

# **HANSARD**

**NOVA SCOTIA HOUSE OF ASSEMBLY**

## **HOUSE OF ASSEMBLY MANAGEMENT COMMISSION**

**Tuesday, January 24, 2012**

**Committee Room 1**

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**HOUSE OF ASSEMBLY  
MANAGEMENT COMMISSION**

Hon. Gordon Gosse (Chairman)  
Hon. Frank Corbett  
Ms. Pam Birdsall  
Mr. Maurice Smith  
Ms. Becky Kent  
Hon. Manning MacDonald  
Mr. Andrew Younger  
Hon. Christopher d'Entremont  
Mr. Neil Ferguson, Chief Clerk of the House of Assembly  
(Non-Voting Member)

In Attendance:

Counsel to the Commission:

Mr. Gordon Hebb  
Chief Legislative Counsel

Speaker's Office Adviser

Ms. Deborah Lusby  
Director of Administration  
Speaker's Office

Ms. Annette Boucher  
Assistant Clerk  
House of Assembly



House of Assembly  
*Nova Scotia*

**HALIFAX, TUESDAY, JANUARY 24, 2012**

**HOUSE OF ASSEMBLY MANAGEMENT COMMISSION**

2:30 P.M.

CHAIRMAN  
Hon. Gordon Gosse

MR. CHAIRMAN: I guess we're getting ready to call the meeting to order. Mr. MacDonald, are we expecting Mr. Younger?

HON. MANNING MACDONALD: I don't know.

MR. CHAIRMAN: We'll call the House of Assembly Management Commission meeting to order.

MR. MANNING MACDONALD: I think it's probably evident that there's a majority on the government side anyway.

MR. CHAIRMAN: The first item of business is the approval of the minutes of September 28, 2011. I will now turn that over to the Chief Clerk, Mr. Ferguson.

MR. NEIL FERGUSON: Thank you. Just before we do that, I told the chairman I was going to offer an apology to the media. They didn't get the normal notice of this meeting; it went out at the very last minute. It was not the fault of the commission; the buck stops with me. I should tell you it was an incorrect mailing list and it wasn't just the media; it was our own Hansard, it was our Legislative Television, and it was building security. Again, I do apologize and it will be fixed for future meetings.

The minutes have been circulated and we haven't heard back any suggestions for changes, so it would be appropriate for a motion to approve.

MR. CHAIRMAN: Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The next item up for business is the House of Assembly Quarterly Financial Update. I will now ask Deborah to give us the update.

MS. DEBORAH LUSBY: There's a copy in your package and for those of you who are a bit more challenged, I have a bigger copy here; that would include me. The important number is on the bottom right-hand corner, which is at 66.5 per cent; and at the end of the third quarter, which is at December 31, 2011, we should be at 75 per cent or the maximum would be 75 per cent. For Legislative Services, including the Ombudsman's Office, we are 10 per cent under the forecast and the budget, so we're doing fine; there's nothing alarming to report. If you have a moment at some point or you have any questions, don't hesitate to get in touch.

MR. CHAIRMAN: The next item of business is the audit update. I will now ask the Chief Clerk, Mr. Ferguson.

MR. FERGUSON: There is a summary of what I was going to read in your materials, but I will go through it for the purposes of getting it on the record. Right now we have two audit processes underway.

The first is the review that has to be done of internal controls over financial reporting. This is so that the Chief Clerk can be secure in making a certification as to the adequacy and effectiveness of them for the review of the Auditor General for the purposes of his audit. We had the help of the Internal Audit Centre at the Department of Finance. They led the process on behalf of the audit committee to issue a tender for services. There were three candidates that were short-listed and the firm of Ernst & Young was selected by the audit committee based on both price and experience. They will be reviewing the financial statement accounts considering materiality and risk, which will include accounts payable processes, capital asset processes and our human resources and payroll processes. Two of their auditors and one person from the Internal Audit Centre commenced their review on January 6<sup>th</sup> and they hope to have a preliminary report on the 27<sup>th</sup>, with a final report delivered on February 8<sup>th</sup>.

The second audit is the one underway by the Auditor General's Office, which was approved by the commission. This is the first time we've ever had financial statements compiled for the House of Assembly. It was a very complex procedure because we're really - in accounting terms - just a collection of cost centres within the financial umbrella

of the government. With the very welcome and full assistance of the Department of Finance, we were able to produce a set of financial statements and Deborah Lusby did a great amount of work in accomplishing that.

The Office of the Auditor General will audit those and is going to rely on the Ernst & Young internal control review that I just mentioned as part of the work. The Auditor General's staff expects to be doing the field work from February 6<sup>th</sup> to 24<sup>th</sup>. The audit committee is meeting January 31<sup>st</sup> and the Office of the Auditor General will be there to present their audit plan to the audit committee for its review at that time, so it's a very busy time over at the Office of the Speaker.

MR. CHAIRMAN: Any questions? Thank you very much. The next item on the agenda is a draft of the House of Assembly Management Commission Annual Report. I will again refer to the Chief Clerk, Mr. Ferguson.

MR. FERGUSON: The members will recall that I mentioned this at the last meeting, it's a statutory requirement for the commission to produce an annual report, which will be tabled in the House. We have modelled this on the report produced under similar legislation in Newfoundland and Labrador, and Ms. Boucher did a great deal of work distilling the minutes to the same format as was used there.

The difference - as I mentioned in the last meeting - is that we will not have the financial information that will be produced as a result of the audit, but because it's a statutory requirement for an annual report, I felt we should get the other part - the decisions and activities part - done and tabled in the House so that we'll be at least in compliance of having put in a report. The other financial material will follow later and the Speaker has already indicated that he would table that separately.

A draft was circulated, as I said, that Annette had done. Hopefully, people have had a chance to look at it. Two typographical errors have been picked up; one by Mr. Smith on Page 3, the second-last paragraph, the second-last word, the first line should be "decisions" plural with an 's' on the end. On Page 6, under the heading January 11, 2011, under item one, the fifth word is "assistants" and there should be an apostrophe to make it possessive after it. Apart from that, we haven't been able to detect any other typos or any other things that we thought might be changed, but if any of the members of the commission have, then we'll be happy to have them make the changes.

If not, if people are satisfied with it, then it would probably be appropriate to have a resolution moved accepting the report to be tabled by the Speaker.

MS. BECKY KENT: So moved.

MR. CHAIRMAN: And seconded by Ms. Birdsall.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The next item of business on the agenda is the Select Committee on Establishing an Electoral Boundaries Commission budget approval.

MR. FERGUSON: This is for the select committee. The select committee was appointed between meetings of the commission and its work had to be carried out and so it was done. So we're, in effect, approving a budget which we can say is pretty accurate because it has been spent. The items that are contained in there are all broken out for the members and the numbers in the middle column are the cost centres. One thing that should be pointed out is, I believe that the actual expenditures 10 years ago were somewhere in the ballpark of \$39,000. Here we are at \$42,600, 10 years later, and I know that the committee made attempts to keep its expenses down; there was discussion of that. So in 10-year-later dollars, that's a pretty good result. I guess we should approve it.

MR. CHAIRMAN: Do we have a motion to approve the Select Committee on Establishing an Electoral Boundaries Commission? Moved and seconded.

[Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.]

Thank you very much. I would also like to thank the Electoral Boundaries Committee on keeping the costs down for that committee travelling the province and thank them very much for their work on that committee.

The next item of business is the year-end deadline to which I will turn over to Deborah; timelines for MLAs for claims.

MS. LUSBY: This was sent out on January 5<sup>th</sup> as an e-mail to everybody, but I just thought it was important that we put it on the agenda as a reminder that everyone takes it back to their caucuses. There are some tricky dates in there, which are new compared to how it was done in the past. March 31<sup>st</sup> is the year end and since we are following the financial procedures of the government, we have until the 15<sup>th</sup> to get everything entered for the year. That's a really short timeline for the members compared to how they normally submit their expenses.

I will be sending out more reminders as we get closer, but basically, advertising is one of the bigger concerns where you have a limit each year and you don't want to have to carry forward that expense and come out of the following year's allowance. So a reminder to contact your advertising suppliers and get those invoices in and paid early. If you normally pay on a cheque and don't do any kind of on-line banking, then perhaps you'll

want to consider paying with your credit card for that last bill so that you get your proof of payment in and get your claim in.

MR. CHAIRMAN: Questions? Mr. d'Entremont.

HON. CHRISTOPHER D'ENTREMONT: Thank you for that and this is more of a comment and nothing really for Deborah, but the issue is that when we come to Transcontinental, more specifically, they're horrible. I want that to be on the record that they're horrible when it comes to billing and the way anything works with them. Good luck if we're going to get it done for the 15<sup>th</sup>. I'm just trying to figure out how - oh my good God - just for the note, because they're awful.

MS. LUSBY: We contact them as well on behalf of the members when there is difficulty getting some documentation so I'll make a note to follow up. We have a good person there now that we can call and see if there is any co-operation we can get from them.

MR. D'ENTREMONT: The mistakes they make are amazing.

MR. CHAIRMAN: Mr. Corbett.

HON. FRANK CORBETT: Thank you, Mr. Chairman. To you, Deborah, my office is going to direct deposit for both telecom services and Nova Scotia Power. Is there any difference in how the billing works? Does anybody else use them? I don't know, I haven't asked. Is there an issue with it, before I get too far down the road?

MS. LUSBY: I don't think so. I'm thinking that there are other MLAs who have the charge. It says right on the bill, "do not pay", because it's through direct deposit and that's all you need to submit for your receipt.

MR. D'ENTREMONT: Really? I've been submitting everything that goes along with anything that shows that the payments come out of my account. Anyway, there you go.

MS. LUSBY: Submitting your bank statement is fine, but you don't have to have another receipt.

MR. D'ENTREMONT: You've got everything I've got.

MR. CHAIRMAN: Mr. Corbett.

MR. CORBETT: Two issues that Mr. d'Entremont and I are on the same side with, but just for clarity, Deborah, will there be kind of a lag time, like six months for delinquent bills? Similar to the fight we're having with Transcontinental, if they don't provide us something until, say - let's not go the full six months; let's just say June. Apparently,

according to my office, they've had an awful issue tracking these folks down, so will they be honoured as the 2011-12 year or will they have to go towards 2012-13?

MS. LUSBY: They will be honoured to you for reimbursement because there is a six-month deadline on the time period you have to submit your expenses and so they would be honoured, but it would come out of 2012-13.

MR. CORBETT: It seems grossly unfair because the debting incurred in the 2011-12 fiscal and because of somebody else's mistake - I'm looking to you for guidance, you're not to blame. It seems kind of bizarre. It's one of those things that, I guess, even paranoids have real enemies and the fact is that if someone wants to hold a bill back on you and make you look bad, there you go. It seems like we should come up with a more common-sense way. I'm looking at my calendar for . . .

MR. D'ENTREMONT: I just don't know what that is.

MR. CORBETT: Yes. I guess it's not to be decided today. Maybe we'll try to get our heads around it sometime. I think even the general public would have a grain of sympathy for us on this one because it is a bill that was incurred in the year.

MR. ANDREW YOUNGER: I was just going to comment on that. First of all, I don't think the general public has sympathy on anything regarding expenses and MLAs, so you might be just wishing. Deborah and I had this conversation a few weeks ago when this went out and my understanding is the difference is because we're required to submit so much documentation to prove payment compared to all other government departments that any other government department, it wouldn't matter because you'd have the invoice and you'd submit it and it would be in by - whatever - the seven days after the start of the fiscal year.

We appear to be in - and I don't know if there is a way to solve this - but we're in a bit of a quagmire because our rules allow one thing, but those rules don't fit with what the Department of Finance allows. Am I correct on that? Because we allow six months, which should allow it to claim back against this year, but the Department of Finance says no, their system shuts down after seven days.

MS. LUSBY: That's right. So if I could respond, we can do that. Your request is reasonable, but based on the regulations that we have right now, it's not. There have been situations where there's - we see the history of the back-and-forth about bills that has been going on and then that, of course, is permitted. It's meant to just stop somebody to kind of keeping their bills for a long period of time and submitting them after the fact.

MR. CORBETT: That might be a question to ask in another forum so we'll leave it at that, if you understand what I'm saying.

MR. CHAIRMAN: Is that it now? Thank you. I guess that brings the meeting to adjournment. (Interruptions) Oh, Mr. d'Entremont - is this under "other business"?

MR. D'ENTREMONT: This would be under "other"; this is more stuff to work on for another day. A while back - and I already talked to Frank about this one quickly - there was a discussion around security systems for C.A.s. I'm just wondering if any more work has been happening on that.

MR. CHAIRMAN: The Sergeant-at-Arms, who is in charge of security for Province House, has been looking at that issue and dealing with that issue. Maybe when we have the next meeting, I'll get an update from Mr. Greenham because I spoke to him about it as early as this morning, because we did have a presentation last year at one meeting.

MR. D'ENTREMONT: The second item is just more of a - I really don't have much of an idea around this one just yet, but it's the mailing that we all do. I don't say that we need to have 52 postage metres, but is there a better way to have a mail contract with Canada Post for all the mail that we do? I know that we're paying, of course, full pop for all our postage in my constituency office and I'm going to bet that a lot of us in our constituency offices just go buy a roll of postage when we need them, but if you add up all of the mail that comes out of our constituency offices it's a fair amount. Is there a way to deal with Canada Post on mailing? I don't know. It was just a thought when I was driving in the car, so it's something for today.

MR. CHAIRMAN: You do your best work when you're driving in your Volkswagen.

MR. D'ENTREMONT: Exactly.

MR. CHAIRMAN: Can we look into that, Deborah, or maybe contact somebody from Cape Breton Post? (Interruptions)

MS. LUSBY: Canada Post.

MR. YOUNGER: They're separating already. (Laughter)

MS. LUSBY: We also have an arrangement with the government postal service; you can do mail-outs through them at the government rate and it's much cheaper. Quite a few MLAs are using it.

MR. D'ENTREMONT: But it's not so much the mail-out issue. I don't know how many sympathy cards that I send out. It's really that everyday mail where you have four or five items that go out every day. Is there a better way to do it or not? Postal machines are so darned expensive that you don't want to go and spend on a postal machine; it doesn't make sense.

MR. CHAIRMAN: Some of us like to keep the local post office busy so it will stay open.

MR. D'ENTREMONT: Good member.

MR. CHAIRMAN: Are there any other comments? Is there a motion to adjourn? (Interruptions) The motion was made by Mr. Corbett, seconded by Mr. d'Entremont.

Thank you. The meeting is adjourned.

[The committee adjourned at 2:51 p.m.]