



# **STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE**

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## **STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE**

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Ms. Lisa Lambert  
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Hon. Tim McLeod  
Moose Jaw North

Mr. Greg Ottenbreit  
Yorkton



[The committee met at 15:30.]

**The Chair:** — Good afternoon everyone. Welcome to Intergovernmental Affairs and Justice. My name is Terry Dennis. I'm the Chair of the committee. With us today we have Mr. Gary Grewal, Mr. Travis Keisig, Ms. Lisa Lambert, Mr. Tim McLeod, Mr. Greg Ottenbreit, and Ms. Nicole Sarauer substituting for Erika Ritchie.

Today this committee will be considering nine bills.

**Bill No. 110 — *The Wills Amendment Act, 2022***  
***Loi modificative de 2022 sur les testaments***

**Clause 1**

**The Chair:** — We will begin with consideration of Bill 110, *The Wills Amendment Act, 2022*, a bilingual bill, clause 1, short title. Minister Eyre is here with her officials.

As a reminder to the officials, please state your name when you're speaking and do not touch the mikes please. And also those seated in the front row, please do not open the desk too as well.

Minister, please introduce your officials and make your opening comments.

**Hon. Ms. Eyre:** — Thank you very much, Mr. Chair. So officials joining us today: Dennis Cooley, deputy minister of Justice; Alan Jacobson, acting deputy attorney general; Dale Tesarowski, chief counsel, criminal justice system review; Darcy McGovern, director, legislative services; Neil Karkut, senior Crown counsel, legislative services; Kara Moen, Crown counsel, legislative services; Roger Sobotkiewicz, Chair and CEO [chief executive officer], Financial and Consumer Affairs Authority; Maria Markatos, on our first item, Crown counsel. Lionel McNabb is also here, director of family justice services.

So on the first Act, *The Wills Amendment Act*, I'm pleased to offer opening remarks at Bill 110, *The Wills Amendment Act, 2022*. This bill amends *The Wills Act, 1996* to add provisions respecting electronic wills, which creates another option for Saskatchewan residents to make their testamentary intentions clear.

The bill sets out the criteria that must be met for an electronic will to be valid in Saskatchewan. An electronic will must be in electronic form, be signed by a testator electronically before two witnesses, who must also attest and sign the will. The bill confirms that a holograph will cannot be in electronic form. The bill also includes revocation provisions for an electronic will and confirms that the substantial compliance provision applies to an electronic will.

Mr. Chair, this bill follows recommendations made by the Uniform Law Conference of Canada and provisions in British Columbia's *Wills, Estates and Succession Act*.

With those opening remarks, Mr. Chair, I welcome questions respecting Bill 110, *The Wills Amendment Act, 2022*.

**The Chair:** — Thank you, Minister. We will now open it up for questions. Ms. Sarauer.

**Ms. Sarauer:** — Thank you, Mr. Chair. Thank you, Minister, for your opening remarks. Minister, could you speak a bit about what happened during COVID with respect to wills and the codification of wills in Saskatchewan?

**Hon. Ms. Eyre:** — Sure. Absolutely. And, Maria, you can weigh in as well. I think that there was certainly a movement toward more — which makes sense — electronic witnessing and more of a movement in that direction, which of course just makes intuitive sense considering the situation we found ourselves in. And the remote witnessing provisions that were passed in the spring of 2022 permit witnessing by electronic means but still require a paper document with wet-ink signatures. That was in terms of the wills and powers-of-attorney Acts that we passed.

So there were a number of pieces of legislation that came forward to accommodate the realities that we were encountering, and this flowed out of that, but with some differences and also with some safeguards. So the proposed provisions will not require a person to prepare an electronic will, and we anticipate that for the foreseeable future most wills will continue to be in a paper format.

Coming out of COVID there was a sense that there was some, as I say, move in this direction and some opportunity to fill certain gaps in this area. But it really is just another tool that's available for creating a will if a client wants it and if it's appropriate in the circumstances.

And our counterparts in BC [British Columbia] advised that there was no major opposition from their legal community but also not a lot of uptake. So again this is, as I say, just another possibility which adds onto some of the other things we did in this direction coming out of COVID, but isn't certainly an exclusive thing.

**Ms. Sarauer:** — Thank you for that. Are there any changes here that are different from what the provisions were during COVID?

**Ms. Markatos:** — Thank you. Maria Markatos, senior Crown counsel, legislative services with the Ministry of Justice.

The big difference is that the COVID provisions relate to the remote witnessing of wills. But this will actually allow for an electronic will, so in a PDF [portable document format] or some other electronic format that has an e-signature and the e-signatures of the witnesses as well. So that's the big major difference.

**Ms. Sarauer:** — I understand you mentioned that BC has similar provisions and the Uniform Law Conference of course is requesting this. Was there feedback that was also solicited from the legal community subsequent to COVID that has led to this? And if there was feedback solicited, were there any other recommendations that the legal community had suggested?

**Hon. Ms. Eyre:** — Certainly Maria or Darcy can speak to whether there were other recommendations.

I think one thing that's interesting to note about BC . . . Unlike

BC, we're providing that the signature and witness process for an e-will be subject to the regulations. And so this could address any potential risks by requiring one of the witnesses to be a lawyer. And so that provides, certainly, an initial way to address any risk until there's, you know, just full comfort with what could be a fully electronic will process but with this oversight. So basically a bit different from BC's approach.

There were some requests, and I mentioned that in my opening remarks, around this being something we should consider. But again, it's interesting that in BC, not maybe a massive uptake, just another tool at lawyers' disposal. And we expect that as perhaps, you know, lawyers come into the system with this in place, there might be more uptake. Maria, anything else?

**Ms. Markatos:** — A consultation document was circulated in August 2022, and we sent it to the Court of King's Bench, the Public Guardian and Trustee, the estate planning councils of Regina and Saskatoon, the Law Society, the Canadian Bar Association Saskatchewan branch. And largely what we heard back was support, but some concern at least initially about how it was going to work and the risk of fraud, which is why we included that provision around the regulations and allowing additional provisions to be placed against witnesses.

**Mr. McGovern:** — Darcy McGovern. One other point that we found ourselves making within Maria's consultation was that this is in no way mandatory, so that this is an option that people can take in a modern way, which several states are now doing, which BC's got in front of us. But for, you know, grey hairs like myself, part of the discussion was this is new and different, but it's not a mandatory process. It's an option that's going to be brought forward, and as the minister had noted, we've also built in a certain amount of safeguards as well.

**Ms. Sarauer:** — Thank you. During your consultation process, were there any recommendations submitted by the public that aren't reflected in this legislation?

**Ms. Markatos:** — Not that I recall, no.

**Ms. Sarauer:** — Thank you. I have no further questions.

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

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 12 inclusive agreed to.]

**The Chair:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Wills Amendment Act*, a bilingual bill, without amendment.

I would ask a member to move that we report Bill No. 110, *The Wills Amendment Act, 2022*, a bilingual Act, without amendment. Do I have a mover?

**Hon. Mr. McLeod:** — I so move, Mr. Chair.

**The Chair:** — Mr. McLeod moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. Do we have any closing comments? Move forward?

**Hon. Ms. Eyre:** — I don't. We can move forward.

**The Chair:** — Thank you.

**Bill No. 111 — *The Family Maintenance Amendment Act, 2022/Loi modificative de 2022 sur les prestations alimentaires familiales***

**Clause 1**

**The Chair:** — We'll now move on to Bill 111, *The Family Maintenance Amendment Act, 2022*, a bilingual bill, clause 1, short title. Ms. Eyre, do you have any opening remarks?

**Hon. Ms. Eyre:** — Thank you, Mr. Chair. Pleased to offer remarks on Bill 111, as stated, *The Family Maintenance Amendment Act, 2022*. This bill amends *The Family Maintenance Act, 1997* to make several significant changes.

It removes limits on who may apply to the court for a maintenance order for a child. This will allow anyone to bring an application for maintenance of a child over 18. The proposed amendments will not change the criteria for support, and the court will still need to be satisfied that an adult child continues to be under the charge of another person and is unable to withdraw from that charge due to illness, disability, or pursuit of reasonable education.

Mr. Chair, the bill continues the Saskatchewan child support recalculation service as the Saskatchewan child support calculation service and moves the framework for the existing recalculation provisions from the regulations to the Act. The new expanded child support calculation service will now also administratively calculate initial child support payments in addition to its ongoing work of recalculating existing support orders and agreements. This means that where the criteria is met, parents will be able to go directly to the child support calculation service for a child support decision that can be filed with the court and enforced like a court order.

Mr. Chair, with those opening remarks, certainly I'm happy to welcome questions regarding Bill 111.

**The Chair:** — Thank you, Minister. I'll open it up for questions. Ms. Sarauer.

**Ms. Sarauer:** — Thank you, Mr. Chair. And thank you, Minister, for your opening remarks. My first question is around the first portion of the legislation that you had mentioned, the first major change, that it will remove the limit for who can apply for maintenance. Why is this change being made?

**Ms. Markatos:** — Thank you. This provision was raised by our lawyers in the family justice services branch. We are one of only

two provinces in Canada that do not allow adult children to bring their own applications. So that was the driving impetus behind this provision.

**Ms. Sarauer:** — Thank you. I have some questions about the recalculation project. Do you have stats today on how many people it's helped year over year?

[15:45]

**Mr. McNabb:** — Lionel McNabb, executive director, family justice services. Yes, we have stats. We've done 430 in total, and I can give you year by year if you'd like. It'll be five years tomorrow that they actually started doing them.

Some of the interesting stats are, we weren't sure when we started how many would go up and how many would go down. Well interestingly enough, 60 per cent apply to go up; 40 per cent apply to go down. So it's actually fairly close. We've had about 1,200-and-some applications and 430 have been done.

And a lot of the applications, it seems to be the payer applies. And then I don't know whether they find a different job, so that their income has gone up, or (b) they actually look at the child support guidelines and realize maybe, you know, their order is eight years old, but if they apply, it might go up. So it's done very well.

We've had five challenges, interestingly enough. If you want to challenge it, you apply to Court of King's Bench. Of the challenges, two of the challenges of the five, the court indicated they were staying with our decision, the recalculation decision. One of them they settled before they got to court. And interestingly enough, with the other two, the court raised one and the court lowered one. So it was a mixed bag, but very few challenges.

And obviously 430 couples which, double that, was people that didn't have to go to court or end up in the court system.

**Ms. Sarauer:** — Thank you for that. I'm curious to know if you've been tracking by jurisdiction as well. I'm sure you have, but are you noticing hot spots for the work that you're doing? Are there more busier judicial centres than others?

**Mr. McNabb:** — Well family law as a whole, certainly Saskatoon is still by far the busiest centre. And some of that is, they started the family law division as you're aware of. And now there's, you know, family judges all over the province, but I still think perhaps in the North, some of the lawyers even from Melfort, P.A. [Prince Albert], just apply to Saskatoon. But Saskatoon is much busier than other jurisdictions.

**Ms. Sarauer:** — Before we move on to the ... You're a recalculation and now you're a calculation. That's part of this change. But for the recalculation process, remind me what the eligibility requirements are again, please.

**Mr. McNabb:** — Well really there isn't many eligibility provisions. You have to already have a court order or an agreement. Otherwise we can't recalculate it. And it would've had to have been done sort of according to the child support guidelines. So really, those are the main criteria. If it wasn't done

according to ... There's still orders where they decide, you know, one person can have the house, and we'll settle for smaller child support. So we start with the base premise that it's based on child support guidelines and then work from there.

**Ms. Sarauer:** — Do both parties have to consent to be a part of the project?

**Mr. McNabb:** — No. No.

**Ms. Sarauer:** — Is that the same for the calculation part now as well?

**Mr. McNabb:** — The calculation one we're starting off very simply, so we will have both parties agree to it certainly on the front end. And it's a two-year pilot. So again the stats would indicate about 70 per cent of parties that get divorced or separated just do consent orders. They really don't have to go to court.

So we're hoping a good chunk of those people ... Even if they've worked out an agreement on their own on property settlement, sometimes just having a third party saying, here's what your child support would be and here's, you know, a legally binding document. We're hoping that we can help people that way.

**Ms. Sarauer:** — What are the other eligibility requirements for the calculation project?

**Mr. McNabb:** — Really, you apply. The challenge we would have right now, and that's right across the country, is that the *Divorce Act* under section 25.1 ... The federal government, we do an agreement with them that we can do the recalculation.

There's only us. Manitoba has started and Ontario has a small program going, a calculation one. But the federal government at this point hasn't figured out how, under section 25.1, to let us or any jurisdiction do calculation. So to start, until we get that figured out with the federal government, it will just be family law orders or agreements. It won't be *Divorce Act* orders.

**Ms. Sarauer:** — Okay.

**Ms. Markatos:** — Just to note that the provisions in the Act will set out circumstances where the calculation service can decline recalculation. So if there is a court application under way, they can decline to calculate. If it's too complex or impracticable, they can decline to recalculate. And of course there is the requirement that both of the parties are aware that an application has been made.

**Ms. Sarauer:** — How many staff do you have currently, Mr. McNabb?

**Mr. McNabb:** — Well in total we have about 80 but in the calculation/recalculation unit there's three.

**Ms. Sarauer:** — Do you anticipate that this will expand the scope of the work that your staff is doing?

**Mr. McNabb:** — It should, yes. If we're successful in helping people, it will expand. But we don't expect to have to hire a lot more people. And this is where we worked again with the federal

government. We got funding from the federal government for a two-year pilot on this, so the federal government is funding this 100 per cent for the first two years.

**Ms. Sarauer:** — So this pilot project is funded by the federal government, but you haven't yet been able to work out all the details with respect to how it works with the legislation?

**Mr. McNabb:** — That is exactly right.

**Ms. Sarauer:** — Gotcha. How many more FTEs [full-time equivalent] are you going to be able to hire with this pilot project money?

**Mr. McNabb:** — It's possible we could hire two, but we expect one.

**Ms. Sarauer:** — Any anticipatory work in how many files or additional files you might see come through your office?

**Mr. McNabb:** — And again, like in my opening remarks, we're hoping to get, you know, quite a few of that 70 per cent, that we can help with that.

And the other challenge with a lot of these programs is marketing and getting the word out to people. And if you look at the recalculation number, that's what's happened is it's gone like this. So lots of times it's word of mouth, but we've actually in the past spent some money and run Facebook ads for . . . A few years ago when we started the recalculation of a couple of other programs, we would have . . . And it cost very little money to partner with Facebook, but if somebody changed their status from, you know, a couple to single, the recalculation ad would pop up beside their name at some point. So we've done things like that.

**Ms. Sarauer:** — I imagine that . . . I've really enjoyed the opportunity to speak with you, Mr. McNabb, over the course of the years and hear about the project as it grows. And as you well know, there is a large need for this service. As you had mentioned, the need for services in family law in Saskatchewan are massive, and it's just a matter of folks knowing what you do and that you're available, as you have mentioned and already pointed out.

But I do know that the good folks that are doing family law through the ministry are great at pointing out those types of resources. So my hope is only that your work grows and that your funding is permanent and that you're able to work out this bit of a legal grey area you're in right now with the federal government.

I understand, as had been mentioned in the minister's second reading speech, the framework for the recalculation service needed to be moved to the Act from the regulations. Why did this change need to be made?

**Ms. Markatos:** — Thank you. Well as the member is aware, regulations are subordinate statutes. There was a reg-making provision that said, may establish recalculation provisions. Period. And so it was very narrow and did not include the calculation piece. So when we were looking at the Act to include the calculation provisions within the Act, we moved the recalculation provisions as well.

**Ms. Sarauer:** — Thank you. One stat I forgot to ask, Mr. McNabb — so sorry, I'm going back to you. But I was curious about timelines, length of time from when a person applies to utilize your service to when their recalculation is complete. Do you track that?

**Mr. McNabb:** — Roughly. And some of it hinges on whether we can . . . The recalculation one is quite a bit more complex. Like we try to get the income information of the payer, and if they're applying, that's easy. If they're not applying, then we can actually do searches for employers and contact the employer and say, what does Lionel make, as an example.

It's also in the provisions that, depending on the date of your order, how old your order is, if we can't track down income information, we can move up 10, 20, or up to 30 per cent. So roughly if your order is over 10 years old and we can't track it down.

So that was a long way to say it takes . . . Depending on if we can find the income information, it can happen quite quickly. But I would say in most cases, three weeks to four weeks.

**Ms. Sarauer:** — And understanding that the calculation project hasn't started yet, but are you also building in anticipated goals of timelines for that one as well?

**Mr. McNabb:** — We hope to stay within that time frame. And it's hard to say up front, but in that case if both parties have agreed, we should easily be able to meet timelines. Like it actually at this stage should be easier to do than recalculation.

**Ms. Sarauer:** — And if I remember correctly, the recalculation project started only in certain specific jurisdictions and moved province-wide. Is the calculation project going to do the same type of thing where it just starts in one jurisdiction, or will it be province-wide as soon as it's up and running?

**Mr. McNabb:** — Because both people have to agree, we're going to go province-wide right from the start.

**Ms. Sarauer:** — Thank you. I have no further questions.

**The Chair:** — Thank you. Seeing no more questions, we'll proceed to vote on the clauses. Clause 1, short title, is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 22 inclusive agreed to.]

**The Chair:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Family Maintenance Amendment Act, 2022*, a bilingual bill.

[16:00]

I'd ask a member to move that we report Bill No. 111, *The Family Maintenance Amendment Act, 2022*, a bilingual bill, without



amendment. Do I have a mover?

**Mr. Keisig:** — I do so move.

**The Chair:** — Mr. Keisig moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. Do you have any closing comments or just keep moving?

**Hon. Ms. Eyre:** — No, Mr. Chair.

**The Chair:** — Thank you.

#### **Bill No. 108 — *The Pension Benefits Amendment Act, 2022***

##### **Clause 1**

**The Chair:** — We'll now consider Bill No. 108, *The Pension Benefits Amendment Act, 2022*, clause 1, short title. Minister Eyre, please make your opening comments.

**Hon. Ms. Eyre:** — Thank you, Mr. Chair. We'll now offer opening remarks, as stated, for Bill No. 108, *The Pension Benefits Amendment Act, 2022*. Recent amendments to the federal *Income Tax Act* have prompted changes to *The Pension Benefits Act, 1992*.

The federal *Income Tax Act* was amended in 2021 to allow defined contribution pension plans to offer variable payment life annuities, or VPLAs, to their members. A VPLA is a new voluntary retirement income vehicle that allows retirees to pool their investment and longevity risks, providing an affordable option which reduces the risk of outliving retirement savings.

Another amendment to the federal *Income Tax Act* in 2021 allows pension plan members with assets in certain registered products to transfer money to an insurance company to purchase an advanced life deferred annuity, or ALDA. An ALDA is an annuity under which payments can commence as late as age 85. Before the recent income tax amendment, the tax rules required that any annuity purchased with registered money commence by age 71. Like a VPLA, the ALDA was introduced in response to pensioners, particularly to those who are not members of a defined benefit plan, who were concerned that they could outlive their financial assets.

Bill No. 108, *The Pension Benefits Amendment Act, 2022* will allow defined contribution plans registered in Saskatchewan to offer VPLAs to plan members. The bill will also allow pensions assets in certain registered products to transfer assets to an ALDA.

In addition Bill 108 would allow certain types of pension plans to establish a solvency reserve account, with the pension plan. Solvency deficiency payments could be remitted to this fund, and subject to certain conditions, could later be withdrawn by the plan sponsor when the plan is in surplus.

Bill 108 also includes amendments which allow pension plans to use letters of credit. In the pension context, a letter of credit is a promise from a financial institution to pay to the pension fund an

agreed-upon sum of money towards a solvency deficiency in certain circumstances, most notably if there is a deficit on a plan windup. In lieu of solvency deficiency contributions being made to the plan, the letter of credit could be used to cover up to 15 per cent of the solvency liabilities.

Additional amendments made by this bill will discharge liability for administrators of pension plans who enter into a buyout annuity contract with an insurance company and amend the rules for contribution holidays. The bill will also allow the regulations to be amended to require that certain defined benefit plans eliminate solvency deficiencies on termination of a pension plan. This bill also enhances the powers of the superintendent, which will improve their ability to enforce compliance with the Act.

These updates to *The Pension Benefits Act, 1992* will add flexibility for plan sponsors, enhance benefit security for plan members, and provide the superintendent with additional tools to enforce compliance with the Act.

And with that, Mr. Chair, I welcome questions respecting Bill 108, *The Pension Benefits Amendment Act, 2022*.

**The Chair:** — Thank you, Minister. We'll now open it up for questions. Ms. Sarauer.

**Ms. Sarauer:** — Thank you, Mr. Chair. And thank you, Minister, for your opening remarks. Minister, could you tell the committee who was consulted on this legislation and when they were consulted, please?

**Hon. Ms. Eyre:** — Yes, Mr. Chair. Thank you. And certainly you can add on. But there was a list of certainly external stakeholders who were consulted with, who were supportive. There were no concerns raised, just for the record, by Finance, Health, Education, CIC [Crown Investments Corporation of Saskatchewan] were all consulted. Consultation will of course continue as regs are developed. Stakeholders, including Unifor, were very supportive of the letters of credit which is used in other jurisdictions.

There was some question around the option to move pensions to an insurance company. Some preference would be to stick with the pension plan solely, that was expressed. Similarly with solvency reserve accounts, as some preference that all funds remain in the plans. But overall positive, Mr. Chair, in terms of the complexity in some of the subcategories of what we're dealing with in this Act. And certainly, Leah, you should carry on.

**Ms. Fichter:** — Okay. Leah Fichter, executive director, pensions division at Financial and Consumer Affairs Authority. I'll just add that all affected pension plans, the administrators of those plans were consulted with as well as labour groups and retiree organizations.

**Ms. Sarauer:** — I know you were touching on this a bit as you went, Minister, but just to confirm, all of the concerns that had been raised, you said there were some, not many. But have you already expressed those for the record this afternoon, or are there other concerns that were raised that you haven't yet discussed?

**Hon. Ms. Eyre:** — Well there have been some concerns raised,

and this was dealt with in a meeting which I had recently with Mr. Sobotkiewicz in terms of the SaskTel . . . The formal name of it I'm just finding here. There were some concerns about the ability for SaskTel to enter into a buyout annuity contract with respect to the retirees of the Saskatchewan Telecommunications pension plan, and so some concerns about potential changes to cost-of-living increases provided by the plan if a buyout annuity occurs.

And so have met with this group, and there will be follow-up meetings. My understanding is that Mr. Sobotkiewicz and officials have one scheduled on May 11 and that the FCAA [Financial and Consumer Affairs Authority of Saskatchewan] will consult further with this group on regulations regarding buyout annuities.

As was discussed at the meeting, pension plans can already enter into buyout annuity contracts under the Act, so Bill 108 would add a number of provisions to the Act regarding buyout annuities primarily aimed at protection of member and retiree benefits. And although some of these member and retiree protection provisions are contained in Bill 108, there are additional protections that will be in the regulations.

And I'll just add, I mean, regarding the cost-of-living increases for retirees of the plan, Bill 108 would require that the annuity purchased with the insurance company under a buyout annuity would be in the same form, same amount as the pension paid under the plan. And Bill 108 would allow regulations to prescribe circumstances in which the characteristics could be modified, where the exact form of pension is not available on the market, for example.

And so if such regulations were added the circumstances would be very, very narrow and the pension would have to be of equal value. So that was imparted to that group when concerns were raised. And as I say, conversations will be ongoing in that regard, and I'm confident will, you know, lead to a very positive outcome.

**Ms. Sarauer:** — Thank you. Thank you for that. And I do have the letter you had sent to Mr. Wotherspoon, who was the individual on our end soliciting stakeholder feedback with respect to this legislation.

Thank you for outlining the concerns that they had raised to you. And just to confirm, do you feel that those concerns have now been properly addressed?

**Hon. Ms. Eyre:** — Well I think the meeting was very positive that we held. And again, I know a letter has also been sent out to not only this group but Mr. Wotherspoon, outlining the points that I've made. I think that the fact that there's a follow-up meeting scheduled is something that was requested and obviously entertained, and we're happy to do that. And the way that things were left certainly at the conclusion of the meeting that I was participating in, is that as the regulations are developed of course the consultations will continue and the conversations will continue.

And so I think that if there are concerns, they will be addressed in subsequent meetings and as the regulations are developed. And I feel very positive that, as I say, there will be a positive outcome

from that.

**Ms. Sarauer:** — Thank you. And you have mentioned this a few times already but just to confirm once again, you have committed to consulting with this group on the development of the regulations, correct?

**Hon. Ms. Eyre:** — Yes. Yes, and that is ongoing in terms of an open offer and certainly was extended at the conclusion of the meeting. And so as I said, one meeting is coming up quite soon, and yes, it was stated that as the regulations are developed that those conversations can continue, by all means.

**Ms. Sarauer:** — Thank you. You were also in receipt of another letter sent to your office dated May 1st from the Saskatchewan Federation of Labour. They raised three main concerns about the legislation. I'm going to parse them out one a time. If you don't mind just responding to those concerns, and if you feel you have addressed them then stating as such.

The first one in the letter states:

Other SFL priorities were not reflected in this bill and certain aspects are a source of concern for the federation. Rather than prohibiting or further restricting contribution holidays as the SFL recommended, section 17 of the bill will permit contribution holidays without a statutory requirement that the employer disclose its intention to take a contribution holiday to bargaining agents, plan members, and former members in the manner prescribed in the regulations.

We strongly urge the government to include this requirement when accompanying regulations are drafted.

Do you have a comment, Minister?

**Ms. Fichter:** — Yes, thank you. We will be consulting on the regulations, and that will be one thing that we're consulting on, is disclosure to members and former members.

**Ms. Sarauer:** — Will the SFL [Saskatchewan Federation of Labour] be part of that consultation process?

**Ms. Fichter:** — Yes.

**Ms. Sarauer:** — Thank you. The second concern that they raised in their letter states:

Section 21 of the bill appears to seek general immunity for the superintendent of pensions and shield the superintendent's orders and decisions from judicial review in the context of a general broadening of the regulator's powers and authorities in the bill, and restrictions on public access to information provided to or obtained by the superintendent. We are concerned about the potential for a diminution of transparency and accountability to the community of interest served by the superintendent.

Do you care to comment, Minister?

**Ms. Fichter:** — I'm going to ask my colleague Lauren to answer that question.

**Ms. Sarauer:** — Sure.

**Ms. Ellis:** — Lauren Ellis, legal counsel, Financial and Consumer Affairs Authority. So in regards to section 21 of the bill, it provides that the superintendent and other listed persons express protection from actions or proceedings where they act, pursuant to the authority of the Act or regulations, for anything that is done in good faith. This is a standard clause in pension jurisdictions across the country, and as well it's a standard statutory good-faith provision found in a lot of different Saskatchewan legislation as well.

So this . . . [inaudible] . . . provision doesn't actually shield the superintendent from judicial review. Rather it's a tool to allow public officials who undertake discretionary functions to basically perform these functions free from the intimidation of potential litigation against them.

**Ms. Sarauer:** — Thank you for that. The third and final concern that was raised in the letter states:

Finally the bill relegates many significant details and provisions to the regulations. As you know, the regulations can be amended by Executive Council, while amendments to the Act must face through scrutiny [I think they meant "thorough scrutiny"] of the legislative branch. We note that the regulations are now twice as extensive as the Act itself and are concerned about the narrowing scope for public accountability and democratic oversight of pension policy.

The SFL urges the government to ensure a fully open, inclusive, and participatory process of regulatory drafting and review when the regulations are revised in accordance with the bill.

Do you care to comment, Minister? I also was wondering about what the consultation process was going to be for the regulations.

**Hon. Ms. Eyre:** — Right, certainly, and Leah can add to this. I think I would just say that obviously, and as I mentioned in my opening remarks, I mean, this is about updating the 1992 Act. It's about, you know, accommodating recent changes to the federal *Income Tax Act*. And it's important, I think, to recall that we were approached to do this by a number of groups — business groups, other groups — because it provides more flexibility and it also brings us into line with the rest of the country.

So I think that that's important context. And you know, as we've stated, I mean, that fine-tunes defined contribution and defined benefit plans. It allows defined contribution plans to offer these VPLAs, the variable payment life annuities, to members and allows them to begin an annuity as late as the end of the year someone turns 85.

[16:15]

And so these were things that were really intended to be accommodating of requests for this flexibility. And just in terms of the defined benefit accounts, sponsors will be able to contribute to solvency deficiency payments and, with these changes, will have access if the plan they're operating is in surplus. And surplus assets will be used only to the extent that the plan has a sufficient level of solvency and going-concern

surplus.

So again I think just important context to what got us here and where the demand was coming from and really what it's intended to fix and, as I say, to bring us into line with the rest of the country. And in terms of the regulation side of it, please, Leah . . . [inaudible].

**Ms. Fichter:** — Thank you. Yeah, I will just add that we do plan to consult broadly on the regulations and, for most items at least, would consult with the same group of people that we did on the Act. There are some items that are very narrow and would only apply to a very small group of plans, so we would do that accordingly.

**Ms. Sarauer:** — Thank you. Do you have a projected timeline for the consultation on the regulations?

**Ms. Fichter:** — Well I'm guessing it would be this summer.

**Ms. Sarauer:** — Thank you. I have no further questions.

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

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 29 inclusive agreed to.]

**The Chair:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Pension Benefits Amendment Act, 2022*.

I'd ask a member to move that we report Bill No. 108, *The Pension Benefits Amendment Act, 2022* without amendment.

**Mr. Ottenbreit:** — I'll so move.

**The Chair:** — Mr. Ottenbreit moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

### **Bill No. 109 — *The Trespass to Property Amendment Act, 2022* (No. 2)**

#### **Clause 1**

**The Chair:** — We will now move to consider Bill 109, *The Trespass to Property Amendment Act, 2022* (No. 2), clause 1, short title. Minister Eyre, please make your opening comments.

**Hon. Ms. Eyre:** — Thank you, Mr. Chair. Pleased to offer opening remarks concerning Bill 109, as stated, *The Trespass to Property Amendment Act, 2022* (No. 2).

As this committee is aware, last summer agricultural producers

raised concerns that employees of the federal government were conducting water testing on private land without the consent of the landowners. The Government of Canada initially downplayed, discredited, and dismissed those concerns as “misinformed rhetoric.” However following additional pressure from this government, the federal Minister of Environment and Climate Change Canada eventually admitted that federal employees were in fact testing for pesticides on behalf of Health Canada.

In response to concerns raised and the disappointing response by the federal government, the Government of Saskatchewan made amendments to *The Trespass to Property Regulations* to ensure the federal government could be accountable under the trespass legislation for future incidents of trespass. This amendment builds on this important work and that done in the regulations by transparently codifying these requirements in *The Trespass to Property Act*.

Mr. Chair, members will know that this government did take the step of requiring all recreationalists and commercial entities to gain the consent of the owner or occupant before they enter onto private land. This important safety requirement was put forward as the best practice for hunters, snowmobilers, and any other party who is seeking access to privately owned land in Saskatchewan.

In our view, it is the best practice because it promotes communication; it respects the valid interests of both parties, including the landowner or occupant; and perhaps most importantly, it avoids surprises and could lead to unnecessary misunderstandings. This is the standard of practice we have asked our citizens to meet, that the provincial government holds itself to, and that we feel is entirely appropriate for the federal government and its employees.

Quite simply the rules, Mr. Chair, should apply to everyone and the bill codifies that value. I invite this committee to support this change and join me in sending this message to the federal government.

Mr. Chair, with those opening remarks, I welcome any questions respecting Bill No. 109, *The Trespass to Property Amendment Act*, (No. 2), 2022.

**The Chair:** — Thank you, Minister. We’ll now open it up for questions. Ms. Sarauer.

**Ms. Sarauer:** — Thank you, Mr. Chair, and thank you, Minister, for your opening remarks. Minister, doesn’t this legislation already bind the Government of Canada?

**Hon. Ms. Eyre:** — Well, the issue was that previous to it, the GOC, Government of Canada, was not actually part of the Act as “person.” And so when these events took place, and as it came to our attention last summer that they were taking place, we felt it was important to make the change, to send the signal but also to make sure that it was explicit in the Act that “person” includes Government of Canada.

**Ms. Sarauer:** — Is there a precedent for why Government of Canada officials wouldn’t be included as “person” in the legislation?

**Mr. McGovern:** — Darcy McGovern. In terms of the definition of “person,” what was set out in the Act previously was there was no definition per se. And so the definition of “person” was added in the regulations. What we’re doing in the Act here is the most straightforward method of making clear that this will apply to the Government of Canada. It already implicitly applies to the Government of Saskatchewan employees. And accordingly, as a law of general application, we want to make clear that this applies to all parties who are seeking access to private land. And so we think this is the most transparent and most above board way to do it.

**Ms. Sarauer:** — Correct. So doesn’t it also then implicitly also apply to Government of Canada employees as well?

**Hon. Ms. Eyre:** — So it does by necessary implication. And I think it’s important to recognize that *The Trespass to Property Act* prohibits a person from entering in or on a premises except where the person has either consent of the occupier or is acting under a right or authority conferred by law.

And so for example, in the case of SaskEnergy, *The SaskEnergy Act* authorizes the entry onto premises “at any reasonable time” under section 34. But the Crowns have made it their best practice to request permission from an occupier before accessing land. And you know, it’s not strictly necessary because of the authorization in *The SaskEnergy Act*. So I think . . . And other Crowns have similar provisions in their legislation to deal with these issues.

And so it is absolutely incumbent to request permission. And obviously in the cases of the utilities, I mean where you have potentially life-or-death situations, you have to be able to allow that they could enter, you know, at any reasonable time given some circumstances where it might not be possible for them to obtain permission. But by necessary implication of course and as part of the Act already, that does extend to everyone in the province.

There are though, as I say, these cases in terms of our utilities where even though they make it absolutely best practice to gain permission from the owner, there are these rare circumstances where of course they have to go in. Such was not the case though last summer with the federal workers. This was not, obviously, a life-and-death situation where they had to enter onto private land and not ask permission. This was quite different than that. So that’s I think relatively apparent in terms of the differences of, let’s call it emergency response that we were seeing.

**Ms. Sarauer:** — So just to reiterate, what I’m hearing is that the Government of Canada employees already fall under this legislation. They are not subject to any of the exemptions that are in section 17, but you are reiterating that? Is that what this provision is?

**Hon. Ms. Eyre:** — The regulations extended the Government of Canada to the definition of “person.” So no, they were not previously in the regulations, and now in the Act. And that’s why we made first the regulatory change and then the change to the Act. That was the whole reason.

**Ms. Sarauer:** — No further questions.

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

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

[Clause 1 agreed to.]

[Clauses 2 and 3 agreed to.]

**The Chair:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts the following: *The Trespass to Property Amendment Act, 2022 (No. 2)*.

I'd ask a member to move that we report Bill No. 109, *The Trespass to Property Amendment Act, 2022 (No. 2)* without amendment. Can I have a mover? Ms. Lambert moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

### **Bill No. 112 — *The King's Printer Act***

#### **Clause 1**

**The Chair:** — We'll move on to consideration of Bill No. 112, *The King's Printer Act*, clause 1, short title. Minister Eyre, make your opening comments, please.

**Hon. Ms. Eyre:** — Certainly, Mr. Chair. I'm pleased to offer opening remarks concerning Bill 112, *The King's Printer Act*, a new Act that will repeal and replace *The Queen's Printer's Act* in light of the succession of King Charles III to the throne. With one exception, the scope of this bill is limited to changing the name of the Act to reflect our current monarch as well as making necessary housekeeping updates.

The lone substantive change is the removal of the requirement for the Clerk of the Legislative Assembly to provide the King's Printer with a manuscript following the close of session. This requirement has been removed as it was identified by the Office of the King's Printer as no longer necessary.

The housekeeping updates include removing repealed provisions, removing a reference to a historical coming-into-force date, and modernizing certain phrases to improve readability. The companion Bill 113 will make consequential amendments to bilingual legislation. And with those opening remarks, Mr. Chair, I welcome any questions respecting Bill 112, *The King's Printer Act*.

**The Chair:** — Thank you, Minister. We will now open it up for questions. Ms. Sarauer.

**Ms. Sarauer:** — Thank you, Mr. Chair. Thank you, Minister, for your opening remarks. Understanding that there's only, as you have mentioned, one substantive change in this bill, I just want to ask about that change. I'm curious to know why that provision

was initially put into place and, as you've mentioned, why it's now deemed no longer necessary.

**Hon. Ms. Eyre:** — My understanding, Mr. Chair, is it was removed because it's simply no longer done in practice.

**Ms. Sarauer:** — And sorry, why was it initially a practice?

**Mr. McGovern:** — I can speak to that. It's a historic practice. So pre-electronic, pre-process, it was a mechanism for ensuring that certain documents were provided between what was then the Queen's Printer and the House. But it's simply no longer required.

**Ms. Sarauer:** — Thank you. I have no further questions.

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

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

[Clause 1 agreed to.]

[16:30]

[Clauses 2 to 17 inclusive agreed to.]

**The Chair:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The King's Printer Act*.

I'd ask a member to move that we report Bill No. 112, *The King's Printer Act* without amendment.

**Mr. Grewal:** — I will so move.

**The Chair:** — Mr. Grewal moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

### **Bill No. 113 — *The King's Printer Consequential Amendments Act, 2022/Loi de 2022 corrélative de la loi intitulée The King's Printer Act***

#### **Clause 1**

**The Chair:** — Next is the consideration of Bill No. 113, *The King's Printer Consequential Amendments Act, 2022*, a bilingual bill. We will begin by consideration of clause 1, short title. Minister Eyre, please make your opening comments.

**Hon. Ms. Eyre:** — Thank you, Mr. Chair. I'm pleased to offer opening remarks concerning Bill 113, as stated, *The King's Printer Consequential Amendments Act, 2022*, a companion bill to *The King's Printer Act* that will make housekeeping amendments to bilingual statutes and replace references to the former Queen's Printer with the current King's Printer.

Mr. Chair, with those opening remarks, I welcome any questions.

**The Chair:** — Thank you, Minister. We will now open it up for questions. Ms. Sarauer.

**Ms. Sarauer:** — Thank you, Mr. Chair. Thank you, Minister. You've already mentioned this in Bill 112, but just to confirm, are there any substantive changes with respect to this legislation?

**Hon. Ms. Eyre:** — No, Mr. Chair.

**Ms. Sarauer:** — Thank you. I have no further questions.

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

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 5 inclusive agreed to.]

**The Chair:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The King's Printer Consequential Amendments Act, 2022*, a bilingual bill.

I'd ask a member to move that we report Bill No. 113, *The King's Printer Consequential Amendments Act, 2022*, a bilingual bill, without amendment. Mr. Keisig.

**Mr. Keisig:** — I so move.

**The Chair:** — Moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

**Bill No. 114 — *The King's Bench Act*  
*Loi sur la Cour du Banc du Roi***

**Clause 1-1**

**The Chair:** — Next is the consideration of Bill No. 114, *The King's Bench Act*, a bilingual bill. We will begin by consideration with clause 1, short title. Minister Eyre, please make your opening comments.

**Hon. Ms. Eyre:** — Mr. Chair, I'm pleased to be able to offer opening remarks concerning Bill 114, as stated, *The King's Bench Act*, a new Act that will repeal and replace *The Queen's Bench Act, 1998* in light of the succession of King Charles III to the throne. The scope of this bill is limited to changing the name of the Act to reflect our current monarch as well as making necessary housekeeping updates.

The substantive content of *The Queen's Bench Act, 1998* remains the same. Under this Act, *The King's Bench Act* will continue to set out the jurisdiction and composition of the court, as well as provide authority for the court to make its own procedures.

Mr. Chair, the housekeeping updates include updating the numbering scheme, removing repealed provisions, and modernizing language to improve general readability of certain provisions. It will also make consequential amendments to bilingual statutes.

And with those remarks, Mr. Chair, I certainly welcome any questions regarding Bill 114, *The King's Bench Act*.

**The Chair:** — Thank you, Minister. We will now open it up for questions. Ms. Sarauer.

**Ms. Sarauer:** — Thank you, Minister, for your opening remarks. Again just confirmation, are there any substantive changes in this bill?

**Hon. Ms. Eyre:** — None at all, Mr. Chair.

**Ms. Sarauer:** — Thank you. You mentioned there was some modernization of language in the legislation. Could you provide a few examples of that?

**Mr. McGovern:** — Sure. Well for example, the practice now with drafting, rather than using the word "where" is to use the word "if." So for example, on section 3-4, that would be an example of that occurring.

Another modernization update would be with respect to the changing of the number scheme. The member will be aware that in a longer Act, it's the practice now for drafters, rather than having 1 to 122, the numbers will be by parts. So for example, the old 108 is now 14-7. This facilitates future amendments without having to renumber or fall out of the numbering for the whole Act. So those types of amendments.

**Ms. Sarauer:** — Thank you. I have no further questions.

**The Chair:** — Seeing no more questions, we will proceed to vote on the clauses. As this bill contains over 130 clauses, does the committee give leave to vote on them as parts?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. Part 1, preliminary matters, clause 1-1 and 1-2, are they agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

[Clause 1-1 agreed to.]

[Clauses 1-2 to 18-1 inclusive agreed to.]

[Schedules 1 and 2 agreed to.]

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

I'd ask a member to move that we report Bill No. 114, *The King's Bench Act*, bilingual, without amendment. I have a mover?

**Ms. Lambert:** — I'll so move.

**The Chair:** — Ms. Lambert. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

**Bill No. 115 — *The King's Counsel Act***

**Clause 1**

**The Chair:** — We'll now consider Bill No. 115, *The King's Counsel Act*. We will begin with our consideration of clause 1, short title. Minister, please make your opening comments.

**Hon. Ms. Eyre:** — Thank you, Mr. Chair. I'm pleased to offer opening remarks concerning Bill 115, as stated, *The King's Counsel Act*, which will repeal and replace the Queen's Counsel in light of the succession of King Charles III to the throne.

The scope of the bill is limited to changing the name of the Act to reflect our current monarch, as well as some housekeeping updates to improve again readability and consistency. *The King's Counsel Act* will continue to authorize the appointment of members of the Saskatchewan bar to be named His Majesty's Counsel learned in the law for the province of Saskatchewan. The Act will also continue to set out rules for the revocation of an appointment, as well as the precedence of officials in the court.

Mr. Chair, with those opening remarks, I welcome any questions respecting Bill No. 115, *The King's Counsel Act*.

**The Chair:** — Thank you, Minister. We'll now open it up for questions. Ms. Sarauer.

**Ms. Sarauer:** — Thank you, Mr. Chair. Thank you, Minister, for your opening remarks. I understand that there's no substantive changes in this legislation. Just to reiterate, however, are there any changes in this bill to the eligibility requirements for who can be appointed as a King's Counsel?

**Hon. Ms. Eyre:** — No, there are not, Mr. Chair.

**Ms. Sarauer:** — Thank you. I have no further questions.

**The Chair:** — Thank you. Seeing no more questions, we'll proceed to vote on clauses. Clause 1, short title, is that agreed?

[Clause 1 agreed to.]

[Clauses 2 to 10 inclusive agreed to.]

**The Chair:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The King's Counsel Act*.

I'd ask a member to move that we report Bill No. 115, *The King's Counsel Act*.

**Mr. Grewal:** — I will so move.

**The Chair:** — Mr. Grewal has moved. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

**Bill No. 126 — *The Summary Offences Procedure Amendment Act, 2022***

**Clause 1**

**The Chair:** — Our last bill today is Bill No. 126, *The Summary Offences Procedure Amendment Act, 2022*. We will begin our consideration with clause 1, short title. Minister Eyre, please make your opening comments.

**Hon. Ms. Eyre:** — Thank you, Mr. Chair. I will now offer opening remarks for Bill 126, *The Summary Offences Procedure Amendment Act, 2022*.

First Nations, Mr. Chair, have raised concerns regarding the difficulty when it comes to enforcing their laws and bylaws on-reserve. The province is involved in a pilot project with Muskoday First Nation and Whitecap Dakota First Nation to address some of these challenges.

This bill provides all First Nations the option to use the Act's summary offence provisions to enforce specified laws and bylaws. Notably this will allow enforcement through payment of a fine, similar to provincial traffic tickets, rather than having to go through the formal court process.

The proposed changes also make general administrative updates respecting, for example, applications to strike a conviction and late charges for fines that are in default. And these updates will help clarify and streamline processes under the Act.

Mr. Chair, before concluding my remarks, I would like to take this opportunity to thank both Muskoday First Nation and Whitecap Dakota First Nation for their ongoing collaboration on this project, which really demonstrates our commitment to working with First Nations to address challenges with enforcing, as I've stated, First Nations laws.

And so with that, Mr. Chair, I'll welcome any questions respecting Bill 126, *The Summary Offences Procedure Amendment Act, 2022*.

**The Chair:** — Thank you, Minister, for your opening comments. I'll open it up for questions. Ms. Sarauer.

**Ms. Sarauer:** — Thank you, Mr. Chair. Thank you, Minister, for your opening comments. Could you provide some more details about this pilot project? I'm very interested and keen to learn more about it.

**Hon. Ms. Eyre:** — Absolutely. Neil will; Dale too.

**Mr. Tesarowski:** — Hi, I'm Dale Tesarowski. I'm with the Ministry of Justice. The pilot project started at the request of the two First Nations back in 2019. And a memorandum of understanding was signed between the ministries of Corrections and Policing at that time and the Ministry of Justice and Attorney General, and it basically laid out the process to assist them in investigating, prosecuting, adjudicating, and then enforcing any

adjudication for First Nations laws.

They were obliged to use a long-form information and have individuals come to court and speak to their matters. And they were not able to use any kind of ticketing or any more streamlined approach to their matters. They also had great difficulty in investigating their offences. And there was a breakdown in who would do that, and then a further breakdown in terms of who would prosecute those offences.

So the pilot project was struck to work out all those issues and to find a means to be able to allow them to use our provincial processes to enforce their legislation. It is groundbreaking work. We have gone further here in Saskatchewan than any other province in the country in this respect, and we have gathered a great deal of national interest in this work.

**Hon. Ms. Eyre:** — And Mr. Chair, if I might add just to that point on the groundbreaking. Just to add on the groundbreaking aspect to this, I mean that is, you know, truly the case. And other provinces are watching with interest. I know Ontario has expressed a significant interest in the project. Officials have met with counterparts in other provinces to explore with them what could be possible in their jurisdictions. Saskatchewan really is leading the way in this.

And just to gain a few notes of interest, the Federation of Sovereign Indigenous Nations is very interested in the project. I know it had hosted a conference on community wellness, and Dale Tesarowski with the ministry was invited to participate on a panel.

And you know, there have been a number of presentations made, including to Saskatoon Tribal Council — that was in February — which has expressed a strong interest in the pilot project and really in canvassing the community safety officer program for its five First Nations and would like to discuss with us further as well.

So again, I think really important work that's being done. And very practical, common-sense work that is being done in this regard, I know. And it's been mentioned that it will allow the use of the provincial summary offences procedure Act to enforce laws and bylaws on reserves, although they have the discretion to opt in or out. But you know, enforcement on-reserve typically has involved, as has also been said, you know, these complicated, long-standing jurisdictional, practical issues, the long-form system.

And my understanding is that even in, you know, simple cases of loitering for example or, you know, things that should be relatively straightforward to address, even in the case of evictions, there have been, you know, there's been a massively involved process — too involved — to get some of these things resolved. So I think this is a very common-sense, practical way of addressing it, and certainly very proud that Saskatchewan and the ministry is leading the way in this area.

**Ms. Sarauer:** — Thank you for that. Could you provide some more context as to what is meant by "First Nation law"?

[17:00]

**Mr. Tesarowski:** — Yeah, we have three doors basically that are opened by this bill. The first is with respect to laws that are based on the *Indian Act*, and the second is laws that are based under the framework agreement which is the short form for the First Nation land management framework agreement Act. I think I've got all the acronyms in there. It's a land-based statute that enables First Nations to enact laws pursuant to its provisions instead of the *Indian Act*.

And we know that there are First Nations that are also working on self-government agreements with both Canada and Saskatchewan, and we wanted to make sure that we didn't exclude those from the process, so we have a door open for the laws that are based on that process as well.

**Ms. Sarauer:** — Thank you. Have the two First Nations that you are working with made any requests for amendments to this legislation that aren't included in this legislation?

**Mr. Tesarowski:** — They have not. They have made some suggestions about what a ticket might look like, and we are receptive to their commentary and are working on the ticket literally as we speak.

**Hon. Ms. Eyre:** — Yeah, and I'll just add, Mr. Chair, just to that. And this was something, well it comes up also in the RM [rural municipality] context. But on the ticket issue and to the point that it's being developed as we speak, it would be a bylaw ticket, is my understanding, that could be prescribed under *The Summary Offences Procedure Act*.

So it would be easier for municipalities on the one hand to use them than the provincial ticket and could make it clear when a payment is to be made to a municipality as opposed to when the fine can be imposed by the court. That's been an issue that we've heard. And that's been . . . That's something that we're working on, as I say, in that regard.

But also the stand-alone bylaw ticket could be used to support a First Nations bylaw enforcement. And I think that's again of practical, common-sense use in this context. And so to the point about it's being worked on, I think that that's something can serve very strong purpose in a number of areas including in First Nations bylaw enforcement.

**Ms. Sarauer:** — Thank you. You've already begun speaking about the work that will happen, that's happening currently, but also will happen once this bill passes, and I wanted to ask what the next steps were in this project.

**Mr. Tesarowski:** — I'm sorry. I didn't catch the . . .

**Ms. Sarauer:** — What are the next steps in this project?

**Mr. Tesarowski:** — The next steps are . . . A lot of it's back in the First Nations' court in terms of them deciding which laws they want to enforce, to providing us with copies of those laws so that they can be provided to the court because it will be the Saskatchewan Provincial Court that hears these matters. And just working on sort of the nuts and bolts of process and who does what and how does that actually work in practice. And we've been flowcharting existing processes and have flowcharted what this process will look like when it goes operational.



**Ms. Sarauer:** — What other groups have been consulted with respect to this project and legislation other than the First Nations that you're piloting with?

**Mr. Tesarowski:** — We have spoken with anybody that's wanted to speak to us about this. We've had a completely open door in that respect. And as Minister said earlier, we made presentations to the Saskatoon Tribal Council, I've had conversations with Prince Albert Grand Council, and again anybody that has made a request of the minister's office has come to me. And we've talked to each and every one of those people.

**Ms. Sarauer:** — Have the Provincial Court been consulted?

**Mr. Tesarowski:** — Yes.

**Ms. Sarauer:** — Did they provide any concerns or feedback?

**Mr. Tesarowski:** — No. Well as you know the Provincial Court governs where it sits and the understanding, for now at least, is that the tickets which have to be returnable in court but that can be paid earlier, just like a provincial offence can, will end up either in . . . will likely end up in Saskatoon Provincial Court for Whitecap Dakota and Prince Albert for Muskoday.

We have an understanding of course that the Provincial Court has jurisdiction to hear these matters and that our justices of the peace equally have jurisdiction to hear matters in the court.

**Ms. Sarauer:** — Thank you. I have no further questions.

**The Chair:** — Thank you. Seeing no more questions, we'll proceed to vote on the clauses. Clause 1, short title, is that agreed?

**Some Hon. Members:** — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 19 inclusive agreed to.]

**The Chair:** — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Summary Offences Procedure Amendment Act, 2022.*

I would ask a member to move that we report Bill No. 126, *The Summary Offences Procedure Amendment Act* without amendment. Mr. McLeod moves. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. That completes our committee's business for today. I would recognize the minister for some closing comments.

**Hon. Ms. Eyre:** — I just want to say a thank you to Mr. Chair, to you, to committee, to Ms. Sarauer for questions this evening. We were a little less time than we expected, so that's, I suppose, positive. And I want to certainly thank officials, welcome Dennis to the helm, and thank Kylie Head certainly for all her work as interim to this point and all her ongoing wonderful work with the ministry.

And as I say, really appreciate very, very deeply the work that . . . and I'm proud of the work that the ministry does every day for the people of the province. So certainly wanted to put that on that record as well, Mr. Chair.

**The Chair:** — Thank you, Minister. Ms. Sarauer do you have any closing comments?

**Ms. Sarauer:** — Sure. I would just join in with the minister in thanking committee and yourself, Mr. Chair, as well as yourself, Minister, for answering my questions as well as the officials. I very much appreciated the conversation we had this afternoon for the officials that are still here and the officials that were here. Thank you so much to Hansard and all the folks that work in the building as well. And appreciated the opportunity.

**The Chair:** — Thank you, Ms. Sarauer. I too would like to thank the minister and her staff and as well as my committee members too as well, and staff and Hansard too as well. And I just thank everybody for all the work, hard work they did.

I'd ask a member to move a motion of adjournment.

**Mr. Keisig:** — I do so move.

**The Chair:** — Mr. Keisig has moved. All agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. This committee stands adjourned until Tuesday, May 9th, 2023 at 3:30 p.m.

[The committee adjourned at 17:09.]