

Legislative Assembly of New Brunswick

Oral Questions



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COURTS

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Good morning, Madam Speaker.

[Original]

I will do my best to make question period as exciting and interesting as I can for the students. Hopefully, it will not get too hot in here. We want to keep the temperature just right.

Today, I want to ask some questions about the Supreme Court case on the use of the notwithstanding clause. This is a case of national interest. The province automatically has intervenor status, which it has quietly walked away from. I'd like to ask the Premier this: Who told you to withdraw from this case of national interest? Was it Mark Carney, through Dominic LeBlanc?

Hon. Mr. McKee, K.C. (Moncton Centre, Minister of Justice; Attorney General; Minister responsible for Addictions and Mental Health Services; L): Thank you, Madam Speaker. I don't know whether the Leader of the Official Opposition needs a course in the work of the Attorney General's Office, the work of lawyering, but there is solicitor-client privilege. I'm not going to debate legal strategy here on the floor of the Legislative Assembly. We know that there are at least 38 intervenors in this case. That is a record number of intervenors. Earlier this week, I told the media that we felt that we did not have a further distinct legal opinion or contribution to make in this case. Therefore, we decided to withdraw. I will not comment further on that, Madam Speaker.

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Madam Speaker, the Premier either can't or won't answer the question. Other provinces deem it necessary enough for them to be engaged in this case—many of the other provinces. But this government, through its withdrawal from the case, is abandoning our province's and our citizens' right to be engaged in this case. So, I will ask the Premier this: Do you believe that our province's right to be engaged in this constitutional question is any less important than that of other provinces? Why do the citizens in those provinces get to have a right to be engaged in this case and ours don't? Your actions say yes. Thank you, Madam Speaker.

Hon. Mr. McKee, K.C. (Moncton Centre, Minister of Justice; Attorney General; Minister responsible for Addictions and Mental Health Services; L): Again, for the Leader of the Official Opposition, these are ongoing matters before the courts. Yes, New Brunswick did intervene at one time, but it is not currently doing so. We continuously evaluate, case by case, whether our involvement in these types of cases is necessary. We decided, at this time, that it is not. Then we decided to withdraw. I will not comment further on those ongoing matters.

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I can say that we, as a government, believe in upholding and protecting people's rights, not suspending people's rights, as we saw when the former Conservative government was thinking about using the notwithstanding clause to force vaccinations. They mused about using it with respect to its Policy 713. We see other Conservative governments around the country musing about using it for various issues. We will not use it. We believe in upholding people's rights, Madam Speaker.

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Well, Madam Speaker, the legal question is about the proper use of it. Whether you agree or disagree with the use of the notwithstanding clause, you are sitting it out. If you have something to say, you should engage and say it, pro or con, whichever way you see it. But this government is sitting it out, and I'm asking why. Is this government withdrawing from the case in an attempt to get back in the good graces of the feds because it struck out on nation-building projects?

Hon. Mr. McKee, K.C. (Moncton Centre, Minister of Justice; Attorney General; Minister responsible for Addictions and Mental Health Services; L): Madam Speaker, again, I will not comment on legal strategy before the Legislative Assembly. I will not debate legal and constitutional policy in the media. We have expert constitutional lawyers in the department who do excellent work. We've deemed it unnecessary at this time to further participate in this case, and I will not comment further.

I said that we will not use the notwithstanding clause. Our government believes in upholding people's rights, not suspending them like we've seen from the former government and other Conservative governments around the country.

What I would like to take the opportunity to talk about are the successes that we are having in the Department of Justice and the Office of the Attorney General. We have announced that a mental health and addictions court will be established in the Moncton area. We've announced a digital transformation, with a cost of \$32 million, to modernize our court system. We are taking measures to alleviate pressures on the court system to ensure access to justice for everyone in a timely manner.

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): I'll take that as a yes. The government is withdrawing for those reasons. Look, I'll move on here.

SCHOOL NUTRITION PROGRAM

Madam Speaker, I want to ask the Minister of Education some questions about the breakfast program, because we're hearing from schools that there are issues. Schools were purpose-built during the time they were constructed, and they are having a hard time adapting to this program. The vast majority of schools had programs already in place, but now, because of the actions of this government, they're being forced to buy extra refrigerators. Where they used to need one, now they need three or four. The government members said that all this produce was going to come from New Brunswick producers, and it is not. They don't have the volunteers, so they're not able to do this. Food is being thrown

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out because it can't be refrigerated and it's not getting eaten. So, what is this government doing to try to deal with the problems it has created with its own approach to the breakfast program?

Hon. C. Johnson (Moncton South, Minister of Education and Early Childhood Development, L): Madam Speaker, thank you for the opportunity to talk about the breakfast program. This is so wonderful. Before we implemented this breakfast program that is universal and accessible to all, about half of the schools had something targeted to people in need. Since then, we've doubled that. Now, students in every single school have access to healthy breakfasts, in a universal and non-stigmatizing way. That's hugely important. Yes, the need has increased because food insecurity is present in our communities, unfortunately. That's true. Because we're responding to such an important need, there are some infrastructure adjustments to be made, and we're working really hard on that. I'm thrilled about it. Thank you.

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): We're working on it, Madam Speaker. So, what I hear is that there was a failure to plan, a failure to research, and a failure to execute. That's what I'm getting from this minister. There are schools that are saying: We don't have the volunteers. Well, maybe if the government hadn't fired school support staff, there might have been some people to work on these programs.

You know, we're seeing food being wasted. The government members want to talk about how this is so great. It is great. It's a laudable thing to make sure that people have food. However, through their mismanagement, the government members are also creating the issue of food being wasted. Schools don't have the ability to refrigerate these foods because they don't have refrigerators, and that is because the government members never bothered to plan in the first place. I'm asking the minister what they're doing to mitigate this. When they say, "Well, we're working on it", that means nothing when it comes to the food that is being spoiled and thrown out because this government wasn't prepared. What are they doing to make sure that this food is being used and not wasted and that kids actually get meals?

Hon. C. Johnson (Moncton South, Minister of Education and Early Childhood Development, L): Thank you, Madam Speaker. I'd actually like to thank the member opposite, the critic, for the huge endorsement that he gave the breakfast program yesterday. I will quote the member for Fundy-The Isles-Saint John Lorneville. He said: "I am pleased that students in the province of New Brunswick will have access to free breakfast food at school" and "It is good to see that there is a renewed partnership with Feed NB and the government". I agree. Thank you.

Mr. Savoie (Saint John East, Leader of the Official Opposition, PC): Madam Speaker, again, this government is focusing on the wrong thing. We've all said it: Laudable good intentions are great, the concept is great, but the execution is lacking. The government promised everything to everybody. It's made its bed, and now New Brunswickers have to lie in the situation that the government has created. You can't do that.

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At the end of the day, this government said that it would provide healthy breakfasts to each and every student, but food is being wasted. New Brunswickers are not going to take this lying down. They want to make sure that their students are getting the food that the government said they would get. Because of the government's inaction on this file, food is being thrown out. This minister cannot say what the plan was because there was no plan. Let's ask the minister: What are you doing to fix the problem that you created?

[Translation]

Hon. C. Johnson (Moncton South, Minister of Education and Early Childhood Development, L): Madam Speaker, Feed NB is an extremely important partner in the great project we're currently talking about. We're working with this organization to ensure that orders are done properly and that we have the right amount of food to meet the crying needs in terms of food insecurity in our schools.

We will continue to work with Feed NB to find solutions, provide nutritional food, and reduce food waste as much as possible because we know that a child with a full belly learns a lot better. That is what we need in order to increase literacy and numeracy rates in our province. Thank you.

[Original]

MENTAL HEALTH

Mr. Weir (Riverview, PC): Thank you, Madam Speaker. The Holt government's strategy of announcing things has been overshadowed by its failure to produce any results. Its failure on the mental health and addictions file is what I would like to explore with the minister today.

In April, the minister boasted about a 9% increase in the budget for services, which amounts to another \$20 million. The minister claimed the priority was to provide 50 beds for residential drug treatment and promised there would be beds open this fall. Six months later, can the minister tell this house how many new beds have been opened for drug treatment in New Brunswick and how many might be opened shortly? Thank you, Madam Speaker.

[Translation]

Hon. Mr. McKee, K.C. (Moncton Centre, Minister of Justice; Attorney General; Minister responsible for Addictions and Mental Health Services, L): Thank you very much, Madam Speaker.

[Original]

After six years of the former government doing nothing, we are now batting cleanup like Alejandro Kirk. I'm taking over and cleaning up its messes. It got nothing done in six years.

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Now the former government members show up and present us with 10 different motions and think they will solve the world's problems.

The former government failed to enhance live-in treatment. The member opposite wants to talk about how many beds have been added. The former government didn't add one bed. Very soon, we will announce a contract for the creation of 50 beds to provide treatment for people when they need it. The former government failed to complete the youth centre of excellence. It kicked the can down the road. We will finally open the centre once and for all. The former government failed to present a resource strategy in psychiatry. We will present one. We announced the opening of the child and youth centre in Saint John. We are getting things done, Madam Speaker.

Mr. Weir (Riverview, PC): To the minister across the aisle, you are the minister. This is your government. You made the promise on this floor in the spring. I asked you a direct question about your promise, and you avoided answering.

I will remind the minister that addiction was mentioned only once in his mandate letter. I also remind the minister that the word "addiction" was only mentioned once in the Liberal platform. Last October, the minister acknowledged that the previous government's process to add 50 additional beds was under way. At the time, the minister said that his government was working aggressively to build on that. Imagine that.

At the time, I mentioned that we had 30 empty therapeutic beds due to the lack of timely access to detox beds. Here we are, four years later. Can the minister point to any tangible changes—not promises—from our situation one year ago? Thank you, Madam Speaker.

Hon. Mr. McKee, K.C. (Moncton Centre, Minister of Justice; Attorney General; Minister responsible for Addictions and Mental Health Services; L): Madam Speaker, our government is committed to expanding access to live-in treatment beds in the province. There was an RFP issued last fall. It has been awarded to a successful proponent. Now, we are going through contract negotiations with that service provider. It takes time to get this right. It is going to be a multi-year, multi-decade contract for the service provider to provide those beds for New Brunswickers. We are taking our time to get it right because we believe in the care of New Brunswickers.

What else have we done? We announced that, in April, we will open the mental health court in Moncton. We will identify the next site to expand that service in New Brunswick. We will continue to do that. We will have legislation for the mental health advocate. These are things the former government kicked down the road. For six years, it kicked them down the road.

Mr. Weir (Riverview, PC): Thank you, Madam Speaker. The RFP the minister spoke about was not from his government. We are still waiting. In the spring, he said that he would make an announcement this fall that some of those beds would be opened. I have asked the question. He will not answer it. I'm not surprised.

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I think we can all agree that this government has been focused on photo ops and splashy announcements. It has come up short on results to change and improve the lives of New Brunswickers struggling with mental health and addiction. Long-term outlooks are not helping people today. Do better. Please.

In announcements from Fredericton, high on the list are the mental health court and the latest youth psychiatric unit expected to be open in mid-2026. Horizon is hopeful staff funding will be available in the 2026-27 budget. Without funding, Horizon can't even hire the staff for the Holt government's photo op and announcements. Can the minister tell this House whether this funding will come from his budget or the Health budget? Has his government even thought that far ahead?

Hon. Mr. McKee, K.C. (Moncton Centre, Minister of Justice; Attorney General; Minister responsible for Addictions and Mental Health Services; L): He's shouting. I didn't really get what the question was, to be honest, Madam Speaker. Is he asking about the child and youth psychiatric facility in Saint John? That was a very good announcement. That was something the Horizon staff identified to me in my very first meeting with them last fall. They gave me a list of five priorities, and one of them was the child and youth psychiatric unit for the Saint John region that would serve the southwest area of the province all the way to Fredericton. That is something we worked on this year. We made that announcement. We will continue to work with Horizon, with the Department of Health, and with my colleague—we work very well together—to identify the resources needed to make that unit operational. We will get it done.

We are getting things done. The members opposite had six years, and they did nothing. Now, they are shouting and saying: What are you doing? We are getting things done for New Brunswickers—

GUN CONTROL

Mr. Ames (Carleton-York, PC): Thank you very much, Madam Speaker. The Carney government in Ottawa has cooked up yet another policy that misses the mark for New Brunswickers. This new gun buyback program is supposed to make Canadians safer, but the reality will certainly be no different. Under this plan, gun owners will soon get letters and emails from Ottawa asking them to hand over their legally purchased property and fill out piles of paperwork in the hopes of getting a government cheque. Those who do not volunteer will lose compensation and be forced to dispose of their own firearms. Madam Speaker, I have a few questions for the Minister of Public Safety. Does he actually support this cash-for-carbine scheme, even though it punishes rural New Brunswickers instead of criminals?

[Translation]

Hon. Mr. Gauvin (Shediac Bay-Dieppe, Minister of Public Safety; Minister responsible for la Francophonie, L): I want to thank the Critic for Public Safety for his important question. The Minister of Justice and I went to Alberta a few weeks ago. We actually talked about this

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program. Some people have decided to support the program, but I have not yet made my decision. It's a decision I take very seriously.

I also take the member's suggestions seriously, as I understand that many New Brunswickers have firearms and are responsible people. I am very aware of that.

Both sides of the coin need to be considered. This is what is important and what we are doing on this side of the House. On the other side of the coin, the program would not cost the province of New Brunswick anything. I'm wondering if we should allocate resources for firearms collection points. We are currently exploring these decisions. We will take our time. The decision has not yet been finalized. You can be sure of one thing: when we make our decision, we will inform you. Thank you very much, Madam Speaker.

[Original]

Mr. Ames (Carleton-York, PC): Thank you very much, Madam Speaker. He hasn't decided yet? The program has been rolled out. When is he going to decide? That's mind-boggling.

Will the hard-working men and women of New Brunswick—the hunters, farmers, and veterans—be penalized? When is he going to decide? Maybe the Premier hasn't told him his decision yet. Thank you, Madam Speaker.

[Translation]

Hon. Mr. Gauvin (Shediac Bay-Dieppe, Minister of Public Safety; Minister responsible for la Francophonie, L): Thank you very much, Madam Speaker. When we make the decision, we will inform you. I'm so pleased that the member opposite says that this Premier tells us what to do... I have worked under two Premiers. I know one who wanted to kick me out of his office when I was Minister of Tourism, Heritage and Culture because I wanted to invest \$6 000 in a fence to protect New Brunswickers.

This Premier doesn't micromanage. She trusts us to make decisions. For the first time in the history of New Brunswick, we will have a unit dedicated to combating sexual violence. You're laughing at this.

(Interjections.)

Hon. Mr. Gauvin (Shediac Bay-Dieppe, Minister of Public Safety; Minister responsible for la Francophonie, L): You're laughing at the fact that we will have a unit... I hope that young teenage girls... The Leader of the Official Opposition was just laughing because this government will be establishing a unit to combat sexual violence, which includes fighting against human trafficking. The Leader of the Official Opposition has just made fun of this. This is shameful. It all goes to show you once again just how much he cares about New Brunswickers.

[Original]

Mr. Ames (Carleton-York, PC): That's amazing. I don't even know what that was. To quote the famous words of our Attorney General: Settle down. Answer the question. When are

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you going to decide? New Brunswickers want to know. How much is this latest blunder going to cost New Brunswickers? That's really what we all want to know. Turn it up. We can't hear you.

[Translation]

Hon. Mr. Gauvin (Shediac Bay-Dieppe, Minister of Public Safety; Minister responsible for La Francophonie, L): It is very easy to answer that question. How much will the program cost New Brunswick? It won't cost anything. I can't believe the member opposite doesn't know that, Madam Speaker. He is a former executive assistant to someone who held my current position. The program won't cost New Brunswick anything. We are taking the time to assess the situation precisely because of what the member just mentioned. My first answer was about the things he mentioned. We are taking the time to decide whether we are participating in the program or not. We are considering who will take care of this if we do not participate. These are the decisions that we are making right now.

We have discussed the situation with our counterparts in the other Canadian provinces. We are trying to be responsible. The best way to be responsible is to assess the situation. That's what we're doing. When the time comes to give our answer, we will give it clearly. I don't know what else to say. The member opposite may not be listening to me, or maybe he can't hear me. The program won't cost anything. I hope you will take that into account. That is the only thing you talk about. The program won't cost anything. The important thing about the project is ensuring that New Brunswickers are always safe. Thank you, Madam Speaker.

[Original]

ENVIRONMENTAL IMPACT ASSESSMENT

Ms. Mitton (Tantramar, G): Madam Speaker, NB Power and PROENERGY are teaming up to burn fracked gas and diesel in Tantramar. They blindsided our community in July then rushed through the federal version of the environmental impact assessment (EIA) process.

The provincial EIA process included public consultations, which were in mid-August. At the public Q & A that my community demanded, PROENERGY banned any recording or pictures, including by journalists. PROENERGY and NB Power have misrepresented an Indigenous equity partnership and excluded key information from their EIA submission, such as the presence of pileated woodpeckers in Centre Village.

This has been rushed through with inadequate information and poor consultation, and the determination review EIA is not robust enough for this situation. We need a comprehensive review EIA. Will the Minister of Environment commit to having a comprehensive EIA carried out for this fracked gas plant?

[Translation]

Hon. Mr. LePage (Restigouche West, Minister of Environment and Climate Change; Minister responsible for the Regional Development Corporation, L): Thank you, Madam

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Speaker. Thank you for the question. I think that the scope of an environmental impact assessment and what we look for in an environmental impact assessment here in New Brunswick absolutely must be understood.

In the environmental impact assessment process, the public, First Nations, and MLAs are invited to make comments to guide research. Rest assured that every question... There were public information sessions last August. The comments made by the public during the sessions and submitted in writing afterwards were heard by the proponent. As a government, we are in fact working to respond to every concern. We want the proponent to mitigate or eliminate these impacts. How will all of that be done? All of that will only be done through collaboration, Madam Speaker.

[Original]

Ms. Mitton (Tantramar, G): Madam Speaker, a comprehensive EIA is the only way to ensure there's adequate public consultation and Indigenous consultation. That did not happen in the public sessions earlier this year. We have better options than to spend New Brunswickers' money on a sunset industry, to partner with an American company that locks us into fossil fuels for 25 more years, and to risk having the plant become a stranded asset.

A comprehensive EIA is described on the Environment and Local Government website as a review where "the Minister suspects project impacts may be significant or decides more study is needed to further assess these impacts".

Just to be clear, the minister alone can order a comprehensive EIA. Considering the many problems I have outlined, does the minister agree that a comprehensive EIA with public consultations must be done to ensure that we get accurate information?

[Translation]

Hon. Mr. LePage (Restigouche West, Minister of Environment and Climate Change; Minister responsible for the Regional Development Corporation, L): Thank you, Madam Speaker. First of all, let's talk about what the public and First Nations have heard so far. In the assessment, we evaluated the situation concerning fossil fuels, the Chignecto Isthmus as a main wildlife corridor, significant water needs, and effluent release. All the questions were about these things. The ongoing environmental impact assessment covers the exact things the public asked us to consider. That's what we're doing.

However, we absolutely do want to hear every question and comment. If people still have questions, where are they? All the questions we have received so far have been included in the environmental impact assessment. If the member opposite has other justifiable questions, she should say so out loud, since the answers to everything she has asked for so far will be included in the environmental impact assessment.

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[Original]

Ms. Mitton (Tantramar, G): Madam Speaker, the problem is that this government has been fed poor information in terms of the EIA submission, and the process is not transparent in terms of engaging the public. For six weeks now, the Premier has just kept repeating that she has questions about the proposal too. First, on September 16, she said she had tons of questions. By October 20, she had “a lot of questions”. Subsequently, at a protest last week, she told many of my constituents that she had “a number of questions”. Madam Speaker, if the Premier can’t get answers over these six weeks, who can? One thing she can do is ensure that there is a comprehensive EIA with public consultations at every step.

Given the unanswered questions, the problematic process, and the lack of transparency throughout, I’ll ask the Premier what the people in my riding and the mayor and council of Tantramar have already asked her directly. Will her government ensure that there is a comprehensive EIA and when?

[Translation]

Hon. Mr. LePage (Restigouche West, Minister of Environment and Climate Change; Minister responsible for the Regional Development Corporation, L): Thank you, Madam Speaker. I don’t know how many times I will have to repeat my answer. The environmental impact assessment is underway. No decision will be made until we receive answers to the questions from me, you, the public, First Nations, and even the Premier. I can assure you of that.

However, I want to say that, so far, nothing has demonstrated that a detailed assessment is necessary. If the process demonstrates that necessity, we will change our minds. Until the member, the public, and First Nations make us aware of factors that justify a detailed assessment, we will stick to the environmental impact assessment process to answer questions.

Let the process take its course. Ask the right questions, and we will give you the right answers. Thank you, Madam Speaker.

[Original]

CHILD PROTECTION

Mr. Monahan (Arcadia-Butternut Valley-Maple Hills, PC): Protecting our children should be the most basic and unquestionable duty of any government, yet, despite clear warnings and repeated concerns from parents and communities, this government continues to delay meaningful action to strengthen protections for vulnerable students in our schools. Under the current law, school staff are required to complete only a single criminal record and vulnerable sector check prior to employment and are expected to self-report any future changes. That system relies on honesty rather than accountability. In the minister’s own correspondence, he admits that strengthening the frequency of these background checks would require legislative change but also makes it clear that there are no plans to act. That

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is unacceptable. Our children deserve more than polite assurances. They deserve a government willing to act decisively to keep them safe. When will this government finally take action to protect New Brunswick's vulnerable children instead of hiding behind process and delay?

[*Translation*]

Hon. C. Johnson (Moncton South, Minister of Education and Early Childhood Development, L): Thank you, Madam Speaker. I thank the opposition member for making me aware of his concern. This is something that I will look at in more detail, but I can assure you that there are multiple ways to raise concerns or things that are seen on the ground. They can be brought directly to the attention of the department. There are policies and procedures aimed specifically at ensuring that our students are safe in schools because that is an absolute priority for the department and our government. I can look at all this in more detail, but I can assure you that it is a priority for us.

Madam Speaker (Hon. Ms. Landry): The time for question period has now expired, and we will move on to the tabling of documents.