

Appropriation Bill 2000-2001 (No 2)

Report Number 11

Standing Committee on Finance and Public Administration
(Incorporating the Public Accounts Committee)

April 2001

Legislative Assembly for the Australian Capital Territory



Committee membership

Mr Ted Quinlan MLA Committee Chair

Mr Trevor Kaine MLA Deputy Committee Chair

Mr Greg Cornwell MLA

Inquiry Secretary Ms Judith Henderson

Assistant Secretary Ms Margaret Jones

Resolution of appointment

The Standing Committee for the Chief Minister's Portfolio was appointed by the Legislative Assembly on 28 April 1998 to examine any matter under the responsibility of the Chief Minister's portfolio. The Assembly also resolved that the committee perform the duties of a public accounts committee, specifically:

- (a) to examine:
 - (i) the accounts of the receipts and expenditure of the Australian Capital Territory;
 - (ii) the financial affairs of authorities of the Australian Capital Territory; and
 - (iii) all reports of the Auditor-General which have been laid before the Assembly;
- (b) to report to the Assembly, with such comments as it thinks fit, on any items or matters in those accounts, statements and reports, or any circumstances connected with them, to which the Committee is of the opinion that the attention of the Assembly should be directed; and
- (c) to inquire into any question in connection with the public accounts which is referred to it by the Assembly and to report to the Assembly on that question.

On 26 November 1999, the Assembly retitled the committee as the Standing Committee on Finance and Public Administration (Incorporating the Public Accounts Committee), omitted reference to matters under the responsibility of the Chief Minister's portfolio and included reference to women's affairs,

Aboriginal and Torres Strait Islander issues, asset management, gaming and racing and any other related matter.

On 15 February 2001, the Assembly transferred responsibility for purchasing policy to the Committee and removed asset management.

Terms of reference

On 8 March 2001 the ACT Legislative Assembly resolved:

That the Appropriation Bill 2000-2001 (No 2) be referred to the Standing Committee on Finance and Public Administration (incorporating the Public Accounts Committee) for inquiry and report by 1 May 2001.

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1. Introduction

Background

1.1. Appropriation Bill 2000-2001 (No 2) was presented to the Assembly on 8 March 2001. It was referred to the committee for inquiry and report by 1 May 2001.

1.2. On 29 March 2001, Appropriation Bill 2000-2001 (No 3) was passed by the Assembly. This Bill contained two items from the Appropriation Bill (No 2) which required urgent consideration: namely, the appropriation of \$8.925 million for the Department of Education and Community Services to allow GST payments to be made for non-government schooling grants; and \$5.9 million to the Department of Treasury for the first home owners grant.

1.3. The allocation to Treasury in Appropriation Bill 2000-2001 (No 3) accommodates an increase of \$1.4 million which facilitates the rise in the grant from \$7,000 to \$14,000 for eligible people seeking to build or buy their first home as announced by the Prime Minister.

1.4. The original Appropriation Bill 2000-2001 (No 2) seeks to provide supplementary appropriations totalling \$ 43.244 million, allocated in the following way:

- \$0.016 million to the Legislative Assembly for payment of expenses on behalf of the Territory;
- \$1.506 million to the Chief Minister's Department as a Government payment for the net cost of outputs;
- \$1.740 million to the Chief Minister's Department for payment of expenses on behalf of the Territory;
- \$7.758 million to the Department of Treasury for payment of expenses on behalf of the Territory;
- \$9.676 million to the Central Financing Unit for payment of expenses on behalf of the Territory;
- \$0.410 million to the Department of Health, Housing and Community Care as a Government payment for the net cost of outputs;
- \$3.700 million to the Department of Urban Services as a Government payment for net cost of outputs;
- \$0.150 million to the Department of Urban Services as an injection of capital;
- \$6.000 million to InTACT as an injection of capital;
- \$2.201 million to the Department of Justice and Community Safety as a Government payment for the net cost of outputs;

- \$0.667 million to the Department of Justice and Community Safety as an injection of capital;
- \$0.152 million to the Department of Justice and Community Safety as a payment of expenses on behalf of the Territory;
- \$0.343 million to the Department of Education and Community Services as a Government payment for the net cost of outputs;
- \$8.925 million to the Department of Education and Community Services as a payment for expenses on behalf of the Territory.¹

1.5. On 23 April 2001, the Treasurer wrote to Assembly Members advising of proposed Government amendments to Appropriation Bill 2000-2001 (No 2). The Treasurer advised that the amendment will provide an additional \$2 million in response to the urgent need for supportive and affordable community housing for those most in need.²

1.6. Taking into account Appropriation Bill 2000-2001 (No 3) and the latest advice of proposed expenditure, Appropriation Bill 2000-2001 (No 2) should now include aggregate additional expenditure of \$31.976 million.

Conduct of the inquiry

1.7. The Standing Committee on Finance and Public Administration held five public hearings on this matter.

1.8. On 24 March and 6 April 2001, Mr Humphries MLA gave evidence as Chief Minister and Treasurer.

1.9. On 12 April, Mr Brendan Smyth MLA appeared in his capacity as Minister for Urban Services and Minister for Police and Emergency Services.

1.10. On 18 April 2001, Mr Michael Moore MLA appeared in his capacity as Minister for Health, Housing and Community Services.

1.11. On 27 April 2001, Mr Michael Moore MLA, Minister for Health, Housing and Community Services was examined in relation to the proposed Government amendment concerning an extra \$2 million for community housing.

1.12. In accordance with the standing orders of the Assembly, Members of the Assembly who were not members of the committee attended the hearings and, by leave of the committee, questioned the witnesses.

1.13. Details of witnesses who appeared are at Appendix A.

¹ *Appropriation Bill 2000-2001 (No.2)* – Explanatory Memorandum

² Treasurer, correspondence to Members, dated 23 April 2001.

2. Issues

The need for a second appropriation

- 2.1. The committee questioned the need for a second appropriation of the magnitude brought forward.
- 2.2. Many of the items included are not urgent and could, in the committee's view, have waited for the 2001-2002 budget. While some items were obvious inclusions in a supplementary appropriation bill brought down towards the end of a financial year, others were not.
- 2.3. Some members of the committee are suspicious that the forthcoming ACT election may have played a significant role in the Government's decision to include in the Appropriation Bill a number of non-urgent items.
- 2.4. Given that there will be less than two months of the 2000-2001 financial year remaining after the second appropriation bill is passed by the Assembly, the committee also questioned whether it will be possible to complete some of the work proposed before the end of the current financial year while, at the same time, observing due process in the letting of tenders, etc.

Effect of the additional appropriations on the forward estimates

- 2.5. Total monies allocated through the original Appropriation Bill 2000-2001 (No 2) was \$43.244 million. Department of Treasury officials explained that the surplus had increased dramatically from a projected \$4 million, in part because of depreciation of the Australian dollar and consequent appreciation of investments placed offshore. However, the Department of Treasury could not project that this dramatic increase in the surplus would continue in the coming year despite an even lower Australian dollar at the time of the inquiry.³ Falling markets and lower interest rates would offset any exchange rate gains.
- 2.6. The Treasurer advised that while the appropriations amounted to \$43.244 million, the effect on the Territory's operating result will be far less. The effect of the changes is expected to reduce the surplus by only \$16.032 million because a number of the changes will be budget neutral or will be a capital cost in the first instance.⁴
- 2.7. The Treasurer informed the committee that most initiatives included in Appropriation Bill 2000-2001 (No 2) were 'one-offs'.⁵
- 2.8. The committee noted that many of initiatives seemed likely to require a one-off payment such as the 'Rally of Canberra' and the Inquiry into Disability Services in the ACT; and that other initiatives were budget neutral because they were funded

³ Uncorrected Proof Transcript, 24 March 2001, p p 9,10.

⁴ Treasurer, Presentation Speech, *Appropriation Bill 2000-2001 (No 2)*, 8 March 2001.

⁵ Uncorrected Proof Transcript, 24 March 2001, p 5.

by the Commonwealth, such as the First Home Owners Scheme and the GST payments for the Department of Education and Community Services.

2.9. It was unclear from the information provided if the Government could meet the expenditure arising for some initiatives in the future. In particular, the committee noted that the forward estimates for 2001-2002, provided in the Appropriation Bill 2000-2001 (No 2), were the same as those stated in the Budget for 2000. This, the committee was told is a requirement of the Financial Management Act.⁶ However, some items implied commitment in the coming financial year for example:

- holding ACT prisoners in NSW prisons;
- holding juvenile ACT offenders in NSW facilities, if the expected reciprocal arrangement between the ACT and NSW, does not eventuate;
- Crisis Accommodation and Management under the Supported Accommodation Assistance Program (SAAP), which is met by the ACT;
- additional funding for InTACT to meet increased operating costs;
- salary increases for nurses at Calvary Hospital; and
- additional remuneration for members of the ACT Law Reform Commission.

2.10. The Treasurer advised that those appropriations that are not 'one-offs' can be easily absorbed within the forward estimates. The forward estimates for the three out years will be presented with the 2001-2002 budget on 1 May 2001.⁷

2.11. The committee noted that in some instances reference was made in the Supplementary Budget Paper to the fact that provision had been made in the 2001-2002 budget for the ongoing effect of an initiative for example the nurses' salary increase. In other instances, for example crisis accommodation under SAAP, the committee needed to go back to the draft budget initiatives for the Department of Education and Community Services to determine whether the ongoing effect has been taken account of in the 2001-2002 budget. For many of the appropriations that are not 'one-offs' the committee was unable to determine how the ongoing effect had been taken into account.

2.12. The committee found it frustrating not being able to assess for itself the impact on the forward estimates of the initiatives that are not 'one-offs'. It would have been helpful if the Government provided information on up-to-date forward estimates in the supplementary budget paper as well as details in the text for each of the appropriations that are not 'one-offs' of whether or not the impact of the item in the out years had been allowed for in the draft budget initiatives.

⁶ Uncorrected Proof Transcript, 6 April 2001, p 12.

⁷ Uncorrected Proof Transcript, 23 March 2001, p 6.

2.13. Government representatives assured the committee that the presentation within Appropriation Bill 2000-2001 (No 2) was that defined by the Financial Management Act 1996. This is a matter for debate.

2.14. The absence of contemporary information clearly flies in the face of the Government's claims of openness and the desire to involve all of the Assembly in budget preparation.

Recommendation 1

2.15. The committee recommends that the *Financial Management Act 1996* be amended to allow for up-to-date information to be incorporated into supplementary budget papers. If reconciliation between previous forward estimates and revised forward estimates is needed, then it also should be included.

Consolidated financial management reports

2.16. From general discussion, the committee noted that the monthly consolidated financial management reports can be quite misleading because all 'balance day' adjustments are not included, and because of timing differences in revenue collection and expenditure. Estimates for the year's final outcome have often not been updated. It is considered that a system of quarterly reports could be made to be more informative.

Recommendation 2

2.17. The committee recommends that section 26 of the *Financial Management Act 1996* be amended to allow for quarterly consolidated financial management reports rather than monthly reports. The committee has the expectation that greater effort will be made to ensure the information contained in them is accurate and truly indicative of financial events and the overall financial position.

Information provided

2.18. The committee noted several examples where the level of detail provided in the Supplementary Budget Paper was insufficient to enable the committee to quickly grasp how the proposed appropriation was to be spent.

2.19. For example, InTACT received a supplementary appropriation of \$6 million for 'an injection for operating requirements'.

2.20. The committee is aware that budget papers and supplementary budget papers often use standard and sometimes generic terms to explain how costs are allocated; however, this results in a loss of essential detail required by committees to undertake a reasoned assessment of whether the expenditure was properly allocated. To simply

list that \$6 million was allocated for 'administrative expenses' in the Variation to the Operating Statement provides a committee with no actual information.⁸

2.21. An appropriation of \$0.410 million to the Department of Health and Community Care was provided as a Government payment for outputs to proactively address the growing shortage in nursing. This appropriation relates to nurses at Calvary Hospital only. The committee, and no doubt the community, would have found it useful if that fact had been noted in the text of the Supplementary Budget Paper.

2.22. To ensure transparency, the committee considers there is a need to provide additional comments about the proposed expenditure in the text of the Supplementary Budget Paper.

Recommendation 3

2.23. The committee recommends that the Government provide complete explanations of proposed expenditure, with an appropriate degree of detail, in future supplementary budget papers.

InTACT

2.24. The Bill provides for an additional appropriation of \$6 million for InTACT. The Chief Minister advised that \$4.4 million of this is for contractor expenses.⁹

2.25. The committee noted the increase in monies allocated to InTACT, which has risen from \$39 million in 1998-1999, to \$62 million in 2000-01, and expressed concern that this continual increase in expenditure for InTACT may be an ongoing trend. The committee questioned whether this outlay was in anyway replicated in terms of increased service provision.

2.26. Departmental officials informed the committee that the increase in expenditure for InTACT was a result of a complete modernisation of the IT structure of the Territory. Some of this expenditure was a result of expansion of the service, which saw 800 additional computers placed at the hospital together with an increase in other operating costs.¹⁰

2.27. InTACT informed the committee that the overall result of this expenditure was the establishment of a stable and common computer platform for the ACT. Further, it stated that to assist with future directions and a more accurate assessment of need across the system, InTACT was in the process of developing a more comprehensive information management strategic plan. This plan would ensure that the cost of innovations would be weighed against the benefits to business.¹¹

⁸ *Supplementary Budget Paper Appropriation Bill 2000-2001 (No 2)*, p 57.

⁹ Chief Minister, correspondence dated 23 April 2001.

¹⁰ Uncorrected Proof Transcript, 6 April 2001, p 6.

¹¹ Uncorrected Proof Transcript, 6 April 2001, p 7.

2.28. InTACT estimated that its future annual operational costs would be around \$62 million, and that, in coming post-modernisation years, this base amount would allow savings to be set aside to replace the system as it becomes obsolete.¹²

2.29. To assist the committee with its analysis of the figures provided on InTACT, a request was made for more detailed information regarding the depreciation and amortisation figures; and expenditure to the major providers such as Telstra, Fujitsu and CSC.

2.30. In relation to depreciation and amortisation, the Chief Minister advised that budgeted depreciation for 2000-2001 for assets to the value of \$140.3 million is \$21.8 million. Approximately 60 per cent of InTACT's depreciable asset base comprises desktop computing equipment held under finance leases which are depreciated over an effective life of three years.¹³

2.31. Since 1998-1999 until 2000-2001 to date, InTACT has spent \$6.077 million on higher end computing equipment and services provided by Fujitsu; \$26.688 million on the whole of government communications network provided by Telstra; and \$21.713 million for computers and operating systems/applications provided by CSC.¹⁴ The Government advised that figures for 2000-01 are considerably lower than those for 1999-2000 due to commercial arrangements relating to the acquisition of assets in 1999-2000.¹⁵

Write-off of debt for Kingston Foreshore Development Authority (KFDA) and Bruce Operations Pty Ltd (BOPL)

2.32. The committee noted the Bill proposes the write-off of debt for the Kingston Foreshore Development Authority (\$4.196 million) and Bruce Operations Pty Ltd (\$5.480 million). The committee questioned the need for these debts to be written off during the 2000-2001 financial year.

2.33. Department of Treasury officials outlined that clearing the outstanding debt for the KFDA would allow it to move into a new financial year with a healthy balance sheet and to market the organisation as a strong financial entity with a good asset base.¹⁶ In other words it is a move to make the KFDA balance sheet look healthier at the end on the 2000-2001 financial year.

2.34. In relation to the write-off of BOPL debt, the committee was told that it is the Government's intention to wind up BOPL before 30 June 2001. In the process of doing this, the chunks of the balance sheet need to be disaggregated which includes the debt that BOPL is holding. On 1 July 2000, the Stadiums Authority assumed responsibility for Bruce Stadium and has taken over contracts related to the ongoing

¹² Uncorrected Proof Transcript, 6 April 2001, p 12.

¹³ Chief Minister, correspondence dated 23 April 2001.

¹⁴ *ibid*

¹⁵ *ibid*

¹⁶ Uncorrected Proof Transcript, 24 March 2001, p 13.

operation of Bruce Stadium. As a result BOPL has no significant ongoing revenue sources and no capacity to pay.¹⁷

2.35. The write-off of BOPL's debt was also seen as a way of enabling the Stadiums Authority to have a more sustainable budget base into the future.¹⁸

The Stadiums Authority

2.36. The committee noted with concern that the proposed appropriation of \$1.7 million to the Stadiums Authority was allocated to cover the shortfall in expected revenue from items such as corporate suite sales, signage and naming rights, hire of video play board, signage and advertising and some increased expenses in operational costs. The committee fears this significant reduction in revenue raising by Bruce Stadium, may indicate a continued, poor financial outlook.

2.37. Mr Blunn, the Chair of the Stadiums Authority, indicated that the initial goal for the Stadiums Authority was to run the stadium at the least cost, consistent with its purpose, and if possible to achieve an operating surplus. However, he stated that he did not foresee a surplus occurring in the short term or perhaps even at all.¹⁹

2.38. The Government has recently started to describe the Bruce Stadium as a 'community facility' which should not be expected to show a profit. The committee observed that the accounting treatment of the stadium, as a community facility, was now different than that applied to other such facilities.²⁰ The committee notes that the Auditor General, when giving evidence to the committee's review of Auditor General's reports 1 to 12 of 2000 concerning the performance audit of the Bruce Stadium redevelopment, told the committee that if the Government is prepared to say that the stadium is a community facility, the accounting treatment would be different from that applying to a commercial organisation.²¹

2.39. Coincidentally, the new treatment would understate the true economic cost of operating the facility each year.

Department of Urban Services

2.40. The supplementary appropriation for the Department of Urban Services is largely for street lighting along major roads and a range of maintenance work such as line marking, road sealing, cycle path maintenance, removal and replacement of dead trees, painting of guard rails and weed spraying.

2.41. The committee sought more details on the exact nature of the proposed work and the time frame. Information provided during hearings lacked the precision that should be expected.

¹⁷ Treasurer, Presentation Speech, *Appropriation Bill 2000-2001 (No 2)*, 8 March 2001.

¹⁸ Uncorrected Proof Transcript, 23 March 2001, p 14.

¹⁹ Uncorrected Proof Transcript, 6 April 2001 p 15.

²⁰ *ibid*

²¹ Uncorrected Proof Transcript, 20 April 2001, p 8.

2.42. Supplementary appropriations are in the committee's view introduced to meet needs that were unforeseen at the time the initial budget was framed. The committee was not convinced that this work was unforeseen or urgent enough to be included in a supplementary appropriation. This is another example of where some members of the committee consider that the work proposed lacks justification and is not urgent but rather related to the Government's desire to look busy before the forthcoming election.

Department of Justice and Community Safety

2.43. The supplementary appropriation provides \$0.449 million for juvenile offenders in New South Wales. Officials explained that while there were no juvenile offenders in New South Wales' institutions at the time of the inquiry the money is required to pay for those in New South Wales' institutions from 1998-99 through to 2000-01. It was originally anticipated that these costs would be dealt with through a reciprocal arrangement with New South Wales. However, that arrangement did not eventuate and the ACT was invoiced for the costs for the earlier years.²²

2.44. The cost of remandees and prisoners held in New South Wales gaols and Comcare premiums was also raised. A supplementary appropriation of \$1.375 million was made for these items. Departmental officials explained that the cost of prisoners and remandees held in New South Wales prisons is difficult to estimate as the number is determined by the courts. While a supplementary appropriation has been made it is difficult to make an accurate prediction of these costs in the future. In relation to Comcare premiums, the increase is due to a single case and is not expected to affect the forward estimates.²³

Housing

2.45. The Government advised Members individually that it planned to propose an amendment to Appropriation Bill 2000-2001 (No 2) which would provide \$2 million in response to the urgent need for supportive and affordable community housing for those most in need.

2.46. This \$2 million will build on the \$0.67 million already appropriated for an eight-unit boarding house for older women over 50 years who have experienced family breakdown or elder abuse.

2.47. The proposed appropriation of \$2 million will provide for:

- \$0.5 million for a six-unit boarding house for young people aged 16 to 21 who need a stable and supportive environment to pursue education and employment; and

²² Uncorrected Proof Transcript, 18 April 2001, p 13.

²³ Uncorrected Proof Transcript, 6 April 2001, pp 14, 15.

- \$1.5 million for a 20 unit complex for a mix of single people, with 20 to 30 per cent of units reserved for those with a mental illness but low support needs.²⁴

2.48. The committee discussed the Government's proposed amendment with Mr Moore MLA, Minister for Health, Housing and Community Services at a public hearing and can foresee a need to provide this type of housing.

Ted Quinlan MLA
Chair
27 April 2001

²⁴ Minister for Health, Housing and Community Services, *Affordable housing options for low income singles* Media release, 27 April 2001.

Appendix 1 - Witnesses at public hearings

Friday 24 March 2001

Mr Humphries MLA, in his capacity as Chief Minister and Treasurer

Department of Treasury

Mr Howard Ronaldson, Chief Executive

Chief Ministers' Department

Ms Sandra Lambert, Deputy Chief Executive

Friday 6 April 2001

Mr Humphries MLA, in his capacity as Chief Minister and Treasurer

Department of Treasury

Mr Howard Ronaldson, Chief Executive

Ms Megan Smithies, Director, Financial and Budgetary Management

Chief Ministers' Department

Mr Robert Tonkin, Chief Executive

The InTACT Group

Ms Lucy Bitmead, Deputy General Manager

Stadiums Authority

Mr Tony Blunn, Chair

Mr Keady, Director, Bruce Operations Pty Ltd (BOPL)

Thursday 12 April 2001

Mr Brendan Smyth MLA, in his capacity as Minister for Urban Services and Minister for Police and Emergency Services

Department of Urban Services

Mr Alan Thompson, Chief Executive

Mr Gordon Davidson, Executive Director, City Management

Mr Allan Eggins, Executive Director, Corporate, DUS

Department of Justice and Community Safety

Mr Tim Keady, Chief Executive,

Mr Mike Castle, Executive Director, Emergency Services Bureau

Australian Federal Police

Mr John Murray, Chief Police Officer for the ACT

Wednesday 18 April, 2001

Mr Michael Moore MLA, in his capacity as Minister responsible for corrective services and youth justice.

Department of Justice and Community Safety

Mr Tim Keady, Chief Executive

Mr Brian Lenihan, Director, Resource Management

Friday 27 April 2001-04-27

Mr Michael Moore MLA, Minister for Health, Housing and Community Services

Department of Health, Housing and Community Services

Dr Penny Gregory, Chief Executive

Mr Alan Franklin, A/g Manager, Housing Policy and Planning

Mr Ron Foster, Director, Financial Management and Support Services,

Appendix 2 — Dissenting report—Mr Ted Quinlan MLA

Comment on the Overall Process

The bringing down of a supplementary appropriation bill, this late in a financial year that commits more than \$45 million is seen as a very significant and unprecedented event – particularly significant in this election year.

As stated in the body of the report, some items within the supplementary appropriation could be viewed as unforeseen expenditures for the current financial year. However the overall listing of proposed expenditures has some of the appearances of a shopping list, committing a defined level of funds. It is a “Mini-Budget”.

It looks as though the Government has employed the process as a contrivance to manipulate the final bottom line for the current financial year. Obviously there is political advantage accruing to the Government by the committing of potentially available funds leading into this year’s election campaign.

Information Context

The Supplementary Budget Paper includes forward estimates for the next three years. However they are largely unchanged from those presented almost a year ago in Budget 2000.

We are aware, from the many differing pronouncements regarding the projected bottom line for this financial year, that there has been revision of forward estimates. The Government had on many occasions alluded to the existence of a Draft Budget for 2001-2002, even though it had not materialised in the Assembly or the public domain

The facts fly in the face of the Government’s claims of openness and inclusiveness in budget preparation.

There was some claim that updated forward estimates could not be included in a supplementary budget paper due to the provisions of the Financial Management Act. I have to say that that claim is open to question. Either way, if the Government does have more current projections, they should have been provided to the Assembly, and therefore to the Committee.

An indication of the actual process could be drawn from the discussion on the belated addition of the \$2 million Boarding House Program where Government representatives could not give assessments of implied recurrent costs of the program.

The lack of credibility of the Draft Budget Process has been exposed, and we now see an equally cynical approach to the actual Budget Process.

Ted Quinlan MLA
Chair

Standing Committee on Finance & Public Administration