

May 4, 2017

[Original]

### Property Tax

**Mr. Higgs:** Well, over the past couple of weeks, I have asked a lot of questions. I think that it is over 80, with zero answers. However, the opportunity has presented itself for all the questions to be answered on both sides. The Premier has tried to use the Legislature to answer questions, but that is not what question period is for. However, today, there is an opportunity. The CBC political panel will do a wrap-up session today, and I would like to ask the Premier whether he will be joining me and the other party leaders to discuss this session. I understand that the Premier has a question or two that he wants to ask, and I will be only too happy to answer. Will the Premier join us? Actually, I will even offer him a drive up the hill. Thank you.

**Hon. Mr. Gallant:** I will not be able to join the Leader of the Opposition, but I am very happy to hear that he will answer the question about what role he played in giving the Canaport LNG terminal a tax break when he was an Irving Oil executive. We all very much look forward to hearing that on CBC. It is unfortunate that he would not answer that here in the people's House. However, I am glad to see the commitment that he has made to answer that question specifically during the political panel.

The session is coming to an end. We are very pleased with the work that we were able to do, advancing the priorities of New Brunswickers, making sure that we are focused on economic growth, and creating opportunities for people to stay in New Brunswick and to come back to New Brunswick. We are very pleased with the investments that we made, through our budget, in education, giving our children the educational opportunities that they deserve and need. We are very pleased with the investments that we are making in health care to help families and communities to be as healthy as possible.

**Mr. Higgs:** The Premier is very happy to hear about other people answering questions, but, apparently, he feels as though he is immune from the process. That is not a way to lead the province.

We have been receiving a tremendous amount of feedback on the property tax scandal. I want to share some excerpts with the Premier and ask him questions inspired by the people of New Brunswick, and I am quoting.

*Why neither...*

—the Minister of Service New Brunswick nor the Minister of Local Government—



*have not been put on leave until this investigation is completed is just not acceptable if you want to show you are taking this fraud seriously. And that is what it is—“fraud”. Further, there has been no notice that employees in SNB who originated this email have been either dismissed or sent home with pay until the investigation is completed. Not how corporate business would handle the same situation!*

My question is: Has the Premier considered putting either minister on leave? If not, why not?

**Hon. Mr. Gallant:** Before the Leader of the Opposition continues to make all these accusations, I would strongly encourage him to allow former Justice Robertson to do his work. Let’s allow former Justice Robertson to conduct an independent and exhaustive review of what happened this year and every year since 2011 that has created thousands of errors for New Brunswickers when it comes to property assessment.

We have a problem-plagued property assessment process that needs to be fixed. Through this review, we will have findings that will help influence what we will do in the future with the agency that is independent from the provincial government and that will do the property assessments in the future. It is clear that, every single year, thousands of New Brunswickers were not properly served by this process, and we are going to make sure that we fix these problems once and for all.

**Mr. Higgs:** The Premier would like to have people believe that this is something that has been going on for years. This started last June, and it started when the Premier got involved in the tax assessment process. This is a scandal created in the Premier’s Office. It was not historic until last spring, so let’s not pretend otherwise.

Also, let’s not pretend that Justice Robertson has actually been given a mandate to understand what happened. He is excluded from evaluating the Premier’s role in this. That is not his viewpoint. The Premier has always said what he wants the outcome to be—that is, we want to outsource Service New Brunswick. The Premier has already made that statement, so the judge has his marching orders.

Here is another question, inspired by a property tax scandal communication, for the Premier to consider:

*c) For those who were on monthly property tax payment programs how many property owners had funds withdrawn from their accounts based on new assessments and tax levies that were based on falsified property renovations?... how does this activity not fall under the definition of CRIMINAL FRAUD!?*

My question is: Has the Premier looked into any legal ramifications of his property tax scandal?  
Thank you.



**Hon. Mr. Gallant:** Again, we encourage the Leader of the Opposition to allow former Justice Robertson to do his work. There have been thousands of errors with the problem-plagued property assessment process every single year since 2011. New Brunswickers deserve better. Every single one of those errors would create inconvenience, confusion, and, at times, financial hardship for New Brunswick families. We have to fix these problems once and for all.

I encourage the Leader of the Opposition to stop questioning the integrity of former Justice Robertson. He has signed on, by signing the contract, to do this work on behalf of New Brunswickers. I cannot speak for former Justice Robertson, but I can only assume that, since he signed on to do this work, he is comfortable with the mandate that he has been given and the resources that he has been given to do this work on behalf of all New Brunswickers.

**Mr. Higgs:** This is not the first time that the integrity of others has been used to try to prop up the integrity of this government. This is a common practice that we have seen over and over again since the mandate of this government. The Liberal angle on the fabricated renovations on tax bills caused by the Premier's fast track is a common theme that we have been seeing in many emails. Is this one of the reasons the Premier did not use the *Inquiries Act* to look into the property tax scandal?

Being open and transparent, reporting to the public, and looking at everything is how you understand the root cause and the path forward. Is the Premier's watering down of the powers of the *Inquiries Act* related to the public's anger and calls for legal action? Why would he do that, unless there is something there that just does not want to be made public? Surely, the Premier must be getting these same messages. I would ask: Is he not getting the same theme? Why would we not have this as a public inquiry?

[Translation]

**Hon. Mr. Gallant:** Since 2011, the property assessment system has been causing thousands of errors. As I have said over and over again, New Brunswickers deserve better than this, since each error can create inconvenience for them.

We understand that, and it is why we are taking the necessary steps. We asked former Justice Robertson to carry out a comprehensive and independent review to determine what happened this year as well as in other years since 2011. We want to get to the bottom of it and find out why thousands of errors were made.

With the report from former Justice Robertson, we will be able to rectify the situation once and for all. We are also committed to ensuring that an agency that is independent from the provincial government will do the property assessments in the future.

So, as you can see, we are taking the situation seriously, and I can tell you that we will resolve it once and for all.



[Original]

**Mr. Higgs:** Continually, the Premier would like to have people believe that it did not all start in June, but it did all start in June. Fabrication of renovations in tax bills is a new thing. It is a new thing based on a decision from the Premier's Office to fast-track a system that was not ready for implementation.

This is a question from another email that would relate directly to that situation, and I am quoting:

*One would have thought that if they were going to introduce a new process, they would have run it in parallel to the old system and compared findings.*

*If approved for use why was this new system just used for certain areas of the province? As this is indeed fraud, why have the RCMP not been called in to perform a criminal investigation?*

*I would say, our government has many more questions to answer.*

Has the Premier or his government been in contact with the RCMP regarding the property tax scandal?

[Translation]

**Hon. Mr. Gallant:** Once again, I strongly encourage the Leader of the Opposition to let former Justice Robertson do an independent and comprehensive job, so that he can determine why thousands of property assessment errors have been made since 2011.

New Brunswickers deserve better, and this is why we are taking the necessary steps. It is also why we extended the request-for-review deadline to August 1. It is also why we indicated to New Brunswickers that they could report an error in their property assessment at any time, so that it can be corrected. It is also why we asked former Justice Robertson to carry out a comprehensive and independent review and why we committed to having an agency that is independent from the provincial government to do the property assessments in the future. We will resolve the situation once and for all.

[Original]

**Mr. Higgs:** Once again, no answers. Once again, hiding behind Justice Robertson—hiding behind Justice Robertson and fabricating another document to control the outcome of an investigation. This seems just like a pattern that we continue to see.

What is on the minds of the people of our province should be of great concern when people are saying things like this, and I quote again:



*Any lawyer checking with legalities may have been committed?*

*How can falsifying a renovation having taken place, and falsifying a renovation value, for the purpose of defeating a 10% levied tax cap, for the purpose of increasing tax revenues, not be criminal Fraud!?*

I am not in a position to offer a legal opinion, but it seems that the people of New Brunswick are of the opinion that this is a legal matter. Does the Premier agree?

[*Translation*]

**Hon. Mr. Gallant:** This is a very serious matter, and that is why we have asked former Justice Robertson to carry out a comprehensive and independent review, which will tell us what happened this season and every year since 2011 to cause thousands of errors in property assessments. New Brunswickers deserve better, and this is why we are taking the steps already mentioned.

[*Original*]

I can tell you that we take this matter very seriously, and that is why we have asked former Justice Robertson to conduct this review, which will be independent and exhaustive, to understand what has happened every single year since 2011 that has created thousands of errors. Yes, we, with those findings, will ensure that we have a body that is independent of the provincial government that will do the evaluations—or the property assessments, more specifically—in the future, rectifying this situation once and for all.

**Mr. Higgs:** We have never in the history of this province had appeals that come anywhere close to what we are seeing now—15 000-plus and counting. This is unprecedented; despite the Premier's continual assertion that this goes back, this goes back to June 2016. This goes back to a time when the Premier made a decision to fast-track a system and create this activity that is unwarranted and was downloaded onto property owners.

We have been hearing from a lot of people who are echoing the same sentiment.

*Please ensure that the opposition does not let up on the property tax scandal. This is one of the most outrageous scandals that the province has ever had government-wise. The last one that was even close to this was the Atcon fiasco, which I believe had the same party in power.*

I am quoting here. This is a common theme, and, rest assured, we are not going to let up.

I will ask the Premier again whether he will accompany me up the hill to the CBC political panel, where he can ask some questions and, hopefully, answer a few as well. Thank you very much.



**Hon. Mr. Gallant:** The fact that there have been thousands of New Brunswickers who have put in a request for review, we think, is good. It is good because we want those people to have the chance to have any errors, any mistakes, rectified. In fact, we have encouraged people to put in a request for review in many ways, including by extending the deadline for requests for reviews to August 1.

I want to ask the Leader of the Opposition not to call it an appeal. It is a request for review. Again, it is important for the people of the province to understand what process is there and what mechanisms are there to help them if there are errors, mistakes, or issues with their property assessments.

I will not be able to go to the political panel, but I am very pleased that the Leader of the Opposition has committed this morning to answering the question of what role he played when he was an Irving Oil executive in giving Canaport LNG a huge tax break. We are very excited, and I cannot wait to watch the political panel to have the Leader of the Opposition answer that question.

### Special Care Homes

**Mrs. Shephard:** Hundreds of special care homes full of dedicated owners and caring personnel provide essential services to thousands of seniors and persons with disabilities across New Brunswick. They are committed to providing a safe and nurturing environment for their clients and their families while providing viable alternatives to nursing homes and hospitals.

My question today is for the Minister of Seniors and Long-Term Care. Could the minister explain the existing policies and procedures that the province has to ensure that residents of special care homes in New Brunswick are residing in a safe environment?

**Hon. Mrs. Harris:** The Department of Social Development takes very seriously its responsibility to provide a safe and secure environment for residents of special care homes. We have numerous special care homes across the province that do marvellous work with all the residents who live in their special care homes.

Anytime that there is an allegation or an improper behaviour, it is investigated, and, if appropriate, the proper authorities are notified. If, by chance, there is a serious allegation that is made, the department cooperates fully with authorities. We certainly make sure that people who are living in these private special care homes have a great quality of life, and I certainly appreciate the work that they do.

**Mrs. Shephard:** It only makes sense that criminal record and vulnerable sector checks be mandatory for those working in and/or operating a special care home. After all, they are caring for our most vulnerable citizens.



My next question is around the placement of residents in special care homes. Could the minister tell us whether there is a criminal record and vulnerable sector check that residents themselves must pass prior to being recommended for placement in a special care home?

**Hon. Mrs. Harris:** As I alluded to, we certainly make sure that we look after the people who are living in our special care homes. I do not want to make a false statement in the House, so I will have to make sure that I get that answer for you. I have an idea, but I do not want to make any false statements here in the House. I will certainly get back to you with that information.

Keep in mind that, with special care homes, we are very lucky here in New Brunswick to have special care homes. People have an opportunity to go into a special care home where they are able to live a great quality of life. It is a place where they can go if they do not need a nursing home and still live a great quality of life here in New Brunswick. We are very lucky to have those special care homes here. We have wonderful people working in these homes who work extremely hard, and I am grateful for that.

**Mrs. Shephard:** According to a commentary in the *Telegraph-Journal* on April 24, Elizabeth Kearns, with the New Brunswick Association for Community Living, made this statement: "During their lifetimes, 83 per cent of women and 40 per cent of men with an intellectual disability are sexually abused."

We need to clarify this policy and to elaborate on it a little bit. I look forward to these answers, but I also want to know this: Is there a policy to notify the special care home owner if this record exists? What if the potential resident has a criminal record for sexual assault? Is this question part of the initial long-term care assessment conducted by Social Development? Thank you.

**Hon. Mrs. Harris:** Again, I thank the member opposite for the most important question. I certainly will get the answers to those questions for you.

Again, we have to remember how important it is that we have special care homes in New Brunswick. There is a place where people can go to live, to have a great quality of life, and to have the care that they receive in these special care homes. The dedicated women and men who work in these homes offer assistance to those who reside in their private homes. It is absolutely great that we have this. It is wonderful. We also have many programs and services available for keeping seniors in their own homes. However, when the time comes that that is no longer an option, they can go to a special care home. Then, eventually, if need be, they can go into one of the nursing homes that we have here in New Brunswick.

## Senior Citizens

**Mr. Coon:** Yesterday, the government of Canada released the census numbers identifying New Brunswick and Nova Scotia as provinces with the largest population of seniors, at just close to



20%. Seniors make a tremendous contribution to our society and will continue to do so. Sometimes it just requires us to ask them.

In January, the Premier's Council on Aging tabled a report identifying goals and actions that the government could set to ensure that our province supports New Brunswick's seniors in their elder years when they require that. Yesterday's census report reinforces the urgency with which we need to implement these recommendations. Can the Premier tell us when he expects to implement the recommendations from the Council on Aging?

**Hon. Mrs. Harris:** The latest StatsCan data does not surprise the provincial government, as we have been preparing for these increases in seniors for a long time. I would just like to say that it was this government and this Premier that recognized that this was happening and named a seniors minister for this important file. As well, it was this Premier who created the Council on Aging, which has done some very important work. Staff members in my department are currently preparing the implementation plan, which will be unveiled very shortly. We are certainly preparing to be able to move forward with this framework. This is going to be the guide that is going to allow us to make sure that we are meeting the needs of seniors right here in New Brunswick.

**Mr. Coon:** I think it is important to get specific. One of the key recommendations of the Council on Aging was for the government to establish a dementia strategy. Such a strategy would include a plan with respect to community-based dementia care, increased dementia training for those in the health and home care sectors, the creation of a mobile crisis unit to support those living in the community with dementia and to support their families, and to align with the national dementia strategy. There is some urgency to get this enacted, for sure. The question is this: Will the Premier tell this House when New Brunswickers can expect to see a dementia strategy fully implemented and in place?

**Hon. Mrs. Harris:** The Council on Aging presented its Aging Strategy to the provincial government in January. This multiyear strategy positions the province to be a leader in aging care. The actions in the strategy, in both the long and the short term, address key areas that will improve care in the aging sector and foster relationships between governments, community groups, and other organizations.

We certainly understand that dementia is a very important piece. We are waiting to see when we are going to implement those decisions, those suggestions that were made by the Council on Aging. We are certainly looking forward to getting to work to put some of the great ideas into place and continuing to make sure that we are having great discussions and collaborations with many departments across the government to ensure that we have the best quality of life for our seniors here in New Brunswick.

**Mr. Coon:** Seniors certainly want to see action. Another key recommendation of the Council on Aging was to refurbish municipal infrastructure and services so that, in fact, their communities are age-friendly, which, in many cases, they are not. The point is to "enable the full



participation of older adults in local economic, social, civil and cultural life”, as the Council on Aging said. To achieve this will, in fact, require financial assistance from the provincial government to ensure that the municipalities can afford to upgrade their infrastructure and services to actually be age-friendly.

Will the Premier commit to targeting infrastructure funding specifically for municipalities so that they are able to make existing infrastructure and services actually age-friendly?

**Hon. Mr. Gallant:** We appreciate the questions coming from the leader of the third party. We just want to say a few things. Age-friendly communities are an important part of the strategy. We take very seriously the fact that there are demographic challenges facing New Brunswick. We also recognize that having more seniors is an opportunity in many ways as well. We are working very hard to ensure that seniors will be able to retire with dignity in the province, that they will be able to stay in their homes as long as possible, and that they can contribute as long as possible to the economy of our province.

I do just want to address the preamble of the questions. It had to do with an aging demographic. I want to assure New Brunswickers that we are working very hard to buck the trend as best as we possibly can. We are investing to strategically grow the economy and to create jobs. We are investing in education. Through the Family Plan, we want to make sure that our families and communities are as healthy as possible. So, yes, we will ensure that seniors get the support they need, but we will also try to buck the population growth...

**Mr. Speaker:** Time, Premier.

## Forest Industry

**Mr. Wetmore:** The official opposition stands with the 22 000 New Brunswickers who depend on our forest industry for their livelihoods. We know that they are worried about the future of our industry. I would like to ask the government if it has appointed the senior negotiator to represent New Brunswick’s interests on this issue in Ottawa and Washington.

We know that there is another important date coming up—June 23. This is an urgent issue, and we want to make sure that the people of New Brunswick are kept informed. Can either of the ministers on this file please advise us about the senior negotiator?

**Hon. Mr. Melanson:** I appreciate the question from the opposition. I think it is important that elected officials on all sides stick together on this file and that we work together on this file. I appreciate the official opposition wanting to cooperate with government and to cooperate with the industry.

As I said in the announcement last Friday, we are working very hard to identify a representative who would help us to make the position that we, as a government, and the industry have been pushing to the federal government. We are getting close to having that individual identified and



certainly announced. However, I also want to make it clear that negotiations will be done by Global Affairs Canada and the federal government and not by the provincial government. It is an international agreement between the federal government of Canada and the government of the United States, so negotiations will happen between those two entities.

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

**Mr. Wetmore:** Many of our rural communities depend on our forestry industry as a mainstay of their local economies. They are all watching this issue with the same concern as the folks working in the industry. It is critical that they have timely news of what their government is doing. Cooperation among all provinces, from British Columbia to Nova Scotia, will be needed as this issue is addressed. Can one of the ministers give us an update on our position with the other provinces? Is there work being done on a national strategy, and what is New Brunswick's place at the table?

[*Translation*]

**Hon. Mr. Melanson:** Clearly, the lumber issue affects not only New Brunswick, but other Canadian provinces as well. Premier Gallant has already had several discussions with his fellow Premiers and certainly with the Prime Minister to ensure that the position taken by Canada reflects the positions of New Brunswick and the Maritime Provinces, which want an exemption.

A few weeks ago, we learned about the determination made by the American Department of Commerce to levy duties on lumber imported into the United States. That being said, we want it to be very, very clear that the position of the New Brunswick government is to have the exemption.

We also know that, from the moment negotiations are undertaken, we are looking for an agreement, not just any agreement, but a good one for New Brunswick and its industry. We are working very hard with the Canadian government on this.

[*Original*]

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

**Mr. Wetmore:** As we know, all the Atlantic Provinces have Liberal governments and all 32 MPs are from the Liberal Party. If there ever was a time when cooperation was not hampered by partisanship, one would think that this would be that time. I truly hope that it works in favour of the New Brunswickers depending on a timely solution. Would either of the ministers on this file give us an update on what this government, together with MPs, is doing to ensure that our forest industry and all other people and communities that depend so heavily on our forestry, trucking, and service industries are not negatively impacted by an unfair duty?



**Hon. Mr. Melanson:** We are certainly pleased that we have Liberal governments across Atlantic Canada. Thank you for reminding us because it is certainly an advantage for Atlantic Canadians.

We are working with our New Brunswick MPs. We are having daily discussions with the industry in New Brunswick. I understand that the industry is also having conversations with the New Brunswick MPs. My understanding is that industry is also having discussions with all MPs in Atlantic Canada. We are working together. We have to stick together, politically speaking, from an industry perspective and from a community perspective. The stakes are too high, and it is so important for the economic drivers of our province, which are softwood and forestry. We are working, and we are making every effort. We are using every tool in the toolbox to achieve our goal, which is to have exclusions and a good deal.

**Mr. Speaker:** Time. This is the final question.

### Property Tax

**Mr. Higgs:** We certainly hope that the government will be successful in this. We did not see it in the Energy East Pipeline project. We are hoping that this will be a national strategy that will see what is required here in the province and that we will continue without any tariffs levied against our lumber producers, the way it has been for many years. It is the right thing to do. We wish them well.

I have one more account of property tax outrage, and I will quote it: It took six months for Service New Brunswick to respond to my property assessment appeal in 2016. This is an issue of unfair and unequal taxation that impacts all property owners and taxpayers across the province. The general Liberal platform was to help the middle class remove some of the tax burden and place it on the upper class, those with the greatest income and accumulated wealth. I have not seen this happening so far, federally or provincially.

This person has highlighted another case where the Liberal platform has been proven to be a work of fiction. What explanation would the Premier offer to this person who is calling out the Liberal platform? Thank you.

[*Translation*]

**Hon. Mr. Gallant:** Our property assessment system has unfortunately been causing thousands of errors each year since 2011. This is why we asked former Justice Robertson to carry out a comprehensive and independent review to determine what happened each year to cause so many errors. In addition, we committed to having an agency that is independent from the provincial government and that will do the property assessments in the future. So, we are taking this subject seriously, and we are taking vigorous action.



[Original]

I do want to address the fact that the Leader of the Opposition mentioned the Energy East Pipeline project. I can tell you that this government remains committed to doing everything it can to make sure that the Energy East Pipeline project makes its way from Alberta to Saint John, New Brunswick. I can tell you that we are also advancing with important projects, such as the Sisson mine, for our economy.

I want to also tell you that we are also focused on doing what we can to stimulate the economy, and, in the last few years, we have gotten some pretty good results working with New Brunswickers.

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

