

June 29, 2016

[Original]

## Judges

**Mr. Fitch:** I was very surprised yesterday that we did not witness the former Justice Minister rise and apologize to the House for stating here in the House that he was getting phone calls from judges in support of Bill 21. Remember last May, the last question period before a five-week break? In the morning, the Justice Minister, the member for Fredericton North, rose in the House and stated very, very clearly: I am getting calls from judges in support of Bill 21. Do you remember that? Then, in the afternoon, he called the media and said: No, no, no. That is not what I meant to say. I have just been having conversations or talks, things like that.

Perhaps, right now, in question period today, I will give the former Justice Minister, the member for Fredericton North, the opportunity to stand up, apologize, and clear this misstatement that was made in the House.

**Hon. Mr. Gallant:** I think that the questioning by the Leader of the Opposition makes it very clear that we must ask this question: Why did the members opposite make such a fuss that we had to come back to the Legislature? They are asking questions that have already been answered several times. Yesterday...

(Interjections.)

**Mr. Speaker:** Order.

**Hon. Mr. Gallant:** We have several members of the government caucus that have been MLAs for quite some time, and they have never seen anything like they saw yesterday. We had the Leader of the Opposition and his team ask for standing votes on first reading, which has never been done. However, more so, the members opposite are actually asking for standing votes on bills that they introduced and that we said, yes, to proceed with. They are actually filibustering their own bills.

(Interjections.)

**Mr. Speaker:** The member for Fredericton West-Hanwell will come to order.

**Hon. Mr. Gallant:** I ask the Leader of the Opposition to explain to the people of New Brunswick why he is clearly only here in the Legislature to waste time.

**Mr. Fitch:** It is very clear that the new rules that the Premier put in place in this Legislature do not work for democracy. The government was here for four days in May and put seven bills on





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the floor of this Legislature. All MLAs here have the right to get up and speak on behalf of their constituents, debate the bills, improve them, or offer suggestions on how to make amendments. That takes about 14 hours, and there are only about 19 hours of debate if the members opposite do not get up.

When it comes to allowing bills to go forward, the Premier is the one who does not want the debate to continue. He is the one who put seven bills on the floor of this Legislature and then adjourned the House on Friday. He did that to protect the former Minister of Justice because he had made a huge indiscretion when it came to talking to judges. I will give the former minister a chance to stand up now and apologize and clear this issue.

**Mr. Speaker:** Time.

*[Translation]*

**Hon. Mr. Gallant:** The question from the Leader of the Opposition has already been asked many times, and we have answered it every time.

That being said, I want to correct the Leader of the Opposition. If he had read what was written in the media this week, he could have seen that, if we compare the current session to 2013-14, we have had more time to debate each bill. We have had more time in committee to discuss each bill, to ask questions, and, of course, to answer them.

With the changes to the Standing Rules, we have made sure that there is more accountability. Furthermore, there is even more time in committee, which really enables the opposition to ask the government pointed questions regarding bills.

*[Original]*

Again, I ask the member opposite, the Leader of the Opposition, this, if he is complaining that there was not enough time in the Legislature: Why did he waste all afternoon yesterday?

**Mr. Speaker:** I remind the people in the gallery that they are not allowed to participate in the debate.

**Mr. Fitch:** I guess that the Premier thinks that protecting children in school zones is a waste of time. I guess that the Premier thinks that adding accountability to financial records and preelection statements is a waste of time. I guess that the Premier thinks that adding a lobbyist registry to understand who is lobbying the government and who is paying for that lobby is a waste of time. I go back to the fact that the Premier changed the rules and it has not served democracy well.

In the past 11 weeks, the Premier has had four days in the Legislature—four days to try to pass a significant number of bills. The bills have to get past second reading before they go to





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committee. We have made some suggestions to the government to improve its legislation. One of those suggestions is to take Bill 21 off the docket and let it die, because it is an attack on the judiciary in New Brunswick. If the Premier does that, maybe we could proceed more. Maybe the Premier has taken direction from Dominic LeBlanc and said: Stick to your guns. Do not take that bill out of the Legislature.

**Hon. Mr. Gallant:** I am not really sure that there was a question, but I will address the comments.

I do not think that those bills are a waste of time. I think that the fact that eight of the bills are identical and could have been one bill is a waste of time. I think that the 49 motions that were copied and pasted, that only changed the names of the ridings to consult, were clearly a waste of time. If the Leader of the Opposition is going to stand up and try to pretend that that was not a gimmick, then he is insulting the intelligence of everyone who is listening to him here today.

The standing votes for bills on which we actually voted yes on first reading—standing votes required by the opposition on something that has already been able to pass—are a waste of time. The question becomes this: Why is he doing it? If he will not answer, I will. We know why he is doing it. It is because he does not want us to pass a bill that is going to give free tuition to those who need it the most in our province come September. I guarantee the opposition and the people of New Brunswick that that bill will pass. We will give those people that support.

(Interjections.)

**Mr. Speaker:** Order.

**Mr. Fitch:** If the Premier would cooperate with us, we could get to the Tuition Access Bursary. Maybe we could point out some of the flaws that have occurred, such as the fact that he is taking away from 44 000 people here in the province. The Premier is making it harder and harder for people making over \$60 000, with one child, two children, or three children. He is making it harder for them to go to postsecondary education. He is making this a discriminatory Act in the sense that the students he wants to help cannot choose which institution to go to. That is undemocratic at the best of times.

We want to get to the Tuition Access Bursary. We want to make improvements. The fact of the matter is that we have asked the government to cooperate with us. One of the things that we have asked it to do is to take Bill 21 off the docket and let it die because it interferes with the judiciary in the province and it is wrong. Will the Premier take Bill 21 off the docket?

**Mr. Speaker:** Time.

**Hon. Mr. Gallant:** The Leader of the Opposition professes that he wants to cooperate. He professes that, if we cooperate, we will get to the free tuition bill. That is what he just said.





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(Interjections.)

**Mr. Speaker:** The member for Oromocto-Lincoln will come to order.

**Hon. Mr. Gallant:** I want the media and everybody listening to recognize that the Leader of the Opposition said that, if we cooperate, we are going to get to the free tuition bill.

(Interjections.)

**Mr. Speaker:** The member for Oromocto-Lincoln will come to order.

**Hon. Mr. Gallant:** We are going to be able to get to it and debate it. That, unfortunately, is not the case. In a private conversation, the Opposition House Leader told our House Leader that, if we wanted to be out of here by Friday, we had to pull the free tuition bill.

What the member opposite just said needs clarification.

(Interjections.)

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

**Hon. Mr. Gallant:** He just said that, if we cooperated, we could get to the free tuition bill.

(Interjections.)

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

**Hon. Mr. Gallant:** Clearly, that is not the case. If we cooperate, all those students who need support, all those students who are from low-income families, all those students who want to pursue their education in September will not be able to do so, due to the opposition.

(Interjections.)

**Mr. Speaker:** Order.

### Tuition

**Mr. Fitch:** I am going to give the new House Leader the benefit of the doubt that he did not misinform you—that he did not misinform you on purpose. I am going to give him the benefit of the doubt. What we have said is that we need to take a look at the Tuition Access Bursary and make sure that it is all-inclusive. You have cut \$50 million from postsecondary education and student assistance, and you have given back only \$25 million. That is a fact. That is a fact. Check your numbers.





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You have excluded private colleges. You have excluded Crandall University, where your Finance Minister used to teach. She has turned her back on it.

There are ways that you could improve this bill immensely. We are saying: Why not set up a select committee on tuition access? We will make it better. I know that you want to have a select committee on political reform or electoral reform. The fact of the matter is that people need jobs. People need access to education, and we know how we can make that better. Why not cooperate? Take Bill 21 off the docket. Remove the bill...

**Mr. Speaker:** Time.

**Hon. Mr. Gallant:** The Opposition House Leader told our House Leader that, if we delay and take away the free tuition bill, we could be out of here by Friday. Well, that is not how we operate.

Just because of the fact that we were not willing to scrap a bill that will give free tuition to those from low-income and middle-class families, the opposition members reacted by doing what they did yesterday. They filibustered their own bills, asked for standing votes on first reading, presented bills that were identical and that clearly could have been in the same bill, copied and pasted motions, and clearly tried to waste time. I can guarantee the opposition and the people of New Brunswick that we are going to do everything that we can to make sure that the bill that will give free tuition to those who need it the most will pass and will be in effect by September of this year.

**Mr. Fitch:** Again, the House Leader heard incorrectly, heard something different, or made up a story and told you something different, Mr. Premier. That is the truth. I know because I have a witness. You do not have any witnesses. It was not recorded and is not on Hansard, so you cannot prove it.

**Mr. Speaker:** I remind the member to address the Chair.

**Mr. Fitch:** The issue is that we can improve the Tuition Access Bursary. We are asking the government to cooperate with us. There are some bills that are just incorrect and are hurting the judiciary. We are saying: Why not put that one aside? Maybe the member opposite got it confused between the Tuition Access Bursary... We know how we can improve the Tuition Access Bursary. We know how we can improve the fact that people making over \$60 000 are now going to have higher student debts. They are going to have less access to postsecondary education.

**Mr. Speaker:** Order.

**Mr. Fitch:** We have asked the member opposite to set up a select committee on that so that we can work to make that a better bill. That is the real issue, and that is why we are asking for cooperation.





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**Mr. Speaker:** Time.

[*Translation*]

**Hon. Mr. Gallant:** Once again, there was no question from the Leader of the Opposition, who clearly does not know what to say, because now he sees that he is stuck. He realizes that he told us we can be done with the business of the House by this Friday if we are prepared to take away a bill that will eliminate tuition fees for those who need financial assistance the most in New Brunswick.

On our side, we are not going to play this kind of game. We are not going to make a deal with the opposition to wrap up the business of the House on Friday with the intention of not having the bill approved that would eliminate tuition fees for students who need assistance the most. We are going to take the time necessary for this bill to come into force in September.

[*Original*]

I ask the Leader of the Opposition again: Why is he trying to filibuster his own bills? Why is he trying to present motions that are copied and pasted? Why is he trying to waste time, and why is he stopping a bill that is going to be historic by giving those who need the most support the education that they deserve?

**Mr. Fitch:** This is a historic bill, and we want to get to it. Households making more than \$60 000 have been excluded. That is why we want to look at the fact that the government took \$25 million more out of postsecondary education compensation for students. We want the government to look at putting that back so that it can help students and households that are making more than \$60 000. We want the funding to follow the students who qualify so that they can make a choice as to which institutions they go to. Maybe they want to have something that takes a shorter period of time to get them job-ready sooner than a four-year college program. That is why we want to get to that, but we do not want to hurt the judiciary on the way.

That is why we say: Why does the government not work with the opposition? Let's put aside Bill 21. That is maybe where the House Leader got confused. I did not know that I would miss the member for Caraquet so quickly. That is where we want the cooperation between the government and the opposition. Put aside Bill 21. Let's work on the TAB and make it better for all New Brunswickers.

**Hon. Mr. Gallant:** First off, every time the member opposite gets up, he is making it clearer and clearer that the House Leader delivered the right message. The opposition told us, through our House Leader, that we would leave Friday if we pulled Bill 21—if we pulled the free tuition bill—and if we made some amendments concerning the tendering. We will not play that game. We will not pull the free tuition bill under any circumstances. I hope that the opposition has heard that loud and clear and very publicly, might I add.





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The Leader of the Opposition is clearly mixing up his words and does not know where to go. He is saying: We want to get to it. You want to get to the free tuition bill. Then I suggest that the opposition stop filibustering. I suggest that it stop copying and pasting motions. I suggest that it stop asking for standing votes on the first reading, again, of bills on which we have actually voted to proceed. The Leader of the Opposition owes the people of New Brunswick an explanation. If he wants to get to the free tuition bill, then he can stop filibustering and wasting time.

**Mr. Fitch:** I think that the Premier needs to give an explanation to the people of New Brunswick as to why he has worked only four days here in the House in the last 11 weeks.

We got your attention, obviously. We got your attention because we want to make legislation better here in New Brunswick for the people of New Brunswick. That is what we want to do. We want the members opposite to disregard what Dominic LeBlanc said and to take the judiciary Act off the table—Bill 21. Put it aside, and let it die. Let's get to the tuition, and let's put back the \$25 million that they took out so that everybody—everybody—gets the benefit, so that it does not exclude those households with income of over \$60 000, and so that it does not exclude the private institutions from being a choice of the students that qualify. Will the government work with the opposition on this matter?

**Mr. Speaker:** Time, member.

**Hon. Mr. Gallant:** If working with the opposition is pulling the free tuition bill, absolutely not. They want to know what I have been up to.

(Interjection.)

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

**Hon. Mr. Gallant:** They want to know what I have been up to over the last few weeks. Well, I have done a lot, but I will focus on one thing that I did. I went to two high school graduations. Probably more important in the case of this debate is that I went to NBCC and CCNB graduations.

(Interjections.)

**Hon. Mr. Gallant:** The Leader of the Opposition was at one of them, so that is nice. I went to a bunch of them. I went to all, except for one at both NBCC and CCNB.

Do you know what I saw there, in the faces of our youth, in the faces of those who have gone back to school to try to further their skills and develop their education? I saw hope in their eyes. I saw hope in their faces. I had dozens of them come up to us and talk about how important the free tuition will be—not for them, because they just went through the system, but for people





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like them. I can tell you that our resolve is even stronger now to make sure that the free tuition bill passes.

**Mr. Fitch:** It is interesting, because a lot of those graduations take place in the late afternoon and evenings. A lot of the fun runs that the Premier went on were on Saturdays. He could have been here in the House getting through this bill.

Do you know what the Premier did not do? He did not go to the Oulton's graduation. He did not go to the Crandall University graduation. He did not go to the Eastern College graduation. Why? It is because he has excluded those schools as a choice for those students who qualify for the TAB. I guess his reception down in Saint Andrews was not as positive as he had hoped. He was booed at that time. Using that graduation as a promotion is unforgivable.

We can get to the Tuition Access Bursary Act, and we can make it better. We can have the discussion here on the floor of the Legislature. Let's cooperate, Premier. Put Bill 21 aside, and let's get to the Tuition Access Bursary.

*[Translation]*

**Hon. Mr. Gallant:** This is a very minor detail, but I still want to talk about it, because it shows what the Leader of the Opposition is prepared to say to try to win a debate and score political points.

The NBCC Campbellton campus graduation was held at 1 p.m. on a Thursday. In Shippagan, graduation took place at 6 p.m.; you can imagine that, given the distance between Fredericton and Shippagan, I would have been unable to be in the House. The NBCC Woodstock campus graduation was held at 2 p.m. on a Monday. I also took part in a summit with educators to talk about the 10-year plan. The NBCC Fredericton campus graduation took place at 10 a.m. on a Wednesday. At the NBCC Moncton Campus, graduation was held at 3 p.m. In Saint John, it was held at 3 p.m. on Thursday, and in Saint Andrews, it was at 10 a.m. on Thursday. I can go on.

This is a very small detail, but it shows how the Leader of the Opposition will say anything to try to score political points.

*[Original]*

### Financial Statements

**Mr. Higgs:** I want to talk again about the lack of reports that we are receiving from this government. Certainly, yesterday, we discussed the missing third-quarter report, and we got a number that was based on the budget from earlier this year. I guess it is very important that we have timely reports, and it is very important that we have a fiscal update that has details. A fiscal update gives the economic outlook, it talks about the employment opportunities, it talks





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about the growth opportunities, and, more importantly, it puts everyone on the same page. We are missing that information.

The Minister of Finance, yesterday, said: Of course, we want to be transparent, up-front, and good fiscal managers. That is encouraging, coming from the new Finance Minister. She also went on to say: "We have responsibly done a third-quarter report". Given the fact that we have responsibly done a third-quarter report—that would entail having a third-quarter report—I would like to request a copy of that third-quarter report that we have responsibly finished.

**Hon. Ms. Rogers:** I would like to reiterate that, indeed, we are committed to being open, transparent, and accountable.

(Interjections.)

**Mr. Speaker:** Order.

**Hon. Ms. Rogers:** We are a government that takes this very seriously. I want to reiterate, as I said yesterday, that the February budget did include our third-quarter update of 2015-16. Just to repeat again, the projected deficit for 2015-16 is \$466.4 million. This, for clarity, includes the contingency reserve of \$100 million. This was announced in the budget speech. You can find this online. Thank you.

**Mr. Higgs:** The comments about being accountable and transparent are so much more than words. Yes, the \$466-million number—we heard that yesterday. Yes, that number was part of the budget. We are looking for the report, the detailed report, that says where the province is going and what the opportunities are for us to do better.

There seems to be a real talk about all the things that we are going to do and all the accountability that we are going to have, but there does not seem to be any action involved in what that actually means. Fact-based decisions have been thrown out the window. We certainly have seen that in the discussion around free education. It was free education, without any other items, in a headline because students had shown up here two weeks earlier.

The issue with the Minister of Finance... I feel badly for her in many ways because she has inherited a portfolio that has had all the spending removed from it. I would like to know whether she has had any discussions with the former Minister of Finance, who, by the way, had trends that were steadily getting worse from the day that the members opposite started and a contingency fund that threw out all kinds of disguise around it. Have you talked with the former Minister of Finance and the former Minister of Energy about their spending plans?

**Mr. Speaker:** Time.





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[*Translation*]

**Hon. Mr. Gallant:** I will not let the member talk about our bill, which will eliminate tuition for those who need it most, without rising to react.

I find the comments from the opposition unfortunate. Our bill will help more than 7 000 people. This bill will eliminate tuition for those who need it the most. So, we will give them the financial support they need. This will be a historic bill; in addition to helping people who really need financial support, it will ensure that young people who would never have gone to university or college without this support will now do so.

We have all heard stories; I am sure this is also the case for opposition members. People have come to see us to say that this bill, which will eliminate tuition for people who need it the most, will change their lives.

As Premier, I will not let the opposition prevent us from passing this bill. I can guarantee New Brunswickers that it will pass and will be in force in September.

[*Original*]

**Mr. Higgs:** I will not mention any other thing because I do not want to take the chance that the Premier is going to feel that it is necessary to stand up and speak for the Minister of Finance.

(Interjections.)

**Mr. Speaker:** Order.

**Mr. Higgs:** What I will talk about is the former Minister of Energy and the former Minister of Finance, who now have the spending controls to spend in preparation for the next election. I would like to know: Is their return on investment based on economics? Is it based on life's improvements for the citizens of New Brunswick? Or is it based on how many votes you can get from where you place the money? I would suggest that, given those placements, it is based on that. How many votes can we get throughout the province by spending money where we can get the most votes?

Therefore, my question for the Minister of Finance is this: Have you had any discussions with the former Minister of Finance and the former Minister of Energy based on their financing plans for the next two years in relation to getting ready for the next election, because they will blow every bit of the budget that you hope to protect? Given the fact that you are not going to report on anything, we surely will not know anything about it until after the election. Thank you.

**Hon. Ms. Rogers:** In response to the comments from the opposition, I want to say again that we are very committed to making reports on a regular basis.



(Interjections.)

**Mr. Speaker:** Order.

**Hon. Ms. Rogers:** In fact, we are following the same timeline that was established by the previous government. As well, I would like to say that the Minister responsible for the Treasury Board and I, as the Minister of Finance, will continue to work very collaboratively. This is a model that is elsewhere. We will be in discussion always. It is very important to us that we remain committed to our fiscal framework and that we have a great plan to balance the budget. Of course, we value accountability and transparency, and we will remain committed to the reporting timelines. The third-quarter update is on the Web site.

## Health Care System

**Mr. Coon:** It is great to be back in the House. We have so much pent-up potential to solve real problems for New Brunswickers and to put real solutions in place. One of those real problems is the length of waiting times in the emergency departments in our hospitals, particularly in our three largest cities. I regularly hear about the length of waiting times at the Chalmers hospital in Fredericton being up to 12, 13, or 14 hours for people. That is way too long, cruelly long, for children and people in pain.

I want to know whether the Minister of Health can explain to this House why it appears as though nothing is being done to improve wait times in our hospital emergency rooms.

**Hon. Mr. Boudreau:** I thank the member opposite for the question. I assure him that the Department of Health is doing everything that it can to bring improvements and efficiencies to the system. The challenge that we have is that the opposition opposes every single initiative that we put out there to try to improve our health care system. The opposition members oppose everything that we are trying to do. Whenever we try to move the yardstick forward and make certain adjustments to our health care system, the opposition members oppose them. It is in their DNA, it seems, to oppose every single initiative brought forward by this government.

We have been working on a plan with our Extra-Mural Program, with Ambulance New Brunswick, and with Tele-Care 811 to improve our health care system.

(Interjections.)

**Mr. Speaker:** Order.

**Hon. Mr. Boudreau:** We have been working with the Medical Society to put in place Family Medicine New Brunswick, which will improve access to primary care. By improving access to primary care, we will reduce the backlogs in the hospitals.





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

**Mr. Coon:** That is sort of the answer that Mr. McGarry, the CEO of Horizon Health Network, gave to the Crown corporations committee last year. He said that, if they improved and shortened the wait times in emergency rooms—and he acknowledged that they could do it because there are good models out there that utilize nurse practitioners to deal with the routine ear infections in kids, urinary tract infections, and so on—they would draw more people into the emergency rooms, and they do not want that.

My question to the Minister of Health is this: Does the minister concur with the position that the reason wait times are so long in the hospitals of this province is that they do not want to draw more people into the emergency rooms of our hospitals?

*[Translation]*

**Hon. Mr. Boudreau:** I am going to try to give my answer again, since the member opposite might not have understood it the first time.

The reason for the long wait times in our emergency rooms is because we do not have enough staff in primary care. We are looking to increase our primary care capacity by working with the Extra-Mural Program, Ambulance New Brunswick, Tele-Care 811, our doctors, and our other health professionals, such as nurse practitioners, and by putting in place a midwifery program and an advanced care paramedic program. We want to make the most of every health care professional so that basic primary care can be provided at the community level, thus avoiding long hospital waiting lists.

*[Original]*

**Mr. Coon:** In the meantime, the frustration and suffering in our ER departments go on. One of my constituents had to wait to be seen for 12 hours in extreme pain with a broken jaw. That same woman went back at another time and had to wait all night to have a severe nosebleed cauterized. When she next experienced a problem, abdominal pain, she decided not to go to the emergency room and to wait to see her doctor in four days. What happened? Her appendix burst. She could have died.

We need to fix the problem in our emergency departments now. I agree that we need to address primary health care, absolutely. However, there needs to be a fix in our emergency departments now. Will the minister take action and instruct the regional health authorities to reduce emergency room wait times now?

**Hon. Mr. Boudreau:** We have great men and women working in our health care system across this province. They are doing the best that they can. Every time that we bring an initiative forward, the opposition opposes it. If the opposition wants action to happen faster than it has





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been happening, the members opposite should stop opposing every single initiative that we bring forward. The opposition should help us move those initiatives forward.

By moving these initiatives forward, we are going to build up that capacity for primary care. We are going to make sure that our health care system works together as opposed to working in silos. We are going to be able to make sure that all health care professionals in our system work to their full scope of practice and do what they are trained to do.

However, every time that we bring forward initiatives, all that we get from the opposition are opposing points of view. The members opposite never want to see the system change. They do not want to evolve. If they would allow that change and that evolution to happen, we would improve primary care, and we would reduce wait times.

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

