



STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

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**STANDING COMMITTEE ON INTERGOVERNMENTAL
AFFAIRS AND JUSTICE**

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Ms. Deb Higgins
Moose Jaw Wakamow

Hon. Laura Ross
Regina Qu'Appelle Valley

[The committee met at 19:00.]

**General Revenue Fund
Supplementary Estimates — November
Corrections, Public Safety and Policing
Vote 73**

Subvotes (CP04), (CP06)

The Chair: — Well ladies and gentlemen, welcome to the Standing Committee of Intergovernmental Affairs and Justice. We're here tonight meeting in the Chamber. I'd like to welcome all the members. My name is Warren Michelson. I am the Chair. And I'd like to welcome all members: Greg Brkich, Michael Chisholm, Wayne Elhard — sitting in for Mr. Elhard is Ms. Wilson — Laura Ross, Kim Trew, and Deb Higgins, and substituting in for Deb Higgins is Mr. Yates.

Tonight's agenda will be discussions of supplementary estimates for Corrections, Public Safety and Policing. First we have some other business. Committee members who received copies earlier today of the Law Clerk and Parliamentary Counsel's report regarding his review of regulations, I would now like to table those five documents. They are IAJ 13/26, 14/26, 15/26, 16/26, and 17/26.

Next I would like to advise the committee that, pursuant of rule no. 146(1), the supplementary estimates for the following ministers were deemed referred to the committee on November 26, 2010. They are vote no. 73 for Corrections, Public Safety and Policing and vote 3 for the Justice and Attorney General.

We will now begin our consideration of vote no. 73, Corrections, Public Safety and Policing, adult corrections, subvote (CP04) and public safety, subvote (CP06). I welcome Minister Huyghebaert. And, Minister Huyghebaert, if you'd like to introduce your officials at this time, please do so.

Hon. Mr. Huyghebaert: — Thank you, Mr. Chair, and appreciate the opportunity to be here with you this evening. On my left is Mae Boa who's the assistant deputy minister, who'll be here on behalf of Deputy Minister Al Hilton. On Mae's left is Margaret Anderson, executive director of corporate services. To my right is Tom Young, executive director of protection and emergency services. And behind us we have Terry Hawkes, director of finance and programs, policing services. Tammy Kirkland is at the back, and Tammy's the executive director of adult corrections. And of course, I think you all know Rob Nicolay who's my chief of staff.

I'd like to start by spending a few minutes, Mr. Chair, and just if you want me to go ahead now and just talk about the reasons for Corrections, Public Safety and Policing to seek the supplementary estimates.

The mid-year financial report shows that Corrections, Public Safety and Policing is 28.8 million above budget on an expense basis. This increase over budget is mainly because of higher than budgeted claims under the provincial disaster assistance program in the amount of \$25.05 million, 3.5 million to manage increased audit adult inmate custody counts and offender counts in the community, and point two five million for the province's

contribution for flood relief to Pakistan.

First I'll talk about adult corrections, the situation there. Adult corrections, that's on our request for an additional 3.5 million. Our adult correctional system operates four secure custody facilities, six reduced custody facilities, and delivers community correction services out of nine locations in the province. We base our funding requirements on the number of inmates that require housing and supervision known as funded bed space.

In October, the custody inmate count in all four adult secure facilities was 1,351 people, exceeding funded bed space by 64 beds or 5 per cent.

Now I don't need to tell everybody that the facts of running a correctional system are that we can't put up a no vacancy sign. We're obliged to find space for offenders somewhere in the system, and we're required to fund the cost of those additional offenders for the length of time they spend with us. The need to house inmates in locations such as gymnasiums and program areas creates a related requirement for added security measures, including more staff with added training.

At the same time, the increased public scrutiny by Corrections after the 2008 escape led to a Corrections action plan called *The Road Ahead*. It was developed with the objective of making our correctional system safer and more secure. Phase 1 of work on the road ahead action plan was completed in September, with the longer term review of legislation and regulations and revitalization of divisional and procedural objectives ongoing over the next two years.

I'd like to spend a few minutes speaking to some of the accomplishments Corrections has achieved under the road ahead action plan. A provincial director of security intelligence has been hired and a security intelligence unit established with positions at each of the four secure correctional centres. An inmate telephone monitoring system has been put in place in all four secure custody facilities. Escape simulation exercises have been developed and tested, and a central office crisis information and support centre response developed.

A new critical incident stress management model goes hand in hand with these initiatives. Management presence on the unit has been increased and outside normal working hours. A training and professional development curriculum is being developed, and all adult corrections employees will receive corrections and the law training.

CPSP [Corrections, Public Safety and Policing], Justice, and the ITO [Information Technology Office] are working on an integrated information technology system. Security upgrades to the four secure correctional centres were completed at a cost of \$6.5 million. And we I think are all familiar with the new 90-bed dorm that we opened in Saskatoon in June of 2009.

Inmates will soon receive a comprehensive orientation manual upon being admitted, and a model for a remanded inmate programming has been developed.

The ministry continues to partner with the FSIN [Federation of Saskatchewan Indian Nations] and other First Nations and

Métis organizations in service contracts with the aim of reducing gang activity. The cultural healing program has been implemented at all secure custody facilities. Cultural awareness training is being delivered to all new and existing staff.

An incident reporting policy and process have been put in place to alert the public of unlawfully-at-large offenders who pose a risk to public safety. This work has been Corrections's focus for many months, and I'm confident it'll meet the intent of the external investigation team review, resulting in a safer, more secure corrections system.

I should add that beyond acting on the review team's recommendations, the ministry has undertaken a number of additional initiatives to enhance the effectiveness and efficiency of the correctional system. The initiatives include development of the code of professional conduct — and I've handed out a couple of copies; I'll hand out some more to the committee — creation of a staff rotation schedule to ensure correction workers can develop a full range of skills learned in various units, development of a dynamic security model that supports improved therapeutic interaction between corrections workers and inmates, and creation of a sentence management unit whose role is to oversee complex sentence management calculations as a way to reduce sentence administration errors. All of these remedies and improvements have put pressure on Corrections's funding as much as managing the increased inmate count has.

In community corrections, orders for offenders to be supervised in the community have put additional pressure on these services. Needs for bail supervision have increased 15 per cent; need for probation supervision has increased 7 per cent; and supervision of conditional sentences has increased 3 per cent. So when this is all put into one big picture, what does it mean?

To be able to manage needs resulting from increased inmate counts, the requirement is \$2.8 million. And to cover increased offender community programming costs will require an additional \$700,000. That makes up our total supplementary estimate asked for adult corrections at \$3.5 million.

Provincial disaster assistance program. We've talked a great deal about this over the past several months, so I don't really need to go into the details of the weather causing the unprecedented flooding and resulting damage to communities around the province. What I do want to talk about before I go into the funding piece is to acknowledge the hard work of hundreds of public servants from CPSP, Social Services, Highways and Infrastructure, Health, the Saskatchewan Watershed Authority, SaskTel, SaskPower, SaskEnergy, and others. These people worked tirelessly over the summer months on the emergency response to make sure that after the initial crisis was over, the means were there for residents to start the process of recovery.

I would also like to publicly thank the Red Cross for their leadership in keeping flooded individuals safe, warm, sheltered, and fed during the response and for an extended time after. Their involvement helped make government's work much easier.

Now back to PDAP. The PDAP program administrators are estimating that the 4,250 claims from around 200 local

authorities received so far will cost an estimated \$25.601 million. On a year-to-year basis, PDAP's budget is minimal. For 2010-11 its budget was \$550,000. So besides 550,000 in operating costs, PDAP requires 25.051 million to pay out this summer's damage claims, until its claim to the DFAA [disaster financial assistance arrangements] with anticipated offsetting revenues of 21.25 million, is directed to the General Revenue Fund. And I think as everyone knows, the federal disaster financial assistance arrangement usually covers a majority of disaster-related costs when the provincial claim is submitted.

But we also have to take into consideration that at the outset of the series of summer disasters, the Premier and myself called for changes to the program to make its criteria more flexible and its processing time faster so that damage-stricken residents could start recovery sooner with greater confidence.

Examples of how PDAP met this commitment are many. Two visible examples were the \$3,000 in early payments to PDAP claimants on receipt of their claim and the campaign to locate PDAP claimants with outstanding furnace and water heater claims. Additional adjusters and engineers were also deployed to flood-stricken communities to help move these necessary processes along.

So all in all, the supplementary funding is being requested to meet these requirements for responsiveness and to cover the costs of the claims themselves. Salaries are being forecast at 609,000 for part-time and term staff required to assess the claim eligibility. Verification and payment processing, adjuster, engineer, and general operating costs amount to \$1.04 million, and \$23.95 million is required to cover the cost of damage claims.

That is the story why CPSP is seeking in total \$26.001 million in supplementary funding, and if you will notice, that there is a differential between the required amount that is needed, 28-point-some million, and the 26.001. There was some under spending on PPSTN [provincial public safety telecommunications network] that we can move that money into PDAP [provincial disaster assistance program]. So I'm open for questions.

The Chair: — Thank you, Mr. Minister. I would just ask your officials if they're answering questions just to state their name for the record, please. We'll open for questions. Mr. Yates.

Mr. Yates: — Thank you very much, Mr. Chair. I'd like to start by indicating that my questions tonight will focus on the disaster assistance program with the exception of one question.

I note in the notes attached with the supplementary estimates that part of the funding request is for a payment to flood relief in Pakistan. Could you give me a little more detail as to that particular expenditure and rationale behind ... To my knowledge, I don't think we've ever contributed — the provincial government — to other disasters in the past. And I'm just wondering why this one when there's Haiti and hundreds of others, right?

[19:15]

Hon. Mr. Huyghebaert: — Well in fact we have. We donated

to Haiti with their disaster. And we look at other jurisdictions and what other jurisdictions were actually putting in and for the size of our province. We decided that we would put money to Haiti in proportion to the other provinces in the country. In fact we were sitting at, I think, maybe the third highest per capita or something along that line.

So we were approached also for Pakistan, the flood in Pakistan, and because we had put money into the crisis in Haiti, we put \$250,000 in for the crisis in Pakistan. We gave that money to the Red Cross, I do believe, for Haiti and Pakistan. The money went directly to the Red Cross for their services in those two countries.

Mr. Yates: — Thank you very much. I said one question, but now that leads to, I guess, a second question. The funding that went to Haiti, did that come through this department as well?

Hon. Mr. Huyghebaert: — Yes.

Mr. Yates: — And in what year was that reported as having come through? In what fiscal year did that money come through?

Hon. Mr. Huyghebaert: — That was the last fiscal year.

Mr. Yates: — The reason I ask the question is traditionally funding of international relief efforts has been a federal responsibility. Is this a request coming from the federal government? Or where is the government getting a request for support in these international disasters? Where is it coming from?

Hon. Mr. Huyghebaert: — Yes, the request actually came from the countries themselves through Foreign Affairs in Ottawa. And the way that we would then deal with that is through the Red Cross. Rather than give money directly out to the countries, we elected to give it to the Red Cross, and they could use it. They're such an international organization that they could see the best way of using these dollars.

But Foreign Affairs, they were coordinating . . . And if you remember the Haitian crisis, the federal government was going to match dollars that were put in by other third parties or other jurisdictions. And that's where we were asked if we would put money toward it. But I think the direct request probably came from Haiti. I don't remember exactly the direct request, but I know Haiti was actually requesting money through Foreign Affairs if they could support. And Foreign Affairs, I can't remember if they sent a memo out or something to us. Yes, they coordinated with the provinces if some money could be put in. And so we put the 250,000 to Pakistan.

Mr. Yates: — Thank you very much. It's not that we disagree with helping where help is needed. I'm trying to understand the move to doing what has largely been, up until these two incidents, 100 per cent federal responsibility and just wondering how far down this road we potentially could end up. Because across the world in a year, there could be hundreds of, literally hundreds of disasters we could be asked to contribute to and could end up being in the tens of millions of dollars potentially. But I'm just trying to get some sense of where we're at on those issues.

Hon. Mr. Huyghebaert: — I would look at it as a case-by-case request. But I understand there has been, in the past, money that's been given out to organizations in previous times. But we'd look at it on a case-by-case basis. And it's not that it's *carte blanche*. It's more of we'll look at what the disaster might be and if it warrants some help.

Mr. Yates: — Thank you very much. My final question on this issue: is this reviewed then in the normal Treasury Board, cabinet-type process, that it takes a cabinet OC [order in council] to in fact pay and contribute?

Hon. Mr. Huyghebaert: — The request went through cabinet and was approved at cabinet.

Mr. Yates: — Thank you very much. I'd now like to turn to the issue of disaster assistance. I think we can all largely agree that this was a summer of significant flooding and significant challenges in many, many communities and many areas across the province. To not acknowledge that would be less than honest or forthright about the seriousness of the problem and the extent to which we were all faced with dealing with it.

I want to start by talking a little bit about what, if any, plans we're making for next year. I think you may well be aware, Mr. Minister, this fall and going into the winter, across many parts of the province where we experienced flooding this year, we were seeing dugouts and sloughs and other sources of water that normally in the fall would be dry full right to the brim, as well as significant moisture content in the soil across those areas as well. We could be facing a similar, potentially worse, problem next year in these same areas because of the current situation with how saturated the soil is and in fact that dugouts and other containment or catchment sources are at capacity. Has there been any or is there any work being done to — learning what we will have learned from this year — to put any preventative measures in place?

Has the federal government moved . . . I've asked this question previously. We've been asking for a number of years for cost sharing of preventative moves. Are preventative actions being taken on behalf of governments to prevent further damage? Has there been any movement on the federal government to move forward on that issue? And if not jointly, are we looking at any preventative measures to help prevent or minimize similar situations next spring?

Hon. Mr. Huyghebaert: — Yes. The short answer to your question is yes. We have been working with SaskWater association or SaskWater authority, looking at preventative measures. But I think what you really have to look at, in the sense of PDAP, the damage that was caused by the rains wasn't . . . It was just sudden rainfall. Like it was just a torrential downpour. It wasn't that the ground was soaked before or the ground was soaked. It was a result of some very basically catastrophic storms. Getting 6 inches of rain in a few hours, I mean, you don't mitigate that any which way. So the mitigation is being looked at.

And there are going to be some issues. We feel that it's probably going to be more on the ag side because the ground is saturated now. Creeks are still running, which are normally dry at this time of the year. And if there's any snowfall of average

or greater, it's going to cause some tremendous runoff.

Now the damage to the ag land possibly not being able to get seeded again is one. But the PDAP funding is separate from that. And so places like Maple Creek, they're looking at flood mitigation with SaskWater. And as far as the federal government, we've been in touch with the federal government on a continuing basis, whether to cost share mitigation. Yes, it's on the agenda for meetings.

But again the mitigation side is very difficult. You can't mitigate for the torrential downpours. Fishing Lake is an example where we are working; SaskWater is working. There's been a committee in place to deal with that situation. We know berms were put in there. Now the water's going above that or has the potential of going above that. So the mitigation is more in getting drainage ditches dug out that were there and nature has kind of filled them in. And so that's the kind of thing that's being worked on. And some of that'll be worked on this winter to try and ease the pressures from that particular area. I don't know if there's much more I can say about that. It's being looked at.

Mr. Yates: — Thank you very much, Mr. Minister. The concerns that we face this year, I'm not saying that you could have predicted or anybody could have the torrential rains we had and the saturated soil. The soil was not saturated as we see today.

But looking forward, putting aside the agricultural issue which is in itself going to be very serious in the upcoming year without doubt, but there are preventative measures that can be taken to help prevent a community from flooding. And in the past, the federal government has been willing to fund those types of issues. And I know many governments have been pushing — and the Saskatchewan government, going back a number of years as well — to move to the federal government cost sharing, taking steps to mitigate damage.

If we have a community that's flooded last year largely because the overflowing water no place to go, there's a good chance that in the same area as where the soil was heavily saturated that we could face the same problems as we did a number of years ago in Arborfield where two years in a row we had it in virtually similar circumstances as we are today. First year, somewhat unpredicted saturated heavy rainfalls. Second year, a lot of it as a result of the fact that soil was heavily saturated and no ability for the runoff to go anywhere because all the dugouts and so on were full. And the community attempted to build and did build the, you know, virtual dike around the community and so on and so forth. But those costs were not able to be cost shared by the federal government.

So all I'm looking for is that the government is doing all they can to look at helping these communities in the upcoming year. Many families — and I don't need to tell you this; you know first-hand — have experienced significant stress and difficulty as a result of what they've gone through this year. And that is always common in a disaster. But I want for the people of Saskatchewan to hear that their government is going to do everything they can to mitigate those circumstances in the upcoming year. And I know you're not able to predict exactly what next year holds, but if 6 inches caused a flooding this year,

2 to 3 could cause the same flooding next year because there's no place for that runoff to go, for that moisture to go.

[19:30]

Hon. Mr. Huyghebaert: — I'll have Tom answer some of the more specific parts of that. But if you look at where our huge issues came from this year, Yorkton for an example, it was a part of the town that's very low-lying. I don't think there's any mitigation you could do to prevent that short of making a flood plain where the houses are now. And we've been in discussions with the mayor of Yorkton to do that. But again you're taking houses out, so it's not a process that you can just do that quickly and easily.

If you look at the flooding in Battleford, I don't think there's a way you could do anything to mitigate that because that was caused by such a unique phenomena that the rain came and the hail, and the hail plugged all of the sewage drains. So I don't know how you could even attempt to mitigate that one.

Saskatoon, it's a habitual area I guess. It's been flooded many times over the years. And again how do you mitigate that? So it's not an easy answer. We're looking at stuff, like I say, working with Yorkton. Maple Creek. SaskWater is looking at that, and there's probably some things that can and will be done in the Maple Creek area.

So we're working with the communities to do whatever we can to be prepared or to mitigate it from happening next year. But I'd ask Tom if he wants to elaborate on it a little bit more.

Mr. Young: — Thank you. Tom Young. The area of mitigation of course is a very broad topic. And it covers many different kinds of things that you can do, everything from looking at, as the minister indicated, where you build new homes, where towns expand to, and things like that.

We typically work very closely with the Saskatchewan Watershed Authority and look at some of the science and the information that they have available in terms of the wet conditions that go into a fall and winter situation — the snowpack and then the kind of melt that is occurring in the springtime. So using that kind of information, we team up with them.

And if there is evidence that areas are going to be threatened, and there can be something that can be done in terms of cleaning culverts and ditches and things like that, we go out around March and we go through those communities where there is an identified potential threat. And if something can be done, we talk to them about that and what they may be able to do or to assist in mitigating some of the prospects that they could encounter.

We've been involved in discussions nationally as well on this topic. And we're looking at things that Manitoba is doing. We've had some discussion, very preliminary discussions with Manitoba who have also experienced the flooding. And we talk to our colleagues right across the country on what kinds of things can be done to mitigate some of the situations that, some of the things that, in terms of the threats, that occur.

Mr. Yates: — Thank you very much. Specifically have we looked at purchasing or contracting to companies that own things like rubber temporary dikes, and things that can be set up relatively quickly in a community? There are companies out there that provide those types of pieces of equipment that can be utilized to minimize and try to prevent damage to communities.

There are cases where those types of pieces of equipment simply don't work, and in some circumstances they're not necessarily the solution. But there are circumstances where there is the potential to mitigate some types of damage. And are we examining, looking at all those types of issues as well?

Hon. Mr. Huyghebaert: — Yes.

Mr. Yates: — Okay. Well thank you very much. I now would like to move on and talk and ask some questions about this year's disasters and the impact on communities. And I think I'll start with Maple Creek. I think it was the first major community that was flooded. Significant damage to the west side of the community. We saw rural roads washed out, some bridges, of course significant damages to the No. 1 Highway and without doubt some very significant damage to both homes, businesses, and farmland in the area. I think the number of people affected in the community probably, as a percentage of population, would be the most significant that we've seen in a disaster that I'm aware of in the province, at least in the flooding area. Pardon me, there would be some fires that would have affected entire communities.

But, Mr. Minister, there are really two types of problems that I hear from those from the community that are still standing today. To say that there have been many, many challenges in the size and magnitude of the flooding in the community would be an understatement. But there's really two outstanding issues that families face and challenges they face in the Maple Creek community.

And I think the most significant is in a home where the basement has basically been . . . It's no longer safe. And so the requirement is going to be a whole new basement has to be put under a home. And that's a cost of say 50, you know, roughly 50 to \$60,000. Contractors aren't prepared to do that type of work without some guarantee that they're going to be paid. And families don't have the capacity to pay that 50 or \$60,000, in many cases can't borrow that money from a bank. You can't put your house up for security if you don't have, you know, the house doesn't have a basement underneath it. You don't know whether the house is going to be of any real value if you don't put a new basement under.

So it's sort of the issue of how do you move forward for a family that doesn't have the money to pay the 50 or \$60,000? The contractor insists upon having some sort of guarantee. The bank won't give you the money unless you have some sort of guarantee.

So my question is this: for those families that face this situation, is it possible or is the government willing — because it's always possible the government's prepared in these situations — is the government willing to provide a written guarantee to a bank or to the contractor of what they will pay so that the family can proceed with this type of work? Otherwise it means

families (a) can't get it done and maybe have to abandon the home and leave the community.

And you know we . . . Every time you face a situation like this, every time a disaster, there are nuances and issues that come up. This is one of the two in the community of Maple Creek that I understand has not been able to be resolved so that families can know what their future holds.

Hon. Mr. Huyghebaert: — There's a whole bunch within that statement or question. One of the issues in Maple Creek, and I don't know if you need me to go through the whole dynamics of what we have done there, but we got money out to these people very, very quickly — unprecedented. And it was \$3,000 per claim that we got out to the people. That gave them a bit of a feeling of security to know that we were going to be there.

What you're referring to I think is more where we needed structural engineers. How do you put money into a house not knowing whether it was structurally sound? And we know that there was an issue in a couple of our communities that were waiting for structural engineers. And so we went out and we hired structural engineers from other provinces to come in to work on these particular claims. And I know Maple Creek, we had got phone calls from Maple Creek like, what can I do? And the answer, basically you need a structural engineer to assess the house if our adjusters determined it needed a structural engineer. Because why would you even attempt to put money into a building if it's not structurally sound? So that may be part of the problem.

There's another significant change that we made to the program. Aside from the \$3,000 that we put upfront, we also authorized a 60 per cent advance on claims. So once a claim was put in and it was adjusted, then those people could get 60 per cent of the adjusted claim. They could actually finalize their claim. And in the town of Maple Creek, we've had a number that have finalized their claims already because they looked at the adjusted amount and, I gather, in their own mind they said, that looks pretty, pretty accurate. So they've taken, and we've finalized. And I don't know, Tom, if you have the number of claims that they finalized in Maple Creek, but there's a lot that have been finalized.

So if you look at, if you look at an individual that is saying that they can't get money, the money is there once the adjusters . . . I think part of what you're referring to though is people that are sitting there waiting for the structural engineers. Now I'm gathering they've all been to Maple Creek now, and I'll find that out for sure. But if you're sitting there with a house that you don't know what to do with, then you probably get a little bit nervous because you don't have the money yet, but there's no sense putting any money to it unless you find out if it's going to be structurally sound or not.

Once the adjusted claim has been put in, 60 per cent is there at the asking. One hundred per cent is there if you agree with the adjusted claim. Now the town of Maple Creek, there's been 104 claims that have closed already. They've taken their final payment. So there's a couple, there's a couple that you hear about, and I will hear about them, but they're very unique cases. And once it's explained, there's maybe some rationale why this unique situation. We know that with furnaces. And I know that

everybody knows and understands that. And so we dealt with that. The structural ones were slower because of just a lack of structural engineers to go in and do the assessment.

So if there is a specific case or two, we would sure look at them, but I think I've explained how it could work. Now if somebody wants to take the 60 per cent advance, and if in their mind that they say, okay, I think it's going to cost more than that adjusted amount to get my dwelling back to where it was before, that's fine. Because then they can sit with a 60 per cent advance, wait until all their bills are back in, and then resubmit. And if it's more than the adjusted amount, they'll get that.

So there's methodology to do, to get money out to them in pretty good numbers, pretty good amounts.

[19:45]

Mr. Yates: — Thank you very much, Mr. Chair. These situations are not . . . They're as of today. I had conversations about these situations about an hour and a half ago and so these are real situations that some families are facing today. It may be a lack of understanding of what their options are. It may be a miscommunication in the processes. But those families today are still waiting and are watching, you know, looking for . . .

So they've now heard the explanation as to how they can proceed. But if there are some extraordinary circumstances or unusual situations, you will undertake to review those particular cases to see what we can do to help these families to be able to proceed with repairing their homes?

Hon. Mr. Huyghebaert: — By all means. There's a lot that we deal with on a case-by-case basis. I guess you have to look at the whole PDAP program and the changes that we made to the program, which is basically an overhaul of the whole PDAP program because of people coming forward with some concerns. And if you . . . I'm sure you've seen the whole list of changes that we've done to the program, and that's a direct result of being out and listening to the people and they say that, hey, this is not meeting my needs. So starting from the end of June, we started working on changes to the program because of what the people were telling me and telling the PDAP people that were out there.

Now for somebody at Maple Creek that still has issue, we'll be more than happy to deal with it. I know there's cases that have come up where people hadn't filed their claims till quite late — it's a six-month deadline to file a claim — and there was some that had not come in because they weren't sure of how to do it.

We've had people on the ground in Maple Creek for a good portion of the summer. So if people are coming forward now, maybe the communication wasn't there that they knew people were on the ground, PDAP people were on the ground in Maple Creek just for that very reason, so that people can come and talk to them face to face and see what their issues were. And from there it would come back to here and we would discuss it. So I don't if you know of the case, of any cases that are outstanding there, Tom, but . . .

Mr. Young: — Thank you. Tom Young. I'm not aware of any specific cases, but we certainly will look into it. If we do, as the

minister mentioned, we do have staff deployed in Maple Creek on about two days a week, and we'd encourage people to contact those people if there are other issues or matters that they wanted to talk to them about specifically as it relates to their claims.

Mr. Yates: — Thank you very much. Second issue coming out of the community of Maple Creek relates to the trailer court. And a home trailer that was a rental property, the person who owned it had given notice to the renters, had started to move their own . . . was moving into the trailer as their home, started the movement of furniture and that into the trailer and midway through this process, the flood hits. And the information provided to me is that they are being told that they have no coverage because it was neither a rental property or source of income, and/or a primary residence, but it's a very unique situation and the person was in between moving into it themselves as their primary residence.

And this individual is still paying a mortgage on a trailer that's now condemned and ruined and been removed by the town. My understanding is the town contracted to remove all the properties and work with the government on that issue. Well the trailer has been removed, destroyed . . . This individual still is paying a mortgage on the trailer and is being told that they have no coverage because of the unique circumstances of being in transition, moving into it during the very period in which the flood occurred . . . wasn't fully moved into it, but was moving into it and the other people were . . .

Hon. Mr. Huyghebaert: — I don't feel comfortable getting into some of the specifics of some of the cases. There's some issues with some of the cases, there's no doubt. So what I would ask is they refer their issue directly to me and it'll be revisited. I know on so many individual cases there's extenuating circumstances that sometimes don't get out there in the public's view or, for an example, maybe there's only one part of it that you've seen. So I would ask them, if they wanted to send it directly to me, I will get it.

Mr. Yates: — All right. Thank you very much, Mr. Minister. The last question had to do with Maple Creek. It really has to do with the fact that the magnitude of the incident has left a number of businesses — well I guess businesses is the best way of putting it — in the community that have significant damage, in some cases well above the levels that are allowed within the parameters of the program. Is it possible and is the department willing to review each of those incidences as well on their individual cases?

Hon. Mr. Huyghebaert: — We would have a look at them. I'm quite familiar with a lot of the cases at Maple Creek and ones throughout the province. We established a \$500,000 cap which is far greater than it had ever been. I think it was 160,000 was the height of it before. And I think what we have to remember is what PDAP covers is uninsurable. And if it's uninsurable, then we can be involved in covering it.

There are a couple, and I could probably give you some examples, where the damage could be . . . As you're probably familiar with, DFAA covers from 6,000 to 2 million. So how do you deal with a feedlot, for an example? Because some of them, their turnover of dollars is into the tens and tens of millions of

dollars. The profit is not there but the turnover is. So are they covered?

We looked at those cases. And I know Maple Creek, there is a couple that we've looked at. But the \$500,000 limit that we've set . . . We've discussed where we would go, and it becomes no end. Like where do you stop? And so when we limit it at the 500,000, that's where we're at.

Again if somebody has . . . If it's coming up more than that, and I would have to see what the adjuster's reports are. And if there's a specific one, again, I can have a look at it. But we have set the limit substantially higher than they ever were, at \$500,000.

Mr. Yates: — Thank you very much, Mr. Minister. I'd like to move to community . . . And I'm not by any means . . . There are many, many communities that have been affected. I'm not going to talk about them all tonight, but I want to talk about Yorkton next.

In Yorkton, a significant magnitude in that both public infrastructure and a significant number of homes affected in the community, throughout a broad area of the community, many affected by sewer backup and weren't covered by insurance, and those then of course who were affected directly by the flooding itself.

One of the challenges and one of the concerns that many people have is what they see as two standards. If in fact you have sewer backup, insurance covers at one level, and of course the disaster assistance program covers differently. And you could have two houses side by side, one where the sewer backs up and one that doesn't, and you have two neighbours who then as a result get significantly different potential compensation. What, if any, discussions moving forward does the government plan to have about standardizing or looking at standardizing the disaster assistance program to insurance programs in Saskatchewan?

Hon. Mr. Huyghebaert: — I think that the situation in Yorkton, predominantly in Yorkton, was the difference in adjusters. And officials have spoke to the adjusters and had them . . . the adjusters all to standardize. Now standardizing it with the insurance program, I'm not sure. Maybe there's comments that you want to make on that, Tom, but I'll just . . .

Like I know there was issues where sewer backup of course is covered by insurance. When you have a fully flooded basement with 8 feet of water or 10 feet of water, what portion of it is sewer backup and which portion is overland? And our officials were very flexible in dealing again with the insurance but also with the people. And I know there is people that would hear that their neighbours were getting something that they weren't and that was creating an issue. We would have adjusters go and officials go out there. And again we had officials in Yorkton that were based, staying in Yorkton for quite a period of the summer to deal with these kind of issues.

I found in a few of the communities it was the information that was getting . . . sometimes wasn't exactly accurate. It was the coffee row discussions that were making the rounds. But as far as coordinating a standardization between insurance and PDAP,

I don't know, Tom, do you have some comments you'd make on that?

[20:00]

Mr. Young: — Tom Young. I'm not sure of the exact question, but the insurance and PDAP are very, very different kinds of programs. And with PDAP, it's a disaster assistance program. No one pays into that program per se, as they would in insurance and with an insurance policy. And the way the two work in terms of actual payments back for situations are quite different. We look at insurance and they cover all kinds of things that the disaster assistance program is not intended to cover. It's basically to cover the very basics of life and safety, and that's the direction of the program.

Insurance, in addition to looking at a broader array of things that would be covered, as I mentioned, does have that deductible or that premium that people pay in to secure their insurance.

You used the right words to describe this in terms of a particular community. It is a challenge when you do have these two situations occurring in the same community with neighbours. What we've tried to do is, again we have a person deployed in Yorkton, and if people do have questions of what is covered and what isn't or concerns about that, we encourage them to work through that person in Yorkton. And then if there are specific kinds of questions or concerns related to their file, we certainly try to get back to them as quickly as we possibly can.

Mr. Yates: — Thanks very much. The second area of concern, of course, in the Yorkton area was the area down . . . the lower part, in centre of town where we had complete flooding up to and I believe the area of the high school where there was significant flooding through that area. Many of the homes in that part of town are smaller rental homes owned by third parties that people are renting from obvious landlords in the area. And many of those individuals lost everything and weren't aware of what their rights were under the disaster assistance program.

And I know first-hand from having been down there a day after the flood, talking to people who were looking at their homes and their, you know, 2, 3 inches of muck on the bottom of the floors and water had been 2, 3 feet into the home. From this situation — which I think can be argued probably will be as bad as we will likely face in the province, having several floods one after another — are we looking, or is the government looking at a process to ensure that people get better information earlier about the program?

Hon. Mr. Huyghebaert: — We have done basically that. When you look at the communities that have been affected — I think it was one day after that I visited every one of the communities — we set up PDAP staff right away. Again in some cases PDAP staff were there for a long, extended period of time and even as mentioned, even still in Maple Creek we have PDAP staff and in Yorkton I know we had people there.

So I would suggest it was very well advertised within the communities and that our staff were there if anybody had

questions. We went sort of immediately and set up. They had their emergency measures organizations. The communities really had a set-up with their emergency measures and their fire departments and getting the information out just . . . I don't know how would get it out any quicker, any different by advertising. And even when we started making substantial changes to the program, there was articles put into the paper explaining the changes of the program to the people.

Are you going to miss some? Possibly if somebody doesn't get the paper or if they don't go down to where the emergency measures organization is. I don't know how you could get information out any more effective than the way we did it. There is radio stuff, but again if somebody doesn't read the paper and somebody doesn't listen to the radio and don't go down to the EMO [Emergency Measures Organization] office, I don't know how you get that message out other than by word of mouth.

And even in those cases, there's cases where I personally was in the flooded areas talking to the people and explaining the program. Yorkton was an example of that. We stood right beside the water. And I know I had a number of people that came over once they found out who I was, and then I'd explain the program to them. But since that time, I think what we have to understand too is all the changes we made.

So when I announced the program to the people . . . And a lot of people never heard of PDAP before. And so I explain as good as I could what the program . . . And the program would be there. There'd be people set up at the . . . In Yorkton's case it was at the fire hall, I believe, was where they . . . [inaudible interjection] . . . Yes. Yes. At the rink? But there was people on the ground where you could get the information.

And then as the changes rolled out to the program, the host of changes, those changes, as I said earlier, were the result of talking to the people. When you start looking at deductibles and start looking at depreciation and all of those things that we made substantive changes to, well that's a result of talking to the people. And so when those changes were made, they were known in those communities again through the papers and radio.

Mr. Yates: — Thank you very much. In the rare case that somebody failed to file a claim because they weren't aware of . . . somebody renting a property, for whatever reason, didn't know or hasn't become aware of the ability to file a claim, the six-month time frame, is that a definite? Or again is it something under rare circumstances you'd be prepared to examine?

Hon. Mr. Huyghebaert: — Well the time limit is six months. We could always look at it again. I'm very open to looking at specific cases on a one-off. But in fact, the six months isn't even up yet. So if somebody is thinking about it and didn't know the program, there's still time because it's within the six-month time frame yet. Like Yorkton's was 1 July.

Mr. Yates: — Thank you very much, Mr. Minister. It's closely coming to the time when six months will be up, but I do agree there's still a month or so that is open in the time frame.

I think my colleague from North Battleford has a few questions, but before I move on I want to talk a little bit about now the role of the disaster assistance program. And on the farm or on a ranch from an agricultural perspective, not the land itself, but of course homes, outbuildings, machinery, it doesn't take a great deal if a farmyard is totally under water to have significantly more than half a million dollars worth of potential damage. And in the area around Elfros, Foam Lake, some of those areas, there was significant water, significant damage, some farms totally under water; some buildings, as you're aware, damaged. Some had to be replaced. And some, of course, machinery totally under water as well.

In those situations again, you could easily get to that half million dollar cost very, very quickly, and not even dealing with the issue of grain in bins and so on and so forth, but just with machinery, buildings, and that. In those situations, are we . . . Is it still a fixed \$500,000 or on a case-by-case basis are you prepared to look at the extenuating circumstances?

Hon. Mr. Huyghebaert: — There are other avenues other than PDAP, and one of the avenues is through the agricultural insurance side. Again we deal with what's not insurable, so if you have a \$400,000 combine that gets soaked it doesn't take long, you're right, to go through the half a million. But there's other programs that could deal . . . You'd have insurance most likely on a \$400,000 combine. And what we're dealing with is the uninsurable, as you well know. So the uninsurable is the overland massive flood. So I know there's other programs like on the agricultural side that deal with some of the ag issues.

PDAP . . . Again the ag program, and we stay in touch with the ag people and looking at where the programs can work together.

Mr. Yates: — Thank you very much. In the coordination of two programs like that, there may be, as an example, you have an insurance up to a percentage of a piece of equipment or a percentage of . . . And then the rest of it is uninsured. When you work with those programs, can you have a portion insured and a portion covered by the disaster assistance program? Or if it's insurable, it's not covered, period, is my understanding.

Hon. Mr. Huyghebaert: — Yes. If you only insured part, it's not covered by PDAP. If it's insurable, it's not covered by PDAP.

Mr. Yates: — Thank you. I understand that's the current rules. Has there been any consideration to looking at partial coverage if insurance is inadequate or is that a steadfast rule, and will it remain a steadfast rule?

Hon. Mr. Huyghebaert: — You're probably aware we follow the DFAA guidelines. And if we go outside of the DFAA guidelines, then it's 100 per cent provincial cost. So we want to stay within the DFAA guidelines. And in the case of partial coverage insurance, there's no PDAP coverage for the partials, partial insurance.

Mr. Yates: — Thank you very much, Mr. Minister. Just before I turn it over to my colleague from North Battleford and just for clarification so that, for those that are listening, it's about what is insurable, not whether or not it is insured. Correct? So that if something is insurable, and you chose not to buy insurance, it

still would not be covered?

Hon. Mr. Huyghebaert: — Correct.

Mr. Yates: — Thank you very much, Mr. Minister. Mr. Chair, I'd like to turn it over to my colleague from North Battleford.

The Chair: — Mr. Taylor, you had some questions?

[20:15]

Mr. Taylor: — Yes I do. Thank you, Mr. Chair. And from The Battlefords, welcome Minister. I don't have very many questions, and to a certain extent I'm just seeking some clarification on a number of matters. The Battlefords did go through emergency circumstances and for the most part, information dispersal was very good in The Battlefords.

But a number of issues are starting to come to my attention now. It's been fairly quiet as people have gone about trying to get renovations done and the assessment, etc., etc. But a couple of circumstances have come up, and I'm just trying to seek some clarification. One of them has to do with an individual property owner who owns a second house, rents that house out, and now would be considered, as I understand it, a small business. And that second house is not eligible under the program. Is that correct? And if it is correct, could you explain that to me a little bit?

Hon. Mr. Huyghebaert: — It is. That's one of the major changes, one of many major changes we made to the program where that is now eligible because it is classified as a small business, which was never classified before. That was a change that we made to the program this summer. So a rental house, from the owner of the house's perspective, that's a small business and it's eligible under PDAP for a PDAP claim. Again if it meets the criteria of being flooded by overland flooding not, again, sewer backup which is insurable.

Mr. Taylor: — I think there's one other piece of eligibility there as well. To be classified as a small business, the income off that property must be \$6,000.

Now a circumstance that has come to my attention, an older couple with an adult disabled son, who found that the disabled son, now in his 30s, needed some independence, still needed the protection of family. But a senior couple without a lot of income was able to purchase an older house. The son moved into that house, and the house was significantly damaged in the flood.

The parents of the disabled individual have been charging him \$300 a month because that works with his social services disability income. They have not been trying to recover any funding. They have not been trying to run a small business. They've been trying to give their adult disabled son some independence and not compromise his small disability income that he gets through social services.

The house, the basement collapsed in the house. They made the claim, and they've been told they're ineligible for any assistance under PDAP because they didn't charge their son enough money to rent this piece of property. I'm sure that this is

not the intent of the change. Is there any opportunity for this senior couple to become eligible under the program for the house that their son lives in? Or actually, he can't live in it anymore. He's been asked to leave. And the city has issued a demolition order which the family can't afford to pay on the property either. What suggestion do you have?

Hon. Mr. Huyghebaert: — I would ask them to submit it to us or give us all of the details you can, and we'll look at it as a one-off. I know the guidelines are there. Their DFAA guidelines is 6,000 to \$2 million is the criteria base for business. I was mentioning earlier that we've had some that are way over the 2 million of revenue — not profit, but revenue — and so that guideline is established. The guideline from DFAA wasn't established for situations like you're talking to. We'll definitely look at that one if you give us all the details.

Mr. Taylor: — I'd very happy to do that, and I thank you for that response. The second concern that was raised with me comes from the appearance perhaps or the fact that the program is aimed specifically at homeowners and not for contractors. Some contractors have met with me seeking additional communications with the ministry or the officials managing the program.

And this is the story that's outlined. In The Battlefords, as the minister would be aware, the flooding occurred in the central part of the city, the oldest part of the city. Many of the homes there are inhabited by seniors. And many of those homes are, well they're amongst the oldest in the city. Families or individuals have lived there for, in a number of cases, most of their lives. The contractors, after the flood, have been in and have suggested that — I'll just use some rough examples — to replace or to bring the basement back up to the quality that it was at before could be \$15,000. The seniors, not knowing anything different, are very happy with we'll have this replaced, that replaced, and something else replaced.

The contractors are . . . either have done the work or doing the work. Their concern is that they're getting no feedback as contractors because the program deals with the homeowner, not the contractor. But the contractors are concerned that they'll do \$15,000 worth of work; the final payment that the senior on fixed income gets could be 10,000, \$12,000. And now the contractor may be on the hook for 3, 4, \$5,000 worth of bills that can't be paid. There may not be many of them, but the contractors are saying to me they don't want to be the bank for this.

They want to know that the program recognizes their concern that people with very limited incomes and not knowing the full extent of the program might be contracting to make repairs that they can't actually afford. Does the minister have any comments in that regard? Is there any message I can take back to the contractors that says they aren't stranding vulnerable seniors, or they aren't becoming a bank for the financing of the repairs?

Hon. Mr. Huyghebaert: — Well I don't really have any word for contractors. But I would say, by putting it into perspective, if the adjusted amount on a dwelling was prepared, the homeowner as I mentioned earlier, could receive 60 per cent of that in advance once the adjusted amount . . . So I'm trying to

grasp what you're saying is. So if a person has a basement that is damaged and the adjusted amount is \$10,000 and a contractor charges \$15,000 to repair it — if that's what you're getting at — then there's a disconnect because the adjusters have adjusted it. And as an individual, I guess if you're looking at . . . In your own case for an example, if your adjusted amount is \$10,000, you probably wouldn't want to go over that price to a contractor.

Mr. Taylor: — I agree, Minister. I am a couple of weeks behind on the argument that I'm making. The majority of the cases that the contractors were talking to me about, the repairs were having to be done before the cold settled in. And the adjustments hadn't been done yet, so the families, the seniors, were wanting to get this work done. But they didn't have all the papers yet, and the contractor's trying to call the program to sort of outline where things are at and what position should they take because they didn't want to do the work until they had that stuff done. So there was some delay.

Now it is possible, and maybe you can tell me, it is possible that all that evaluative work is now done in The Battlefords. I don't know that. If it hasn't been done yet, then the circumstances still exist. If they have all been done, then the circumstance no longer exists.

Mr. Young: — Tom Young. Yes, I'm not familiar specifically with the situations that you raise, but certainly with regard to North Battleford or any part of the province, we continue to get applications in. So there could be still situations where the kind of scenario that you raised does exist in North Battleford.

What we do try to do is to provide, assign them an adjustor as quickly as possible to the claim once we've got the claim, and get the adjustor out as quickly as we can to do the work that the adjustor can do. And then that information gets back, and we then evaluate whether . . . Or we, pardon me, we discuss with the claimant as to whether they feel the adjusted numbers are accurate or not. Sometimes we've discussed with the claimant because the claimant feels that the numbers are not accurate or are not fair. We will send, on certain situations, a second person out there to look at things because sometimes things do get missed.

But what we try to do is get as accurate a picture as possible and the costs. And then the homeowner then needs to determine whether in fact their next step is to whether they accept those costs or whether they'll go out and get the prices. And then we will have a look when the prices come back.

Mr. Taylor: — Thank you. That's all my questions.

The Chair: — Thank you, Mr. Taylor. Is there any other questions for the ministry? Seeing no more questions, we'll proceed with voting. Vote 73, Corrections, Public Safety and Policing, adult corrections, subvote (CP04) in the amount of \$3,500,000, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. The public safety, subvote (CP06) in the amount of \$22,501,000, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Corrections, Public Safety and Policing, vote 73 in the total amount of \$26,001,000. I will now ask a member to move the following resolution:

Resolved that there be granted to Her Majesty for the 12 months ending March 31, 2011, the following sums for Corrections, Public Safety and Policing in the amount of \$26,001,000.

Mr. Chisholm. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Vote 73 agreed to.]

The Chair: — That concludes our discussions. Thank you, Mr. Minister, and your officials. If there's any closing remarks you could do that now.

Hon. Mr. Huyghebaert: — Thank you, Mr. Chair. I'd like to thank my officials for being here with me this evening and providing me with all of the information that I think I needed. And I'd like to thank the members for the questions. I think we explained, as best we could, the program and how it's worked. And I know that there's some, some that have maybe slipped through the cracks a bit, and we try and deal with them on a one-on-one basis as I explained. So again I'd like to thank the committee for their time this evening. And that's all I have for this evening.

The Chair: — Thank you Minister Huyghebaert and your officials. And thank you for the committee. I would ask that we have a motion to adjourn at this time. Mr. Brkich.

The motion is to adjourn. That concludes our discussions. Good night.

[The committee adjourned at 20:29.]