

October 27, 2017

[Original]

### Government Policy and Procedure

**Mr. Higgs:** I would like to quote from the mandate letter sent by the Premier to the members of his Executive Council on October 7, 2014:

*Members of the Executive Council are reminded of the roles and responsibilities and standards of ethics that they are expected to uphold. These are outlined in greater detail in the Minister's Handbook. As well, members of the Executive Council are to adhere to the conflict of interest provisions. It is not enough to avoid conflicts of interest; you must also be diligent in avoiding the perceptions of such.*

I will repeat that.

*It is not enough to avoid conflicts of interest; you must also be diligent in avoiding the perceptions of such.*

From the beginning, we expected better from this government. We expected accountability and transparency, as were the words. This does not reflect what the Premier was telling us at the very beginning. How does the Premier explain the current situation involving the member for Campbellton-Dalhousie?

[Translation]

**Hon. Mr. Rousselle:** As you know, transparency and accountability are trademarks for our government. We respect the work carried out by the Legislative Officers. As you know, there is a procedure for finding out what we can or cannot do. There is an Act and an Integrity Commissioner.

The opposition members seem to believe that we can consult Legislative Officers and refer to them whenever we like. That is not how things work. Our transparent, responsible government goes to see the Integrity Officer when necessary. As far as I understand, that is what the member for Campbellton-Dalhousie did.

When we go to see the Integrity Commissioner, he tells us what can and cannot be done. Once we have his decision and his recommendation, we respect them. I invite the opposition members to respect the decisions of a former judge of the New Brunswick Court of Appeal, who deserves our full respect.



[Original]

**Mr. Higgs:** The process continues. When the going gets tough, the Premier stops going. We have a situation or, in any case, an issue that requires the Premier to respond directly. We do not get an answer, or they get someone else to stand up and speak. We have a situation where... In this case, is this another staffer?

### Health Care Funding

In the Premier's taxpayer-funded press releases, he says: "Government cannot just be about the bottom line; it has to put people first." This week, we learned that the Premier cut chemo treatments at the Grand Falls and Saint-Quentin hospitals. People sick with cancer have to drive further now to get their treatments. How is that putting people first? Would the Premier like to explain why he is making these service cuts to people, whom he is hurting? What would he have to say to these cancer patients? Does the Premier agree with these service cuts?

[Translation]

**Hon. Mr. Bourque:** I am really pleased to rise for the first time in the House as Minister of Health to answer a question from the Opposition Leader. As you know, this decision comes solely under the purview of Vitalité Health Network. This is the network's decision. It is a decision with which we do not agree.

In fact, a year ago, I lost an aunt to cancer. It was her third bout with cancer. I know that one of my colleagues also just lost one of his aunts, also to cancer. On our side of the House, we are very much aware of the issue of chemotherapy and oncology treatment. We are sad to learn...

[Original]

### Postsecondary Education

**Mr. Higgs:** Is the Premier silent this morning on issues and real questions that affect cuts that his government has actually put in place? While we continue on this topic of cuts, will the Premier admit to cutting \$25 million from postsecondary funding? I know a lot of university students who do not think the Premier is putting them first with that cut. What does the Premier have to say to those New Brunswickers? How does he explain to them that he is putting them first by taking \$25 million from their funding? Will the Premier confirm the \$25-million cut to postsecondary funding for these students? Thank you.

**Hon. Mr. Gallant:** Education is crucial to the future of our economy. It is crucial to the social fabric of our province. That is why we are the government that has invested the most in education in the history of our province. When it comes to postsecondary education, we are working hard to make sure that it is more accessible and affordable and that it is of high quality.



Yes, we made some tough choices with regard to programs that were not meeting the targets we needed them to meet to ensure that we had more accessible and affordable postsecondary education.

(Interjections.)

**Mr. Speaker:** Order.

**Hon. Mr. Gallant:** But we are very proud to have introduced tuition relief for the middle class and free tuition. This allows those who need the most support to get free tuition and those in the middle class in our province to get the financial support they need to go to university and college. It allows them to then work in our workforce in New Brunswick and provide to our economy, and it ensures that they help us grow here in our province.

### Government Finances

**Mr. Higgs:** While we are on the topic of cuts, would the Premier admit to cutting \$25 million? He does not talk about actually making that cut. I asked if he would admit that, and he has not.

### Teachers

I would also ask another question in the area of cuts. How many teachers and education assistants did the Premier cut in his first year? I believe the number was 302.

### Day Care

Can the Premier also confirm to the House the cuts that he made to the day care quality improvement fund in 2015? The Premier talks a lot about 2015. He had protests on the lawn of the Legislature, which was full of day care operators and parents and children protesting that very Act. The Premier remembers those cuts. I am sure that he does. Will the Premier confirm that those cuts were actually made?

**Hon. Mr. Gallant:** We have made it very clear that we are investing in Education and Early Childhood Development, including child care. Maybe the Leader of the Opposition missed it. We will be investing to improve the affordability of child care by giving families more financial support to be able to send their children to child care. We are going to improve accessibility by creating more spaces, and we are going to improve the quality of child care.

(Interjections.)

**Mr. Speaker:** Order.



**Hon. Mr. Gallant:** We are going to be doing this by investing \$71 million, with the Trudeau government, in child care in our province over the next three years.

The Leader of the Opposition can now lead by example and respond directly. I have a question for him. He spoke this week about the tax break on the LNG terminal.

(Interjections.)

**Mr. Speaker:** Order.

**Hon. Mr. Gallant:** I have to ask the Leader of the Opposition this: Does he believe that Saint John was not giving up any of its current tax revenue at the time and that the fact that it was going to gain an additional half a million dollars per year under the new tax rate was enough to validate the fact that the LNG terminal got the huge tax break that it got at the time? If the Leader of the Opposition wants to be clear and concise, he can be now.

**Mr. Speaker:** Time.

## Government Finances

**Mr. Higgs:** Cuts hurt.

(Interjections.)

**Mr. Speaker:** Order.

**Mr. Higgs:** Will the Premier bear with me and then confirm the list of cuts and closures that I am about to go through? These are cuts and closures that his government made over the past three years. They include cutting the bookmobile service; cutting the Gagetown ferry service; closing Service New Brunswick offices in Saint-Quentin, Port Elgin, McAdam, Saint-Léonard, Hopewell Cape, and Gagetown; closing courthouses in Grand Falls, Sussex, Grand Manan, and St. Stephen; closing schools in Browns Flat, Pennfield, and Coles Island; and closing Lorne Middle School.

Will the Premier please confirm this long list of cuts that his government put forward? Now, he is trying to buy his way out of it. Mr. Premier, these are actions that your government took.

**Mr. Speaker:** Please address your questions to the Chair.

[*Translation*]

**Hon. Mr. Gallant:** The facts are very simple: We are investing more in our health care system and in education because this is important for New Brunswickers' quality of life.



In addition, we are investing more in our infrastructure in order to create jobs and, again, to improve New Brunswickers' quality of life. Also, we are investing in order to make post-secondary education more accessible and affordable.

[*Original*]

We are doing things not only to grow the economy but also to do it in a way that works for all New Brunswickers. That is why we raised taxes on the 1% richest. We could then raise the minimum wage to help New Brunswickers, offer free tuition, and lower the small business tax. We could ensure that we help our seniors by enhancing the CPP, and, yes, we could invest in an innovative program worth \$10 million over the next few years in Living SJ. That is one program, which will be innovative and help reduce poverty in Saint John, that the Leader of the Opposition wants to cut.

### **Nursing Homes**

**Mr. Higgs:** Well, cutting strikes a chord, does it not? Cutting services.

(Interjections.)

**Mr. Speaker:** Order.

**Mr. Higgs:** Will the Premier please confirm the service cuts that he made to seniors in nursing homes? I am sure that he remembers the one cutting nursing care ratios, food budgets, and cleaning budgets. I believe that this was also the year that the former Health Minister and current Finance Minister were out defending cutting \$3 million from people in wheelchairs and orthopedic shoes. Does the Premier remember that or has amnesia set in? Will the Premier confirm these cuts? Will he answer regarding what he was actually doing during all this mandate; or has he forgotten all about that, and now it is just more taxes? Thank you.

**Hon. Mr. Gallant:** We have worked very hard with the people of New Brunswick to make tough choices.

[*Translation*]

Thus, by making choices, we have managed to cut the deficit by more than half while investing more in New Brunswickers' priorities of education and health care. In addition, we have made investments that will help us grow the economy. That is what we managed to do in 2015, 2016, and, as the financial projections indicate, again in 2017. By working with New Brunswickers, we are getting things done.



[Original]

If the Leader of the Opposition wants to lead by example, as he says he does, then I ask him to answer this question: Does he believe that Saint John was not giving up any of its current tax revenue when it came to the LNG terminal tax break and that the fact that it was going to gain an additional half a million dollars per year under the new tax rate was enough to validate the fact that there would be a huge break for the LNG terminal? Yes or no?

### School Nutrition Program

**Mr. Holder:** I join my colleagues from Saint John and Kings County today in recognizing both Kennedy and Jenna in the House.

My question is for the Minister of Education. Policy 711, which I referred to in my earlier statement, clearly states that the department “believes that a healthy lifestyle, which includes eating foods with maximum nutritional value, should be fostered and promoted in all schools”. My question is simple: Does the minister believe in and stand by this policy? Second, does he believe that it is his responsibility as minister to make sure that it is adhered to across the province?

**Hon. Mr. Kenny:** I do believe in that, and our government does believe in that also. I want to thank the parents. I want to thank the students who are here today, who are able to come out and see what is taking place in the Legislature.

At the same time, I want to explain to them that, as Minister of Education and Early Childhood Development, it is my role to make sure that these policies are adhered to. Policy 711 is a very good policy. It makes sure that we have the best food throughout our cafeteria systems in the province and that we are able to give healthy choices to our students. With that said, we will continue to work with the cafeterias and with the principals of the schools to make sure that we have the best nutrition for our students in our schools.

There is a commitment from our government to promote healthier eating in all aspects of life, and I agree with the member opposite that we have to continue to educate New Brunswickers on healthy choices. It is our role, as MLAs and ministers, to be able to promote that, and that is exactly what we are doing in our schools throughout the province.

**Mr. Holder:** I thank the minister for that response. On that note, Anglophone South School District Superintendent Zoë Watson is reported as saying in a CBC article that no contract has been awarded to any company at this point and that a committee is still working through the multistep process of sifting through the proposal requests. In looking at the RFP document, I see that there appears to be little or no reference to the importance of healthy food options in the document. What I am asking the minister to do today is to work with Service New Brunswick and slow this process down until we can determine and until he, as minister, can determine that Policy 711 has been followed in the drafting of the RFP.





**Hon. Mr. Kenny:** I can say today that working with Service New Brunswick, working with the high school, and working with the district is exactly what we are doing. We are making sure that the policies going out with the RFP and the procurement process will have local value in them. We will meet the national needs of the students based on Policy 711, as the member mentioned. The details, nutritional guidelines, and items offered in the cafeteria also include, but are not limited to, the involvement of culinary technical programs in the school, the use of local foods, and the incorporation of the harvest from the community garden at the school. Kudos to the students for doing that. They are actually getting their hands dirty and planting vegetables and fruits. Kudos to them.

As well, there are cleanliness requirements and standards. We have looked at Policy 711 to make sure that we can provide the best quality nutrition for our students throughout the entire school system.

**Mr. Holder:** The concern right now is that the PSSC has been notified that the vendor that is potentially going to get the contract is, in fact, the one that previously had it. There is real concern, based on that experience, that healthy options will not be available to the students at Harbour View High School. We are asking the minister today to slow that process down. If the PSSC has been notified that, in fact, this contract could be signed any day now, we need to make sure that this is slowed down so that we have a chance to make sure that Policy 711 is adhered to and that local input and local control are also respected at the same time. Will the minister commit to slowing that process down to find that out? Thank you.

**Hon. Mr. Gallant:** We very much appreciate the questions from the member for Portland-Simonds. Of course, making sure that our children and youth are able to be as healthy as possible is very important to every single person in this Legislature. To have some of our youth and people who are in our school system take it upon themselves to try to inspire change, I think, is a beautiful thing to see. I appreciate very much the questions of the opposition member, and we will certainly take to heart the points that he made.

I do want to say, though, that I am a bit disappointed that the member for Portland-Simonds is not getting up today to condemn the comments made yesterday by the Leader of the Opposition. The Leader of the Opposition has made it clear that he is against taxing the 1% richest among us. He is against raising minimum wage for those who are working hard. He is against free tuition and against CPP enhancements. But I was shocked yesterday to hear him speak in a very politically charged way about how he does not support the Living SJ initiative to reduce poverty in the city of Saint John. Why will the member for Portland-Simonds not make him retract his comments and apologize to Saint John?

**Mr. Flemming:** I would like to return for a moment to the Premier's message that he set forth in his mandate letters. I have copies of them, and I would like to quote them: "It is not enough to avoid conflicts of interest; you must also be diligent in avoiding the perceptions of such." I



am going to repeat that: “It is not enough to avoid conflicts of interest; you must also be diligent in avoiding the perceptions of such.”

The Premier and I are both lawyers. We were taught, I am sure, from an early stage in our legal education, the principle that not only must justice be done but justice must also be seen to be done. Am I correct in believing that this message and this principle were part of the Premier’s thinking when he drafted the mandate letters?

[*Translation*]

**Hon. Mr. Rousselle:** You know, I mentioned earlier how important transparency and accountability are. I also mentioned that we are fortunate to have in this province an Integrity Commissioner who is a former judge of the Court of Appeal of New Brunswick. I know that, like the member opposite, I am also a lawyer and that we are very cognizant of the criteria that we have to apply to decide whether or not there is indeed a conflict of interest.

I repeat, I have no doubt that our Integrity Commissioner, who was apprised of the facts and made a recommendation to the member for Campbellton-Dalhousie, made the right decision. I have full confidence in the safeguards we have in this province. I have full confidence in the ability of our Integrity Commissioner to submit a sound recommendation, one that respects the principles outlined by my colleague opposite.

[*Original*]

**Mr. Flemming:** I had just a simple question. I talked about a principle of justice not only being done but being seen to be done, and I asked the Premier a simple question: Was this his mind-set when he did the mandate letters? There is a tremendous amount of jurisprudence on the subject and on this principle.

On May 2, 2013, the Premier rose in this House and proclaimed—and he proclaimed this, I might add, to his credit: The perception of politics and the perception that the political system is working for New Brunswickers is often just as important as, if not more important than, some of the outcomes. Those are the Premier’s words. Good for him.

My question is, Was this part of his thought process when he put together his mandate letters? It is a very simple question.

[*Translation*]

**Hon. Mr. Rousselle:** The member opposite is referring to principles that we all hold dear. So, we are certainly talking here about accountability, perceptions, and principles of justice.

I have a hard time understanding the question from the member opposite because I am wondering whether he believes that our Integrity Commissioner is not aware of the basic





concepts and ideas that come into play in a case like this. A former judge of the Court of Appeal of New Brunswick is very familiar with these principles. This person is currently acting as the Integrity Commissioner.

I want to reassure the member opposite as to the fact that, on our side of the House, we all agree with these principles. We respect these principles. In New Brunswick, there is a way of ensuring that these principles are respected by members. In other words, there is an Integrity Commissioner, and we respect his recommendations.

[*Original*]

**Mr. Speaker:** Time.

**Mr. Flemming:** Again, I asked a simple question, and the Attorney General answered it in such a way that he said, technically, legally, he may not be in violation, but those are not the Premier's words. I have no expectation of conduct from the member for Campbellton-Dalhousie, but I do have an expectation of conduct from the Premier. I hold him to a higher standard because he is the Premier. These are his words.

I would simply ask another question then. If the member resigned from office today, would he then be in violation of the *Members' Conflict of Interest Act*? If he resigned today, would he be in violation of the Act? I know the answer. I would like the Premier to stand up, look me in the eye, and tell me that he knows the answer as well.

[*Translation*]

**Hon. Mr. Rousselle:** You will understand that, in order to respect the Standing Rules—this is actually about principles here—I cannot look the member opposite in the eye. That would be against the Standing Rules. This is a very important basic principle, and I am asking you, Mr. Speaker, to make sure that the member opposite is very familiar with the Standing Rules.

That being said. . .

[*Original*]

(Interjections.)

**Mr. Speaker:** Order. The member for Rothesay will come to order.

[*Translation*]

**Hon. Mr. Rousselle:** That being said, you may be sure that the Integrity Commissioner has looked at all the requirements under the Act. If he made a recommendation, as indeed he did, that enables the member for Campbellton-Dalhousie to do what he is doing at the moment, we



must simply accept this decision, because it was made by a person of integrity who respects the principles set out in the Act and the fundamental principles by which we must all abide.

### Government Contracts

**Mr. Coon:** I have not found anyone in the province who supports the privatization of health care management, apart from the government members. The Vitalité Health Network, Égalité santé en français N.-B., the Société de l'Acadie du Nouveau-Brunswick, the Association Acadienne et Francophone des aînées et aînés du Nouveau-Brunswick, the Coalition for Seniors and Nursing Home Residents' Rights, the N.B. Senior Citizens' Federation, the New Brunswick Union of Public and Private Employees, and the Canadian Union of Public Employees are all opposed to it. Will the Minister of Health reverse his decision to transfer the management of nurses in the Extra-Mural Program from the Vitalité Health Network to Medavie?

[Original]

**Hon. Mr. Bourque:** Thank you very much for the question. As you know, our population is aging. New Brunswick has the oldest population in Canada, and it is not going to get better. There is going to be a larger aging population in the future. If we look at the numbers, we know that, in the past 15 years, the population of New Brunswick has grown by 2% while the population of those 65 years of age and older has grown by 15%. That is not going to change in the next 15 years. In fact, the projections are that, in the next 15 years, the population will grow by 1% and the population of those 65 years of age and older will still grow by 50%, so we need to be ready.

I want to mention that we do have some support for this initiative. At the announcement, we had the New Brunswick Medical Society and the Nurses Association of New Brunswick supporting this, and the Horizon RHA is in full support of this initiative.

**Mr. Coon:** This government has privatized the management of public pensions, and it has privatized the management of our extramural nurses, food and cleaning services in our hospitals, property assessment, and the provision of nursing homes. When it comes to privatizing the management of our extramural nurses, that, indeed, may be a violation of the *Canada Health Act*, which requires the public administration of health services.

Why does the Minister of Health not have faith in the ability of our health authorities, Horizon and Vitalité, to manage the work of our extramural nurses? Instead, he is trusting Medavie Health Services in Nova Scotia to tell them how to best care for their patients.

[Translation]

**Hon. Mr. Bourque:** This really gives me an opportunity to explain certain things.



[Original]

He said the “p” word.

[Translation]

That word very often scares people. The opposition members enjoy fearmongering. We are talking here about maintaining an entirely public system, as is currently the case. This is just about creating another totally public entity, as is already the case with Ambulance New Brunswick. For more than 10 years now, Ambulance New Brunswick has been part of Part III of the public service, just like the health networks. This is about creating a new entity that will be called EM/ANB Inc. and will do exactly the same thing. All we are doing is having Medavie take care of management. That is all.

[Original]

**Mr. Coon:** I am well aware of the secrecy surrounding Medavie’s management of Ambulance New Brunswick. At a Standing Committee on Crown Corporations meeting earlier this month, I asked the subsidiary of Nova Scotia-based Medavie Health Services that manages our public ambulance service to provide financial statements for its \$30-million share of the \$100-million annual contract that the government provides to run Ambulance New Brunswick. The CEO of Medavie’s local subsidiary, who is also the CEO of Ambulance New Brunswick, refused to release those financial statements to the committee.

Recently, I was told by a representative of the board of directors of Ambulance New Brunswick that it does not even see Medavie’s financial statements. Now, the minister intends to eliminate the accountability for the tens of millions of dollars that we are going to pay Medavie every year to manage our extramural health services. Why does the minister want to hide how our tax dollars are being spent on health care?

**Hon. Mr. Bourque:** Medavie is a fantastic organization. Medavie has proven that it is a leader in Canada and all over the world for the provision of health services. Did you know that it is the largest private ambulance provider in the country? These are facts that show that the partnerships that Medavie has, not only with the government of New Brunswick but also with various governments and organizations across the country and around the world, bring a lot of value. That is the value that we have taken advantage of for the past decade, and we will continue to do so.

I also want to state that Medavie Health Services is a not-for-profit organization. There are no shareholders and no dividends with this organization. It is a purely New Brunswick... Its head offices are here in New Brunswick, and we are happy to work with it.

**Mr. Speaker:** Final question.



## Government Policy and Procedure

**Mr. Higgs:** It is certainly disappointing. My colleague asked a very, very straight question, and I can understand why the answer has to be addressed to the Speaker. However, having a straight answer to a very straight question on the rule of law... It seems pretty bad that they cannot answer that when each side knows the answer. In the court of public opinion, I am sure that people know differently. They know that this is not right. This is why politicians get such bad names. They do things that defy logic yet are described as okay.

With this in particular, the Premier has been so clear. In the early days, he said that the perception of a conflict of interest would not be allowed. We must be extra careful. This defies that. Then we look at the legislative loophole. How could there be such a loophole in the system that allows such behaviour? I would like to have the information and the response from the conflict of interest commissioner released so that we can know exactly what was said and what legislation allows this to happen.

**Hon. Mr. Gallant:** I believe the minister has very clearly responded to those questions.

I have to take issue with the Leader of the Opposition trying to lecture our government on the answers that we are giving when he will not provide even a peep to the questions that I have been asking him. I do not understand why he will not tell New Brunswickers whether he believes that Saint John got a good deal with the tax break that the LNG terminal got. I do not understand why he will not tell New Brunswickers exactly what role he played in trying to convince the people of Saint John to accept the LNG terminal's tax break.

I do not understand why he will not tell New Brunswickers exactly what role he played in trying to convince the people of Saint John to accept the LNG terminal tax break. I do not understand why he will not tell people exactly why Irving Oil and others that were involved in the LNG terminal tax break felt rushed or why the people of Saint John and others felt rushed to make this decision. When will the Leader of the Opposition finally come clean when it comes to his role in the LNG tax break that the LNG terminal got a few years back? Why will he not tell the people of New Brunswick and answer our question as to what role he played to convince them to accept the tax break?

