



**ANNUAL REPORT**

**of the**

**STANDING COMMITTEE**

**on**

**PUBLIC ACCOUNTS**

**2006 - 2007**

**First Session of the Sixtieth General Assembly**

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Nova Scotia

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Honourable Alfie MacLeod  
Speaker  
House of Assembly  
Province House  
Halifax, Nova Scotia

Dear Mr. Speaker:

On behalf of the Standing Committee on Public Accounts, I am pleased to submit the Annual Report of the Committee for the First Session of the Sixtieth General Assembly.

Respectfully submitted,

Maureen MacDonald, MLA  
(Halifax Needham)  
Chair  
Standing Committee on Public Accounts

Halifax, Nova Scotia  
November 8, 2007





**TABLE OF CONTENTS**

<b>Public Hearings</b> .....	<b>i-vi</b>
<b>Introduction</b> .....	<b>vi</b>
<b>Membership</b> .....	<b>vi-vii</b>
<b>Membership Changes</b> .....	<b>vii</b>
<b>Procedures and Operations</b> .....	<b>viii</b>
<b>Notices</b> .....	<b>viii</b>
<b>Verbatim Transcripts</b> .....	<b>viii</b>
<b>Research Material</b> .....	<b>ix</b>
<b>Annual Reports</b> .....	<b>ix</b>
<b>Acknowledgments</b> .....	<b>ix</b>
<b>Witnesses</b> .....	<b>x-xiv</b>

**PUBLIC HEARINGS**

<b><i>Office of the Auditor General</i></b> .....	<b>1-2</b>
Witnesses .....	1
Background .....	1
Amendments .....	1
Motion .....	2
Transcript .....	2
 <b><i>Conserve Nova Scotia</i></b> .....	 <b>3</b>
Witnesses .....	3
Background .....	3
Request for Documentation .....	3
Transcript .....	3
 <b><i>Department of Finance/ Office of Economic Development</i></b> .....	 <b>4-5</b>
Witnesses .....	4
Background .....	4
Request for Documentation .....	4-5
Transcript .....	5
 <b><i>Committee Business</i></b> .....	 <b>6-7</b>
Witnesses .....	6
Background .....	6
Motion .....	6
Transcript .....	7

<b><i>Service Nova Scotia and Municipal Relations</i></b>	.....	<b>8-9</b>
Witnesses	.....	8
Background	.....	8
Request for Documentation	.....	8-9
Transcript	.....	9
<b><i>Department of Education/ Atlantic Provinces Special Education Authority (APSEA)</i></b>	.....	<b>10-11</b>
Witnesses	.....	10
Background	.....	10
Motion	.....	11
Transcript	.....	11
<b><i>Committee Business</i></b>	.....	<b>12-13</b>
Witnesses	.....	12
Background	.....	12
Amendment	.....	13
Motion	.....	13
Transcript	.....	13
<b><i>Nova Scotia Gaming Corporation</i></b>	.....	<b>14-15</b>
Witnesses	.....	14
Background	.....	14
Motion	.....	15
Amendment	.....	15
Transcript	.....	15
<b><i>Office of the Auditor General</i></b>	.....	<b>16-17</b>
Witnesses	.....	16
Background	.....	16
Motion	.....	16-17
Transcript	.....	17
<b><i>Heather Foley Melvin</i></b>	.....	<b>18</b>
Witnesses	.....	18
Background	.....	18
Motion	.....	18
Transcript	.....	18

<b><i>Department of Finance/Service Nova Scotia and Municipal Relations</i></b> .....	<b>19-20</b>
Witnesses .....	19
Background .....	19
Request for Documentation .....	20
Transcript .....	20
<b><i>Department of Education/ Nova Scotia Community College</i></b> .....	<b>21-22</b>
Witnesses .....	21
Background .....	21
Motion .....	21-22
Transcript .....	22
<b><i>Department of Health Promotion and Protection</i></b> .....	<b>23-24</b>
Witnesses .....	23
Background .....	23
Motion .....	23-24
Transcript .....	24
<b><i>Department of Health Promotion and Protection/ Halifax Regional Municipality</i></b> .....	<b>25-26</b>
Witnesses .....	25
Background .....	25
Motion .....	25
Transcript .....	26
<b><i>Halifax 2014</i></b> .....	<b>27</b>
Witnesses .....	27
Background .....	27
Transcript .....	27
<b><i>Department of Transportation and Public Works/Department of Economic Development</i></b> .....	<b>28-29</b>
Witnesses .....	28
Background .....	28
Motion .....	28
Transcript .....	29

<b><i>Department of Finance</i></b> .....	<b>30</b>
Witnesses .....	30
Background .....	30
Request for Documentation .....	30
Transcript .....	30
<b><i>Service Nova Scotia and Municipal Relations</i></b> .....	<b>31-32</b>
Witnesses .....	31
Background .....	31
Motion .....	31
Request for Documentation .....	31-32
Transcript .....	32
<b><i>Department of Community Services</i></b> .....	<b>33-34</b>
Witnesses .....	33
Background .....	33
Request for Documentation .....	34
Transcript .....	34
<b><i>Office of the Auditor General</i></b> .....	<b>35-36</b>
Witnesses .....	35
Background .....	35
Motion .....	36
Request for Documentation .....	36
Transcript .....	36
<b><i>Nova Scotia Liquor Corporation</i></b> .....	<b>37-38</b>
Witnesses .....	37
Background .....	37
Motion .....	37-38
Transcript .....	38
<b><i>Office of the Auditor General</i></b> .....	<b>39-40</b>
Witnesses .....	39
Background .....	39
Request for Documentation .....	39
Transcript .....	40



**PUBLIC HEARINGS – SUBCOMMITTEE ON AGENDA AND PROCEDURES**

<b><i>2006 Fall Agenda Setting</i></b>	.....	<b>41</b>
Attendance	.....	41
Background	.....	41
Request for Documentation	.....	41
Transcript	.....	41
<b><i>2006 Fall Agenda Setting</i></b>	.....	<b>42</b>
Attendance	.....	42
Background	.....	42
Request for Documentation	.....	42
Transcript	.....	42
<b><i>2006 Fall Agenda Setting</i></b>	.....	<b>43</b>
Attendance	.....	43
Background	.....	43
Transcript	.....	43
<b><i>S&amp;J Potato Farms/ Village Developments Limited</i></b>	.....	<b>44</b>
Attendance	.....	44
Background	.....	44
Motion	.....	44
Transcript	.....	44
<b><i>2007 Winter Agenda Setting</i></b>	.....	<b>45-46</b>
Attendance	.....	45
Background	.....	45
Motion	.....	45
Amendment	.....	46
Transcript	.....	46
<b><i>2007 Winter Agenda Setting</i></b>	.....	<b>47-48</b>
Attendance	.....	47
Background	.....	47
Request for Documentation	.....	48
Transcript	.....	48
<b><i>2007 Spring Agenda Setting</i></b>	.....	<b>49</b>
Attendance	.....	49
Background	.....	49
Transcript	.....	49

<b><i>2007 Spring Agenda Setting</i></b> .....	<b>50</b>
Attendance .....	50
Background .....	50
Transcript .....	50
 <b>STATEMENT OF SUBMISSION</b>	
<b><i>Statement of Submission</i></b> .....	<b>51</b>
 <b>APPENDICES</b>	 <b>52</b>

## INTRODUCTION

The Standing Committee on Public Accounts, an all-party Committee of the House of Assembly, was struck at the beginning of the First Session of the Sixtieth General Assembly. Pursuant to Rule 60(2)(b) of the *Province of Nova Scotia Rules and Forms of Procedures of the House of Assembly*:

(b) the Public Accounts Committee is established for the purpose of reviewing the public accounts, the annual report or other report of the Auditor General and any other financial matters respecting the public funds of the Province;<sup>1</sup>

## MEMBERSHIP

The membership of the Public Accounts Committee currently is as follows:

Ms. Maureen MacDonald, MLA – Chair  
Halifax Needham

Mr. Chuck Porter, MLA – Vice-Chair  
Hants West

Mr. Alfie MacLeod, MLA  
Cape Breton West

Mr. Keith Bain, MLA  
Victoria-The Lakes

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<sup>1</sup> Province of Nova Scotia Rules and Forms of Procedure of the House of Assembly, July 1999, Rule 60(2)(b) Page 61.

## **MEMBERSHIP**

Mr. Graham Steele, MLA  
Halifax Fairview

Mr. David A. Wilson, MLA  
Sackville-Cobequid

Mr. Keith Colwell, MLA  
Preston

Mr. Stephen McNeil, MLA  
Annapolis

Ms. Diana Whalen, MLA  
Halifax Clayton Park

## **MEMBERSHIP – SUBCOMMITTEE ON AGENDA AND PROCEDURES**

Ms. Maureen MacDonald, MLA – Chair  
Halifax Needham

Mr. Chuck Porter, MLA  
Hants West

Mr. Keith Colwell, MLA  
Preston

## **MEMBERSHIP CHANGES**

During the First Session of the Sixtieth General Assembly, the Committee underwent no membership changes.

## PROCEDURES AND OPERATIONS

The Public Accounts Committee traditionally meets once a week. These meetings are held every Wednesday morning in either the Legislative Chamber in Province House or in the Legislative Committees Office. During the First Session of the Sixtieth General Assembly the Committee met on the following dates:

October 4, 2006	January 10, 2007	April 4, 2007
	January 17, 2007	April 11, 2007
November 1, 2006	January 31, 2007	April 25, 2007
November 8, 2006	January 24, 2007	
November 15, 2006	January 31, 2007	May 2, 2007
November 22, 2006		May 9, 2007
November 29, 2006	March 21, 2007	May 16, 2007
	March 7, 2007	May 23, 2007
	March 28, 2007	May 30, 2007
		June 13, 2007

The Subcommittee on Agenda and Procedures met on the following dates:

September 6, 2006	January 10, 2007	March 21, 2007
September 25, 2006	January 17, 2007	
	January 24, 2007	April 24, 2007
October 25, 2006		

## NOTICES

Notices of the Public Accounts Committee meetings are sent to all members of the Committee, staff of the caucus offices, the Legislative staff and the House of Assembly Press Gallery. The notices are also posted in Province House and are on the Committees' web-site at the following address:

<http://www.gov.ns.ca/legislature/committees/schedpa.html>

## VERBATIM TRANSCRIPTS

Transcripts of all Public Accounts Committee public hearings are available from the Legislative Library in Province House, the Legislative Committees Office or on-line at the Public Accounts Committee's web page at the following address:

<http://www.gov.ns.ca/legislature/hansard/comm/pa/>

## **RESEARCH MATERIAL**

All research for the Public Accounts Committee is compiled by the Committee's clerk, with the assistance of an administrative assistant and the Legislative Library, and distributed to the members. Reference material is placed in binders and distributed one week prior to meetings. A copy of this material is also made available to the witnesses appearing before the Committee, the Legislative Library in Province House and to Hansard Reporting Services.

## **ANNUAL REPORTS**

All reports from the Public Accounts Committee are compiled and written by the Committee's clerk. The draft is then sent to the individual Committee members for consideration. Upon completion of the review and approval of the report, the Chair tables the Report with the Clerk of the House.

Distribution of the report is as follows: to the Speaker/Clerk of the House, all members of the Legislature, all witnesses who appeared before the Committee, the Legislative Library in Nova Scotia and in all other provinces and territories, the caucus offices and the media. This report is also available to the general public upon request through the Legislative Committees Office or on-line at the Committee's web page at the following address:

[http://www.gov.ns.ca/legislature/COMMITTEES/pa\\_pubs.html](http://www.gov.ns.ca/legislature/COMMITTEES/pa_pubs.html)

## **ACKNOWLEDGMENTS**

The Standing Committee on Public Accounts wishes to extend its gratitude to witnesses for their time and cooperation; Ms. Mora Stevens and Ms. Rhonda Neatt, Clerks of the Public Accounts Committee and the staff of the Legislative Committees Office for the organization of research for Committee meetings. Others whose assistance has been invaluable to the Committee are: Mr. Robert Kinsman, Editor of Hansard Reporting Services, and Hansard staff; Mr. James MacInnes, Coordinator/Director of Legislative Television and Broadcast Services, and staff; and Ms. Margaret Murphy, Legislative Librarian, and staff.

**WITNESSES**

**Wednesday, October 4/06**

**Office of the Auditor General**

Mr. Jacques Lapointe – Auditor General of Nova Scotia  
Mr. Claude Carter – Deputy Auditor General  
Ms. Elaine Morash – Assistant Auditor General  
Mr. Alan Horgan – Assistant Auditor General

**Wednesday, November 1/06**

**Conserve Nova Scotia**

Ms. Heather Foley Melvin –  
President and Chief Executive Officer  
Mr. Allan Crandlemire – Executive Director

**Wednesday, November 8/06**

**Department of Finance and  
Office of Economic Development  
Department of Finance**

Ms. Vicki Harnish – Deputy Minister  
Mr. Byron Rafuse – Controller  
Mr. Steve Feindel – Director,  
Corporation Information Services

**Office of Economic Development**

Mr. Paul Taylor – Chief Executive Officer  
Ms. Holly Fancy – Executive Director,  
Corporate Information Management  
Ms. Miriam O'Brien – Project Director, SAP

**Wednesday, November 15/06**

**Committee Business**

**Wednesday, November 22/06**

**Service Nova Scotia and Municipal Relations**

Mr. Greg Keefe – Deputy Minister  
Mr. Nathan Gorall – Executive Director,  
Municipal Services  
Ms. Kathy Gillis – Executive Director,  
Assessment Services

**Wednesday, November 29/06**

**Department of Education and  
Atlantic Provinces Special Education Authority**

**Department of Education**

Mr. Dennis Cochrane – Deputy Minister  
Mr. Darrell Youden – Senior Executive Director,  
Corporate Services  
Ms. Ann Power – Director, Student Services

**Atlantic Provinces Special Education Authority (APSEA)**

Mr. Bert Tulk – Superintendent  
Ms. Heather Lawrence – Director, Finance and Administration

- Wednesday, January 10/07      Committee Business**
- Legislative Counsel's Office**  
Mr. Gordon Hebb, Q.C., Chief Legislative Counsel
- Wednesday, January 17/07      Nova Scotia Gaming Corporation**  
Ms. Marie Mullally, President and Chief Executive Officer  
Mr. C. Sean O'Connor, Chairman – Board of Directors
- Wednesday, January 24/07      December 2006 Report of the Auditor General**
- Office of the Auditor General**  
Mr. Jacques Lapointe, Auditor General of Nova Scotia  
Ms. Elaine Morash, Assistant Auditor General  
Mr. Alan Horgan, Assistant Auditor General  
Ms. Angela Cook, Audit Manager
- Wednesday, January 31/07      Conserve Nova Scotia**
- Heather Foley Melvin  
Mr. Grant Machumn, Solicitor – Stewart McKelvey Sterling Scales
- Wednesday, March 7/07      HST Removal and Rebate on Home Heating Fuel**
- Department of Finance**  
Ms. Vicki Harnish, Deputy Minister  
Ms. Nancy McInnis-Leek, Executive Director – Fiscal and Economic  
Policy Branch  
Mr. Paul Davies, Policy Strategist – Taxation and Fiscal Policy  
Division
- Department of Service Nova Scotia and Municipal Relations**  
Mr. Greg Keefe, Deputy Minister  
Mr. Mike Decoste, Director – Service Delivery  
Mr. Frank Moore, Provincial Tax Commissioner
- Wednesday, March 21/07      Options and Opportunities Program**
- Department of Education**  
Mr. Dennis Cochrane, Deputy Minister  
Ms. Ann Blackwood, Director of Curriculum  
Mr. Stuart Gourley, Senior Executive Director  
Mr. Peter Smith – O2 Program  
Mr. John Cochrane, Community Based Learning Consultant
- Nova Scotia Community College**  
Dr. Joan McArthur-Blair, President  
Ms. Pam Reid, Chief Learning Officer

**Wednesday, March 28/07**

**2014 Commonwealth Games Bid**

**Department of Health Promotion and Protection**

Mr. Duff Montgomerie, Deputy Minister  
Ms. Tracey Williams, Senior Director  
Mr. Tracey Taweel, Communications Director

**Wednesday, April 4/07**

**Commonwealth Games Bid**

**Department of Health Promotion and Protection**

Mr. Duff Montgomerie, Deputy Minister  
Ms. Tracey Williams, Senior Director  
Mr. Tracey Taweel, Communications Director

**Halifax Regional Municipality**

Mr. Dan English, Chief Administrative Officer  
Ms. Jennifer Church, Advisor – Intergovernmental and Corporate  
Affairs

**Wednesday, April 11/07**

**Commonwealth Games Bid**

**Halifax 2014**

Mr. Scott Logan, Chief Executive Officer  
Mr. Tony Holding, Senior Director – Bid Marketing  
Ms. Dale MacLennan, Senior Director – Finance and Administration  
Mr. Patrick Jarvis, Senior Director  
Ms. Deborah Hashey, Director of Communications

**Wednesday, April 25/07**

**Leasing of Vehicles**

**Department of Transportation and Public Works**

Mr. David Darrow, Deputy Minister  
Mr. Bruce Langille, Manager – Risk Management and Claims  
Mr. Doug Stewart, Chief Engineer – Highway Programs  
Mr. Kevin Mitchell – Provincial Fleet Services

**Department of Economic Development**

Mr. Paul Taylor, Deputy Minister  
Mr. Rick Draper, Director – Procurement Services

**Wednesday, May 2/07**

**Fiscal Imbalance**

**Department of Finance**

Ms. Vicki Harnish, Deputy Minister  
Ms. Liz Cody, Assistant Deputy Minister  
Ms. Nancy McInnis-Leek, Executive Director – Fiscal and Economic  
Policy  
Mr. John Hoar, Fiscal Policy Analyst



**Wednesday, May 9/07**

**Petroleum Products Pricing**

**Service Nova Scotia and Municipal Relations**

Mr. Greg Keefe, Deputy Minister

Mr. Cameron MacNeil, Executive Director – Program Management/  
Corporate Services

Mr. Mike Duda, Director – Corporate Development

Mr. Dean Johnston, Senior Policy Analyst

**Wednesday, May 16/07**

**IT and Financial Controls**

**Department of Community Services**

Ms. Judith Ferguson, Deputy Minister

Mr. Kevin Hall, Director – IT Services

Mr. George Hudson, Executive Director – Finance and  
Administration

**Wednesday, May 23/07**

**Auditor General's 2007 Strategic Plan**

**Office of the Auditor General**

Mr. Jacques Lapointe, Auditor General of Nova Scotia

Ms. Elaine Morash, Acting Deputy Auditor General

Mr. Alan Horgan, Acting Deputy Auditor General

Mr. Terry Spicer, Assistant Auditor General

Ms. Ann McDonald, Assistant Auditor General

**Wednesday, May 30/07**

**SAP System and Agency Stores**

**Nova Scotia Liquor Corporation**

Mr. Brett Mitchell, President and Chief Executive Officer

Ms. Carrie Cussons, Vice President – Finance

Mr. Greg Beaulieu, Corporate Secretary

**Wednesday, June 13/07**

**June 2007 Report of the Auditor General**

**Office of the Auditor General**

Mr. Jacques Lapointe, Auditor General of Nova Scotia

Ms. Elaine Morash, Acting Deputy Auditor General

Ms. Ann McDonald, Assistant Auditor General

Ms. Dianne Chiasson, Audit Manager

Mr. Scott Messervey, Audit Manager

**SUBCOMMITTEE ON AGENDA AND PROCEDURES**

**Wednesday, September 6/06 2006 Fall Agenda Setting**

**Monday, September 25/06 2006 Fall Agenda Setting**

<b>Wednesday, October 25/06</b>	<b>2006 Fall Agenda Setting</b>
<b>Wednesday, January 10/07</b>	<b>S&amp;J Potato Farms/Village Developments Limited</b>
<b>Wednesday, January 17/07</b>	<b>2007 Winter Agenda Setting</b>
<b>Wednesday, January 24/07</b>	<b>2007 Winter Agenda Setting</b>
<b>Wednesday, March 21/07</b>	<b>2007 Spring Agenda Setting</b>
<b>Tuesday, April 24/07</b>	<b>2007 Spring Agenda Setting</b>

**PUBLIC**

**HEARINGS**



# OFFICE OF THE AUDITOR GENERAL JUNE 2006 REPORT OF THE AUDITOR GENERAL

Wednesday, October 4, 2006

## WITNESSES

### Office of the Auditor General

**Mr. Jacques Lapointe** – Auditor General of Nova Scotia

**Mr. Claude Carter** – Deputy Auditor General

**Ms. Elaine Morash** – Assistant Auditor General

**Mr. Alan Horgan** – Assistant Auditor General

## BACKGROUND

The Standing Committee on Public Accounts is mandated by the Rules and Forms of Procedure of the House of Assembly to review the Auditor General's Reports. The Auditor General tabled his June 2006 Report in July, shortly after the General Election, and this meeting was to discuss the Auditor General's findings in the Report.

## AMENDMENTS

That the Subcommittee on Agenda and Procedures report be amended so that the Chair of Public Accounts write to the Chair of the Economic Development Committee to ask them to consider calling in the Offshore/Onshore Technologies Association of Nova Scotia (OTANS).

By: Mr. Graham Steele  
Amendment: Withdrawn

That the recommendation to have the Offshore/Onshore Technologies Association of Nova Scotia (OTANS) appear before the Public Accounts Committee be withdrawn and that the matter be referred back to the Subcommittee on Agenda and Procedures for further clarification and consideration.

By: Mr. Graham Steele  
Amendment: Approved

## **MOTION**

That the Public Accounts Committee direct the Chair to write to Ms. Heather Foley Melvin requesting that she deliver to the Clerk of the Committee, no later than one week before her scheduled appearance before the Public Accounts Committee, any documents pertaining to her appointment as Chief Executive Officer of Conserve Nova Scotia, including but not limited to the following:

A copy of the job description for Chief Executive Officer;

A copy of the contract of employment; and

A copy of Ms. Foley Melvin's Curriculum Vitae.

By: Mr. Graham Steele

Motion: Approved

The above information was received and distributed to the Committee members one week prior to the meeting of Wednesday, November 1, 2007.

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2006oct04.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2006oct04.htm)

## **CONSERVE NOVA SCOTIA**

**Wednesday, November 1, 2006**

### **WITNESSES**

#### **Conserve Nova Scotia**

**Ms. Heather Foley Melvin** – President and Chief Executive Officer

**Mr. Allan Crandlemire** – Executive Director

### **BACKGROUND**

Conserve Nova Scotia was established by the Premier on June 23, 2006. A new Crown Corporation, it will be responsible for expanding conservation and energy efficiency among Nova Scotians. The enabling legislation to create Conserve Nova Scotia was to be introduced in the House of Assembly in the Fall of 2006.

### **REQUEST FOR DOCUMENTATION**

The Committee requested the following additional information from the witnesses:

Copies of additional documents that the Treasury and Policy Board made public on Tuesday, October 31, 2006, in response to a FOIPOP request made by the Liberal Caucus Office;

A copy of the Report and Recommendation concerning the creation of Conserve Nova Scotia, including the addendum of the above-mentioned Report and Recommendation that contains the Conserve Nova Scotia Charter; and

A copy of the presentation that was made by Conserve Nova Scotia to senior government officials on September 13, 2006, entitled Delivering the Commitment Champion of Conservation and Energy Efficiency.

### **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2006nov01.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2006nov01.htm)

**DEPARTMENT OF FINANCE  
AND OFFICE OF ECONOMIC DEVELOPMENT  
RE IMPLEMENTATION OF THE SAP PROGRAM**

**Wednesday, November 8, 2006**

**WITNESSES**

**Department of Finance**

**Ms. Vicki Harnish** – Deputy Minister

**Mr. Byron Rafuse** – Controller

**Mr. Steve Feindel** – Director, Corporate Information Services

**Office of Economic Development**

**Mr. Paul Taylor** – Chief Executive Officer

**Ms. Holly Fancy** – Executive Director, Corporate Information Management

**Ms. Miriam O'Brien** – Project Director, SAP

**BACKGROUND**

The SAP Program was implemented in 1997 to update the provincial government's technical infrastructure used for financial payroll and human resource functions, and to standardize the information technology systems within the provincial government, municipalities, school boards and district health authorities across the province. The Auditor General, in his December 2006 Report, as well as previous reports, pointed out deficiencies within the systems, so the Public Accounts Committee wanted to meet with the Office of Economic Development and the Department of Finance for an update.

**REQUEST FOR DOCUMENTATION**

The Committee requested the following additional information from the witnesses:

A breakdown of the number of SAP consultants to staff within the Department of Finance and Office of Economic Development for the eMerge Project;

A breakdown within government departments of all costs involved in the implementation of the SAP systems; and

A breakdown of costs over the four departments involved directly in the implementation of the SAP systems concerning items such as staff, operating costs, consultants, as well as any additional costs associated with SAP.



The requests for documentation were provided by the Office of Economic Development on January 29/30, 2007.

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2006nov08.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2006nov08.htm)

## **COMMITTEE BUSINESS**

**Wednesday, November 15, 2006**

### **WITNESSES**

There were no witnesses for this portion of the meeting.

### **BACKGROUND**

This was the public portion of an in-camera briefing session with the Office of the Auditor General.

The Committee discussed a letter from Mr. Keith Colwell, requesting that the Deputy Minister of Energy be called in concerning the proposed pipeline from New Brunswick. Also discussed was a request for additional documentation by Ms. Diana Whalen, subsequent to last week's Public Accounts Committee meeting with the Department of Finance and the Office of Economic Development, concerning the implementation of the SAP Program.

### **MOTION**

That the Public Accounts Committee suspend all agenda items and ask that the Deputy Minister of Energy and department officials appear before the Committee to discuss concerns surrounding the proposed liquefied natural gas facilities in Nova Scotia, as well as the most recent hearings of the National Energy Board.

By: Mr. Keith Colwell  
Motion: Defeated

That the Public Accounts Committee request from the Office of Economic Development a breakdown of all costs related to the development and implementation of the SAP HR system for both the Public Service and the school boards, and how much additional cost has been or is being covered by the school boards themselves. The costs should include staff costs, operating costs, consultant fees, and other directly attributable costs for every government department.

By: Ms. Diana Whalen  
Motion: Approved

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2006nov15.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2006nov15.htm)

**DEPARTMENT OF SERVICE NOVA SCOTIA  
AND MUNICIPAL RELATIONS  
RE PROPERTY ASSESSMENTS**

**Wednesday, November 22, 2006**

**WITNESSES**

**Service Nova Scotia and Municipal Relations**

**Mr. Greg Keefe** – Deputy Minister

**Mr. Nathan Gorall** – Executive Director, Municipal Services

**Ms. Kathy Gillis** – Executive Director, Assessment Services

**BACKGROUND**

Since April 2001, property assessments have been done on a cost-recovery basis through the Property Assessment Division of Service Nova Scotia and Municipal Relations. Presently, although the municipalities contribute financially to the system, they have no input. The Nova Scotia Government brought forward the Property Evaluation Services Act to provide a municipally controlled property assessment process that operates on a not-for-profit basis.

**REQUEST FOR DOCUMENTATION**

The Committee requested the following additional information from the witnesses:

A copy of all yearly statistics since the inception of the CAP Assessment Program, including the statistics showing the number of eligible homeowners and the number of applications received; and out of the applications, the detailed numbers on those homeowners accepted and rejected by the program, the number of appeals – both successful and unsuccessful – as well as their status within the appeals process;

A profile of people eligible for the CAP Assessment Program and their locations within the Province;

The number of appeals that take place, the number that go before the regional courts and the URB, and the staffing costs to Service Nova Scotia and Municipal Relations for the appeals process;

The numbers surrounding those eligible for the CAP Assessment Program versus those who have applied since the inception of the program in 2001;

The costs associated through the government departments with this process; and

A copy of the cell tower tax rates versus wind vane power tax rates.

The requests for documentation were provided in full by the Department of Service Nova Scotia and Municipal Relations on November 29, 2007.

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2006nov22.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2006nov22.htm)

**DEPARTMENT OF EDUCATION  
AND ATLANTIC PROVINCES  
SPECIAL EDUCATION AUTHORITY (APSEA)  
RE APSEA AND SPECIAL EDUCATION AUDITS**

**Wednesday, November 29, 2006**

**WITNESSES**

**Department of Education**

**Mr. Dennis Cochrane** – Deputy Minister

**Mr. Darrell Youden** – Senior Executive Director, Corporate Services

**Ms. Ann Power** – Director, Student Services

**Atlantic Provinces Special Education Authority (APSEA)**

**Mr. Bert Tulk** – Superintendent

**Ms. Heather Lawrence** – Director, Finance and Administration

**BACKGROUND**

The Public Accounts Committee wanted to meet with the Deputy Minister and senior officials from the Department of Education, as well as representatives from the Atlantic Provinces Special Education Authority, concerning the Auditor General's June 2006 audit on APSEA. The Committee also wanted to hear from the Department of Education on the Options and Opportunities Program and issues surrounding Special Education.

It was decided that the motion about tabling a report concerning Ms. Heather Foley Melvin be stood and discussed at the next scheduled meeting of the Public Accounts Committee on January 10, 2007, which is an in-camera briefing on the December 2006 Report of the Auditor General. However, the Committee will hold a public discussion on this motion at the conclusion of the briefing.

**MOTION**

That the Public Accounts Committee direct its Chair to table a report at the next sitting of the House of Assembly stating that a witness, namely Ms. Heather Foley Melvin, declined to answer certain questions put to her by the Committee and that the Committee recommend she be found in contempt of the House, and punished accordingly.

By: Mr. Graham Steele

Motion: Stood

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2006nov29.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2006nov29.htm)

## **COMMITTEE BUSINESS**

**Wednesday, January 10, 2007**

### **WITNESSES**

#### **Legislative Counsel's Office**

**Mr. Gordon Hebb, Q.C.** – Chief Legislative Counsel

### **BACKGROUND**

This was the public portion of an in-camera briefing session with the Office of the Auditor General.

The motion that was stood at the meeting of Wednesday, November 29, 2006, with respect to the Committee finding Ms. Heather Foley Melvin in contempt of the House, was discussed. The Chief Legislative Counsel advised the Committee that they do not have the right to enforce contempt, only the House of Assembly has that power. The mover of the original motion wanted the House of Assembly to order Ms. Heather Foley Melvin to appear before the Public Accounts Committee again to answer all questions put to her.

A letter dated Tuesday, January 9, 2007, was received from Ms. Heather Foley Melvin about her concerns regarding the original motion. Committee members felt the letter was inappropriate, and that witnesses must answer questions put before them. Discussion centered on a message needing to be sent to all witnesses that it is up to the Committee to determine what questions will be answered, not the witnesses.

The Subcommittee on Agenda and Procedures met earlier in the morning to discuss the September 28, 2006 Letter of Opinion from the Chief Legislative Counsel concerning S&J Potato Farms Inc. and Village Developments Limited.

### **AMENDMENT**

That the Public Accounts Committee direct its Chair to table a report at the next sitting of the House of Assembly stating that a witness, namely Ms. Heather Foley Melvin, declined to answer certain questions put to her by the Committee and that the Committee recommend that she be found in contempt of the House, with appropriate consequences as the House determines.

By: Mr. Graham Steele  
Amendment: Approved



## **MOTION**

That the Public Accounts Committee defer further discussion on the letter received from Ms. Heather Foley Melvin for one week, until the meeting of Wednesday, January 17, 2007, to be taken back to caucus for discussion.

By: Mr. Keith Colwell  
Motion: Approved

That a report be prepared by the Public Accounts Committee, and submitted to the House of Assembly, based on the transcripts and documents of the former Committee with respect to S&J Potato Farms Inc. and Village Developments Limited, and that the Points of Privilege raised earlier be contained in the body of the report to the House.

By: Mr. Keith Colwell  
Motion: Approved

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007jan10.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007jan10.htm)

## **NOVA SCOTIA GAMING CORPORATION**

**Wednesday, January 17, 2007**

### **WITNESSES**

#### **Nova Scotia Gaming Corporation**

**Ms. Marie Mullally** – President and Chief Executive Officer

**Mr. C. Sean O'Connor** – Chairman, Board of Directors

### **BACKGROUND**

The Nova Scotia Gaming Corporation (NSGC), a Crown Corporation governed by the provincial Gaming Control Act, is responsible for the business of gaming in Nova Scotia. Operations include ticket lotteries, video lotteries and casinos. The day-to-day operations are carried out by the Atlantic Lottery Corporation (ALC), which operates the ticket and video lottery businesses, and the Great Canadian Gaming Corporation (GCGC), which owns and operates Casino Nova Scotia (CNS) in Halifax and Sydney.

The Subcommittee on Agenda and Procedures met earlier that morning and tabled the following report on potential witnesses to appear before the Public Accounts Committee:

Service Nova Scotia and Municipal Relations, re Administration of Petroleum Products Pricing;

Department of Finance, re Fiscal Imbalance and its Potential Effects on the Province; and

Office of Economic Development, Procurement Division, and Department of Transportation and Public Works, Fleet Management, re Leasing of Vehicles.

After discussion on the motion regarding Heather Foley Melvin returning to clarify answers to two questions asked of her during the Public Accounts Committee meeting of Wednesday, November 1, 2006, the motion was deferred until Ms. Foley Melvin had the opportunity to meet again with the Committee.

## **MOTION**

That Ms. Heather Foley Melvin be asked to return to the Public Accounts Committee to clarify her answers to questions regarding her meeting with the Premier and her private sector salary. Given the proprietary nature of her private sector work, the questions regarding her salary will be dealt with in camera. Having already made an appearance before the Committee, Ms. Heather Foley Melvin will not take questions and her appearance would be the last time the committee hears from her on this matter.

By: Mr. Chuck Porter

## **AMENDMENT**

That the Public Accounts Committee only proceed in camera on the salary issue if Ms. Heather Foley Melvin can provide from her former employer a document outlining their concerns surrounding the revelation of her former salary or a copy of a non-disclosure agreement.

By: Mr. Keith Colwell  
Amendment: Approved  
Amended Motion: Approved

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007jan17.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007jan17.htm)

## **OFFICE OF THE AUDITOR GENERAL DECEMBER 2006 REPORT OF THE AUDITOR GENERAL**

**Wednesday, January 24, 2007**

### **WITNESSES**

#### **Office of the Auditor General**

**Mr. Jacques Lapointe** – Auditor General of Nova Scotia

**Ms. Elaine Morash** – Assistant Auditor General

**Mr. Alan Horgan** – Assistant Auditor General

**Ms. Angela Cook** – Audit Manager

### **BACKGROUND**

The Standing Committee on Public Accounts is mandated by the Rules and Forms of Procedure of the House of Assembly to review the Auditor General's Reports. The Auditor General tabled his December 2006 Report on January 10, 2007. This meeting was to discuss the Auditor General's findings in the Report.

### **MOTION**

BE IT RESOLVED that the Public Accounts Committee

- (A) express its concern about the access to information issues raised by the Auditor General in Chapter 2 of the December 2006 Auditor General's Report, specifically in Paragraphs 2.36 to 2.38;
- (B) affirm its view that Sections 10 and 14 of the Auditor General Act give to the Auditor General unrestricted access to any information that the Auditor General deems necessary to carry out his statutory mandate;
- (C) affirm its view that any unit of government disputing the Auditor General's access to information may express its concerns in writing to the Auditor General, but under no circumstances should that unit of government withhold the information sought by the Auditor General; and

- (D) direct its Chair to write to the Premier, the President of the Treasury and Policy Board, and the Minister of Finance to draw this resolution to their attention.

By: Mr. Graham Steele  
Motion: Stood

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007jan24.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007jan24.htm)

**HEATHER FOLEY MELVIN  
RE CONSERVE NOVA SCOTIA**

**Wednesday, January 31, 2007**

**WITNESSES**

**Conserve Nova Scotia**

**Ms. Heather Foley Melvin** – President and Chief Executive Officer

**Mr. Grant Machum** – Solicitor, Stewart McKelvey Sterling Scales

**BACKGROUND**

Ms. Heather Foley Melvin appeared before the Public Accounts Committee on Wednesday, November 1, 2007. Committee members were not satisfied with the witness's answers and after a series of discussions and motions, the witness was invited to meet again with the Committee.

**MOTION**

That Mr. Steele's motion of contempt be stricken and that the Committee thank the witness, Ms. Heather Foley Melvin, for her appearance.

By: Mr. Chuck Porter

Motion: Withdrawn

**TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007jan31.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007jan31.htm)

**DEPARTMENT OF FINANCE AND DEPARTMENT OF  
SERVICE NOVA SCOTIA AND MUNICIPAL RELATIONS  
RE HST REMOVAL AND  
REBATE ON HOME HEATING FUEL**

**Wednesday, March 7, 2007**

**WITNESSES**

**Department of Finance**

**Ms. Vicki Harnish** – Deputy Minister

**Ms. Nancy McInnis-Leek** – Executive Director, Fiscal and Economic Policy Branch

**Mr. Paul Davies** – Policy Strategist, Taxation and Fiscal Policy Division

**Service Nova Scotia and Municipal Relations**

**Mr. Greg Keefe** – Deputy Minister

**Mr. Mike Decoste** – Director, Service Delivery

**Mr. Frank Moore** – Provincial Tax Commissioner

**BACKGROUND**

“Your Energy Rebate Program” was designed to help Nova Scotians with the escalating cost of home energy. It is an 8 per cent rebate equivalent to the provincial portion of the HST on all sources of home energy: home heating oil, natural gas, propane, wood, wood pellets, coal, kerosene, and electricity for home use. The Department of Finance has worked with Service Nova Scotia and Municipal Relations to design the program, which is being administered through SNSMR.

Acknowledgements were made by the Committee and a request was made to send letters of thanks to Ms. Mora Stevens, who had been Public Accounts Committee Clerk for many years and was leaving for a position with the Utility and Review Board, and also to Mr. Claude Carter on his retirement, for his many years of service with the Office of the Auditor General.

## **REQUEST FOR DOCUMENTATION**

The Committee requested the following additional information from the witnesses:

From the Department of Finance, a copy of the written briefing note from the Canada Revenue Agency declining to assist the Nova Scotia Government in delivering the “Your Energy Rebate Program”; and

From the Department of Service Nova Scotia and Municipal Relations, a copy of the list of non-profit organizations within the Province of Nova Scotia.

The request for documentation was provided by the Department of Service Nova Scotia and Municipal Relations on April 2, 2007.

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007mar07.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007mar07.htm)



**DEPARTMENT OF EDUCATION  
AND NOVA SCOTIA COMMUNITY COLLEGE  
RE OPTIONS AND OPPORTUNITIES PROGRAM**

**Wednesday, March 21, 2007**

**WITNESSES**

**Department of Education**

**Mr. Dennis Cochrane** – Deputy Minister

**Ms. Ann Blackwood** – Director of Curriculum

**Mr. Stuart Gourley** – Senior Executive Director

**Mr. Peter Smith** – O2 Program

**Mr. John Cochrane** – Community Based Learning Consultant

**Nova Scotia Community College**

**Dr. Joan McArthur-Blair** – President

**Ms. Pam Reid** – Chief Learning Officer

**BACKGROUND**

The Options and Opportunities (O2) Program is a three-year program that combines high school credits and hands-on learning in the classroom and in the workplace. Students are matched with employers to gain work experience. The Nova Scotia Community College is one of the major partners in this program with the Department of Education.

**MOTION**

That the Public Accounts Committee direct its Chair to write to Ms. Heather Foley Melvin to thank her for her appearances before the Public Accounts Committee and to advise her that the motion recommending that she be found in contempt of the House has been withdrawn.

By: Mr. Graham Steele

Motion: Approved

That the Public Accounts Committee direct its Chair to write to the Deputy Minister of the Department of Transportation and Public Works, asking the Deputy Minister to (a) review whether his Department has produced to the Public Accounts Committee all documents relating to a collision on November 24, 2007, involving former Cabinet Minister Ernie Fage, and the insurance of that vehicle; (b) to produce any additional documents that are found; and (c) to submit a sworn declaration to the Public Accounts Committee stating that all documents relating to that collision and that insurance have been produced to the Public Accounts Committee.

By: Mr. Graham Steele  
Motion: Approved

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007mch21.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007mch21.htm)

**DEPARTMENT OF HEALTH PROMOTION  
AND PROTECTION  
RE 2014 COMMONWEALTH GAMES BID**

**Wednesday, March 28, 2007**

**WITNESSES**

**Department of Health Promotion and Protection**

**Mr. Duff Montgomerie** – Deputy Minister

**Ms. Tracey Williams** – Senior Director

**Ms. Tracey Taweel** – Communications Director

**BACKGROUND**

The Public Accounts Committee wanted to have a series of meetings examining information regarding the 2014 Commonwealth Games Bid. For the first meeting, the Committee wanted to meet with staff from the Department of Health Promotion and Protection.

A large amount of material was provided on relatively short notice and was separated into documents that could be made public, and others that were requested to be held in confidence. It was decided that the witnesses would do their presentation, and then the Subcommittee on Agenda and Procedures would meet in camera with the witnesses.

**MOTION**

That the witnesses from the Department of Health Promotion and Protection make their presentation to the Standing Committee on Public Accounts, after which the meeting would adjourn. Then the Subcommittee on Agenda and Procedures would convene in-camera with the witnesses to decide what material would be made public.

By: Mr. Keith Colwell

Motion: Approved

That the witnesses from today's meeting be invited back the following week, Wednesday, April 4, 2007, to take questions from members of the Public Accounts Committee.

By: Mr. Keith Colwell

Motion: Approved

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007mar28.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007mar28.htm)

**DEPARTMENT OF HEALTH PROMOTION  
AND PROTECTION  
AND HALIFAX REGIONAL MUNICIPALITY  
RE COMMONWEALTH GAMES BID**

**Wednesday, April 4, 2007**

**WITNESSES**

**Department of Health Promotion and Protection**

**Mr. Duff Montgomerie** – Deputy Minister

**Ms. Tracey Williams** – Senior Director

**Ms. Tracey Taweel** – Communications Director

**Halifax Regional Municipality**

**Mr. Dan English** – Chief Administrative Officer

**Ms. Jennifer Church** – Advisor, Intergovernmental and Corporate Affairs

**BACKGROUND**

This was the second in a series of meetings where the Public Accounts Committee examined information regarding the 2014 Commonwealth Games Bid. Witnesses from the Department of Health Promotion and Protection, who had appeared the previous week, returned to take questions from Committee members.

Witnesses from the Halifax Regional Municipality made a presentation to the Committee members and also took questions regarding the 2014 Commonwealth Games Bid.

**MOTION**

That the Standing Committee on Public Accounts send a letter of invitation to the federal Minister of Foreign Affairs and ACOA, the Honourable Peter MacKay, to meet on Wednesday, April 18, 2007, regarding issues surrounding the Offshore Accord and Equalization.

By: Mr. Keith Colwell

Motion: Approved

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007apr04.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007apr04.htm)

## **HALIFAX 2014 RE COMMONWEALTH GAMES BID**

**Wednesday, April 11, 2007**

### **WITNESSES**

#### **Halifax 2014**

**Mr. Scott Logan** – Chief Executive Officer

**Mr. Tony Holding** – Senior Director, Bid Marketing

**Ms. Dale MacLennan** – Senior Director, Finance and Administration

**Mr. Patrick Jarvis** – Senior Director

**Ms. Deborah Hashey** – Director of Communications

### **BACKGROUND**

This was the third and final meeting where the Public Accounts Committee examined information regarding the 2014 Commonwealth Games Bid. Witnesses from Halifax 2014, the Commonwealth Games Bid Committee, gave a presentation and then took questions from Committee members.

The Honourable Peter MacKay, federal Minister of Foreign Affairs and ACOA, responded to the letter of invitation sent by the Public Accounts Committee the previous week. He declined, stating that the federal Parliament was sitting and he was unable to leave Ottawa at that time. A follow-up letter will be sent, asking for some possible dates that he might be available.

### **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007apr11.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007apr11.htm)

**DEPARTMENT OF TRANSPORTATION  
AND PUBLIC WORKS AND  
DEPARTMENT OF ECONOMIC DEVELOPMENT  
RE LEASING OF VEHICLES**

**Wednesday, April 25, 2007**

**WITNESSES**

**Department of Transportation and Public Works**

**Mr. David Darrow** – Deputy Minister

**Mr. Bruce Langille** – Manager, Risk Management and Claims

**Mr. Doug Stewart** – Chief Engineer, Highway Programs

**Mr. Kevin Mitchell** – Provincial Fleet Services

**Department of Economic Development**

**Mr. Paul Taylor** – Deputy Minister

**Mr. Rick Draper** – Director, Procurement Services

**BACKGROUND**

The Public Accounts Committee wanted to meet with the Department of Transportation and Public Works, as well as the Department of Economic Development, on the issue of the use of leased government vehicles by ministers, focusing on how the province's self-insurance program is administered, in the aftermath of a November 24<sup>th</sup> car accident involving then Cabinet Minister Honourable Ernie Fage.

**MOTION**

That the Public Accounts Committee consider a request from the Chair of the Economic Development Committee, to meet with the Superintendent of Pensions on the administration of the pension of the Nova Scotia Association of Health Organizations and that the meeting be held in the Fall of 2007.

By: Mr. Keith Colwell

Motion: Approved



## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007apr25.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007apr25.htm)

## **DEPARTMENT OF FINANCE RE FISCAL IMBALANCE**

**Wednesday, May 2, 2007**

### **WITNESSES**

#### **Department of Finance**

**Ms. Vicki Harnish** – Deputy Minister

**Ms. Liz Cody** – Assistant Deputy Minister

**Ms. Nancy McInnis-Leek** – Executive Director, Fiscal and Economic Policy

**Mr. John Hoar** – Fiscal Policy Analyst

### **BACKGROUND**

The Public Accounts Committee wanted to meet with the Deputy Minister and staff on the topic of Fiscal Imbalance. The presentation given by the Deputy Minister, as well as subsequent questions, also focused on the Offshore Accord.

The Chair expressed concern that the Committee had not been provided with certain information and analyses from the Department of Finance that had been requested. Based on advice from Legislative Counsel, it's in order for the Public Accounts Committee to receive full disclosure of any and all information it requests.

### **REQUEST FOR DOCUMENTATION**

The Committee requested the following additional information from the witnesses:

A projection out to 2020 of the impact of the most recent federal budget; and

Information on Professor Paul Hobson's analyses on the federal government's new Equalization/Offshore Accord for Nova Scotia.

To date, the above documentation has not been received.

### **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007may02.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007may02.htm)

## **SERVICE NOVA SCOTIA AND MUNICIPAL RELATIONS RE PETROLEUM PRODUCTS PRICING**

**Wednesday, May 9, 2007**

### **WITNESSES**

#### **Service Nova Scotia and Municipal Relations**

**Mr. Greg Keefe** – Deputy Minister

**Mr. Cameron MacNeil** – Executive Director, Program Management/Corporate Services

**Mr. Mike Duda** – Director, Corporate Development

**Mr. Dean Johnston** – Senior Policy Analyst

### **BACKGROUND**

The Public Accounts Committee wanted to meet with the Deputy Minister and staff of Service Nova Scotia and Municipal Relations to discuss the topic of Petroleum Products Pricing; namely, gas regulation. Service Nova Scotia and Municipal Relations acts as the regulator for the Province of Nova Scotia.

### **MOTION**

That the Public Accounts Committee direct its Chair to write to the Honourable Peter MacKay, federal Minister of Foreign Affairs and ACOA, asking that he, and any other officials he deems necessary to assist him, appear before the Public Accounts Committee to discuss the question of federal-provincial fiscal relations.

By: Mr. Graham Steele

Motion: Approved

### **REQUEST FOR DOCUMENTATION**

The Committee requested the following additional information from the witnesses:

A copy of the results of the Corporate Research Associates omnibus polls regarding gas price regulation;

A copy of correspondence, aside from Cabinet documents, about the initial Gardner Pinfold report in 2005, regarding the pros and cons of regulation;

A copy of the lists of retail gas stations that have opened and closed since the inception of gas regulation;

Information on the price changes that have taken place, which ones have used forward averaging, and an explanation of how forward averaging works in setting gasoline prices; and

The reasons the Town of Port Hawkesbury is included on a mainland pricing zone, separate from the rest of Cape Breton Island.

The requests for documentation were provided in full by the Department of Service Nova Scotia and Municipal Relations on May 22, 2007.

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007may09.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007may09.htm)

## **DEPARTMENT OF COMMUNITY SERVICES RE IT AND FINANCIAL CONTROLS**

**Wednesday, May 16, 2007**

### **WITNESSES**

#### **Department of Community Services**

**Ms. Judith Ferguson** – Deputy Minister

**Mr. Kevin Hall** – Director, IT Services

**Mr. George Hudson** – Executive Director, Finance and Administration

### **BACKGROUND**

The Public Accounts Committee wanted to meet with the Deputy Minister and staff of the Department of Community Services on the topic of IT and Financial Controls. The Auditor General's Office had completed an audit on that topic, the results of which were contained in Chapter 4 of the June 2006 Report of the Auditor General.

There was a letter from Stephen McNeil, Leader of the Nova Scotia Liberal Party, requesting that the Standing Committee on Public Accounts call representatives from the federal Department of Fisheries and Oceans in to explain the recent decision to transfer two Canadian Coast Guard ships from Dartmouth, Nova Scotia to Argentia and St. John's Newfoundland and Labrador. It was decided that this matter was best suited to be dealt with by the Economic Development Committee.

There was also a request in writing from a member of the Liberal Party to call in the President and CEO of the Atlantic Lottery Corporation, as well as staff from the Nova Scotia Gaming Corporation and the Nova Scotia Department of Environment and Labour, to address the recent results of an independent review. The Committee referred the matter to the Subcommittee on Agenda and Procedures for their next meeting. However, points were made that several other committees were looking into this issue and all information wasn't available yet, as well as it had been turned over to the police for investigation.

## **REQUEST FOR DOCUMENTATION**

The Committee requested the following additional information from the witnesses:

A copy of the Deloitte Internal Control Consulting Report dated December 22, 2006;

A breakdown of the costs associated with tying into the SAP system from the SAP system technical people; and

The number of benefit overpayments to social assistance recipients, either on an annual basis or over several years.

A copy of the Deloitte Internal Control Consulting Report was provided to the Committee members at the meeting.

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007may16.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007may16.htm)

## **OFFICE OF THE AUDITOR GENERAL RE AUDITOR GENERAL'S 2007 STRATEGIC PLAN**

**Wednesday, May 23, 2007**

### **WITNESSES**

#### **Office of the Auditor General**

**Mr. Jacques Lapointe** – Auditor General of Nova Scotia

**Ms. Elaine Morash** – Acting Deputy Auditor General

**Mr. Alan Horgan** – Acting Deputy Auditor General

**Mr. Terry Spicer** – Assistant Auditor General

**Ms. Ann McDonald** – Assistant Auditor General

### **BACKGROUND**

The Auditor General and staff met with the Public Accounts Committee to present the 2007 Strategic Plan for the Office of the Auditor General, which outlined several changes in the way audits will be performed in the future. The expected results would provide assurances to the Nova Scotia House of Assembly that government would be held to greater account for its use of public funds, and consequently help improve the operations of the Public Service.

The Committee discussed a May 11, 2007 letter that had been sent to the Honourable Peter MacKay, federal Minister of Foreign Affairs and ACOA, resulting from a motion passed in the meeting of May 9, 2007. As there had been no response from the federal Minister, a follow-up letter, to be signed by all Committee members, was prepared in advance of this meeting and read into the record. As there was not unanimous consent, the decision was made not to send the letter.

A member of the Committee then recommended that a motion be made to subpoena the federal Minister to appear before the Committee. However, concern was expressed about the powers of the Standing Committee on Public Accounts to subpoena federal ministers and departments. It was recommended that the Chief Legislative Counsel, Mr. Gordon Hebb, be asked to attend the next Public Accounts Committee meeting to give his opinion on this matter.

## **MOTION**

That the Public Accounts Committee subpoena the Honourable Peter MacKay, federal Minister of Foreign Affairs and ACOA, to meet with the Nova Scotia Public Accounts Committee on the issue of federal-provincial fiscal relations.

By: Mr. Keith Colwell

Motion: Deferred

## **REQUEST FOR DOCUMENTATION**

The Committee requested the following additional information from the witnesses:

A copy of the list of non-profit or private sector organizations delivering public programs under contractual agreement that the Auditor General of Nova Scotia is or is not able to audit.

To date, the above documentation has not been received.

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007may23.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007may23.htm)



## **NOVA SCOTIA LIQUOR CORPORATION RE SAP SYSTEM AND AGENCY STORES**

**Wednesday, May 30, 2007**

### **WITNESSES**

#### **Nova Scotia Liquor Corporation**

**Mr. Brett Mitchell** – President and Chief Executive Officer

**Ms. Carrie Cussons** – Vice-President, Finance

**Mr. Greg Beaulieu** – Corporate Secretary

### **BACKGROUND**

The Nova Scotia Liquor Corporation was previously scheduled to appear before the Public Accounts Committee on May 24, 2006; however, the meeting was cancelled due to an election call. So Committee members had questions on a variety of topics, including pricing issues, staffing and publications, as well as matters relating to the SAP System and Agency Stores.

The Chief Legislative Counsel, Mr. Gordon Hebb, was in attendance to give his opinion on the motion that was made and deferred at the previous meeting, regarding the Committee's wish to subpoena the federal Minister of Foreign Affairs and ACOA. It was Mr. Hebb's opinion that the Standing Committee on Public Accounts has no power to subpoena a member of the House of Commons.

### **MOTION**

That the Public Accounts Committee report to the House of Assembly on the Peter MacKay matter in the Fall session of the Legislature and request that the Legislature invite Mr. MacKay to appear before the Nova Scotia Public Accounts Committee.

By: Mr. Graham Steele

Motion: Approved

That the Public Accounts Committee request a meeting with officials from the federal Department of Finance, to clarify their position, which was stated in a Letter to the Editor in The Halifax Chronicle-Herald, regarding information provided to the Committee by the Nova Scotia Department of Finance.

By: Mr. Graham Steele

Motion: Approved

A response to the above letter was received from Mr. Rob Wright, Deputy Minister of the Department of Finance Canada on July 16, 2007, declining the invitation to appear before the Nova Scotia Public Accounts Committee.

## **REQUEST FOR DOCUMENTATION**

The Committee requested the following additional information from the witnesses:

A list for each year of all the leasehold improvements that have been done over the past three years;

Information on how often tendering is done for the trucking, when the contract is up for renewal, and a list of the trucking companies; and

A detailed breakdown of the costs associated with the contract to produce the Nova Scotia Liquor Corporation's *Occasions* magazine.

To date, the above documentation has not been received.

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007may30.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007may30.htm)

## **OFFICE OF THE AUDITOR GENERAL JUNE 2007 REPORT OF THE AUDITOR GENERAL**

**Wednesday, June 13, 2007**

### **WITNESSES**

#### **Office of the Auditor General**

**Mr. Jacques Lapointe** – Auditor General of Nova Scotia

**Ms. Elaine Morash** – Acting Deputy Auditor General

**Ms. Ann McDonald** – Assistant Auditor General

**Ms. Dianne Chiasson** – Audit Manager

**Mr. Scott Messervey** – Audit Manager

### **BACKGROUND**

The Standing Committee on Public Accounts is mandated by the Rules and Forms of Procedure of the House of Assembly to review the Auditor General's Reports. The Auditor General tabled his June 2007 Report on June 6, 2007, and this meeting was to discuss the Auditor General's findings in the Report.

It was announced that Ms. Elaine Morash, Acting Deputy Auditor General, was leaving for a new position with the Treasury and Policy Board. She was acknowledged by the Chair for her many years of excellent service with the Office of the Auditor General.

### **REQUEST FOR DOCUMENTATION**

The Committee requested the following additional information from the witnesses:

The name of the nursing home that was referred to in Paragraph 4.37 of the June 2007 Report of the Auditor General; and

The arrears balance as of November 16, 2006, as estimated by the Office of the Auditor General, how many people were attached to those cases, and how the figures were calculated.

The requests for documentation were provided in full by the Office of the Auditor General on Wednesday, June 13, 2007.

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007jun13.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007jun13.htm)

**SUBCOMMITTEE**

**ON**

**AGENDA**

**AND**

**PROCEDURES**



## **SUBCOMMITTEE ON AGENDA AND PROCEDURES**

**Wednesday, September 6, 2006**

### **ATTENDANCE**

**Ms. Maureen MacDonald** – Chair  
**Mr. Chuck Porter** – Vice-Chair  
**Mr. Keith Colwell** – PAC Member  
**Mr. Jacques Lapointe** – Auditor General  
**Mr. Claude Carter** – Deputy Auditor General

### **BACKGROUND**

This was the first subcommittee meeting of the new General Assembly. There was consensus that the procedures used by the Subcommittee in the past would be continued.

Various agenda items were discussed and approved by the Subcommittee. Also discussed was continuing with the issue surrounding the Office of Economic Development's loans to S & J Potato Farms Inc. and Village Developments Limited. The Subcommittee decided it would like to follow up on this issue with a report to the Committee and subsequently the House of Assembly. The Chair, on behalf of the Subcommittee, will write a letter to the Chief Legislative Counsel, Mr. Gordon Hebb, Q.C., to ask for a written opinion on how the Committee should proceed on this matter.

### **REQUEST FOR DOCUMENTATION**

The Subcommittee is waiting for the PC Caucus to submit their priority list and once received, the Subcommittee will meet again to add any additional items to the witness list.

The above information was received prior to the Subcommittee meeting of Monday, September 25, 2006.

### **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2006sep06.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2006sep06.htm)

## **SUBCOMMITTEE ON AGENDA AND PROCEDURES**

**Monday, September 25, 2006**

### **ATTENDANCE**

**Ms. Maureen MacDonald** – Chair  
**Mr. Chuck Porter** – Vice-Chair  
**Mr. Keith Colwell** – PAC Member  
**Mr. Claude Carter** – Deputy Auditor General

### **BACKGROUND**

The Subcommittee recommended a number of witnesses to appear before the Public Accounts Committee. It was noted that the Standing Committee on Human Resources was looking into a number of issues within the Department of Education; therefore, the Subcommittee recommended that several Education topics be forwarded to the Standing Committee on Human Resources for their consideration.

The Office of the Auditor General had done audit work on a number of topics that had been approved. The Subcommittee requested to have in-camera briefing sessions for the topics that had been audited.

### **REQUEST FOR DOCUMENTATION**

The Subcommittee requested that the PC Caucus clarify the differences between two of the items on the list that they submitted for consideration:

1. Nova Scotia Student Assistance Program (Deputy); and
2. Student Assistance Program (Deputy).

### **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2006sep25.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2006sep25.htm)



## **SUBCOMMITTEE ON AGENDA AND PROCEDURES**

**Wednesday, October 25, 2006**

### **ATTENDANCE**

**Ms. Maureen MacDonald** – Chair  
**Mr. Chuck Porter** – Vice-Chair  
**Mr. Keith Colwell** – PAC Member  
**Mr. Jacques Lapointe** – Auditor General

### **BACKGROUND**

The Subcommittee had previously approved the appearance of the Offshore/Onshore Technologies Association of Nova Scotia (OTANS). The Public Accounts Committee sent the matter back to the Subcommittee for clarification concerning the witness since they are an industry group, not a government department or agency. The Subcommittee discussed the matter and decided to call in the Department of Energy to appear with OTANS, with an emphasis on offshore/onshore oil exploration.

A response was received from the Chief Legislative Counsel concerning the possibility of the Public Accounts Committee following up on the issue surrounding the Office of Economic Development's loans to S & J Potato Farms Inc. and Village Developments Limited. The Subcommittee recommended that discussion of the Legislative Counsel correspondence be postponed for four weeks, at which time the Subcommittee will again discuss it with recommendations.

### **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2006oct25.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2006oct25.htm)

## **SUBCOMMITTEE ON AGENDA AND PROCEDURES**

**Wednesday, January 10, 2007**

### **ATTENDANCE**

**Ms. Maureen MacDonald** – Chair  
**Mr. Chuck Porter** – Vice-Chair  
**Mr. Keith Colwell** – PAC Member  
**Mr. Gordon Hebb, Q.C.** – Chief Legislative Counsel

### **BACKGROUND**

The Subcommittee met to discuss the September 28, 2006 Letter of Opinion from the Chief Legislative Counsel concerning S&J Potato Farms Inc. and Village Developments Limited. Also discussed was the government failing to comply with the subpoenas that were issued by the Committee, i.e. blanked out documents and the frequent use of lawyer/client privilege.

### **MOTION**

That the Committee move forward with the recommendations put forward by the Chief Legislative Counsel, that a report be prepared by the Public Accounts Committee, to be submitted to the House of Assembly, based on the hearings and documents of the former committee, and that the report also contain the point of privilege raised previously.

By: Mr. Keith Colwell  
Motion: Approved

### **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007jsc10.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007jsc10.htm)

## **SUBCOMMITTEE ON AGENDA AND PROCEDURES**

**Wednesday, January 17, 2007**

### **ATTENDANCE**

**Ms. Maureen MacDonald** – Chair  
**Mr. Chuck Porter** – Vice-Chair  
**Mr. Keith Colwell** – PAC Member  
**Mr. Gordon Hebb, Q.C.** – Chief Legislative Counsel

### **BACKGROUND**

The Subcommittee on Agenda and Procedures put forward the following witnesses for approval of the Public Accounts Committee:

Service Nova Scotia and Municipal Relations, re Administration of Petroleum Products Pricing;

Department of Finance, re Fiscal Imbalance and its Potential Effects on the Province; and

Office of Economic Development, Procurement Division, and Department of Transportation and Public Works, Fleet Management, re Leasing of Vehicles.

### **MOTION**

That Ms. Heather Foley Melvin be asked to return to this Committee to clarify her answers to two questions: one regarding her meeting with the Premier and one regarding her private sector salary. Given the proprietary nature of her private sector work, the questions regarding her previous salary will be dealt with in-camera. Having already made a lengthy appearance before the Committee, Ms. Heather Foley Melvin will not take questions and her appearance would be the last time the Committee hears from her on this matter.

By: Mr. Chuck Porter

## **AMENDMENT**

That the committee only proceed in-camera on the salary issue if Ms. Heather Foley Melvin can provide from her former employer a document outlining their concerns surrounding the revelation of her former salary or a copy of a non-disclosure agreement.

By: Mr. Keith Colwell  
Amendment: Approved  
Amended Motion: Approved

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007inv17.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007inv17.htm)

## **SUBCOMMITTEE ON AGENDA AND PROCEDURES**

**Wednesday, January 24, 2007**

### **ATTENDANCE**

**Ms. Maureen MacDonald** – Chair  
**Mr. Chuck Porter** – Vice-Chair  
**Mr. Keith Colwell** – PAC Member  
**Mr. Gordon Hebb, Q.C.** – Chief Legislative Counsel

### **BACKGROUND**

The Subcommittee on Agenda and Procedures would like to forward the following witnesses for approval to the Public Accounts Committee:

Nova Scotia Liquor Corporation, re SAP System and Agency Stores;

Office of Immigration, re Provincial Nominee Program;

Department of Community Services, re Extended Pharmacare Program;

Department of Health, re Wait Times;

Department of Justice, re Correctional Services;

Department of Transportation and Public Works, re Road and Highway Construction and Maintenance;

Department of Education, re Higher Learning – Student Assistance Programs / Debt Repayment Programs

Department of Community Services, re Early Childhood Learning;

Department of Health, re Physician Payments / Alternative Funding Programs / DHA Business Plans;

Nova Scotia Power Inc.; and

Workers' Compensation Board.

## **REQUEST FOR DOCUMENTATION**

It was discussed and approved that Committee members submit in advance, to the Committee Clerk, requests for reports, documentation or written questions of witnesses. These requests would be done in a timely manner in order to allow the information to be circulated to Committee members in advance of meetings.

## **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007jny24.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007jny24.htm)

## **SUBCOMMITTEE ON AGENDA AND PROCEDURES**

**Wednesday, March 21, 2007**

### **ATTENDANCE**

**Ms. Maureen MacDonald** – Chair

**Mr. Chuck Porter** – Vice-Chair

**Mr. Keith Colwell** – PAC Member

### **BACKGROUND**

The Subcommittee on Agenda and Procedures met to discuss a couple of timely agenda items: the Commonwealth Games Bid and Atlantic Lottery. It was decided to pursue the Commonwealth Games Bid issue first and deal with the Atlantic Lottery issue in May.

The Subcommittee suggested that the Public Accounts Committee hold separate meetings with the Department of Health Promotion and Protection, the Halifax Regional Municipality, and the Halifax 2014 Bid Committee. The Chair was going to consult with Legislative Counsel to see if it was in order to invite the HRM to appear before the Public Accounts Committee.

It was agreed that the Department of Health Promotion would be asked to appear first, on March 28, 2007, and that a request go out for all documentation to be made available to the Committee several days prior to the meeting.

In order to accommodate the three meetings dealing with the Commonwealth Games Bid issue, the meetings already scheduled for March 28<sup>th</sup>, April 4<sup>th</sup> and April 11<sup>th</sup> would have to be postponed.

### **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007mar21.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007mar21.htm)

## **SUBCOMMITTEE ON AGENDA AND PROCEDURES**

**Tuesday, April 24, 2007**

### **ATTENDANCE**

**Ms. Maureen MacDonald** – Chair

**Mr. Chuck Porter** – Vice-Chair

**Mr. Keith Colwell** – PAC Member

### **BACKGROUND**

The Subcommittee on Agenda and Procedures met to discuss a cut-off date for PAC meetings for the summer. It was decided that June 13<sup>th</sup> would be the date.

Also, remaining topics were discussed and it was suggested that the Clerk e-mail the final schedule to all PAC members. Remaining meetings:

One briefing session with the Auditor General;

Two meetings dealing with the Auditor General's June 2007 Report;

Three previously postponed meetings to be rescheduled; and

One meeting regarding the Auditor General's Strategic Plan.

As well, there was a letter from the Chair of the Economic Development Committee requesting that the Public Accounts Committee meet with the Superintendent of Pensions on the administration of the pension of the Nova Scotia Association of Health Organizations. It was agreed that the meeting be held in the Fall of 2007.

### **TRANSCRIPT**

A copy of the transcript for this meeting is available at the Legislative Committees Office or on-line at the following address:

[http://www.gov.ns.ca/legislature/hansard/comm/pa/pa\\_2007apr24.htm](http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2007apr24.htm)



**STATEMENT**

**OF**

**SUBMISSION**



## STATEMENT OF SUBMISSION

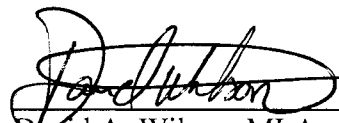
All of which is respectfully submitted to the  
House of Assembly this 8<sup>th</sup> day of *November*, 2007

  
Maureen MacDonald, MLA  
Chair

**I concur**

  
Pat Dunn, MLA

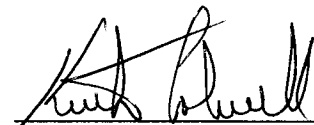
**I concur**

  
David A. Wilson, MLA

**I concur**

  
Chuck Porter, MLA (Vice-Chairman)

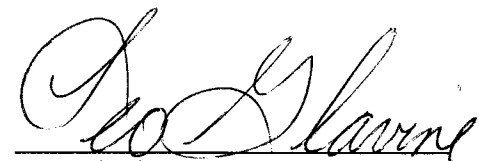
**I concur**

  
Keith Colwell, MLA

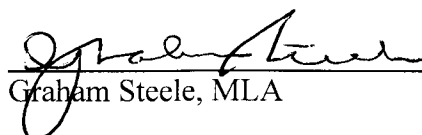
**I concur**

  
Keith Bain, MLA

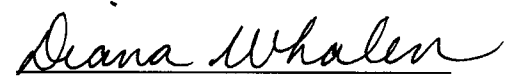
**I concur**

  
Leo Glavine, MLA

**I concur**

  
Graham Steele, MLA

**I concur**

  
Diana Whalen, MLA



## **APPENDICES**

The following is a list of documents requested and received by the Standing Committee on Public Accounts:

### **Office of the Auditor General – June 2006 Report of the Auditor General – October 4, 2006**

- A copy of the job description for Ms. Heather Foley Melvin, Chief Executive Officer
- A copy of the contract of employment for Ms. Foley Melvin
- A copy of Ms. Foley Melvin's Curriculum Vitae

### **Conserve Nova Scotia – November 1, 2006**

- A copy of the presentation that was made by Conserve Nova Scotia to senior government officials on September 13, 2006, entitled Delivering the Commitment Champion of Conservation and Energy Efficiency.

### **Department of Finance and Office of Economic Development Re Implementation of the SAP Program – November 8, 2006**

- A breakdown of the number of SAP consultants to staff within the Department of Finance and Office of Economic Development for the eMerge Project;
- A breakdown within government departments of all costs involved in the implementation of the SAP systems; and
- A breakdown of costs over the four departments involved directly in the implementation of the SAP systems concerning items such as staff, operating costs, consultants, as well as any additional costs associated with SAP.

### **Department of Service Nova Scotia and Municipal Relations Re Property Assessments – November 22, 2006**

- A copy of all yearly statistics since the inception of the CAP Assessment Program, including the statistics showing the number of eligible homeowners and the number of applications received; and out of the applications, the detailed numbers on those homeowners accepted and rejected by the program, the number of appeals – both successful and unsuccessful – as well as their status within the appeals process;

- A profile of people eligible for the CAP Assessment Program and their locations within the Province;
- The number of appeals that take place, the number that go before the regional courts and the URB, and the staffing costs to Service Nova Scotia and Municipal Relations for the appeals process;
- The numbers surrounding those eligible for the CAP Assessment Program versus those who have applied since the inception of the program in 2001;
- The costs associated through the government departments with this process; and
- A copy of the cell tower tax rates versus wind vane power tax rates.

**Department of Finance and Department of Service Nova Scotia and Municipal Relations Re HST Removal and Rebate on Home Heating Fuel – March 7, 2007**

- From the Department of Finance, a copy of the written briefing note from the Canada Revenue Agency declining to assist the Nova Scotia Government in delivering the “Your Energy Rebate Program”; and
- From the Department of Service Nova Scotia and Municipal Relations, a copy of the list of non-profit organizations within the Province of Nova Scotia.

**Service Nova Scotia and Municipal Relations Re Petroleum Products Pricing – May 9, 2007**

- A copy of the results of the Corporate Research Associates omnibus polls regarding gas price regulation;
- A copy of correspondence, aside from Cabinet documents, about the initial Gardner Pinfold report in 2005, regarding the pros and cons of regulation;
- A copy of the lists of retail gas stations that have opened and closed since the inception of gas regulation;
- Information on the price changes that have taken place, which ones have used forward averaging, and an explanation of how forward averaging works in setting gasoline prices; and
- The reasons the Town of Port Hawkesbury is included on a mainland pricing zone, separate from the rest of Cape Breton Island.

**Department of Community Services Re IT and Financial Controls – May 16, 2007**

- A copy of the Deloitte Internal Control Consulting Report dated December 22, 2006

**Office of the Auditor General - June 2007 Report of the Auditor General – June 13, 2007**

- The name of the nursing home that was referred to in Paragraph 4.37 of the June 2007 Report of the Auditor General; and

- The arrears balance as of November 16, 2006, as estimated by the Office of the Auditor General, how many people were attached to those cases, and how the figures were calculated.





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