



# STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

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**STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE**

Blaine McLeod, Chair  
Lumsden-Morse

Jacqueline Roy, Deputy Chair  
Regina Northeast

Brad Crassweller  
White City-Qu'Appelle

Leroy Laliberte  
Athabasca

Hon. Jamie Martens  
Martensville-Blairmore

Megan Patterson  
Moose Jaw Wakamow



[The committee met at 15:56.]

**Chair B. McLeod:** — And good afternoon and welcome to the Standing Committee on Intergovernmental Affairs and Justice. My name is Blaine McLeod and I will be the Chair today for this committee.

Introducing the MLAs [Member of the Legislative Assembly] that are with me here today: MLA Brad Crassweller, MLA Jamie Martens, and MLA Megan Patterson. And on my left chitting in today for MLA Laliberte is MLA Don McBean, and chitting for Jacqueline Roy is MLA Nicole Sarauer. So welcome, everyone. I appreciate your attendance to this committee meeting today.

The Clerk of the Legislative Assembly has just received a letter from MLA Nippi-Albright, advising the Assembly that effective immediately she will be sitting as an independent member of the Assembly.

Rule 123(2) states that “. . . the Deputy Chair shall be an opposition Member, unless otherwise specified in the Rules.” As MLA Nippi-Albright is no longer part of the official opposition, she is no longer able to serve as Deputy Chair of this committee. Therefore our first item of business today will be to elect a Deputy Chair. I will now call for nominations for that position, and I recognize MLA Sarauer.

**Nicole Sarauer:** — Thank you, Mr. Chair. I move that Jacqueline Roy be elected to preside as Deputy Chair of the Standing Committee on Intergovernmental Affairs and Justice.

**Chair B. McLeod:** — MLA Sarauer has nominated MLA Roy to the position of Deputy Chair. Are there any further nominations? Seeing none, I would now invite one of the members to move a motion. One moment. We'll get the motion.

**Nicole Sarauer:** — I'm sorry. I support the motion that I've just moved.

**Chair B. McLeod:** — It has been moved by MLA Sarauer that Jacqueline Roy be elected to preside as Deputy Chair of the Standing Committee on Intergovernmental Affairs and Justice. All in favour of the motion?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — All those opposed? I declare the motion carried.

[16:00]

**Bill No. 56 — *The King's Bench Amendment Act, 2026/Loi modificative de 2026 sur la Cour du Banc du Roi***

**Clause 1**

**Chair B. McLeod:** — So today we will be considering three bills. We will first consider Bill No. 56, *The King's Bench Amendment Act, 2026*, a bilingual bill, beginning with consideration of clause 1, short title.

Now Minister McLeod is here with officials. And I ask that

officials please introduce themselves before they speak for the very first time, and please do not touch the microphones. The *Hansard* operator will turn them on for you when you speak. Minister, I invite you to please introduce your officials and make your opening comments.

**Hon. Tim McLeod:** — Well thank you very much, Mr. Chair. And good afternoon, committee. Joining me at the table today is Rory Jensen, assistant deputy minister for courts and community justice division. Also joining me at the table is Kara Moen, Crown counsel, legislative services. At the table behind us we have Maria Markatos, K.C. [King's Counsel], and my chief of staff, Max Waldman.

Mr. Chair, I'll offer some brief opening remarks for Bill 56, *The King's Bench Amendment Act, 2026*, including an explanation of a House amendment that will be put forward.

This bill will amend *The King's Bench Act* to create a new category of judges called associate judges. Associate judges are provincially appointed judges that will support the court's work in family and civil matters. Mr. Chair, I want to be clear that associate judges will not be replacing federally appointed judges, but rather they will be an additional resource used to improve case flow and to reduce delays. Specific duties and sitting locations will be determined by the Chief Justice of the Court of King's Bench, allowing the court to allocate resources where they are needed most.

This bill sets out a list of restrictions on associate judges' jurisdiction, which includes criminal matters, hearing oral evidence, and injunctions. Salaries and benefits will initially be set by the Lieutenant Governor in Council, which will be followed by a compensation committee. The commission will follow the same procedure as the one used for justices of the peace. The bill establishes a review council to address allegations of misconduct or incapacity of an associate judge.

And finally the bill introduces an unrelated amendment to the regulatory powers provision to allow for the designation of beneficiaries under the registered plans that are not named in *The King's Bench Act*. This will address a legislative gap that exists when new registered plans are created, such as a first home savings plan.

Mr. Chair, the government will be putting forward a House amendment to the appointment provisions found in section 3.1-2 of the bill. The amendment would restrict eligibility to individuals who have belonged to a Canadian bar for 10 years preceding their appointment. A new subsection (3) has also been added, or will also be added, to require the Chief Justice to review the applications for associate judge positions and provide recommendations to the minister regarding appointment.

This bill was a collaborative effort with the Court of King's Bench, and we sincerely thank the court for its involvement on this project. With that, Mr. Chair, I welcome any questions respecting Bill 56, *The King's Bench Amendment Act, 2026*.

**Chair B. McLeod:** — Thank you, Minister. I will now open the floor to questions, and I recognize MLA Sarauer.

**Nicole Sarauer:** — Thank you, Mr. Chair. And thank you, Minister, for your opening remarks. And I appreciate the amendments that you plan to put forward. Just to get started on this bill, could you provide the committee a background of how this conversation and legislation came to be?

**Hon. Tim McLeod:** — The conversation has been ongoing for a few years with the Court of King's Bench. The Chief Justice of the court has spoken to myself and prior ministers of Justice and Attorney General about these positions being created. And so, over time and with a lot of consultation, together with the court we were able to put forward these positions in this year's budget.

**Nicole Sarauer:** — And how do these associate judge positions compare to what exists in other jurisdictions?

**Kara Moen:** — Kara Moen, Justice and Attorney General. So there are similarities with other legislation. There are five other provinces already that have associate judges or applications judges. And our legislation, we certainly reviewed other provinces' legislation when creating this, and so there will be the ability . . . In terms of duties, we modelled it after Manitoba and Ontario on certain restrictions that we have. But it's the same idea that we're empowering a new supportive tier of judges to assist the superior court.

**Nicole Sarauer:** — Can you explain to the committee why this is needed for King's Bench?

**Hon. Tim McLeod:** — So a couple of reasons. Certainly increased workflow in the court. As you very well know, the reasons for decisions have been increasing over time, and that applies pressure to all of our judges' time.

We currently have three vacancies on the Court of King's Bench as well. So those judicial vacancies that are federally appointed, we've been lobbying the federal government for a couple of years now to make sure that we get that full complement. But not having the full complement of judges at that court has applied additional pressure.

An increasing complexity in cases, I would say, as well. Not just the volume of work, but the complexity of the cases before the court. So all of those things have added pressure to the Court of King's Bench. In addition I would say that the volume of work is largely a result as well of just a growing province. We have more population than we had 10 years ago, and I think that's another factor. All of those factors combined have really created a need that this particular position is well suited to address.

**Nicole Sarauer:** — As you mentioned, you've been lobbying with the federal government to have those vacancies filled. Any insight as to why they seem to be delayed, the federal government, in filling these positions?

**Hon. Tim McLeod:** — Well we don't have any clear answer. We know that we're not alone in that. All of the provinces — I will say almost all; I think it's all, but if not, almost all — have vacancies at their superior court level. So I know the federal government is hearing from all of the provincial governments about this concern. But we, for the interests of Saskatchewan, are certainly pressing as hard as we can to make sure that we get the full complement of judges because, quite frankly, I'm of the view

that a full complement, if not an expanded complement, is appropriate for our province.

**Nicole Sarauer:** — Have you been advocating with the federal government for more seats at the King's Bench level as well?

**Hon. Tim McLeod:** — Yeah, that's what I meant by an expanded complement. Yeah, so the first order of business would be to fill the seats that we have, but requests for an expanded complement are also appropriate. Do you have something you wanted to add?

**Rory Jensen:** — Rory Jensen, assistant deputy minister, courts and community justice. For the last number of years the Chief Justice for the Court of King's Bench, with the support of the minister, has been requesting between two and four additional judges for the superior court.

**Nicole Sarauer:** — Thank you. Let's talk about the work that the associate judges will be doing. I understand — correct me if I'm wrong — that that will be largely decided by the Chief Justice, but there are some restrictions in the legislation. Can you speak a bit about the work that they will be doing and why the restrictions were deemed necessary?

**Hon. Tim McLeod:** — Sure. So you're exactly right. The Chief Justice will be responsible for assigning the associate judges, both in their location and in the nature of their duties. I think it's important to note that the associate judges will have the same jurisdiction as judges of the court; however there will be some exceptions.

Applications to set aside, vary, or amend an order of a judge would be outside the jurisdiction of an associate judge; applications to abridge or extend a time in an order that an associate judge could not have made; contentious questions of fact, unless decided in chambers on affidavit evidence; criminal proceedings; applications relating to civil contempt or an injunction, judgment or order in the nature of certiorari prohibition, mandamus, or quo warranto; or anything that constitutionally must be done by a superior court judge.

**Nicole Sarauer:** — Let's talk a bit about how the appointment process will work. You've mentioned that an amendment is coming forward that will clarify that the Chief Justice will make a recommendation to the minister.

Could you explain why the choice was made to not use — and I forget the formal term of the judicial committee that appoints or makes recommendations to the minister for Provincial Court appointments — can you explain why that process was not chosen for this process?

**Hon. Tim McLeod:** — Yeah, a couple of reasons, I would say. First of all, I think it's important to remember we're talking about four positions. And once these positions are appointed, they're typically held until an individual retires or they reach the age of 70. So there's not going to be a lot of them. And in consultation with the Chief Justice it was determined that the process that we've arrived at is preferred.

And certainly we can evaluate. If these positions grow and expand, and there's a lot more of them, if there's a need to stand

up an entire council, that's something that we could look at later. But for the time being, with the number of positions, the nature of work, and the process that we've arrived at in consultation with the Chief Justice, this was deemed to be the appropriate path.

**Nicole Sarauer:** — And what will the application process look like for somebody who has interest in this position?

**Rory Jensen:** — So the positions will be publicly advertised. The ministry will support the Court of King's Bench in the administrative functions we're gathering, posting job advertisements on various sources. The critical one will be with the Law Society website.

And we will help support gathering to share the applications with the Chief Justice for review and also support kind of the general administrative functions. The screening and interview process will be with the court, as they will know . . . have the best set for what the requirements would be. But the ministry will provide kind of that support function to publicly advertise these positions and gather the applications.

**Nicole Sarauer:** — Yes, thank you. Let's lastly speak a bit about the remuneration for these positions. I understand, I think you said that they will be initially set by the ministry, but there will be a committee that will make a determination. Just could you speak a little bit about what the salary will be at the start? And then the process for what it will look like moving forward.

**Hon. Tim McLeod:** — Sure. So the annual salary at first instance will be aligned with justices of the peace at approximately \$195,000. Compensation for associate judges can initially be determined by the Lieutenant Governor in Council, but a compensation committee will ultimately be stood up to evaluate the salaries on an ongoing basis.

**Nicole Sarauer:** — How long will it take for the compensation committee to be established and their recommendation made on that salary?

**Rory Jensen:** — So in the legislation we have determined that the initial compensation commission will need to take place within nine months of the coming into force on the Act. After that it will be aligned with how the Provincial Court judges' and the justices of the peace's compensation cycle is, which is every four years after that.

**Nicole Sarauer:** — Other jurisdictions that have similar positions tie these types of judges' remuneration to Provincial Court judges. Is that the intent of the ministry?

**Rory Jensen:** — Well the Justice of the Peace compensation, which these positions will be aligned with, is tied to provincial, is 51 per cent of the Provincial Court judges' salary. That's what the initial set rate will be. So then the rest will be left up to the determination of a compensation commission.

**Hon. Tim McLeod:** — If I could add to that point. One of the factors that, as Rory mentioned, that will be evaluated over that nine months is specifically tied to the nature of work that these individuals are assigned by the Chief Justice. So at the outset we anticipate that it will align most closely with the Justice of the

Peace, which is why that's where the salary is being initially set.

[16:15]

But what's ultimately put forward as a submission or an expectation from the compensation commission, what that commission will be considering is the nature of the work largely that we don't yet know because the Chief Justice hasn't assigned it.

**Nicole Sarauer:** — Now my understanding, and correct me if I'm wrong, is that other jurisdictions tie it much closer to a Provincial Court judge's salary. So it's significantly higher than what would be this current rate or 50, 51 per cent. Sorry, I forget what the percentage was, but near 50 per cent of what the Provincial Court judge's salary is. It's much closer to being comparative to a Provincial Court judge's salary.

And I only express this in the assurance that you're able to get folks apply for these important jobs. And you and I both know that getting people to apply to the bench is always something that the ministry is advocating for. So is the intention of the ministry to, and I understand that there will be a committee process, but to more closely align it so it's commensurate with what a Provincial Court judge makes?

**Hon. Tim McLeod:** — I would say that the intention is to most closely align it with what's commensurate with the nature of work that's assigned. We can't know at this point in time what this type of position in another province, the nature of the work that they're doing compared to what the nature of the work that these individuals will be doing. That will be something for the compensation committee to evaluate.

**Nicole Sarauer:** — Thank you. And can you explain for the committee's understanding what the complaints process will look like for associate judges? I know that's in the legislation.

**Kara Moen:** — The Act will establish an associate judges review council composed of the Chief Justice of the Court of King's Bench, a judge appointed by the Chief Justice, and a person appointed by the Lieutenant Governor in Council. The procedures of the review council will mirror those in *The Provincial Court Act, 1998*. The council's responsible for receiving, investigating, and making determinations on allegations of judicial misconduct and incapacity.

The chairperson would do an initial investigation, and they can dismiss the complaint or refer it to council for further review. And a hearing committee consisting of a judge, Provincial Court judge, and lawyer would be struck to generate a report which would then be provided to council to make a determination.

**Nicole Sarauer:** — Thank you. And what other access-to-justice measures are the ministry looking at to address access to court time issues?

**Hon. Tim McLeod:** — Thanks for the question. So obviously these four positions are directly related to access to justice. We also in this year's budget added six more Justice of the Peace positions. We've added three Provincial Court judge positions, expanding the complement of Provincial Court judges.

And we also have now stood up the two bylaw court hubs and traffic safety courts to alleviate some of the pressures that we're seeing in our more heavily populated areas, granting greater access to justice for the rural communities that are using those.

**Nicole Sarauer:** — Thank you. No further questions.

**Chair B. McLeod:** — Seeing no more questions, we will proceed to vote on the clauses. And as you know, it is a bilingual bill so it'll take a little longer, but we'll get through it.

Clause 1, short title, is that agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 4 inclusive agreed to.]

### Clause 5

**Chair B. McLeod:** — Clause 5. I recognize MLA Martens.

**Hon. Jamie Martens:** — Thank you, Mr. Chair. I'd like to move an amendment, please, to:

#### Clause 5 of the printed Bill

Amend section 3.1-2, as being enacted by Clause 5 of the printed Bill, by striking out subsection (2) and substituting the following:

“(2) No person is eligible to be appointed as an associate judge unless the person is a member in good standing of the bar of one of the provinces or territories of Canada and has been such a member for at least 10 years immediately preceding the day on which the person is appointed.

“(3) The chief justice shall:

(a) review applications for the position of associate judge; and

(b) make recommendations to the minister regarding proposed appointments to the position of associate judge”.

**Chair B. McLeod:** — MLA Martens has moved an amendment to clause 5. Would any members like to speak to the amendment? Do committee members agree with the amendment as read?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried. Is clause 5 as amended agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried.

[Clause 5 as amended agreed to.]

[Clauses 6 and 7 agreed to.]

**Chair B. McLeod:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The King's Bench Amendment Act, 2026*, a bilingual bill.

I would ask a member to move that we report Bill No. 56, *The King's Bench Amendment Act, 2026*, a bilingual bill, with amendment. MLA Crassweller moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried. So thank you for the process that we've just gone through, Minister and your officials. Appreciate it so much. I always learn quite a bit regarding legal matters when we have those conversations, so I appreciate that. Any closing comments, Minister?

**Hon. Tim McLeod:** — Just briefly, thank you, Mr. Chair. I want to thank the committee and specifically Ms. Sarauer for her questions. Thank you to my officials as always for continuing to do just wonderful work for the people of Saskatchewan and for the Ministry of Justice. Thank you too of course, Madam Clerk and *Hansard* and broadcasting services. But I would also be remiss, Mr. Speaker, if I didn't specifically thank the Chief Justice of the Court of King's Bench, who has been instrumental and a great partner in working together with this legislation.

**Chair B. McLeod:** — Any closing comments, please.

**Nicole Sarauer:** — Thank you, Mr. Chair. I'd just like to join with the minister in first thanking yourself and the committee for their work this afternoon. Thank the minister for answering my questions as well as his officials for all the work they do each and every day, including the minister's chief of staff. I very much appreciate it. Thank you to *Hansard* and broadcast services for their work as well.

#### Bill No. 54 — *The Correctional Services Amendment Act, 2026*

### Clause 1

**Chair B. McLeod:** — Great. Thank you so much, everyone. Next we have consideration of Bill No. 54, *The Correctional Services Amendment Act, 2026*, beginning with clause 1, short title.

I'll just take a moment for getting the seats changed here. I should have anticipated that change. I knew it was coming. Apologies for just jumping in. Minister Weger is here with officials. And I would ask that officials of course introduce themselves before they speak for the first time, and please don't touch the microphones. The *Hansard* operator will turn them on for you when you speak.

Minister Weger, welcome, and please introduce any new officials and make your opening comments.

**Hon. Michael Weger:** — Thank you, Mr. Chair. I'm pleased to be here today to discuss *The Correctional Services Amendment Act, 2026*, my first bill as a minister, Mr. Chair.

I am joined by the Ministry of Community Safety deputy minister, Denise Macza, on my left and Assistant Deputy Minister Scott Harron on my right, as well as other officials from the Ministry of Community Safety.

This Act is being amended in part in response to the Supreme Court of Canada's recent ruling that Saskatchewan's legal framework for major disciplinary hearings is unconstitutional and violates the Charter of Rights and Freedoms. Major disciplinary hearings now require independent adjudication and the criminal standard of proof.

Despite regulatory amendments passed in the fall of 2025, changes to the Act are needed to bring the entire legislative regime into compliance with the Charter. Administrative segregation provisions are also being amended to provide better oversight, time limits, and safeguards for vulnerable inmates to ensure compliance with the Charter based on recent court decisions in other jurisdictions. Additional amendments will relocate inmate transfer provisions to the regulations and address other certain matters.

These legislative amendments will allow for proportionate, effective sanctions that deter organized crime, drug trafficking, and violence within our correctional facilities. This will strengthen institutional security and advance broader public safety goals. Thank you, Mr. Chair.

**Chair B. McLeod:** — Thank you, Minister. I will now open the floor to questions. I recognize MLA Sarauer.

**Nicole Sarauer:** — Thank you, Mr. Chair. And thank you, Minister, for your opening comments, and welcome to your first bill committee. I promise I make it as painless of a process as possible most of the time.

[16:30]

You answered some of my questions in your opening remarks. Just to get started, could you provide information for the committee's understanding around administrative segregation numbers in this province as they exist at the most recent count? Or whatever numbers are most easily and readily available for your officials.

**Scott Harron:** — Scott Harron, assistant deputy minister of custody services. Last year we had three people over the course of the entire year who were placed on administrative segregation. This year we have had none so far. Certainly our goal is to use it as a last resort. We've been doing a good job of that. Over the past I think four or five years we've decreased the use of administrative segregation by 99 per cent, so that really is very much just a "we have no other choice" situation.

So these amendments are great to have and safeguards to have, but not used very often.

**Nicole Sarauer:** — And how does the ministry currently define administrative segregation?

**Scott Harron:** — So in the current correctional services Act, 2012, the definition of segregation is in 2(dd), which is "the separation of an inmate from the general inmate population of the

correctional facility in which the inmate is being confined or detained." So a very general definition around essentially removing somebody from the general population and placing them somewhere else.

Whereas of course the amendments in the new bill bring that to the Mandela rules, placing limits around how long somebody can be in there and making sure that they have time out of cell for a certain number of hours a day.

**Nicole Sarauer:** — Thank you for that. On the Mandela rules in particular, rule 45(2) states that segregation should be prohibited where a person's mental disability would be exacerbated by that placement. Has the ministry considered embodying that rule in section 59?

**Scott Harron:** — So yes, the amendments in the Act allow us to create restrictions within the regulations. Those are certainly some of the considerations we're taking into account when it comes to the next round of regulation amendments that are going to have to go through. People who would have mental health challenges that might be exacerbated in this time, women who are pregnant is also part of that, as well as a couple others.

**Nicole Sarauer:** — Furthermore this legislation deals with the process of administrative segregation but not the conditions. Comparative federal legislation sets minimums for time outside one's cell, for example, meaningful human contact requirements, and some other important minimum standards which aren't in this legislation. Has the ministry considered including those in the Act?

**Scott Harron:** — So we stuck pretty closely to the Mandela rules and what the other provinces were doing. There will be some policy changes that come along with that that will address those types of matters in terms of time out of cell. There'll also be a requirement for a health care evaluation every day in order to make sure that the person's in good health while they're there.

**Nicole Sarauer:** — Can you speak to what other jurisdictions have in terms of legislated administrative segregation condition requirements?

**Scott Harron:** — My lovely policy people tell me that no other provinces have put that in their legislation.

**Nicole Sarauer:** — Now correct me if I'm wrong. One of the requirements in one of the court decisions you had cited as a catalyst for these amendments is that the hearing adjudicator for inmate disciplinary proceedings be independent. Is that correct?

**Scott Harron:** — Yes.

**Nicole Sarauer:** — Now this legislation gives the power to prescribe who's a hearing adjudicator, which is currently a Justice of the Peace, in the regulations. Correct?

**Scott Harron:** — Yes, that's correct.

**Nicole Sarauer:** — Why wasn't that instead put into the Act?

**Scott Harron:** — So the JP [Justice of the Peace] process is new in the correctional facility. It's actually the first in Canada to go

that far down the road of independence. It's in the regulations in case that doesn't work, to put it bluntly, and then we can pivot from there. We fully expect that it will but that gives us the operational flexibility to change it if we need to.

**Nicole Sarauer:** — But just for assurance of stakeholders, there is the commitment from the ministry that, as required in the court decisions, that the hearing adjudicator will remain an independent individual?

**Scott Harron:** — Absolutely. So even if for some reason that was to change, we would still need to meet all the requirements of the Supreme Court. That means the decision maker has to be completely independent from the ministry. Whether it's other provinces that have that based in, let's say, a central office, we're not going in that direction. It would be independent. But as I said, we expect the justices of the peace and the court model will work quite well.

**Nicole Sarauer:** — One of the concerns I heard about this bill is that section 77(1)(c) permits that a person be confined to their cell for up to three days. Some feel that this is not compliant with the John Howard Society Supreme Court decision. Can you comment on that please?

**Scott Harron:** — So we are aware of the position of that stakeholder in that regard. The Supreme Court of Canada elected not to decide on minor offences when the Supreme Court of Canada decision came out, and I'd say we don't agree with that position. That particular section refers to leisure time within minor discipline. These individuals are still out for programming. They're still out at different times. It's just that leisure time that gets taken away.

**Nicole Sarauer:** — Thank you. No further questions.

**Chair B. McLeod:** — Seeing no more questions, we will proceed to vote on the clauses. Clause 1, short title, is that agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 15 inclusive agreed to.]

**Chair B. McLeod:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Correctional Services Amendment Act, 2026*.

I would ask a member to move that we report Bill No. 54, *The Correctional Services Amendment Act, 2026* without amendment.

**Megan Patterson:** — I so move.

**Chair B. McLeod:** — MLA Patterson moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried. Thank you, Minister Weger. That

was not a trial by fire by any means for your first one. That is great. Any closing comments, please?

**Hon. Michael Weger:** — Thank you, Mr. Chair. I'll thank you for being such a good Chair. And thank you, MLA Sarauer and the committee members. MLA Sarauer, thank you for the questions. And thank you for the legislative staff. And of course, thank you to my ministry officials for being here with me today. I appreciate it. Thank you.

**Chair B. McLeod:** — Awesome. Any closing comments from members? Please.

**Nicole Sarauer:** — Thank you. I'd like to join with the minister in first of all thanking you, Mr. Chair, as well as the entire committee for their work this afternoon. Thank you, Minister, for answering my questions. Thank you to your officials for answering questions today and also for the work that they do on behalf of the people of the province each and every day.

I'd also like to thank *Hansard* and broadcast services for their work, as well as the committee Clerk as well.

**Chair B. McLeod:** — Well thank you, everyone. This has been very good. And for the short time that officials were here, we appreciate that so much. Some will be staying I think for the next round. Oh no, that's not correct. We'll be changing out.

So let's take a short break. Let's take five minutes, a washroom break, whatever is required. And just appreciate again the fact that you took the time to be with us today. And my thanks to the *Hansard* official as well for his role in making this happen today. So five minutes and we'll be back at it. Thank you.

[The committee recessed for a period of time.]

[16:45]

**Chair B. McLeod:** — Thank you, everyone. We're back in session here with Intergovernmental Affairs and Justice. And the next bill is Bill No. 54, the correctional services . . . No, I'm on the wrong one. Sorry.

#### **Bill No. 52 — *The Heritage Property Amendment Act, 2026***

##### **Clause 1**

**Chair B. McLeod:** — The next bill is no. 52, *The Heritage Property Amendment Act, 2026* without amendment. I started in the wrong spot. So let's back up, and I will just take one more run at it.

Finally we have consideration today of Bill No. 52, *The Heritage Property Amendment Act, 2026* beginning with clause 1, short title. Now Minister Ross is here with officials, and I ask that officials please introduce themselves before they speak for the first time, and please do not touch the microphones. The *Hansard* operator doesn't like that very much. No, I'm sorry, he will turn them on for you when you speak.

Minister Ross, please introduce any new officials that have joined us and make your opening comments, please.

**Hon. Alana Ross:** — Okay. Thank you, Mr. Chair. Today I would like to start by introducing my officials. To my left is Dan French. He is our assistant deputy minister of Parks, Culture and Sport. And to my right I have Tom Richards, executive director of the heritage conservation branch. And I think behind me possibly is Elias Nelson, my chief of staff. He's there?

Bill No. 52 introduced amendments to *The Heritage Property Act* resulting in a new non-refundable application fee for archaeological and paleontological investigation permits.

Investigation permit applications and fee payments will be made through the new heritage resources online regulatory system and will be retroactive to April 1st of 2026. Heritage resource screening was developed to streamline heritage approval for development and infrastructure projects. The 2026-27 estimates will list the bill as a specified budget bill pursuant to rule 34(1)(c) of the *Rules and Procedures of the Legislative Assembly of Saskatchewan*.

Thank you for the opportunity to speak on this important file, and we would be happy to answer any questions that you may have this afternoon.

**Chair B. McLeod:** — Thank you, Minister. I will now open the floor to questions, and I recognize MLA McBean.

**Don McBean:** — MLA McBean. Thank you very much, Minister. I'm a late representative called in to do this, and what a . . . It's a real pleasure to do this. I've learned very much more about the archaeological and paleontological environment in Saskatchewan. And as you would have heard most of us say when we were standing and doing adjourned debate, the question was consistently, why are we doing this?

And so I get to be the one to ask that question. Why are we doing this?

**Dan French:** — Hi, yeah. My name is Dan French, assistant deputy minister with the Ministry of Parks, Culture and Sport. I will turn it over in a minute for Tom as the subject matter expert. But first, so we've developed a new system — a unique system, unique in Canada, one of the first of its kind — Saskatchewan-made system, where we are in one aspect continuing and further protecting heritage-sensitive areas in Saskatchewan. But what is very unique and very much appreciative to industry is this new system.

We get about 5,500 applications a year for review for heritage through a variety of industries, oil and gas or subdivision development for an example. And out of those 55, they've come through our office to ultimately seek approval for development.

What this new system does is now in most cases we'll give instant clearance to those industry now, with an estimated savings to industry about \$12 million a year. But not all cases will get instant clearance. There's still some sensitive areas that are going to require ground truthing, if you will, and that requires a permit. And then that's what that permit . . . There's around 200 permits a year issued, and that's where this new fee will help offset some of the minor costs for this new system.

And maybe I can turn it over to Tom specifically about the permit

itself.

**Tom Richards:** — Yes. Tom Richards, executive director of the heritage conservation branch.

So previously, under *The Heritage Property Act*, before the amendment that's before you, permits were required for any archaeologist or paleontologist who wanted to do any kind of archaeological work in Saskatchewan, whether it was for research or in advance of a development project where they would be doing an assessment of potential impacts to the heritage resources.

Now we're asking to put a fee on that permit, only on certain of the permits — the ones that are related to impact assessments, which number about 200. The other fees for amateur archaeologists and paleontologists who want to collect a few artifacts or fossils, or university researchers who are doing research, there's no fee. But in total, those might be 10 or 15 permits a year.

The permit fee will cover our projected costs, the ongoing support and maintenance costs for the heritage resources screening system that Dan French described in some detail. And because you will be applying for the permits online through that system, it's reasonable to charge the fee on the permit application to support the system, which, as Dan said, is estimated to save industry in Saskatchewan about \$12 million, mostly in wait time costs, because of the quicker approvals and the instant clearances.

And it's in line with . . . In fact it's less than fees that are charged in other jurisdictions. For example Alberta charges . . . We're contemplating a lesser fee than the 700 that's being charged in Alberta; recently it has gone up from 500. Because we're introducing this fee, we're looking at a lower level than that, enough to cover those ongoing support and maintenance costs. In British Columbia you could be paying a lot more than that. It's depending on where you're doing the work. The fees are charged by First Nations rather than the government.

**Don McBean:** — Great. And you answered most of the next seven questions that I might have considered. But some of this, just because it's so new to me . . . The difference between the 5,500 applications and the 200 permit applications, what are the 5,500 applications?

**Tom Richards:** — Yes, so the 5,500 that Dan was mentioning, those are the number of development proposals that are submitted to the heritage branch through the new system. You would screen your proposal on the screening tool. It's a GIS [geographic information system] tool. It tells you right away if it's in a heritage-sensitive area or a non-sensitive area.

And if it's in a non-sensitive area, you get an instant clearance and a document is generated by the system, which you can use to demonstrate that you have considered heritage for other approval authorities. So just for your records in case you're ever questioned.

But if it is in a heritage-sensitive area, you're directed to complete a development submission, which is just a description of the development with a few more details. That's still not a

permit. This is just a submission. And then that goes through to review by one of our archaeologists at the heritage branch. Or you have an option, if you're a developer, to submit it to a consultant archaeologist outside of government who would also use the system to review that project.

And that's where it's determined if you need to do a heritage resources impact assessment, so a field assessment of the potential impacts of your project. And then you're notified as a developer if that's the case. Or if not, which is the majority of cases, you then get heritage clearance in a letter that's generated in the system.

If you do need to go on with that, you're given guidance to employ a consultant archaeologist to undertake that fieldwork. And that archaeologist would require a permit to do the fieldwork, and that's where the fee comes in.

**Don McBean:** — Okay. One of the questions did sort of go around the amount of money that might be generated. It was supposed that some of this fee would be applied toward the online heritage resource application. And so people I was speaking with today, I said, so how many applications are we talking about? And what do we think the fee might be?

[17:00]

And I heard from someone with SAPA [Saskatchewan Association of Professional Archaeologists] that, you know, maybe 200 a year. And so I thought . . . Or maybe that was with the Saskatchewan Archaeological Society. Anyway I was speaking with a few different people today and the math on that, 200 times whatever the fee might be . . . And so when I heard the number 5,500 I thought, oh, that's very different.

But so you've already said that it'll be less than Alberta. My Google told me that Alberta was charging 500. It's obviously not up to date because you say it's been raised to seven. And that's another one of the big questions sort of is, you know, what are the criteria for the fee? How will it be determined? All the bill is suggesting is that it will be determined in regulation. So which way are we headed with that do you think?

**Dan French:** — Right. So point of clarification too. So the fees are going to be charged approximately about 200 permits a year. So majority of that 5,500 will get clearance to start developing. Or from our perspective — there's more regulatory bodies out there of course, but from a heritage perspective — majority of those will get instant clearance.

So the fees itself like . . . So as you're aware, the amendments we're doing here now is to actually allow us to charge fees. So yeah, the thought right now was around that couple hundred dollar range, but that's still under consideration. That's going to be going through the regulation process. So it's going to be certainly much less than Alberta for sure.

**Don McBean:** — Is there a timeline? I see, you know, it's retroactive to April 1. Is there a timeline for when that fee is going to be determined?

**Dan French:** — No, it would be just through the regulation process. So once we go through that process, that'll be the final

determination. The Act itself will be retroactive to April 1; the fees won't. So the permits that have been given now, we will not be seeking retroactive payment from them.

**Don McBean:** — Okay, so 79(c)(2) “. . . made retroactive to a day not earlier than April 1 . . .” is just about the Act?

**Dan French:** — Correct.

**Don McBean:** — Okay. There you go then. Answers that question as well. So the catalyst for charging a fee has been the development of the online heritage resource. Prior to that, Saskatchewan — again according to Ms. Google — was, you know, completely without cost. The ministry and the heritage board just did that as part of their work. But by streamlining it, there's a cost with the online. And the charge will offset some of that cost? Previously . . .

**Dan French:** — Yes, that's correct. There is an annual maintenance fee to that new online system. So the intent is to have it completely offset. That's the intent. And so I will say, before this online system, as of last year, and it varies from year to year but the average wait for approval is around 47 days.

And so this new online system, which has been . . . It's a little bragging rights; Tom's idea. It's Tom's child. He came up with this thought six years ago. And we just launched it this February, so it took some time. Very, very proud of it. We've had other jurisdictions actually ask for our time to see how we did this. And then so those 47 days now are going to be either instant clearance or down to 14. That's the target for those that are in sensitive areas.

**Don McBean:** — Yeah. And again in speaking with someone from SAPA and the archaeological society, they brought me a little bit up to speed about this and mentioned that, in their wish at least, it would — what did they say? — increase capacity and remove the bottleneck that they currently felt was in place.

So that won't result in any sort of change in staffing. If anything, it just . . . the staffing within the heritage resource sector is going to stay about the same. There should be no need for more or less?

**Dan French:** — That's correct. There'll be no increase in staff. And it'll actually free up some staff for some other priorities that we've been challenged with as well.

**Don McBean:** — I'm curious because in again speaking with people today, it was described to me at one point as similar to an environmental impact. Is there a charge that . . . or you know, the same process that if you're going to do some development, if you're going to do some ground-disturbing activities, you might need to have an environmental impact. Is there a charge with that sort of impact assessment? Or are we aware? If it's in a different branch, I get it.

**Dan French:** — Yeah, it's a different branch so we're not aware of that. We're certainly aware there is . . . Like with Water Security Agency, for an example, or Ministry of Agriculture, Ministry of Environment, there are other regulatory bodies that require approvals as well, depending on the development and depending on the location. We're certainly just . . . our focus is aspect on protecting Saskatchewan's heritage.

**Don McBean:** — Okay. If I'd had another half hour, maybe I could have found that out myself. I'm not sure that I have any further questions. It was suggested that there might be . . . somehow this fee would be a deterrent or disincentive to people. But honestly in speaking with the people today that I did, they mostly said . . . Well when I was speaking to the consultant archaeologists, you know, they said, well that's just a cost that gets passed on to the developers. So I can't see that it would be a disincentive.

And the other concern was — and I think, Mr. Richards, you specified this, that it's not; it's more for the development and property developments and larger-scale things — if my friend who has some prairie, original prairie on a quarter section of his land down by the landing, if he decides to build something or dig a bit, he wouldn't have to go through that sort of permitting. Is that accurate?

**Dan French:** — No, there is still . . . Like any development's going to require the permitting. So we certainly work with every development process. But if there's going to be some disturbance in . . . But like I say, in most cases it would probably be instantly cleared.

**Don McBean:** — Okay, I have no further questions.

**Chair B. McLeod:** — Seeing no more questions, we will proceed to vote on the clauses. Clause 1, short title, is that agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 5 inclusive agreed to.]

**Chair B. McLeod:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan enacts as follows: *The Heritage Property Amendment Act, 2026*.

I would ask a member to move that we report Bill No. 52, *The Heritage Property Amendment Act, 2026* without amendment. MLA Martens so moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried. So thank you, Minister Ross. It is indeed an important piece of legislation and a good bill that we've approved tonight. And I appreciate your attention to this. And I'd ask if you have any further comments in closing the evening out.

**Hon. Alana Ross:** — Thank you, Mr. Chair. And thank you to the committee for approving this important piece that's going to really expedite development for our province. And also thank you to *Hansard* and to broadcasting today and to the committees. And thank you, you know, for your line of questioning and for being here today. And thank you for my officials for attending here today as well. Thank you.

**Chair B. McLeod:** — Any closing comment from MLA

McBean?

**Don McBean:** — To echo, and I think we've heard, it will be the third round of thanking *Hansard* and committee and all of those people. I'm sure you know just how appreciated you are to be here and doing some of this. And to be able to get on a steep learning curve of archaeology and paleontology activity, it's been real fun. And I'll be able to follow its progress a little more carefully now, closely. So thank you, everyone. Thank you, Chair.

**Chair B. McLeod:** — Thank you so much. And I know we all look forward to the next T. rex that's found in Saskatchewan. Scotty needs company. So that concludes our business for today. And I would ask a member to move a motion of adjournment. MLA McBean has moved. All agreed?

**Some Hon. Members:** — Agreed.

**Chair B. McLeod:** — Carried. This committee stands adjourned to the call of the Chair. Thank you so much everyone.

[The committee adjourned at 17:10.]