



**LEGISLATIVE ASSEMBLY**  
**PROVINCE OF NEW BRUNSWICK**

**ORDER AND NOTICE PAPER**

**Daily Sitting No. 14**

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Third Session, 55th Legislative Assembly

**Wednesday, March 29, 2006**

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**ROUTINE PROCEEDINGS**

Prayers  
Condolences and Messages of Sympathy (*Prior Notice to Speaker*)  
Introduction of Guests  
Congratulatory Messages  
Presentations of Petitions  
Answers to Petitions and Written Questions  
Presentations of Committee Reports  
Tabling of Documents  
Statements by Ministers  
Statements by Members  
Oral Questions  
Introduction of Bills

Notices of Motions

Government Motions for the Ordering of the Business of the House  
Orders of the Day

**ORDER AND NOTICE PAPER  
ORDERS OF THE DAY**

**SECOND READING (deferred until Wednesday, March 29, 2006)**

Bill 30, An Act to Amend the Prescription Drug Payment Act - Mr. Allaby

Bill 31, An Act to Amend the Electricity Act - Mr. Burke

Bill 32, Fairness in Fees Act - Mr. Lamrock

**GOVERNMENT BILLS AND ORDERS**

**GOVERNMENT MOTIONS**

**Resuming the adjourned debate on the motion that this House approves in general the budgetary policy of the government. (Motion 28)**

**Debate adjourned by Mr. Murphy.**

**Debate to resume Thursday, March 30, 2006.**

**COMMITTEE OF THE WHOLE**

Bill 2, Fiscal Responsibility and Balanced Budget Act - Hon. Mr. Volpé

Bill 4, Tuition Tax Cash Back Credit Act - Hon. Mr. Volpé

Bill 5, Tobacco Damages and Health Care Costs Recovery Act  
- Hon. Mr. Green, Q.C.

Bill 8, An Act to Amend the Film and Video Act - Hon. Mr. Steeves

Bill 9, An Act Respecting the Protection of Low-Income Occupiers - Dr. Doherty

Bill 10, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. Ashfield

Bill 11, An Act to Amend the Crown Lands and Forests Act - Hon. Mr. Ashfield

Bill 12, An Act to Amend the Forest Products Act - Hon. Mr. Ashfield

Bill 13, An Act to Amend the Occupational Health and Safety Act  
- Hon. Mrs. Blaney

Bill 14, An Act to Amend the Industrial Relations Act - Hon. Mrs. Blaney

Bill 15, An Act to Amend the Clean Environment Act - Hon. Mr. Holder

Bill 16, An Act to Amend the Clean Environment Act - Hon. Mr. Holder

Bill 17, An Act to Amend the Land Titles Act - Hon. Mr. Mockler

Bill 18, An Act to Amend An Act to Amend the Motor Vehicle Act  
- Hon. Mr. Steeves

Bill 19, An Act to Amend the Motor Vehicle Act - Hon. Mr. Steeves  
 Bill 20, An Act to Amend the Provincial Loans Act - Hon. Mr. Volpé  
 Bill 21, An Act to Amend the Shortline Railways Act - Hon. Mr. P. Robichaud

Bill 22, An Act to Amend the Kings Landing Corporation Act  
 - Hon. Mrs. MacAlpine-Stiles  
 Bill 24, An Act to Amend the New Brunswick Investment Management Corporation Act -  
 Mr. Murphy  
 Bill 25, An Act to Amend the Child and Youth Advocate Act  
 - Hon. Mrs. MacAlpine-Stiles  
 Bill 28, An Act to Amend the Gas Distribution Act, 1999 - Hon. Mr. Fitch  
 Bill 29, An Act Respecting the Protection of Retirement Home Residents - Mr. Lamrock

## **COMMITTEE OF SUPPLY**

Capital Estimates 2006-2007  
 Supplementary Estimates Volume III 2004-2005  
 Supplementary Estimates Volume I 2005-2006  
 (Transmitted by Message of His Honour the Lieutenant-Governor Herménégilde  
 Chiasson on December 20, 2005)

## **BILLS STANDING REFERRED TO STANDING COMMITTEE ON LAW AMENDMENTS**

Bill 6, Franchises Act - Hon. Mr. Green, Q.C.

## **NOTICES OF MOTIONS**

### **GOVERNMENT MOTIONS**

#### **CONCLUDED:**

**Motion 1 by Hon. Mr. Alward.** Debated and carried December 7, 2005.  
**Motion 19 by Hon. Mr. Volpé.** Debated December 20 and 21 and  
 carried December 21, 2005.  
**Motion 40 by Hon. Mr. Green.** Carried December 23, 2005.  
**Motion 44 by Hon. Mr. Green.** Carried December 23, 2005.  
**Motion 45 by Hon. Mr. Green.** Carried December 23, 2005.  
**Motion 46 by Hon. Mr. Green.** Carried December 23, 2005.

### **PRIVATE MEMBERS' MOTIONS**

*[In accordance to rotation prescribed by  
 Standing Rules 44(2.4), (2.5), and (2.6)]*

### ***Debatable Motions***

**Motion 30 by Mr. Lamrock**, seconded by Mr. S. Graham to propose the following resolution on Tuesday, December 27, 2005:

WHEREAS the government has approved two private colleges to be eligible for public student loans, and

WHEREAS innocent New Brunswickers have been hurt by these colleges,

BE IT RESOLVED that the Legislative Assembly ask the Auditor General to review the approval process for private training institutions.

**Motion 41 by Dr. Doherty**, seconded by Mr. A. LeBlanc to propose the following resolution on Tuesday, December 30, 2005:

WHEREAS all parties of the Legislative Assembly have stated a commitment to address the issue of slum landlords in the province of New Brunswick;

WHEREAS on December 9, 2005 the Legislative Assembly voted unanimously in favour of Bill 9, *An Act Respecting the Protection of Low-Income Occupier*;

BE IT RESOLVED that this Legislative Assembly urge government to bring forward Bill 9 for consideration in Committee of the Whole by April 15, 2006.

### **Motions for returns            *[In order of their introduction in the House]***

**Motion 3 by Mrs. Robichaud**, seconded by Mr. Lamrock to propose the following resolution on Tuesday, December 13, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research between January 1, 2005 and November 30, 2005 pertaining to changes in pay bands or other remuneration in the schools, school boards and education districts in New Brunswick.

**[Documents requested filed March 3, 2006]**

**Motion 4 by Mr. Murphy**, seconded by Mr. Lamrock to propose the following resolution on Tuesday, December 13, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research pertaining to education financing in New Brunswick exchanged or held by the Department of Education, the Department of Finance and education districts.

**Motion 5 by Mr. Targett**, seconded by Mr. Lamrock to propose the following resolution on Tuesday, December 13, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and

research between the Office of Human Resources and the Department of Finance, Executive Council and/or the Department of Education regarding payband adjustments in the Department of Education.

**[Documents requested filed March 3, 2006]**

**Motion 6 by Dr. Kennedy**, seconded by Mr. Jamieson to propose the following resolution on Tuesday, December 13, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research to or from NB Power and/or the Department of Energy regarding the NB Power Defoliant Spraying Program during 1965-1970 timeframe from June 2003 until present.

**[Documents requested filed February 8, 2006]**

**Motion 7 by Dr. Kennedy**, seconded by Mr. Jamieson to propose the following resolution on Tuesday, December 13, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis from the Department of Energy or the then NB Power Corporation pertaining to the NB Power Defoliant Program during the 1965-1970 timeframe including the names of all individuals who were employed with this program as full-time, part-time, casual or summer students; as well as the names of all defoliant agents used and the location of their usage in the Province of New Brunswick.

**[Documents requested filed March 9, 2006]**

**Motion 8 by Mr. Paulin**, seconded by Mr. Branch to propose the following resolution on Tuesday, December 13, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and research between April 1, 2004 and December 7, 2005 pertaining to the authorization of the export of wood from Crown Lands.

**[Documents requested filed January 13, 2006]**

**Motion 9 by Mr. Paulin**, seconded by Mr. Branch to propose the following resolution on Tuesday, December 13, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, handwritten notes, reports, analysis and

research between April 1, 2004 and December 7, 2005 pertaining to the budget of the Restigouche River clean-up.

**[Documents requested filed December 23, 2005]**

**Motion 12 by Mr. R. Boudreau**, seconded by Mr. V. Boudreau to propose the following resolution on Thursday, December 15, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research pertaining to the Department of Family and Community Services' plan concerning residential services for people with autism.

**[Response filed December 15, 2005]**

**Motion 13 by Mr. Jamieson**, seconded by Mr. S. Graham to propose the following resolution on Tuesday, December 20, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research, between June 7<sup>th</sup>, 1999, and December 13, 2005, pertaining to all applications that have been made by the Department of the Environment and Local Government for infrastructure funding with the Federal Government and environmental projects that have been funded since June 7<sup>th</sup>, 1999.

**[Documents requested filed February 21, 2006]**

**Motion 14 by Mr. Albert**, seconded by Mr. Landry to propose the following resolution on Tuesday, December 20, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House the number of births per month between April 1, 2003, and the end of November 2005, by local service district, village, town or city served by the Acadie-Bathurst Health Authority.

**[Documents requested filed February 28, 2006]**

**Motion 15 by Mr. Haché**, seconded by Mr. S. Graham to propose the following resolution on Tuesday, December 20, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research, between June 7<sup>th</sup>, 2003, and December 13<sup>th</sup>, 2005, between Business New Brunswick or any other government department and Research in Motion.

**[Documents requested filed March 22, 2006]**

**Motion 16 by Mr. Lamrock**, seconded by Mr. Brewer to propose the following resolution on Tuesday, December 20, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, e-mails, correspondence, reports related to a request by the Government of New Brunswick to the Government of Canada to amend the agreed route for the project known as the "Marysville By-Pass".

**[Documents requested filed March 23, 2006]**

**Motion 17 by Mr. Haché**, seconded by Mr. Paulin to propose the following resolution on Thursday, December 22, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House the names and locations of all outfitters who operate within clusters on Crown Land from June 7<sup>th</sup>, 1999 to December 14, 2005; the specific geographical location and name of those clusters; the date those licences were issued; the names of all the people listed on those operating licences, along with all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research relevant to the approval of the foregoing.

**[Documents requested filed January 27, 2006]**

**Motion 18 by Mr. S. Graham**, seconded by Mr. V. Boudreau to propose the following resolution on Thursday, December 22, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House the plan that the Minister of Health and Wellness referred to during Question Period of December 14, 2005, for dealing with a pandemic influenza outbreak.

**Motion 20 by Mr. Albert**, seconded by Mr. Landry to propose the following resolution on Thursday, December 22, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all information about the creation of a geographical names board, including memos, reports, faxes, minutes of meetings, etc., from April 1, 2003, to November 30, 2005.

**[Documents requested filed December 23, 2005]**

**Motion 21 by Mr. Murphy**, seconded by Mr. Lamrock to propose the following resolution on Thursday, December 22, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House a copy of all expenses including copies of invoices, receipts, etc. from January 1, 2004 to December 1, 2005 for the Minister of Intergovernmental and International Relations, Minister responsible for Service New Brunswick, and Minister responsible for the Culture and Sport Secretariat.

**[Documents requested filed January 27, 2006]**

**Motion 22 by Mr. Murphy**, seconded by Mr. Lamrock to propose the following resolution on Thursday, December 22, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House a copy of all flight logs from the Government Plane from January 1, 2004 to December 1, 2005.

**[Documents requested filed January 12, 2006]**

**Motion 23 by Mr. V. Boudreau**, seconded by Mr. Paulin to propose the following resolution on Thursday, December 22, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all existing contracts signed between the Government of New Brunswick and all active ambulance service providers since June 2003; and all existing contracts signed between the active ambulance service providers and their employees since June 2003.

**Motion 24 by Mr. Lamrock**, seconded by Mr. Murphy to propose the following resolution on Tuesday, December 20, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all documents, e-mails, correspondence, reports related to the approval of certifyonline.com, or the registered owner of that domain name, as an adult training facility.

**[Response filed December 21, 2005]**

**Motion 25 by Mrs. Robichaud**, seconded by Mr. Lamrock to propose the following resolution on Tuesday, December 27, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research pertaining to the tracking of students with Learning Disabilities in the francophone school system.

**[Documents requested filed February 1, 2006]**

**Motion 26 by Mr. R. Boudreau**, seconded by Mr. V. Boudreau to propose the following resolution on Tuesday, December 27, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research pertaining to the existence of contingency plans in the case of a strike regarding both nursing



homes and home care workers.

**Motion 27 by Mr. S. Graham**, seconded by Mr. V. Boudreau to propose the following resolution on Tuesday, December 27, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research between the Department of Health and Wellness and the Regional Health Authorities pertaining to the transition of public health care workers and mental health workers to the provincial government since November 1, 2002.

**[Response filed January 18, 2006]**

**Motion 29 by Mr. Lamrock**, seconded by Mr. Haché to propose the following resolution on Tuesday, December 27, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research related to the approval of the International Business Practice Entrepreneurship College as an adult training facility for eligibility under the *Youth Assistance Act*.

**[Documents requested filed February 1, 2006]**

**Motion 31 by Mr. Foran**, seconded by Mr. Brewer to propose the following resolution on Tuesday, December 27, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, research and reports pertaining to the investigation that was conducted by Dr. Badley, for the Miramichi Regional Health Authority that was released in 2005 regarding the internal concerns at the Miramichi Regional Hospital following the resignation of Dr. McAvinue.

**[Documents requested filed February 17, 2006]**

**Motion 32 by Mr. V. Boudreau**, seconded by Mr. Arseneault to propose the following resolution on Tuesday, December 27, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research since January 1, 2003 pertaining to the tendering process for the Parlee Beach Provincial Park campground, as well as the awarding of any and all contracts for the operations of that campground.

**[Documents requested filed February 1, 2006]**

**Motion 33 by Mr. V. Boudreau**, seconded by Mr. Arseneault to propose the following

resolution on Tuesday, December 27, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research since January 1, 2005 pertaining to the purchase of the former Gilligan's Beach Bar and Grill at Parlee Beach Provincial Park by the Government of New Brunswick including but not limited to the purchase and sale agreement and the operational budget of the restaurant for the 2005 season.

**[Documents requested filed February 1, 2006]**

**Motion 34 by Mr. Paulin**, seconded by Mr. Arseneault to propose the following resolution on Tuesday, December 27, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all information about the possible closure of Le Rendez-vous-des-Jeunes School, in Saint-Arthur, including memos, reports, faxes, minutes of meetings, etc.

**[Documents requested filed January 24, 2006]**

**Motion 35 by Mr. Paulin**, seconded by Mr. Branch to propose the following resolution on Thursday, December 29, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research between and pertaining to overall cost, design, consultation, writing, photography use, concept and printing of the State of the Forest Report 2005.

**[Documents requested filed January 20, 2006]**

**Motion 36 by Mr. Albert**, seconded by Mr. Landry to propose the following resolution on Thursday, December 29, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House the progress report(s) on the periodic review of the cultural policy, as indicated in the cultural policy document released in February 2002.

**Motion 37 by Mr. Albert**, seconded by Mr. Landry to propose the following resolution on Thursday, December 29, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House the annual report(s) produced to measure the

efficiency and performance of the international strategy, as indicated in the *New Brunswick's International Strategy* document released in April 2003.

**[Documents requested filed January 31, 2006]**

**Motion 38 by Mr. Arseneault**, seconded by Mr. Allaby to propose the following resolution on Thursday, December 29, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research since January 1, 2005 pertaining to the on-going illegal operations of paid guest accommodations in New Brunswick, as well as any recommendations presented to the Minister of Tourism and Parks for action to be taken.

**[Documents requested filed February 1, 2006]**

**Motion 39 by Mr. Arseneault**, seconded by Mr. Allaby to propose the following resolution on Thursday, December 29, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House all correspondence, including minutes of meetings, letters, e-mails, memoranda, briefing notes, hand-written notes, reports, analysis and research since January 1, 2005 pertaining to recreational vehicle tourists utilizing Wal-Mart's parking lots instead of licensed campgrounds for their overnight parking accommodations, as well as any recommendations presented to the Minister of Tourism and Parks for action.

**[Documents requested filed February 1, 2006]**

**Motion 42 by Mr. V. Boudreau**, seconded by Mr. Allaby to propose the following resolution on Thursday, December 29, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House the number of New Brunswick residents 65 and older who received prescription drug benefits under the New Brunswick Prescription Drug Program for the first time in each of the years ending December 31, 1999, 2000, 2001, 2002, 2003, 2004 and 2005.

**[Documents requested filed March 22, 2006]**

**Motion 43 by Mr. V. Boudreau**, seconded by Mr. Allaby to propose the following resolution on Thursday, December 29, 2005:

That an address be presented to His Honour the Lieutenant-Governor, praying that he cause to be laid upon the table of the House the number of New Brunswick residents 65 and older who had been deemed eligible to receive prescription drug benefits under the New Brunswick Prescription Drug Program (NBPDP) during the previous year but failed to re-qualify for the NBPDP for each of the years ending December 31, 1999, 2000, 2001, 2002, 2003, 2004 and 2005.

**[Documents requested filed March 22, 2006]**

**CONCLUDED:**

**Motion 2 by Mr. S. Graham.** Debated and defeated December 13, 2005.

**Motion 10 by Mr. Burke.** Debated and carried December 15, 2005.

**Motion 11 by Mr. Murphy.** Debated and carried as amended December 20, 2005.

**PETITIONS**

Petition No. 1 by Mr. C. LeBlanc presented December 7, 2005.

(Response filed December 23, 2005)

Petition No. 2 by Mr. Landry presented December 7, 2005.

(Response filed December 21, 2005)

Petition No. 3 by Mr. Doucet presented December 9, 2005.

(Response filed January 31, 2006)

Petition No. 4 by Mrs. Robichaud presented December 13, 2005.

(Response filed December 21, 2005)

Petition No. 5 by Mr. Kenny presented December 14, 2005.

Petition No. 6 by Mrs. Robichaud presented December 14, 2005.

(Response filed January 19, 2006)

Petition No. 7 by Mrs. Robichaud presented December 15, 2005.

(Response filed January 19, 2006)

Petition No. 8 by Mrs. Robichaud presented December 15, 2005.

(Response filed January 30, 2006)

Petition No. 9 by Mr. Paulin presented December 20, 2005.

(Response filed January 18, 2006)

**COMMITTEE REPORTS**

First Report of the Standing Committee on Law Amendments presented December 22, 2005.

First Report of the Standing Committee on Procedure presented December 23, 2005.

**REPORTS / DOCUMENTS**

**TABLED IN THE HOUSE**

Main Estimates 2006-2007 (Transmitted by Message of His Honour the Lieutenant-Governor by Hon. Mr. Volpé March 28, 2006)

**FILED IN THE CLERK'S OFFICE**

Budget 2006-2007 (Filed March 28, 2006)

The New Brunswick Economy 2006 (Filed March 28, 2006)

Government of New Brunswick Workforce Profile 2005 (Filed March 28, 2006)

Loredana Catalli Sonier  
Clerk of the Legislative Assembly