences to announce it. Now, we have



learned that the Minister of Health and Minister responsible for the RDC and for Strategic Program Review gave the Naval Center \$1.5 million that it should not have. He gave out the money even though the company did not meet the required conditions. Does it sound familiar?

On November 2, the Minister of Natural Resources announced that the government would be investigating the matter. Is the investigation complete, and what are the findings?

Hon. Mr. Boudreau: Once again, it is very interesting to hear the member opposite because the tone of his questions depend on the direction of the wind. For four years, when they were in government, they were also supportive of this initiative. This is an initiative that has been in the works for a long time. It is not an initiative led by the province of New Brunswick. The province of New Brunswick is one of many financial partners around the table, but this is not led by the province of New Brunswick.

The former government was there. It also invested money in this project. It also took pictures of what is involved with this project. Now, there is a bump in the road. We are in discussions with the various partners. We are not the only partner involved in this. We are trying to find solutions. Our offer is on the table. For our contributions to continue, there are certain conditions that we are asking be met. That is where the discussion is.

Mr. K. MacDonald: A bump in the road. In reference to this issue, I would like to quote our current Minister of Natural Resources: "If it wasn't serious, we wouldn't be investigating."

The Minister of Health and Minister responsible for the RDC and for the Strategic Program Review gave away \$1.5 million even though the Naval Centre had not found the required \$4-million investment to match the Gallant government's contribution. That was the deal. The Naval Centre did not meet the terms of that deal, yet it still got the money—\$1.5 million. At some point, the government realized that the minister had done something wrong or something he should not have done. To the minister: Do you still believe that this was a good investment for the people of New Brunswick? What steps are you taking to get our money back?

[*Translation*]

Hon. Mr. Boudreau: I will not deny that the situation is serious, and I admit that it should be addressed. However, seeing the member opposite yapping in the House does absolutely nothing to solve the problem. We are one of the financial partners at the table, as are ACOA and the two municipalities involved. Together, we are trying to find solutions. There is a participation offer on the table which is subject to a few conditions, and we simply want to make sure that they are respected. Yes, we will continue to engage in dialogue and discussions.

Once again, not only the members of the previous government, but also the current Leader of the Opposition, rose in the House numerous times to urge us to act quickly on this file. However, all of a sudden, the story is changing because the wind is blowing in another direction.



[Original]

Mr. K. MacDonald: The Atcon Six strike again. Much like the Atcon fiasco, taxpayers' money has been given to a company that was supposed to pay local contractors and suppliers. We have learned that at least one of these companies is going out of business because of this. We know that the Atcon fiasco left New Brunswick companies owed millions and millions of dollars, and this latest Liberal mess is shaping up in just the same way. What steps will be undertaken by the Gallant government to help small companies that are owed some \$2.5 million by the Naval Centre?

Hon. Mr. Boudreau: Once again, I think that the member opposite always tries to rewrite history and rewrite the facts. It was actually the former Conservative government of David Alward that signed the tripartite agreement between the Naval Centre, Ocean Group, and the province. It was their former government that did that. That being said, this is still not the province's project. This is a project for which we are at the table as a financial partner. We have conditions attached to our funding, and we are trying to make sure that those conditions can be respected. ACOA is also at the table as a financial partner in this project.

As I have said, the Leader of the Opposition was standing in this House just a few months ago, urging us to move faster on this file—go faster on this file—and to give the money faster. Now, all of a sudden, his colleague is saying that we need to put the brakes on it. They should get their stories straight.

Mr. Speaker: Order. Order.

Human Resources

Mr. Coon: The Minister of Health said that he would provide information to this House about why our Chief Medical Officer of Health was unceremoniously dumped from her post if she gave her consent to do so. Yet, as I said in the House last week, Dr. Cleary has no more understanding of why she was targeted than the rest of us. Has the minister directed or have any of his colleagues actually directed anyone to seek Dr. Cleary's consent to release the information that the minister claims to have? Yes or no?

Hon. Mr. Boudreau: I know that the member opposite was away...

(Interjections.)

Hon. Mr. Boudreau: Sorry, I will retract that statement.

Mr. Speaker: Order.

Hon. Mr. Boudreau: The member opposite should know that this is an HR matter that falls under the responsibility of the deputy head and the *Civil Service Act*. That is why we cannot talk



about HR matters on the floor of this Legislature. I know that the member is new, but he should know that.

We have said that, if given consent, maybe we can provide more information within the scope of the Act. To date, we have not received that consent. Therefore, I cannot comment on the specifics of the situation other than to say, as I have said repeatedly in this House and outside this House, that it has nothing to do with the independence of the office. It has nothing to do with the work being conducted by the office.

Mr. Coon: In that case, let's talk about the position. We are told that Dr. Cleary's particular skill set no longer meets the needs of her employer. If Dr. Cleary's skill set—for which she has won awards and is highly respected by her colleagues in the medical community and with which she guided New Brunswickers through the scary swine flu outbreak in our province and helped Sierra Leone and Liberia fight Ebola, one of the most odious infectious diseases on the planet—does not meet the needs of this government, can the minister please tell this House what kind of skill set his department will be seeking in its search for a new Chief Medical Officer of Health?

[*Translation*]

Hon. Mr. Boudreau: Once again, the member opposite takes part of the story and presents it as fact. However, we cannot comment, because it is a human resource issue. I do not know how many times and in how many different ways I will have to say it, but I cannot comment on a human resource issue.

I have already said that, if we get the consent of the person involved, I would be willing to consider what could be shared within the limits of the law. So far, we have not obtained that consent, so I cannot say anything, because it is a human resource issue.

For several days, we have now been answering the same questions asked in different ways by different members of the opposition.

[*Original*]

Mr. Coon: Maybe I can go to the level of the public service. Kevin Lynch, a former Clerk of the Privy Council of Canada, wrote in the *Globe and Mail* last Saturday that “Restoring respect and trust in our public institutions is one of the primary challenges” facing us as politicians. He said that “signalling respect for the public service” is the very first step.

Suspending public servants without explanation and then firing them hardly signals respect. In fact, it spreads fear. It kills innovation and suffocates initiative within our public service. It is no way to treat our public service. Will the Minister of Health acknowledge whether he was made aware of a coordinated effort to construct a human resources case against Dr. Cleary to justify her removal?



Hon. Mr. Boudreau: I find it very interesting that the member opposite decided to use those quotes because that is exactly what we are trying to do here, which is to let the civil service do its job in this matter. This is a matter that falls under the *Civil Service Act*, and it is the department head that is responsible for this. The civil service is following the process.

We have said very clearly that this is not politically motivated. The deputy head, in a very unprecedented way, put out a statement to say that this was not politically motivated. This does not affect the independence of the office. This does not affect the work being conducted by the office. This is a personnel matter that is being driven by the *Civil Service Act* and being handled accordingly. Because of that, we cannot comment on it on the floor of the Legislature.

Government Finances

Mr. Higgs: I think that we have had a breakthrough recently. The minister's Strategic Program Review admitted that the 2014–15 year actually existed and that there was a statement that recognized that the deficit was \$388 million, including the onetime pension plan hit.

I would like to ask this of the minister: In the *Choices* document that he presented, could he explain why, on page 3, he did not use the most current financial numbers from 2014–15 for comparison, instead of a number that is two years old?

Hon. Mr. Boudreau: The member has asked this question multiple times already in an effort to try to somehow protect a legacy or a stature that he has given himself but that the numbers just do not back up. This is a former Finance Minister who had promised the province that he had a plan to balance the books without raising taxes or cutting services. He failed miserably. If you look at the public accounts for the four years when he was in government, when he was the Minister of Finance, and add up the accumulated deficits over those four years, you will see that there is over \$1.6 billion in accumulated deficit and over \$2.4 billion was added to the debt. Although he tries to portray himself as a good fiscal manager who got the province's books in order, that is clearly not the case and that is why we are dealing with the situation.

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

