



**FIRST REPORT  
OF THE  
STANDING COMMITTEE ON LAW AMENDMENTS**

**Third Session**

**Fifty-eighth Legislative Assembly**

**of the**

**Province of New Brunswick**

**December 14, 2016**

**MEMBERS OF THE COMMITTEE**

Hon. Mr. Rousselle, Q.C., Chair  
Mr. Albert, Vice-Chair  
Mr. Bourque  
Mr. Bernard LeBlanc  
Mr. LePage  
Mr. Chiasson

Ms. LeBlanc  
Mr. Flemming, Q.C.  
Mr. Keirstead  
Mr. Northrup  
Mr. Wetmore

December 14, 2016

To The Honourable  
The Legislative Assembly of  
The Province of New Brunswick

Mr. Speaker:

I have the pleasure to present herewith the First Report of the Standing Committee on Law Amendments for the session.

The report is the result of your Committee's deliberations on Bill 16, *An Act to Amend the Crown Construction Contracts Act*, the subject matter of which was referred to your Committee for consideration.

On behalf of the Committee, I wish to thank those individuals and organizations who appeared before the Committee. In addition, I would like to express my appreciation to the members of the Committee for their contribution in carrying out our mandate.

Your Committee begs leave to make a further report.

I move, seconded by the Member for Caraquet, that the report be concurred in by the House.

Respectfully submitted,

Hon. Serge Rousselle, Q.C., M.L.A.  
Chair

December 14, 2016

To The Honourable  
The Legislative Assembly of  
The Province of New Brunswick

Mr. Speaker:

Your Standing Committee on Law Amendments begs leave to submit their First Report of the session.

On November 16, 2016, Bill 16, *An Act to Amend the Crown Construction Contracts Act*, was introduced in the Legislative Assembly. The proposed legislation has four major focuses: to exempt certain non-routine capital projects of the New Brunswick Power Corporation from the application of the *Crown Construction Contracts Act*; to move standard form contracts in the machine rental rates from regulation and into government administrative policy; to permit the Minister of Transportation and Infrastructure to create a set of standard terms for performance bonds and payment bonds furnished to the Crown in relation to a contract administered on behalf of the Crown by the Minister, and to permit Crown entities to negotiate with the low or sole bidder on a contract.

On November 17, 2016, by resolution of the House, consideration of the subject matter of Bill 16 was referred to the Standing Committee on Law Amendments.

On November 23, 2016, your Committee met and determined that certain organizations should be invited to provide input to the Committee with respect to the issues raised by Bill 16. On December 12 and 13, 2016, your Committee met with representatives from the New Brunswick Power Corporation, the Department of Transportation and Infrastructure, the Construction Association of New Brunswick, the Electrical Contractors Association of New Brunswick, and the New Brunswick Road Builders and Heavy Construction Association. In addition, the Association of Consulting Engineering Companies-New Brunswick submitted written comments.

### **RECOMMENDATION**

Based on the input received from the organizations who appeared and submitted comments, your Committee does not recommend Bill 16 in its current form. Your Committee does recommend that further consultation is required between the New Brunswick Power Corporation and the relevant stakeholders.