

Wednesday, January 9, 2002.

8.30 o'clock a.m.

Prayers.

Mr. Lee, from the Standing Committee on Public Accounts, presented the First Report of the Committee which was read and is as follows:

January 9, 2002.

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

Mr. Speaker:

I have the pleasure to present herewith the First Report of the Standing Committee on Public Accounts.

The Report outlines the work of the Committee since its last report to the House on May 18, 2001.

In addition, the report contains a recommendation regarding the annual report policy of government and recommends that the policy be fully complied with by all departments and agencies.

And your Committee begs leave to make a further report.

Sheldon Lee, M.L.A.  
Chairman.

The full report of the Committee as presented follows:

January 9, 2002.

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

Mr. Speaker:

Your Standing Committee on Public Accounts begs leave to submit this their First Report of the Fourth Session of the Fifty-fourth Legislative Assembly.

This report outlines the Committees's work since its last report to the House on May 18, 2001.

*Committee Hearings*

The Committee held four days of public hearings in the Legislative Council Chamber during the month of September, 2001, to complete its consideration of the Public Accounts of the Province for the fiscal year ended March 31, 2000. The following officials appeared before the Committee and answered questions for the year under review:

*September 12, 2001*

Department of Municipalities and Housing

T. Byron James, Deputy Minister - Department of Environment and Local Government

Jim Murphy, Director Finance and Administration

Bonny Hoyt-Hallet, Assistant Deputy Minister, Local Government and Regional Services

Sylvie Nadeau, Executive Director, NB Public Library Services

Suzanne Mason, Director, Sport, Recreation and Active Living

Andy Morton, Assistant Director, Emergency Measures Organization

Norman Thibodeau, Manager Fire Services, Office of the Fire Marshal

Wendy Betts, Director, NB911

*September 13, 2001*

Department of the Environment

T. Byron James, Deputy Minister - Department of Environment and Local Government

Byron Jeffrey, Manager, Revenue Reporting & Budget Management

Diane Kent Gillis, Assistant Deputy Minister, Sciences and Planning

Nabil Elhadi, Assistant Deputy Minister, Environmental Management

Brad Marshall, Executive Director, Regional Services

*September 14, 2001*

Maritime Provinces Higher Education Commission

Carmelita Boivin-Cole, Chief Executive Officer

Mireille Duguay, Director, Research & Academic Planning

Susan Long, Comptroller

Legislative Assembly

Loredana Catalli Sonier, Clerk of the Legislative Assembly

Peter Wolters, Director, Finance and Human Resources

*September 18, 2001*

Office of the Premier

Barbara Winsor, Chief of Staff

Rick Phillips, Director, Financial and Administrative Services

*Committee Working Session*

On October 30, 2001, the Committee held a joint working session with the Standing Committee on Crown Corporations. The Auditor General, Daryl Wilson and his staff met with the Committee and presented an outline of various topics of interest to Members including:

- Understanding financial statements and what to look for.
- How to review an Annual Report.
- Why it is important to have goals, objectives and performance measures.
- What are some best practises related to Public Sector Annual Reporting in Canada?

*2001 Report of the Auditor General*

On December 13, 2001, the Committee met jointly with the Standing Committee on Crown Corporations to receive and review the *Report of the Auditor General of New Brunswick, 2001*.

Auditor General Daryl Wilson appeared before the Committees to outline the contents of the report and answer questions posed by Committee members.

*Comments and Recommendations***Annual Report Policy**

The Annual Report Policy of government (AD-1605) gives direction to all departments on the manner in which annual reports are to be prepared. For instance, there is to be a clear account of goals, objectives and performance indicators. In addition, there should be discussion on how well the department performed in achieving its plans and the extent to which programs continue to be relevant and accepted by client groups.

The Committee notes "...that the prime function of the annual report is to be the major accountability document by departments and agencies for the Legislative Assembly and the general public. It serves as the key public link between the objectives and plans of a government entity and the results obtained."

In keeping with the objective that the annual report be the major accountability document for departments, the Committee intends to give increased attention given to the content of annual reports. This would include:

- Do programs have a clear purpose?
- What are the objectives and goals for these programs?
- Why were these selected?
- Are these goals clearly measurable?
- What strategies were considered to reach these goals?
- Has the department succeeded in achieving its goals and how do they know?
- What corrective action is being taken in those areas where goals have not been met?
- Does the department produce results that people care about, and how do they know?

This information should be presented in a clear, useable fashion, using tables, graphs, and charts as appropriate, so that the performance of the department is readily understood by New Brunswickers. **The Committee therefore recommends that the annual report policy of government be fully complied with by all departments and agencies.**

The Committee wishes to thank the many government officials that appeared during the public sessions and wishes to acknowledge their cooperation in providing follow-up information.

And your Committee begs leave to make a further report.

Sheldon Lee, M.L.A.  
Chairman.

Ordered that the Report be received, that leave be granted and the Committee continued.

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Following Oral Questions, Hon. Mr. Green stood on a point of order and submitted that it was not in order for the Leader of the Opposition to ask questions which require an answer involving a legal opinion.

In stating the point of order, the Minister referred to *Beauchesne's Parliamentary Rules & Forms 6th Edition* paragraphs 408(c), 410(13) and 411(2).

Mr. Speaker ruled the point of order well taken and advised that questions should not seek a legal opinion or inquire as to what legal advice a Minister has received.

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Mr. Richard gave Notice of Motion 50 that on Tuesday, January 15, 2002, he would move the following resolution, seconded by Mr. Allaby:

That an address be presented to Her Honour the Lieutenant-Governor praying that she cause to be laid upon the table of the House copies of all documentation whatsoever, letters, correspondence, electronic mail, memorandums, minutes of meetings and/or reports between the Department of Justice and the Public Utilities Board on the subject of insurance from May 1, 2001 to January 8, 2002.

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Hon. E. Robichaud announced that it was the intention of the government that the House resolve into a Committee of the Whole forthwith to consider legislation; namely, Bills 17 and 18 and 19.

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The House resolved itself into a Committee of the Whole with Mr. Ashfield in the chair.

Debate resumed on the amendment moved by Mr. Richard on January 4, 2002, to subsection 34(2) of Bill 17, *Regional Health Authorities Act*.

## AMENDMENT

In Section 34 subsection (2) of the Bill,

By adding after paragraph 34(c)

(d) health services are delivered in accordance with the *Official Languages Act*.

And the debate being ended, and the question being put, the amendment was negated on the following recorded division:

	YEAS - 6	
Mr. Allaby	Mr. Lee	Mr. Kennedy
Mr. Richard	Mr. S. Graham	Ms. Weir
	NAYS - 29	
Hon. Mr. N. Betts	Mrs. Fowlie	Mr. Laforest
Hon. Mr. Mesheau	Mr. LeBlanc	Ms. Keddy
Hon. Mr. Green	Mr. Cosman	Mr. Huntjens
Hon. Mr. Mockler	Mr. Carr	Mr. Savoie
Hon. E. Robichaud	Mr. Jordan	Mr. MacKenzie
Hon. Mrs. Blaney	Mr. Malley	Ms. Dubé
Mr. Sherwood	Mr. Stiles	Mr. Alward
Hon. Mrs. Jardine	Mr. MacDonald	Mr. Moore
Hon. Mr. Volpé	Mr. Forbes	Mr. Williams
Hon. Mr. Weston	Mr. Steeves	

During further consideration of Bill 17, *Regional Health Authorities Act*, Ms. Weir moved the following amendment to section 29:

## AMENDMENT

In Section 29 of the Bill,

By adding after subsection (2) the following subsection:

(3) A regional health authority shall operate and maintain hospital facilities, not for pecuniary gain but exclusively for charitable purposes.

And the question being put, a debate ensued.

The Chairman declared a recess at 11.34 o'clock a.m. and left the chair.

*11.50 o'clock a.m.*

The Committee resumed with Mr. Ashfield in the chair.

Debate resumed on the amendment proposed by Ms. Weir to section 29 of Bill 17, *Regional Health Authorities Act*,

And the debate being ended, and the question being put, and a recorded division having been requested, it was agreed by unani-

mous consent to limit the time allotted for the ringing of the bells to five minutes. The amendment was negated on the following recorded division:

	YEAS - 5	
Mr. Allaby	Mr. Lee	Ms. Weir
Mr. Richard	Mr. S. Graham	
	NAYS - 23	
Hon. Mr. Green	Mr. Cosman	Mr. Laforest
Hon. Mr. Mockler	Mr. Carr	Ms. Keddy
Hon. E. Robichaud	Mr. Jordan	Mr. Savoie
Hon. Mrs. Blaney	Mr. Malley	Mr. MacKenzie
Hon. Mrs. Jardine	Mr. Stiles	Ms. Dubé
Hon. Mr. Volpé	Mr. MacDonald	Mr. Alward
Hon. Mr. Weston	Mr. Forbes	Mr. Williams
Mrs. Fowlie	Mr. Steeves	

Following consideration of Bill 17, *Regional Health Authorities Act*, the Chairman put the question that he report the Bill agreed to as amended and the motion was carried on the following recorded division:

	YEAS - 25	
Hon. Mr. Green	Mrs. Fowlie	Mr. Laforest
Hon. Mr. Mockler	Mr. Cosman	Ms. Keddy
Hon. E. Robichaud	Mr. Carr	Mr. Huntjens
Hon. Mr. Furlong	Mr. Jordan	Mr. Savoie
Hon. Mrs. Blaney	Mr. Malley	Mr. MacKenzie
Mr. Sherwood	Mr. Stiles	Ms. Dubé
Hon. Mrs. Jardine	Mr. MacDonald	Mr. Alward
Hon. Mr. Volpé	Mr. Forbes	Mr. Williams
Hon. Mr. Weston		

	NAYS - 5	
Mr. Allaby	Mr. Lee	Ms. Weir
Mr. Richard	Mr. S. Graham	

At 12.30 o'clock p.m., the Chairman left the chair, to resume again at 2 o'clock p.m.

*2 o'clock p.m.*

The Committee resumed with Mr. Ashfield in the chair.

At 2.47 o'clock p.m. the Chairman declared a recess and left the chair.

*3.01 o'clock p.m.*

The Committee resumed with Mr. Ashfield in the chair.

And after some time, Mr. Bernard took the chair.

And after some further time, Mr. J. Dubé took the chair as Acting Chairman.

And after some time, Mr. Bernard resumed the chair.

At 6 o'clock p.m., the Chairman left the chair to resume again at 7 o'clock p.m.

*7 o'clock p.m.*

The Committee resumed with Mr. Ashfield in the chair.

At the request of Hon. Mr. Green, unanimous consent was granted to stand consideration of Bill 21 and take into consideration Bill 23, followed by Bills 25 and 19.

And after some time, Mr. Bernard resumed the chair.

And after some further time spent in Committee of the Whole, Mr. Speaker resumed the chair and Mr. Bernard, the Chairman, after requesting that Mr. Speaker revert to the Order of Presentations of Committee Reports, reported:

That the Committee had directed him to report the following Bills agreed to as presented:

Bill 18, *An Act Respecting the Regional Health Authorities Act.*

Bill 23, *An Act to Amend the Motor Vehicle Act.*

Bill 25, *An Act to Amend the Electric Power Act.*

And that the Committee had directed him to report the following Bill agreed to as amended:

Bill 17, *Regional Health Authorities Act.*

And that the Committee had directed him to report progress on the following Bills:

Bill 19, *An Act to Amend the Assessment Act.*

Bill 21, *An Act to Amend the Gasoline and Motive Fuel Tax Act.*

And the Committee asked leave to make a further report.

Pursuant to Standing Rule 78.1, Mr. Speaker put the question on the motion deemed to be before the House, that the report be concurred in, and it was resolved in the affirmative.

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And then, 10 o'clock p.m., the House adjourned.