

Standing Committee on Public Accounts



ANNUAL REPORT

2010

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Printed and Published by the Queen's Printer
Halifax

ISSN: 1205-4615

This document is also available on the Internet at the following address:
<http://gov.ns.ca/legislature/COMMITTEES/accounts.html>



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Honourable Charles L. Parker
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 September 2009 to June 2010 of the Sixty-first General Assembly.

Respectfully submitted,

Diana Whalen, MLA
(Halifax Clayton Park)
Chair
Standing Committee on Public Accounts

Halifax, Nova Scotia
2010



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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 Sixty-first General Assembly. Pursuant to Rule 60(2)(b) of the *Province of Nova Scotia Rules and Forms of Procedure 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 reports of the Auditor General, and any other financial matters respecting the public funds of the province.

MEMBERSHIP

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

Ms. Diana Whalen, MLA – Chair	Mr. Howard Epstein, MLA
Mr. Leonard Preyra, MLA – Vice Chair	Hon. Keith Colwell, MLA
Mr. Clarrie MacKinnon, MLA	Hon. Cecil Clarke, MLA
Ms. Becky Kent, MLA	Mr. Chuck Porter, MLA
Mr. Mat Whynott, MLA	

MEMBERSHIP CHANGES

During the first session of the Sixty-first General Assembly, the committee underwent the following membership change:

Mr. Maurice Smith, MLA (Antigonish) replaced Ms. Lenore Zann, MLA (Truro-Bible Hill).

During the second session of the Sixty-first General Assembly, the committee underwent the following membership change:

Mr. Howard Epstein, MLA (Halifax Chebucto) replaced Mr. Maurice Smith, MLA (Antigonish).

PROCEDURES AND OPERATIONS

The Public Accounts Committee traditionally meets on Wednesday morning in either the Legislative Chamber in Province House or in the Legislative Committees Office. During the first and second sessions of the Sixty-first General Assembly, the committee met on the following dates:

September 9, 2009	March 10, 2010
September 30, 2009	March 24, 2010
October 7, 2009	March 31, 2010
October 28, 2009	April 7, 2010
November 4, 2009	April 21, 2010
November 18, 2009	April 28, 2010
December 2, 2009	May 5, 2010
December 9, 2009	May 12, 2010
January 13, 2010	May 19, 2010
January 20, 2010	May 26, 2010
February 3, 2010	June 2, 2010
February 24, 2010	June 9, 2010
	June 23, 2010

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' website at the following address: <http://gov.ns.ca/legislature/COMMITTEES/schedpa.html>

TRANSCRIPTS

Transcripts of all Public Accounts Committee public hearings are available from the Legislative Library in Province House, the Legislative Committees Office or on the Public Accounts Committee's website at the following address:
<http://www.gov.ns.ca/legislature/hansard/comm/pa/>

All live coverage and re-broadcasts of the Public Accounts Committee are available on EastLink Cable channel 95. Live webcasts are co-produced by Legislative Television and Communications Nova Scotia. Video archives and podcasts are available at:
<http://gov.ns.ca/legislature/>

ANNUAL REPORTS

All reports of the Public Accounts Committee are compiled and written by the committee clerk. The draft is then sent to committee members for consideration. Upon completion of the review and approval of the report, the Chair tables the report with the Speaker of the House of Assembly or with the Clerk of the House of Assembly.

Distribution of the report is as follows: to the Speaker and to the Clerk of the House of Assembly, all members of the committee, 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 House of Assembly Press Gallery. The report is also available to the general public upon request through the Legislative Committees Office or on the committees' website at the following address:

http://gov.ns.ca/legislature/COMMITTEES/pa_pubs.html

RESEARCH MATERIAL

All research for the Public Accounts Committee is coordinated between the committee clerk and the researcher at the Legislative Library. Research material is compiled in an electronic format and is distributed one week prior to the meeting, to members, staff and witnesses.

ACKNOWLEDGEMENTS

The Standing Committee on Public Accounts wishes to extend its gratitude to the witnesses for their time and co-operation; the staff of the Legislative Committees Office; Mr. Robert Kinsman, Editor of Hansard Reporting Services, and staff; Mr. James MacInnes, Coordinator/Director of Legislative Television and Broadcast Services, and staff; and Ms. Margaret Murphy, Legislative Librarian, and staff, with special thanks to Ms. Heather Ludlow, Information Services Librarian, for her invaluable research assistance.

WITNESSES

September 2, 2009	Subcommittee on Agenda and Procedures Setting the Agenda <i>In Camera</i>
September 9, 2009	Organizational Meeting Setting the Agenda
September 30, 2009	Office of the Auditor General Department of Health Department of Health Promotion and Protection Pandemic Preparedness
October 7, 2009	Office of the Auditor General Nova Scotia Emergency Management Office Pandemic Preparedness
October 14, 2009	Subcommittee on Agenda and Procedures Setting the Agenda <i>In Camera</i>
October 28, 2009	Department of Transportation and Infrastructure Renewal Department of Service Nova Scotia and Municipal Relations Federal/Provincial Infrastructure Plan / Stimulus Package
November 4, 2009	Department of Health Cobequid Community Health Centre Emergency Rooms
November 4, 2009	Subcommittee on Agenda and Procedures Setting the Agenda <i>In Camera</i>
November 18, 2009	Pictou County District Health Authority Capital District Health Authority Pandemic Preparedness
November 18, 2009	Subcommittee on Agenda and Procedures Setting the Agenda <i>In Camera</i>
December 2, 2009	Department of Transportation and Infrastructure Renewal Department of Service Nova Scotia and Municipal Relations Truck Safety

December 9, 2009	Department of Economic and Rural Development Nova Scotia Business Inc. Economic Strategies and Initiatives
January 13, 2010	Canadian Comprehensive Auditing Foundation Inc. (CCAF) PAC Training Session <i>In Camera</i>
January 20, 2010	Deloitte & Touche LLP Nova Scotia Financial Review
February 3, 2010	Office of the Auditor General Report of the Auditor General
February 16, 2010	Subcommittee on Agenda and Procedures Setting the Agenda <i>In Camera</i>
February 24, 2010	Agenda Setting Meeting
March 10, 2010	Department of Health Electronic Health Records
March 10, 2010	Subcommittee on Agenda and Procedures Setting the Agenda <i>In Camera</i>
March 24, 2010	Department of Education P3 Contract Management
March 31, 2010	Chief Information Office Government-Wide: Technology Information Security
April 7, 2010	Department of Labour and Workforce Development – Pension Regulation Division Pension Regulation
April 21, 2010	Department of Community Services Regional Housing Authorities
April 28, 2010	Department of Environment – Environmental Monitoring and Compliance Division Department of Transportation and Infrastructure Renewal Environmental Monitoring and Compliance / Sysco Remediation Project

May 5, 2010	Department of Health Pharmacare Programs
May 12, 2010	Department of Service Nova Scotia and Municipal Relations Land Registry System
May 19, 2010	Workers' Compensation Board of Nova Scotia Unfunded Liability
May 26, 2010	South Shore District Health Authority Overview
June 2, 2010	Office of the Auditor General Report of the Auditor General
June 9, 2010	Department of Environment Department of Energy Caps on Greenhouse Gases 2020 Target
June 23, 2010	Department of Health Mental Health Division

PUBLIC HEARINGS

ORGANIZATIONAL MEETING

Re: Setting the Agenda

September 9, 2009

WITNESSES

Representatives from the Office of the Auditor General and the Legislative Counsel Office were in attendance, however no witnesses were present.

MATTERS OF DISCUSSION

The purpose of the meeting was to present committee members with an overview of the committee's functions, mandate, frequency of meetings, and venue.

Briefings by the Office of the Auditor General and the Legislative Counsel Office provided a review of their roles in relation to committee operations. Members of the committee were encouraged to contact the offices with any questions or concerns.

A report by the Subcommittee on Agenda and Procedures, recommending witnesses and topics for future meetings, was approved. The subcommittee also suggested a one-day training seminar on the effectiveness and role of public accounts committees.

The proposed seminar was to be facilitated by the Canadian Comprehensive Auditing Foundation (CCAF-FCVI), which is a non-profit Canadian research and education foundation dedicated to increasing knowledge about governance, management, audit and accountability in the public sector. This organization meets regularly with public accounts committees across the country.

WITNESSES

Office of the Auditor General

Mr. Jacques Lapointe – Auditor General

Ms. Evangeline Colman-Sadd – Assistant Auditor General

Department of Health

Mr. Kevin McNamara – Deputy Minister

Dr. Ken Buchholz – Physician Advisor

Department of Health Promotion and Protection

Mr. Duff Montgomerie – Deputy Minister

Dr. Robert Strang – Chief Public Health Officer

Mr. Russell Stuart – Director, Health Services and Emergency Management

MATTERS OF DISCUSSION

The focus of the meeting was pandemic planning in Nova Scotia, following the July 2009 Report of the Auditor General on the same topic.

The Auditor General presented a brief overview of the report, which contained 33 recommendations and outlined three fundamental areas: Leadership, Coordination and Supply.

Departmental witnesses at this meeting reported that they are responding to the plan and not to the pandemic, and that significant progress has already been made with regard to the Auditor General's recommendations.

The initiation of the Healthlink program, as well as a stockpile of supplies, has been completed. A thorough assessment of intensive care units' capacity and needs, bed management programs, and enhanced ventilator capacity has been done, and the departments are currently reviewing District Health Authorities' pandemic plans.

MOTIONS

No motions were made during the meeting.

COMMITTEE BUSINESS

The witnesses could not answer all budgetary questions. A procedural matter arose regarding the appropriateness of questions on budgetary issues that are still under debate in the estimates and have not yet been approved by the House. Mr. Gordon Hebb, Legislative Counsel, advised that these rule restricting these questions is only applicable to Question Period in the House of Assembly and has no application for this committee.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following information:

- The cost of a social marketing consultant.
- The actual tracked costs, to date, on all of the H1N1 initiatives.
- The capacity and cost of the 811 system and its use to date.

TRANSCRIPT

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2009sep30.htm

WITNESSES

Office of the Auditor General

Mr. Jacques Lapointe – Auditor General

Ms. Evangeline Colman-Sadd – Assistant Auditor General

Nova Scotia Emergency Management Office

Mr. Craig MacLaughlan – CEO / Deputy Head

Mr. Andy Lathem – Director, Emergency Programs

Mr. Mike Myette – Director, Emergency Services

Ms. Jodi Sibley – Communications

MATTERS OF DISCUSSION

This was the second in a series of meetings on the pandemic preparedness issue, focusing on plans of the Emergency Management Office in the event of a pandemic emergency.

The Auditor General reported that much had been done to improve pandemic preparedness since the release of his July report, but that more work was needed in several essential areas directly related to the Emergency Management Office.

EMO reported that they are mandated to provide a coordinated response for any kind of emergency, including pandemics. Their role in the pandemic preparedness is, or was, to receive the plans from essential service organizations, not to approve them.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following information:

- A list of the critical outside agencies that were identified specifically relating to the pandemic planning, and a list of critical infrastructure.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2009oct07.htm

WITNESSES

Department of Transportation and Infrastructure Renewal

Mr. David Darrow – Deputy Minister

Ms. Jane Fraser – Executive Director, Strategic Planning and Infrastructure Planning

Mr. Doug Stewart – Chief Engineer, Highway Programs

Department of Service Nova Scotia and Municipal Relations

Mr. Nathan Gorall – Executive Director, Municipal Services

MATTERS OF DISCUSSION

The purpose of the meeting was to obtain an overview of the Federal / Provincial Infrastructure Plan with regard to the Government Stimulus Package.

The federal government announced a seven-year infrastructure plan, namely, the Building Canada Plan. Under the Building Canada Plan there are a number of funding programs:

- Base Fund
- Building Canada Fund
- Gateways and Border Crossing Fund
- Public Private Partnership Fund
- Gas Tax for Municipalities

Each of the funding programs has its own criteria for eligible projects, and some programs have specific timelines that have to be met. Some of the programs are long term while others will be completed sooner.

The final approval for this funding rests with the federal government. Nova Scotia has received significant federal funding under these programs and will continue to benefit.

MOTIONS

The following motion, tabled by Hon. Cecil Clarke, MLA, at the subcommittee meeting, was read into the record by the Chair for discussion and approval. To:

“Bring in the Nova Scotia Fisheries and Aquaculture Loan Board to attain clarification on the loan application process”.

The motion was defeated.

A further motion made by Hon. Wayne Gaudet, MLA, was to:

“Extend an invitation to the Minister of Fisheries and Aquaculture to appear before the Public Accounts Committee on November 25th and allow him to provide us with the information that taxpayers are looking for.”

The motion was defeated.

A second motion made by Hon. Wayne Gaudet, MLA, was to:

“Extend an invitation to the staff from the Fisheries and Aquaculture Loan Board to appear before the Public Accounts Committee to provide us with information, in terms of loan application and process, regulations and guidelines.”

The motion was defeated.

COMMITTEE BUSINESS

The report of the Subcommittee on Agenda and Procedures was tabled and approved by the standing committee.

The Standing Committee approved a three-hour training session with the CCAF on the “Attributes of Effectiveness for Public Accounts Committees.”

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following information:

- A list of those projects that have been approved and have received funding under the Base Funding Agreement.
- A list of the projects that have received funding under the Stimulus Agreement.
- Documentation, including values, for programs that are cost-shared with the federal government.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2009oct28.htm

WITNESSES

Department of Health

Mr. Kevin McNamara – Deputy Minister

Mr. Abram Almeda – Acting Executive Director, Acute Care

Ms. Linda Penny – Chief Financial Officer

Cobequid Community Health Centre

Ms. Barbara Hall – Vice-President, Person-Centred Health

MATTERS OF DISCUSSION

The purpose of the meeting was to discuss emergency room closures and available staffing resources and strategies, as well as the use of the Cobequid Community Health Centre as a full-time emergency room.

The root causes of ongoing emergency room closures must be investigated thoroughly, and measures put in place to address these issues. The hiring of Dr. John Ross, the Provincial Advisor for Emergency Care, was the first step in this process.

The introduction of the Emergency Room Accountability Act will enable government, District Health Authorities and communities to work together on emergency care solutions.

Opening the Cobequid Community Health Centre for 24 hours, seven days per week, and increasing its assessment bed capacity, is a commitment of the government for the next fiscal year. Currently, Cobequid is used as an ambulatory emergency centre only. It operates in tandem with other health centres and hospitals within the Capital District Health Authority.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following information:

- A copy of Dr. Ross' contract.
- The report containing recommendations for the Cobequid Community Health Centre.
- The proposal for re-development of the 5th floor of the Dartmouth General Hospital.
- Information on financial subsidies from the Department of Community Services, assisting individuals with the cost of travelling to emergency rooms.
- Explanation of pay differentials for EHS employees when on call and on ambulance duty.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2009nov04.htm

WITNESSES

Pictou County District Health Authority

Mr. Patrick Lee – Chief Executive Officer

Ms. Janice Kaffer – Vice President, Clinic Services

Mr. Brian White – Chief Financial Officer

Capital District Health Authority

Ms. Chris Power – President and Chief Executive Officer

Ms. Kathy MacNeil – Vice President, People

MATTERS OF DISCUSSION

The third in a series of meetings on pandemic preparedness, the purpose of this session was to discuss pandemic planning of the Pictou County and Capital District Health Authorities, which were both included in the July 2009 Auditor General's report.

The Capital District's plan continues to provide overall direction, but it is the agility, collaboration and responsiveness of health-care leaders and providers that will provide service to the district and province in a competent and cohesive manner.

The plan has two broad objectives: to prevent the spread of disease in communities to protect the public from becoming ill; and to ensure the continuity of health-care services and provision of specialized care for those who become very ill.

Pictou County District's plan objectives are to minimize the severity of illness and lessen death rates within the district, to slow the spread of pandemic illness within the district and province, to ensure that essential health services are maintained, and to address business recovery after a pandemic event.

The final component of the Pictou County District's plan is that of integrated command, control and communications. The centre has the overall responsibility for directing all aspects of the pandemic plan in that region, while concurrently maintaining the designated level of priority services.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following information:

- What percentage of the 4,000 flu-related deaths within Canada are attributed to Nova Scotia, specifically the Capital District and Pictou County District Health Authorities?

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2009nov18.htm

WITNESSES

Department of Transportation and Infrastructure Renewal

Mr. Kevin Caines – Executive Director, Highway Engineering and Construction

Mr. Don Evans – Manager, Vehicle Compliance Outreach and Training

Department of Service Nova Scotia and Municipal Relations

Mr. Kevin Malloy – Deputy Minister

Mr. Paul Arsenault – Registrar, Motor Vehicles

Ms. Nancy MacLellan – Executive Director, Strategy Integration and Registries

MATTERS OF DISCUSSION

The focus of the meeting was truck safety, which was a topic of the April 2009 Report of the Auditor General.

Although Nova Scotia has one of the safest highway records, it was reported that truck safety checks should be done more frequently. Truck traffic accounts for 20% of highway traffic and are involved in 3% of vehicle collisions.

Service Nova Scotia and Municipal Relation's role is to manage the commercial carrier safety fitness rating and audit program, with Carrier Activity Profile System (CAPS). The CAPS program allows the province to enforce national safety code standards for the safe operation of commercial vehicles.

The purpose of CAPS is to monitor at-fault collisions, failed roadside inspections and convictions among commercial truck carriers.

One of the most significant findings of the Auditor General's report related to gaps in data collection and entry, so that CAPS was not identifying the full five per cent of high-risk carriers. The recommendation to improve the carrier fitness audit report by restructuring its format has been completed and implemented.

The Department of Transportation and Infrastructure Renewal accepted all of the Auditor General's recommendations and has been making progress on implementation.

Some of the recommendations were: increasing hours of operation at scale houses; employing weigh-in-motion scales that monitor and classify commercial trucks on a continual basis; and a policy review and update.

MOTIONS

No motions were made during the meeting.

COMMITTEE BUSINESS

The Subcommittee on Agenda and Procedures put forth the following two items for committee approval:

Department of Economic and Rural Development, and Nova Scotia Business Inc.
Re: Economic Strategies and Initiatives

and

Department of Health
Re: Electronic Health Records

These items were approved.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following information:

- An analysis of the cost components for trucking operation fees.
- Status of Utility and Review Board's information management system.
- The number of fatalities in Nova Scotia involving commercial vehicles.
- Implementation of the Road Safety Strategy and Road Safety Vision 2010 three-year action plan.
- Comparison between scale house hours for Nova Scotia and New Brunswick.
- Status of draft regulations intended to reduce the regulatory burden on the trucking industry.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2009dec02.htm

WITNESSES

Department of Economic and Rural Development

Mr. Ian Thompson – Deputy Minister

Mr. Marvyn Robar – Executive Director, Decision Support

Mr. Dan MacDonald – President and CEO, InNOVAcorp

Nova Scotia Business Inc.

Mr. Stephen Lund – President and CEO

Mr. Pat Ryan – Vice President and Chief Operating Officer

Mr. Peter MacAskill – Director, Corporate Services

MATTERS OF DISCUSSION

The purpose of the meeting was to discuss economic strategies and initiatives with regard to current economic conditions and supports.

To examine the efforts of the Department of Economic and Rural Development and of Nova Scotia Business Inc., to stimulate economic recovery from the recession by supporting existing businesses and encouraging new investments and opportunities.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following information:

- The amount of money that has been spent so far on the broadband project.
- The dollar value of Eastlink's penalty for non-completion of the project within the contract term.
- A list of organizations that obtained assistance under the economic strategic initiative.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2009dec09.htm

WITNESSES

CANADIAN COMPREHENSIVE AUDITING FOUNDATION INCORPORATED (CCAF – FCVI Inc.)

Mr. Ron Thompson – Chair

Mr. Michael Eastman – Executive Director

Mr. Geoff Dubrow – Principal Associate

MATTERS OF DISCUSSION

The purpose of the training session was to have an open discussion on the “Attributes of Effectiveness for Public Accounts Committees”.

The CCAF has met and will continue to meet with various provincial and territorial governments to discuss this report in order to examine the role of, the base criteria for, and the effectiveness of public accounts committees operating under the Westminster System.

Although there is no one set procedure for all committees they each work in tandem with legislative auditors.

Public accounts committees oversee budgetary oversights, and scrutinize estimates (post-factual) and other financial matters of concern within their jurisdiction.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following information:

- Copies of the guide entitled “Parliamentary Oversight – Committees and Relationships”.

TRANSCRIPT:

This meeting was informal; there is no transcript of the proceedings.

WITNESSES

Deloitte & Touche LLP

Ms. Shannon MacDonald – Atlantic Practice Managing Partner

Mr. William Hogg - Associate

MATTERS OF DISCUSSION

The purpose of the meeting was to discuss the Nova Scotia Financial Review Interim and Final Reports prepared by the witness. The intention was to obtain an understanding of the economic climate and to examine government's actions in response to the advice and findings given in the reports.

MOTIONS

No motions were made during the meeting.

COMMITTEE BUSINESS

Due to a scheduling conflict with a caucus meeting, examination of the next Auditor General's report were combined into two consecutive sessions to take place on February 3, 2010, beginning at 8:30 am.

The committee outlined the following timeline for the meeting on the Report of the Auditor General.

8:30 – 9:00 Member Lockdown

9:00 – 9:45 *In Camera* session

10:00 – 12:00 Public Meeting

Because this will be a long meeting, the Subcommittee on Agenda and Procedures opted to meet separately on February 16, 2010.

REQUESTS FOR DOCUMENTATION

There were no requests for additional information or documentation.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010jan20.htm

WITNESSES

Office of the Auditor General

Mr. Jacques Lapointe – Auditor General

Mr. Alan Horgan – Deputy Auditor General

Mr. Terry Spicer – Assistant Auditor General

Ms. Evangeline Colman-Sadd – Assistant Auditor General

Ms. Ann McDonald – Assistant Auditor General

MATTERS OF DISCUSSION

The purpose of the meeting was to present the February 2010 Report of the Office of the Auditor General. Specific chapters were discussed according to the individual auditor responsible.

The meeting began with a member lockdown, in which the committee members and select staff as well as the auditors, reviewed the report privately.

This was followed by an *in camera* session between the auditors and the members.

The public session began with an opening statement by the Auditor General, again presenting an outline of the chapters of the report followed by a formal question and answer period.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

There were no requests for additional information or documentation.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010feb03.htm

AGENDA SETTING

February 24, 2010

WITNESSES

No witnesses were present during this session.

MATTERS OF DISCUSSION

Due to inclement weather and other scheduling conflicts, the standing committee did not meet on February 17, 2010.

The committee agreed to meet publicly on February 24th to approve the report of the Subcommittee on Agenda and Procedures and to discuss other committee business.

The committee did not approve the full report of the subcommittee, however, the P3 Management Contract was approved as a future meeting topic.

Discussion of the remaining topics plus several new ones was deferred until the next meeting of the subcommittee.

Also discussed was the issue of the standing committee reviewing past expenditures of the province, i.e. the Public Accounts, once they are tabled in September. This issue was deferred until the next subcommittee meeting.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010feb24.htm

WITNESSES

Department of Health

Mr. Kevin McNamara – Deputy Minister

Ms. Sandra Cascadden – Chief Information Officer

Ms. Linda Penny – Chief Financial Officer

MATTERS OF DISCUSSION

The focus of the meeting was to review the Electronic Health Records initiatives as set out in the Auditor General's February 2010 Report, and to examine provincial funding levels as well as federal funding through Canada Health Infoway.

The goal of the Department of Health is to implement province-wide electronic clinical and administrative systems in order to advance the quality, safety and sustainability of health care. In coordination with district health authorities, the IWK Health Centre, and other partners, the Department of Health has made significant progress in establishing robust e-health solutions across the province to support the delivery of health care.

The Auditor General's Report raised some concerns regarding the privacy and security of personal health information under the SHARE project. The department agrees with the Auditor General's recommendations in this regard and is working to implement suggested changes.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following documentation:

- Value of the drug information system as identified through a cost benefit analysis.
- The number of physicians who are adopting the electronic medical records program.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010mar10.htm

WITNESSES

Department of Education

Ms. Rosalind Penfound – Deputy Minister

Mr. Darrell Youden – Senior Executive Director, Corporate Services

Mr. Darrell MacDonald – Director, Facilities Management

MATTERS OF DISCUSSION

The focus of the meeting was to review the contract management agreement of P3 schools as outlined in the February 2010 Report of the Auditor General. Further, the committee wished to examine management of school boards' leases and service contracts by the Department of Education and their P3 partners.

Concerns outlined in the Auditor General's report were: student health and safety; higher standards of compliance for child abuse and criminal registry checks; first-aid training and fire safety inspections; as well as contract management and procedures relating to cleaning and maintenance.

Steps have been taken for improvements to management and compliance. The department is currently developing guidelines to provide a helpful and simple checklist that ensures the Department Education, school boards and P3 partners fulfill the terms of their contracts.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following documentation:

- The administrative costs, per board and per student, with regard to school contracts.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010mar24.htm

WITNESSES

Chief Information Office

Mr. Greg Keefe – Deputy Minister

Ms. Holly Fancy – Chief Information Officer

Mr. Wallace Peers – Provincial IT Security Authority

Ms. Connie Michaelis – Director, Corporate IM Program Office

MATTERS OF DISCUSSION

The focus of the meeting was to discuss “Government-Wide: Information Technology Security” as outlined in the April 2009 report of the Auditor General, and to discuss government’s measures to further enhance the security of the province’s IT network.

Internet and mobile use continue to increase exponentially. While government has a successful record of preventing inappropriate network access, continual updates to protective measures ensure network security.

The government has completed 25 per cent of the Auditor General’s 21 recommendations. A third of the recommendations are in the process of being completed.

A key element of the Chief Information Office was the development of a government-wide technology and information strategic plan and a corporate governance framework. CIO is also designing a new infrastructure service delivery model to determine how to provide security services such as network monitoring.

MOTIONS

Due to concerns over the agenda-setting process, the following motion was put forward by the Hon. Keith Colwell, MLA:

“That we eliminate the subcommittee and set the agendas of the committee in public.”

The motion was carried.

COMMITTEE BUSINESS

The report of the Subcommittee on Agenda and Procedures was approved by the standing committee.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following documentation:

- A comparison of the number of laptops versus the number of desktop computers in use within government.
- A list of the six Auditor General's recommendations that are ongoing and those which have been implemented.
- The phone number for the 24-hour help line to report lost Blackberries.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010mar31.htm

WITNESSES

Department of Labour and Workforce Development

Ms. Nancy MacNeill Smith – Superintendent of Pensions, Pension Regulation Division

MATTERS OF DISCUSSION

The focus of the meeting was to review private pension regulation in the context of recommendations made in the Auditor General's 2008 report.

The Pension Regulation Division ensures that private pension plans are being met according to the Pension Benefits Act and that plan administrators and sponsors have the proper tools, knowledge and ability to administer their pension plans.

The division is responsible for the plans of the Nova Scotia Association of Health Organizations, municipalities and universities and other private pension plans.

In 2008 the Auditor General reported that the division does not independently verify whether pension plan investment policies are prudent, approved policies have been implemented, and whether they are being properly monitored and comply with the act. There is no verification of whether the market value of plan assets being reported annually by the administrators is accurate and whether contributions have been made. Relying primarily on information reported by plan administrators is not sufficient.

Currently there is no requirement under the pension legislation for a plan administrator to file financial statements on a pension plan. The Auditor General stated that legislation is needed in order to fulfill this requirement. Consultations and reviews by an independent panel in 2009 and again in 2010 made recommendations to the government which would allow for the implementation of the recommendations of the Auditor General.

MOTIONS

No motions were made during the meeting.

AGENDA SETTING

As a result of the motion passed on March 31, 2010, eliminating the Subcommittee on Agenda and Procedures, agenda items are now selected and approved by vote of the full committee during public sessions.

The committee agreed to write to the Nova Scotia Gaming Corporation inviting them, again, to appear before the committee.

The committee discussed several agenda items and approved the following: the Land Registry System; the South Shore District Health Authority; and the Pharmacare Program.

The Maintenance Enforcement Program and the Insurance Bureau of Canada were not approved for future agendas. The suggested topic of Mental Health Services was deferred until after the June 2010 report of the Auditor General.

REQUESTS FOR DOCUMENTATION

There were no requests for additional information or documentation.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010apr07.htm

WITNESSES

Department of Community Services

Ms. Judith Ferguson – Deputy Minister

Mr. Gary Porter – Executive Director, Housing Authorities and Property Operations

Mr. Dan Troke – Acting Executive Director, Employment Support and Income Assistance and Housing

Mr. George Hudson – Executive Director, Finance Administration

MATTERS OF DISCUSSION

The focus of the meeting was to discuss regional housing authorities, which were assessed in the Auditor General's 2007 report.

In partnership with the federal government, the Province of Nova Scotia has developed a housing stimulus plan to create more affordable housing, upgrade social housing and create jobs in the construction industry.

The stimulus funding is being used to develop co-operative and non-profit housing; to create units for seniors and persons with disabilities; for public housing projects and to make necessary repairs to social housing; to reduce operating costs by improving energy efficiency; and in assisting seniors to live independently.

Various control weaknesses, as identified for several housing authorities in the Auditor General's 2007 report, have since been corrected. The report also recommended that non-financial performance information and outcome measures should be developed, and that the Public Housing Operations Manual be reviewed and updated. Considerable work has been done to advance the work of the Public Housing Operations Manual.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following documentation:

- Wait lists by housing authority and category across the province.
- The number of housing units that do not have elevators.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010apr21.htm

**ENVIRONMENTAL MONITORING AND COMPLIANCE/
SYSCO REMEDIATION PROJECT**

April 28, 2010

WITNESSES

Department of Environment

Ms. Nancy Vanstone – Deputy Minister

Environmental Monitoring and Compliance Division

Ms. Darlene Fenton – Executive Director

Mr. Bob Petrie – Western Regional Manager

Mr. Terry MacPherson – Senior Manager, Sydney Tar Ponds Clean-up, Regulatory Branch

Department of Transportation and Infrastructure Renewal

Mr. David Darrow – Deputy Minister

Mr. Gary Campbell – Executive Director, Nova Scotia Lands Inc.

Mr. Joel MacLean – Chief Operation Office, Nova Scotia Lands Inc. (Sydney)

MATTERS OF DISCUSSION

The focus of the meeting was to discuss environmental monitoring compliance as well as the Sydney Steel Corporation (Sysco) remediation project. These were topics of the Auditor General's reports dated February, 2008 and February, 2010.

Production at the steel plant ceased in May, 2000. In November 2001, the government created two special funds to be used for the remediation of the former steel plant site and the tar ponds and coke oven sites. The demolition phase of the Sysco cleanup was completed by 2006.

To date, approximately 120 acres of the former site have been remediated. Fourteen companies have set up businesses in the park. It is expected that remediation of the remainder of the former steel mill site will be completed by the end of 2012.

The Department of Environment was pleased to report that much progress has been made with recommendations of the Auditor General regarding management of the department's information systems, and its policies and procedures for issuing approvals, doing inspections and conducting enforcement actions.

The department has established a regulatory office for the Sydney tar ponds and coke oven cleanup and for the Sysco site remediation activity. A Remediation Monitoring Oversight Board was appointed to ensure that the remediation project is being appropriately regulated by the department and is proceeding within approved regulatory guidelines, permits and approvals.

MOTIONS

No motions were made during the meeting

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following documentation:

- A copy of the discharge criteria of the water treatment facility.
- A copy of the Economic Benefits Report with regard to the Cape Breton Economy.
- Statistics on the number of work stoppages or respirators used on-site.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010apr28.htm

WITNESSES

Department of Health

Mr. Kevin McNamara – Deputy Minister

Ms. Judy McPhee – Manager of Drug Programs

Ms. Linda Penny – Chief Financial Officer

MATTERS OF DISCUSSION

The purpose of the meeting was to discuss Pharmacare, including the seniors' and family programs.

It was reported that drug costs are growing at a fast rate. Prescription drugs are the second-largest category in public health spending in Canada. In Nova Scotia, spending on drugs is listed fourth, after hospitals, physicians and continuing care.

The largest programs are seniors' pharmacare and family pharmacare. The cost of the pharmacare programs, including seniors' and family programs, has grown significantly in recent years. The main factors on program costs are the cost of drugs and how much the plans are used.

In order to improve access to care for Nova Scotians and manage the growth of drug costs, the department is looking at innovative ways to work with pharmacists, pharmacies and drug manufacturers. A drug management policy unit is being established. The unit will develop policies and strategies to manage drug spending, enhance prescribing practices and improve utilization of drugs and health outcomes. The unit will lead a number of initiatives to make prescription drugs more affordable.

The department is also working with counterparts in other Atlantic provinces, exploring opportunities to work together in reducing the growth of drug costs.

MOTIONS

No motions were made during the meeting.

AGENDA SETTING

An agenda-setting session of the full committee followed the regularly scheduled meeting.

The committee approved the Workers' Compensation Board; Department of Health: Mental Health Services; and the Department of Environment: Caps on Greenhouse Gases (2020 Target) as agenda items. Motions to recommend the Maintenance Enforcement Program and Department of Justice: Correctional Services Division as proposed topics for future meetings, were defeated.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following documentation:

- The cost of the Drug Assistance Program for Cancer as well as the number of patients who have applied and the number who have qualified for the program.
- A copy of the contract with Medavie Blue Cross.
- Information on bulk purchasing of drugs with respect to reducing costs for the Pharmacare Program.
- Provide further information with regard to Avastin.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010may05.htm

WITNESSES

Department of Service Nova Scotia and Municipal Relations

Mr. Kevin Malloy – Deputy Minister

Mr. Norman Hill – Director of Lands Program and Registrar General

Ms. Nancy Saunders – Director, Geographic Information Services

MATTERS OF DISCUSSION

The purpose of the meeting was to obtain an overview of the new land registry system which guarantees title on all land parcels and replaces the system that was in place for 250 years.

Numerous improvements have been made to the system since implementation, such as the introduction of e-submission and e-payment methods, improvement of the standards for parcel descriptions, stricter requirements for easements, and the elimination of the ability for non-authorized users to record and remove interest.

Part of the process of modernizing the system has been to electronically scan, index and make available online, 250 years of land records. To date, 75 per cent of this work has been completed with more than 30 million images of documents now online.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following documentation:

- Detailed reports on the costs associated with both the start-up and operation of the land registry system.
- An accounting of the actual cost for managing the system.
- Details of the initial investment with regard to spending and programs.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010may12.htm

WITNESSES

Workers' Compensation Board of Nova Scotia

Ms. Nancy MacCready-Williams – CEO

Ms. Elaine Sibson – Chair, Board of Directors

Mr. Leo McKenna – Chief Financial Officer

MATTERS OF DISCUSSION

The purpose of the meeting was to have an overview and update on unfunded liability for workers' compensation payments. The Workers' Compensation Board (WCB) is funded entirely by employer premiums. Neither employees, taxpayers, nor the government contribute financially to the WCB system.

With the introduction of the new Workers' Compensation Act in 1996, Nova Scotia moved away from a system where injured workers were paid based on their injury, to a system now based on the amount of compensation lost. This modernized system considers the impact an injury has on a worker's ability to earn a living. Many workers who were injured before 1996 continue to receive small pensions based on the old system.

In the 1990s, the WCB was only 27 per cent funded. It was almost bankrupt, which is the primary reason that workers injured before 1996 could not be transitioned into the new system.

Until the recent economic downturn, the WCB was heading in the direction of eliminating the unfunded liability 20 years earlier than was originally planned. Significant financial losses due primarily to reduced investment returns in 2007-2008 delayed the goal of eliminating unfunded liability by 2016. The current funding level is 62 per cent.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following documentation:

- A copy of the contract between the Workers' Compensation Board and Doctors Nova Scotia.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010may19.htm

WITNESSES

South Shore District Health Authority

Ms. Alice Leverman – CEO

Mr. Malcolm Pittman – Chief Financial Officer

MATTERS OF DISCUSSION

The purpose of the meeting was to have an overview and update of the South Shore District Health Authority (DHA) with regard to staffing and training, emergency rooms, and finances/budgets.

Recruitment and retention of health professionals is an ongoing challenge. The South Shore Health Bursary Program, as well as clinical placements in work terms for health-care students, have improved recruitment efforts by the South Shore DHA.

Prior to July 2008, the emergency department had been experiencing frequent closures due to staffing issues, and saw very low occurrences of overnight visits. The subsequent decision to close overnight allowed better staffing of the department during its busiest times and provided a more reliable, consistent level of service. Present measures being taken to minimize unscheduled closures include the cross-training of staff between South Shore Regional Hospital and Fishermen's Memorial Hospital.

Although the DHA has made considerable efforts to reduce costs through efficiency, they have struggled over the years to balance their budget in the midst of growing public expectations, increasing demands and rising costs. As part of their commitment to balance the current year's budget, the DHA is creating a Quality Improvement Action Plan focusing on improvements that make the best use of limited resources.

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following documentation:

- Information regarding doctor shortages within the South Shore District Health Authority.
- A breakdown of the budget by facilities and by communities within the District Health Authority.
- Costs incurred by the District Health Authority associated with the Workers' Compensation Board.
- A copy of the capital equipment priority list and cost estimates.
- Percentage of the number of residents within the District Health Authority who were immunized against H1N1.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010may26.htm

WITNESSES

Office of the Auditor General

Mr. Jacques Lapointe – Auditor General

Mr. Alan Horgan – Deputy Auditor General

Mr. Terry Spicer – Assistant Auditor General

Ms. Ann McDonald – Assistant Auditor General

Ms. Evangeline Colman-Sadd – Assistant Auditor General

MATTERS OF DISCUSSION

The purpose of the meeting was to receive the June 2010 Report of the Auditor General.

Following the standard procedure, the committee meeting was divided into three parts: a member lockdown, an *in camera* session; and a public meeting.

As an independent officer of the Legislature, the Auditor General's role is to assist the House to hold the government accountable for its management of public funds. The Auditor General's June report makes 43 recommendations to improve the operations of government in the areas that were audited.

During the public portion of the meeting, the Auditor General recommended three chapters of his report for hearings by the committee: Economic and Rural Development and Nova Scotia Business Inc., with regard to the Industrial Expansion Fund; the Department of Environment, with regard to contaminated sites; and the Department of Health, with regard to Mental Health Services.

The office stated that it was unable to complete its audit of Financial Assistance to Businesses through NSBI and IEF because as stated by the Auditor General, "It's a situation which, in a case like that, can be not just difficult but impossible for me to do my work. The extent of the information that was being denied in this particular case – because so much of it had to do with Cabinet or legal issues - was such that an audit simply could not be completed. That means that when we withdrew, we could not reach any audit conclusions, we could not complete the work and so therefore we issued what I term a denial of opinion."

MOTIONS

No motions were made during the meeting.

REQUESTS FOR DOCUMENTATION

There were no requests for additional information or documentation.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010jun02.htm

WITNESSES

Department of Environment

Ms. Nancy Vanstone – Deputy Minister

Mr. Jason Hollett – Acting Director, Climate Change Directorate

Mr. Andrew Murphy – Manager, Air Quality

Department of Energy

Mr. Murray Coolican – Deputy Minister

Mr. Scott McCoombs – Director, Energy Markets

MATTERS OF DISCUSSION

The purpose of the meeting was to receive an overview of caps on greenhouse gases with emphasis on sustainable prosperity initiatives and expenditures.

A legislated commitment has been made to reduce Nova Scotia's greenhouse gas emissions by at least 10 per cent lower than 1990 levels, by the year 2020. Ninety per cent of the climate action plan strategies have been started or completed.

Caps on greenhouse gas emissions and air pollutants will ensure more investment in energy efficiency and cleaner sources of energy. The province is well on the way to achieving the greenhouse gas emissions target outlined in the Environmental Goals and Sustainable Prosperity Act.

MOTIONS

The Hon. Keith Colwell, MLA, tabled the following motions:

Motion to have files produced

“Whereas during the course of attempting to conduct full performance audits of Nova Scotia Business Incorporated, Department of Economic and Rural Development (Industrial Expansion Fund), and Department of Health (Mental Health Services), the senior management of the above Crown Corporation and departments refused to provide the information required by the Auditor General; and
Whereas the mandate of the Public Accounts Committee includes the review of the report of the Auditor General which requires full transparency and accountability without exception; and

Whereas it is clear that the current Executive Council gave direction to senior management to withhold from the Office of the Auditor General documents that were required for the completion of the above mentioned performance audits; and

Whereas the Auditor General has pointed out that “this practice constitutes an unwarranted interference with the audit process” and that “it represents poor accountability to the House of Assembly”; and

Whereas this resulted in an incomplete audit in one instance and compelled the Auditor General to issue a denial of an opinion on his audit of the operations of Nova Scotia Business Incorporated and the Industrial Expansion Fund, and pointed out that denial of an audit opinion is the most severe audit sanction available to him;

Be it resolved that:

- (1) The committee direct the clerk to arrange for the transfer of the complete files as requested previously by the Auditor General for the purpose of a performance audit to have been published in the June 2010 Report of the Auditor General to the Nova Scotia House of Assembly from Nova Scotia Business Incorporated to the Office of the Auditor General no later than noon, June 15, 2010;
- (2) The committee direct the clerk to arrange for the transfer of the complete files as requested previously by the Auditor General for the purpose of a performance audit to have been published in the June 2010 Report of the Auditor General to the Nova Scotia House of Assembly from the Department of Economic and Rural Development to the Office of the Auditor General no later than noon, June 15, 2010;
- (3) The committee direct the clerk to arrange for the transfer of the complete files as requested previously by the Auditor General, for the purpose of a performance audit to have been published in the June 2010 Report of the Auditor General to the Nova Scotia House of Assembly from the Department of Health to the Office of the Auditor General no later than noon on June 15, 2010;
- (4) If the Department of Economic and Rural Development, Nova Scotia Business Incorporated, and Department of Health fail to comply with the committee’s wishes as expressed in paragraphs 1, 2, and 3, the Public Accounts Committee authorize the Chair to issue a subpoena to compel the production of the files”.

Motion to invite Premier Dexter to appear before committee

“Whereas during the course of attempting to conduct full performance audits of Nova Scotia Business Incorporated, Department of Economic and Rural Development (Industrial Expansion Fund), and Department of Health (Mental Health Services), the senior management of the above Crown Corporation and Departments refused to provide the information required by the Office of the Auditor General; and

Whereas the mandate of the Public Accounts Committee includes the review of the report of the Auditor General which requires full transparency and accountability without exception; and

Whereas it is clear that the current Executive Council gave direction to senior management to withhold from the Office of the Auditor General documents that were required for the completion of the above mentioned performance audits; and

Whereas the Auditor General has pointed out that “this practice constitutes an unwarranted interference with the audit process” and that “it represents poor accountability to the House of Assembly”; and

Whereas this resulted in an incomplete audit in one instance and compelled the Auditor General to issue a denial of an opinion on his audit of the operations of Nova Scotia Business Incorporated and the Industrial Expansion Fund, and pointed out that denial of an audit opinion is the most severe audit sanction available to him;

Therefore be it resolved that:

The committee direct the clerk to request of Mr. Darrell Dexter, MLA for Cole Harbour and President of the Executive Council, that he appear before the committee on June 16, 2010.”

The motions were defeated.

Further to this the Vice Chair of the committee, Mr. Leonard Preyra, MLA, moved the following motion:

“That the Public Accounts Committee recommend that the documents requested by the Auditor General, pertinent to Nova Scotia Business Inc. and the Industrial Expansion Fund be released to the Auditor General as soon as the appropriate legislative safeguards are in place.”

The motion was carried.

AGENDA SETTING

It was suggested that committee practice is to give priority to reports of the Auditor. In accordance with that suggestion, a motion was made by the Vice-Chair, Mr. Leonard Preyra, MLA, to:

“...formally move that we look at the Auditor General’s chapter on environmental remediation on June 16th.”

The motion was carried.

Because the Department of the Environment was unavailable to attend on June 16th, no meeting was scheduled for that date.

As a result of events at this meeting, the committee was unable to come to an agreement on the agenda for September.

REQUESTS FOR DOCUMENTATION

The committee requested and has received the following documentation:

- Additional information about wind turbines being installed at local Atlantic Superstores.
- Further information with regard to the upcoming increase to the HST and whether this will affect the eight per cent reduction in power bills.
- The percentage of coal imported to Nova Scotia from Columbia.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010jun09.htm

WITNESSES

Department of Health

Mr. Kevin McNamara – Deputy Minister

Ms. Patricia Murray – Acting Executive Director

Ms. Linda Penny – Chief Financial Officer

MATTERS OF DISCUSSION

The focus of the meeting was to receive an overview on the Mental Health Services Division and their response to the June 2010 Auditor General's report on mental health services.

The recent Auditor General's report states that the Department of Health has not shown sufficient monitoring and evaluation processes for mental health services. As well, there were concerns that the standards set by the department were not being met.

The department accepted all 19 recommendations and has already begun work in some areas.

Over the last few years, there have been several enhancements to mental health services, including the Early Intensive Behavioural Intervention program; the Adolescent Centre for Treatment; and the Mobile Crisis Team. The Involuntary Psychiatric Treatment Act came into force in 2007. The Patient Rights Advisor Service, a legislated component of that act, was established in the same year.

The department is working on a wait-times project to deal with the increasing complexity of referrals.

Following the Leaders' meeting, the Progressive Conservative caucus had lifted their boycott of the Public Accounts meeting.

A discussion ensued concerning the committee chair's authority to write the letter to the Chair of the Committee on Assembly Matters.

MOTIONS

Hon. Cecil Clarke read letters from the Chair of the Public Accounts Committee and the response from the Chair of the Committee on Assembly Matters into the record, and then made the following motion:

“That the Public Accounts Committee recommend to the House that a resolution be accepted that would amend the Rules and Forms of Procedure of the House to accommodate the resolution agreed upon by the three Party Leaders.”

The NDP members of the committee did not want to vote on the motion due to lack of documentation supporting the resolution.

The motion was defeated.

A motion was put forth by Ms. Kent, MLA, requesting,

“To defer this vote until that communication has been brought to us from the results of those meetings of the three Parties.”

The motion was carried.

A motion to adjourn the meeting was put forth by Hon. Murray Scott, MLA,

“That we adjourn this committee until such time as the three Leaders’ intentions are known to all three Parties and that the committee then reconvene in regard to what was agreed upon by the three Leaders.”

The motion was carried.

AGENDA SETTING

No agenda items were chosen during this meeting.

As a result of the discussion held during the meeting of June 9th, the Chair of the committee wrote to the Chairman of the Committee on Assembly Matters requesting that he convene the Committee on Assembly Matters in order to review the situation that has developed at Public Accounts. The Chair of Assembly Matters responded that his committee could do no more than to make recommendations for Rule changes and has no power to discipline, to issue directives or to hear questions of Order of Privilege.

Concurrently, the three leaders met to discuss the agenda setting issues of the Standing Committee on Public Accounts. This meeting of the Leaders convened on June 22nd, resulting in an agreement from all three Party Leaders that the Public Accounts Committee reinstate the Subcommittee on Agenda and Procedures.

REQUESTS FOR DOCUMENTATION

The committee requested but has not yet received the following documentation:

- A list of participants who will be involved in the Gaming Addiction Strategy.
- Information with regard to the number of times general practitioners can see mental health patients.

TRANSCRIPT:

The transcript for the meeting can be found at:

http://www.gov.ns.ca/legislature/hansard/comm/pa/pa_2010jun23.htm

**SUBCOMMITTEE ON AGENDA AND
PROCEDURES**

INTRODUCTION

As a result of the motion passed on March 31, 2010, eliminating the Subcommittee on Agenda and Procedures, agenda items are now selected and approved by vote of the full committee during public sessions.

The Standing Committee on Public Accounts all-party Subcommittee on Agenda and Procedures was comprised of the Chair, Vice-Chair and the member from the Third party. The subcommittee met *in camera* at the call of the Chair to discuss and propose to the full committee the agenda of the standing committee, assist in finalizing reports, review sensitive documents and monitor the progress of the committee work and other matters as deemed necessary.

When the subcommittee was satisfied with the witnesses/topics suggested, a report was compiled and tabled at the next meeting of the standing committee for consideration and approval.

Once the standing committee approves the report, the clerk completed the agenda by inviting the necessary witnesses to appear before the Standing Committee on Public Accounts.

Once the list neared completion, another Subcommittee on Agenda and Procedures was set so the process could begin again. Prior to its elimination the subcommittee has held regularly scheduled meetings. The Standing Committee on Public Accounts adjourned without reinstating the Subcommittee on Agenda and Procedures.

The membership of the Subcommittee on Agenda and Procedures was as follows:

Ms. Diana Whalen, MLA – Chair
Halifax Clayton Park

Mr. Leonard Preyra, MLA – Vice-Chair
Halifax Citadel-Sable Island

Hon. Cecil Clarke, MLA
Cape Breton North

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

September 2, 2009
October 14, 2009
November 4, 2009

November 18, 2009
February 16, 2010
March 10, 2010

In Camera

MEMBERS:

Ms. Diana Whalen, MLA – Chair
Mr. Leonard Preyra, MLA – Vice Chair
Hon. Cecil Clarke, MLA

Also In Attendance:

Mr. Alan Horgan – Deputy Auditor General
Mr. Neil Ferguson – Legislative Counsel
Ms. Heather Ludlow – Researcher, Legislative Library

AGENDA:

This *in camera* meeting was convened to report back to the standing committee with suggestions for future committee meetings of the Standing Committee on Public Accounts.

The subcommittee considered the following agenda items for approval:

Departments of Health and Health Promotion
Re: Pandemic Preparedness

Emergency Management Office
Re: Pandemic Preparedness

Deloitte & Touche LLP
Re: Nova Scotia Financial Review

Department of Transportation and Infrastructure Renewal
Re: Federal/Provincial Infrastructure Plan: Government Stimulus Package

Department of Transportation and Infrastructure Renewal
Re: Truck Safety

Department of Health
Re: Emergency Rooms and the Cobequid Community Health Centre

The subcommittee also put forth the proposed dates for the release of the Auditor General's December 2009 report.

As well, the standing committee received a request from the Canadian Comprehensive Auditing Foundation (CCAF) to conduct a workshop on the “Attributes of Effectiveness for Public Accounts Committees.” The CCAF is a non-profit Canadian research and education foundation dedicated to increasing knowledge about governance, management, audit and accountability in the public sector.

The subcommittee discussed the request and proposed that a workshop take place early next year.

In Camera

MEMBERS:

Ms. Diana Whalen, MLA – Chair
Mr. Leonard Preyra, MLA – Vice Chair
Hon. Cecil Clarke, MLA

Also In Attendance:

Mr. Jacques Lapointe – Auditor General
Mr. Gordon Hebb – Chief Legislative Counsel
Ms. Heather Ludlow – Information Services Librarian

AGENDA:

The following motion was tabled by the Hon. Cecil Clarke, MLA:

“To bring in the Fisheries and Aquaculture Loan Board first to obtain clarification of the loan applications process then subsequent to this bring in the Minister and Deputy Minister of Fisheries and Aquaculture at a later date”.

Discussion of the motion passed with a dissenting vote to invite the Fisheries Loan Board while deferring the issue of inviting the Minister and Deputy Minister of Fisheries and Aquaculture the next meeting of the subcommittee.

A majority of the members of the subcommittee agreed to present the following agenda items for approval to the standing committee:

Capital District Health and Pictou County District Health Authorities
Fisheries Loan Board
Deloitte & Touche LLP
CCAF training session

SUBCOMMITTEE ON AGENDA AND PROCEDURES

November 4, 2009

In Camera

MEMBERS:

Ms. Diana Whalen, MLA – Chair
Mr. Leonard Preyra, MLA – Vice Chair
Hon. Cecil Clarke, MLA

Also In Attendance:

Ms. Evangeline Colman-Sadd – Assistant Auditor General
Ms. Heather Ludlow – Information Services Librarian

AGENDA:

The purpose of the meeting was to discuss potential standing committee agenda items that had been deferred from previous meetings of the subcommittee.

The motion to invite the Department of Fisheries and Aquaculture and the Fisheries and Aquaculture Loan Board was defeated by the full committee on October 28, 2009.

There was some objection to inviting Deloitte & Touche LLP to appear before the committee, however, after some discussion, it was agreed to schedule them following the tabling of the final report.

A list of outstanding potential witnesses and new agenda items was presented to the subcommittee for discussion. It was decided that the subcommittee would review these items at their next meeting.

In Camera

MEMBERS:

Ms. Diana Whalen, MLA – Chair
Mr. Leonard Preyra, MLA – Vice Chair
Hon. Cecil Clarke, MLA

Also In Attendance:

Ms. Evangeline Colman-Sadd – Assistant Auditor General
Mr. Gordon Hebb – Chief Legislative Counsel
Ms. Heather Ludlow – Information Services Librarian

AGENDA:

The purpose of the meeting was to discuss the list of outstanding witnesses and items not reviewed at the previous meeting.

It was agreed (by both the standing committee and the subcommittee) to delay the release of the Auditor General's December report until January.

Because of this delay, the subcommittee considered inviting the Department of Economic and Rural Development and Nova Scotia Business Inc. to fill the vacant December date. They also considered Information Technology Security and Electronic Health Records for a future meeting.

Both of these potential witnesses will be put before the standing committee for approval.

SUBCOMMITTEE ON AGENDA AND PROCEDURES

February 16, 2010

In Camera

MEMBERS:

Ms. Diana Whalen, MLA – Chair
Mr. Leonard Preyra, MLA – Vice Chair
Hon. Cecil Clarke, MLA

Also In Attendance:

Mr. Jacques Lapointe – Auditor General
Ms. Heather Ludlow – Information Services Librarian

AGENDA:

The Subcommittee on Agenda and Procedures put forth the following agenda items for approval of the Standing Committee:

Government-Wide: Information Technology Security
P3 Schools: Contract Management
Environmental Monitoring and Compliance and Sysco Remediation Project Update
Pension Regulation Division of the Department of Labour and Workforce Development

SUBCOMMITTEE ON AGENDA AND PROCEDURES

March 10, 2010

In Camera

MEMBERS:

Ms. Diana Whalen, MLA – Chair
Mr. Leonard Preyra, MLA – Vice Chair
Hon. Cecil Clarke, MLA

Also In Attendance:

Mr. Alan Horgan – Deputy Auditor General
Ms. Evangeline Colman-Sadd – Assistant Auditor General

AGENDA:

The subcommittee re-considered the three proposed topics from the February 24th meeting and chose three additional topics for the standing committee's approval:

Government-Wide: Information Technology Security
Environmental Monitoring and Compliance and the Sysco Remediation Project update
Pension Regulation Division of the Department of Labour and Workforce Development

Three additional items were:


Nova Scotia Gaming Corporation
Regional Housing Authorities
The Auditor General's June Report

Discussion of the review of the Annual Public Accounts of the province was again put on the agenda and was again deferred until the next meeting.

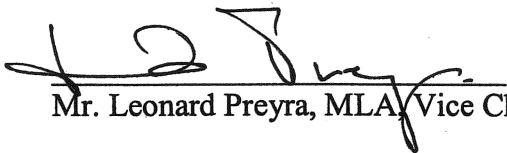
STATEMENT OF SUBMISSION

STATEMENT OF SUBMISSION

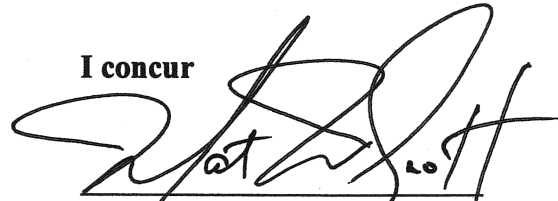
All of which is respectfully submitted to the
House of Assembly this 17th day of November, 2010


Ms. Diana Whalen, MLA, Chair

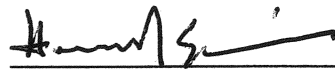
I concur


Mr. Leonard Preyra, MLA, Vice Chair

I concur


Mr. Mat Whynott, MLA

I concur


Mr. Howard Epstein, MLA

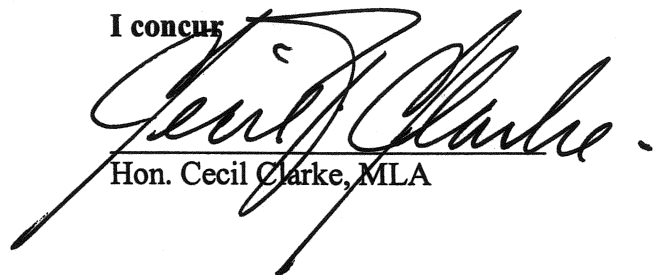
I concur


Hon. Keith Colwell, MLA

I concur


Mr. Clarrie MacKinnon, MLA

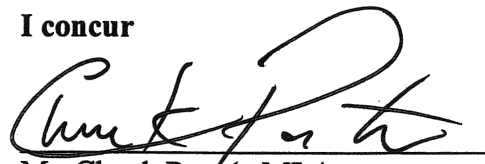
I concur


Hon. Cecil Clarke, MLA

I concur


Ms. Becky Kent, MLA

I concur


Mr. Chuck Porter, MLA

APPENDICES

Appendix A

List of Requested Documentation

September 30, 2009

Office of the Auditor General, Department of Health, and Department of Health Promotion and Protection

- The cost of a social marketing consultant.
- The actual tracked costs, to date, on all of the H1N1 initiatives.
- The capacity and cost of the 811 system and its use to date.

October 7, 2009

Office of the Auditor General and Nova Scotia Emergency Management Office

- A list of the critical outside agencies that were identified specifically relating to the pandemic planning, and a list of critical infrastructure.

October 28, 2009

Department of Transportation and Infrastructure Renewal and Department of Service Nova Scotia and Municipal Relations

- A list of those projects that have been approved and have received funding under the Base Funding Agreement.
- A list of the projects that have received funding under the Stimulus Agreement.
- Documentation, including values, for programs that are cost-shared with the federal government.

November 4, 2009

Department of Health and the Cobequid Community Health Centre

- A copy of Dr. Ross' contract.
- The report containing recommendations for the Cobequid Community Health Centre.
- The proposal for re-development of the 5th floor of the Dartmouth General Hospital.
- Information on financial subsidies from the Department of Community Services, assisting individuals with the cost of travelling to emergency rooms.
- Explanation of pay differentials for EHS employees when on call and on ambulance duty.

November 18, 2009

Pictou County District Health Authority and Capital District Health Authority

- What percentage of the 4,000 flu-related deaths within Canada are attributed to Nova Scotia, specifically the Capital District and Pictou County District Health Authorities?

December 2, 2009

Department of Transportation and Infrastructure Renewal and Department of Service Nova Scotia and Municipal Relations

- An analysis of the cost components for trucking operation fees.
- Status of Utility and Review Board's information management system.
- The number of fatalities in Nova Scotia involving commercial vehicles.
- Implementation of the Road Safety Strategy and Road Safety Vision 2010 three-year action plan.
- Comparison between scale house hours for Nova Scotia and New Brunswick.
- Status of draft regulations intended to reduce the regulatory burden on the trucking industry.

December 9, 2009

Department of Economic and Rural Development and Nova Scotia Business Inc.

- The amount of money that has been spent so far on the broadband project.
- The dollar value of Eastlink's penalty for non-completion of the project within the contract term.
- A list of organizations that obtained assistance under the economic strategic initiative.

March 10, 2010

Department of Health

- Value of the drug information system as identified through a cost benefit analysis.
- The number of physicians who are adopting the electronic medical records program.

March 24, 2010

Department of Education

- The administrative costs, per board and per student, with regard to school contracts.

March 31, 2010

Chief Information Office

- A comparison of the number of laptops versus the number of desktop computers in use within government.
- A list of the six Auditor General's recommendations that are ongoing and those which have been implemented.
- The phone number for the 24-hour help line to report lost Blackberries.

April 21, 2010

Department of Community Services

- Wait lists by housing authority and category across the province.
- The number of housing units that do not have elevators.

April 28, 2010

**Department of Environment – Environmental Monitoring and Compliance Division
Department of Transportation and Infrastructure Renewal**

- A copy of the discharge criteria of the water treatment facility.
- A copy of the Economic Benefits Report with regard to the Cape Breton Economy.
- Statistics on the number of work stoppages or respirators used on-site.

May 5, 2010

Department of Health

- The cost of the Drug Assistance Program for Cancer as well as the number of patients who have applied and the number who have qualified for the program.
- A copy of the contract with Medavie Blue Cross.
- Information on bulk purchasing of drugs with respect to reducing costs for the Pharmacare Program.
- Provide further information with regard to Avastin.

May 12, 2010

Department of Service Nova Scotia and Municipal Relations

- Detailed reports on the costs associated with both the start-up and operation of the land registry system.
- An accounting of the actual cost for managing the system.
- Details of the initial investment with regard to spending and programs.

May 19, 2010

Workers' Compensation Board of Nova Scotia

- A copy of the contract between the Workers' Compensation Board and Doctors Nova Scotia.

May 26, 2010

South Shore District Health Authority

- Information regarding doctor shortages within the South Shore District Health Authority.
- A breakdown of the budget by facilities and by communities within the District Health Authority.
- Costs incurred by the District Health Authority associated with the Workers' Compensation Board.
-
- A copy of the capital equipment priority list and cost estimates.
- Percentage of the number of residents within the District Health Authority who were immunized against H1N1.

June 9, 2010

Department of Environment and Department of Energy

- Additional information about wind turbines being installed at local Atlantic Superstores.
- Further information with regard to the upcoming increase to the HST and whether this will affect the eight per cent reduction in power bills.
- The percentage of coal imported to Nova Scotia from Columbia.

June 23, 2010

Department of Health

The committee requested but did not yet receive the following documentation:

- A list of participants who will be involved in the Gaming Addiction Strategy.
- Information with regard to the number of times general practitioners can see mental health patients.

**Appendix B
List of Motions**

October 28, 2009

“To bring in the Nova Scotia Fisheries and Aquaculture Loan Board to attain clarification on the loan application process”.

By: Hon. Cecil Clarke, MLA
The motion was defeated

“To extend an invitation to the Minister of Fisheries and Aquaculture to appear before the Public Accounts Committee on November 25th and allow him to provide us with the information that taxpayers are looking for.”

By: Hon. Wayne Gaudet, MLA
The motion was defeated

“To extend an invitation to the staff of the Fisheries and Aquaculture Loan Board to appear before the Public Accounts Committee to provide us with information, in terms of loan application and process, regulations and guidelines.”

By: Hon. Wayne Gaudet, MLA
The motion was defeated

March 31, 2010

“That we eliminate the subcommittee and set the agendas of the committee in public.”

By: Hon. Keith Colwell, MLA
The motion was carried

June 9, 2010

Motion to have files produced

“Whereas during the course of attempting to conduct full performance audits of Nova Scotia Business Incorporated, Department of Economic and Rural Development (Industrial Expansion Fund), and Department of Health (Mental Health Services), the senior management of the above Crown Corporation and departments refused to provide the information required by the Auditor General; and

Whereas the mandate of the Public Accounts Committee includes the review of the report of the Auditor General which requires full transparency and accountability without exception; and

Whereas it is clear that the current Executive Council gave direction to senior management to withhold from the Office of the Auditor General documents that were required for the completion of the above mentioned performance audits; and

Whereas the Auditor General has pointed out that “this practice constitutes an unwarranted interference with the audit process” and that “it represents poor accountability to the House of Assembly”; and

Whereas this resulted in an incomplete audit in one instance and compelled the Auditor General to issue a denial of an opinion on his audit of the operations of Nova Scotia Business Incorporated and the Industrial Expansion Fund, and pointed out that denial of an audit opinion is the most severe audit sanction available to him;

Be it resolved that:

- (1) The committee direct the clerk to arrange for the transfer of the complete files as requested previously by the Auditor General for the purpose of a performance audit to have been published in the June 2010 Report of the Auditor General to the Nova Scotia House of Assembly from Nova Scotia Business Incorporated to the Office of the Auditor General no later than noon on June 15, 2010;
- (2) The committee direct the clerk to arrange for the transfer of the complete files as requested previously by the Auditor General for the purpose of a performance audit to have been published in the June 2010 Report of the Auditor General to the Nova Scotia House of Assembly from the Department of Economic and Rural Development to the Office of the Auditor General no later than noon on June 15, 2010;

- (3) The Committee direct the clerk to arrange for the transfer of the complete files as requested previously by the Auditor General for the purpose of a performance audit to have been published in the June 2010 Report of the Auditor General to the Nova Scotia House of Assembly from the Department of Health to the Office of the Auditor General no later than noon on June 15, 2010;
- (4) If the Department of Economic and Rural Development, Nova Scotia Business Incorporated, and Department of Health, fail to comply with the Committee's wishes as expressed in paragraphs 1, 2, and 3, the Public Accounts Committee authorizes the Chair to issue a subpoena to compel the production of the files".

Motion to invite Premier Dexter to appear before committee

"Whereas during the course of attempting to conduct full performance audits of Nova Scotia Business Incorporated, Department of Economic and Rural Development (Industrial Expansion Fund), and Department of Health (Mental Health Services), the senior management of the above Crown Corporation and Departments refused to provide the information required by the Office of the Auditor General; and

Whereas the mandate of the Public Accounts Committee includes the review of the report of the Auditor General which requires full transparency and accountability without exception; and

Whereas it is clear that the current Executive Council gave direction to senior management to withhold from the Office of the Auditor General documents that were required for the completion of the above mentioned performance audits; and

Whereas the Auditor General has pointed out that "this practice constitutes an unwarranted interference with the audit process" and that "it represents poor accountability to the House of Assembly"; and

Whereas this resulted in an incomplete audit in one instance and compelled the Auditor General to issue a denial of an opinion on his audit of the operations of Nova Scotia Business Incorporated and the Industrial Expansion Fund, and pointed out that denial of an audit opinion is the most severe audit sanction available to him;

Therefore be it resolved that:

The committee direct the clerk to request of Mr. Darrell Dexter, MLA for Cole Harbour and President of the Executive Council, that he appear before the committee on June 16, 2010."

By: Hon. Keith Colwell, MLA

The motions were defeated

“That the Public Accounts Committee recommend that the documents requested by the Auditor General, pertinent to Nova Scotia Business Inc., Industrial Expansion Fund, and Department of Health (Mental Health Services), be released to the Auditor General as soon as the appropriate legislative safeguards are in place.”

By: Mr. Leonard Preyra, MLA
The motion was carried

“Formally move that we look at the Auditor General’s chapter on environmental remediation on June 16th and that the scheduled witness Nova Scotia Gaming Corporation be removed.”

By: Mr. Leonard Preyra, MLA
The motion was carried

June 23, 2010

“That the Public Accounts Committee recommend to the House that a resolution be accepted that would amend the Rules and Forms of Procedure of the House to accommodate the resolution agreed upon by the three Party Leaders.”

By: Hon. Cecil Clarke, MLA
The motion was defeated

“To defer this vote until that communication has been brought to us from the results of those meeting of the three Parties.”

By: Ms. Becky Kent, MLA
The motion was carried

“That we adjourn this committee until such time as the three Leaders’ intentions are known to all three Parties and that the committee then reconvene in regard to what was agreed upon by the three leaders”

By: Hon. Murray Scott, MLA,
The motion was carried

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