



STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

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STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

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Mr. Blaine McLeod
Lumsden-Morse

Ms. Nicole Sarauer
Regina Douglas Park

[The committee met at 15:30.]

The Chair: — Good afternoon. I'd like to welcome everybody here this afternoon. My name is Terry Dennis. I'll be chairing the meeting this afternoon. With us today we have Ms. Erika Ritchie, Mr. Nathaniel Teed, Todd Goudy, Gary Grewal, Travis Keisig, and I do believe that's it right now.

Before we get started today's business, I'd like to table the following document: IAJ 14-29, Ministry of Government Relations: Responses to the questions raised at the November 28th, 2023 meeting.

Today our committee is also tabling a list from the Law Clerk and Parliamentary Counsel of the regulations and bylaws filed with the Legislative Assembly between January 1st, 2023 and December 31st, 2023 which have been committed to the committee for review and pursuant to rule 147(1). The Law Clerk and Parliamentary Counsel will assist the committee in its review by submitting a subsequent report at a later date, identifying any regulations that are not in order with the provisions of rule 147(2). However the committee may also decide to review any of its regulations or bylaws for policy implications.

I am also tabling three reports from the Law Clerk and Parliamentary Counsel that identify any issues pursuant to 147(2) that he found with regulations and bylaws filed in 2017, 2018, 2019, and any steps that have been taken to rectify these issues. If the committee chooses, it may bring in the Law Clerk and Parliamentary Counsel to review these reports at a subsequent meeting.

IAJ 15-29, Law Clerk and Parliamentary Counsel: 2022 regulations filed; IAJ 16-29, Law Clerk and Parliamentary Counsel: 2021 bylaws filed; IAJ 17-29, Law Clerk and Parliamentary Counsel: 2017 report on regulations and bylaws; IAJ 18-29, Law Clerk and Parliamentary Counsel: 2018 report on regulations and bylaws; and IAJ 19-29, Law Clerk and Parliamentary Counsel: 2019 report on regulations and bylaws.

With that we'll move on to consideration of bills. Today we will be considering seven bills: one with Minister McMorris, one with Minister Merriman, and five with Minister Eyre. We will recess from 4:30 to 6:30.

Bill No. 153 — *The Miscellaneous Municipal Statutes Amendment Act, 2023*

Clause 1-1

The Chair: — First we will consider Bill 153, *The Miscellaneous Municipal Statutes Amendment Act, 2023*. Minister McMorris is here with his officials. I will remind officials to identify themselves for the record before they speak, and do not touch the microphones. Hansard operator will turn them on for you. We will begin our consideration with clause 1, short title. Minister McMorris, please make your opening comments and introduce your officials.

Hon. Mr. McMorris: — Thank you for that, and I'll make sure I don't touch the mike. I almost did and would've blown this whole committee meeting apart. But anyway thank you very

much. And I will let the officials, as they speak, if they answer any questions, to introduce themselves because I've got some at the table and some at the table behind me.

Today we are considering Bill No. 153 which proposes changes to the three municipal Acts. The three Acts that govern municipalities in Saskatchewan are *The Cities Act*, *The Municipalities Act*, and *The Northern Municipalities Act, 2010*.

These three municipal Acts create the framework for how municipalities are established and function. These proposed amendments are limited in scope. The changes improve key areas related to assessment appeal, organized hamlets, and other minor process adjustments. I want to highlight a few of these key areas for you.

The first is improvements to the property assessment appeal process. In recent years the ministry has updated the regulations to improve the system. Now we are adjusting wording in the Act to better reflect the changes.

Another key policy area is organized hamlets. Regulatory amendments to clarify the roles of an organized hamlet's board and the rural municipality were approved in the summer of 2023. As part of the review, some changes were identified for the Act. The most important was to require an agreement between the organized hamlet and the rural municipality on things that are a shared or delegated responsibility.

Virtual meetings have become more commonplace. Proposed changes will establish clearer rules for holding virtual council meetings and ensuring the public continues to have a place to view the meetings.

These changes will also provide all municipalities the authority to phase in property taxes, whether increase or decrease. Extending this property tax tool to all municipalities will allow them to manage tax shifts that may occur due to revaluation of properties. Currently only cities have this authority.

Some of the proposed amendments are in *The Municipalities Act* only, such as those related to organized hamlets. Others are in all three municipal Acts to ensure consistency in all three Acts. With that I would be happy to answer any questions that the committee may have.

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

Ms. Ritchie: — Thank you, Mr. Chair. I want to start by asking some questions starting with the amendments to section 68, the organized hamlet agreement, and the 68.1(1) where the amendments call for a hamlet board and a rural municipality to enter into an agreement in accordance with the regulations. Then it goes on further to indicate that such an agreement must be signed by the rural municipality and the hamlet board, and there are some time stipulations around that.

And so I guess maybe my first question is . . . The amendments make reference to the regulations. Are those regulations already in existence or are they something that is contemplated in the future?

Hon. Mr. McMorris: — I'll maybe just turn it over to Andrea, to my right, to go through this.

Ms. Ulrich: — Thank you, Minister. Andrea Ulrich, director of legislation and regulations at Government Relations.

The Municipalities Regulations is where the details of the agreement would be. Those details are not there yet because we needed to put the authority in the Act first. But it is something that we've been consulting with stakeholders, with organized hamlets, and RMs [rural municipality] for a few years now. And we're currently actually consulting on proposed wording for those regulations but, yeah, they do not exist yet.

Ms. Ritchie: — And thank you for that response. I wonder if you could please tell me what is being contemplated for the content of those regulations.

Ms. Ulrich: — Yes, I can speak a little bit to it. Of course, nothing's been approved. We're still in the consultation stage as I mentioned.

One of the items is a communication protocol between the hamlet board and the municipality. From the consultations we've done, from speaking with organized hamlets and RMs, when there's disagreements or disputes, one of the problems often is lack of communication or lack of consistency of that communication or one side feeling misunderstood by the other — you know, fairly common kinds of problems.

And so one part of the agreement we were proposing is that they would establish a communication protocol, so how they would communicate about certain things like budgets, like having joint meetings, that sort of thing. But it would be not something we would prescribe and tell them how to do, something they would agree on.

A few other things are areas where it's not quite as clear who decides if there's a percentage of levies or taxes, or a different mill rate in organized hamlets, just having those things for clarity in the agreement.

And then there's some areas where the RM can delegate certain functions to the hamlet boards, such as asset management, facility management, even project management. So if they were doing things like that, having that in the agreement for clarity.

Ms. Ritchie: — And it was mentioned that there's been some consultations occurring on these amendments. Can you please tell me how many RMs and organized hamlets were consulted? And in particular perhaps if you could tell me if the RM of Wilton was consulted or the organized hamlet of Lone Rock?

Ms. Ulrich: — I can check. We mostly work through the associations, and so we work through PARCS [Provincial Association of Resort Communities of Saskatchewan], which represents a number of organized hamlets. That's the provincial association of recreational communities of Saskatchewan. And we did do some specific focus groups back in 2021. And I don't believe either of those parties were there. There may have been some submissions through the associations from either of those parties but I wouldn't know specifically.

Ms. Ritchie: — And how would they have been notified of this opportunity to provide feedback? Was there notification sent to all RMs?

Ms. Ulrich: — It would have been through PARCS and through *Municipalities Today*, the newsletter that goes to all administrators. So yes, the RM of Wilton would have received that along with other RMs.

Ms. Ritchie: — Well it's maybe a little bit ironic but perhaps with the lack of a communication protocol, that may not have gotten to all the interested parties.

I guess just sort of delving a little bit deeper into what may be the subject of those regulations, I understand that there are some concerns with access to RM council records in general by organized hamlets who will be sort of affected by these changes. So will the regulations contemplate how RM decision items, bylaw changes, and anything else affecting the organized hamlet is communicated and in what form?

Ms. Ulrich: — Yes, there are currently regulations regarding matters like that that were approved since, I believe it was August 2023. And so it regards policies of what information needs to be available to the public, both by the hamlet board and by the rural municipality. So those come under documents for public inspection.

And also requiring hamlet boards to have certain policies in place regarding how they function as a board and the RM to have certain policies in place in terms of their requirements and processes for approving the budget, for example.

So those are very new changes that have just come into effect and will be operational by summer of 2024 when the organized hamlets are having annual general meetings. That's when they're required to have those policies in place.

Ms. Ritchie: — And are there any penalties for an RM refusing or not meeting those requirements? Are those in the new regulations?

Ms. Ulrich: — They would be treated like any other document that is required to be available for public inspection. So if they're not doing that, it's a matter of public accountability. So that's something that the public could point out: I'm trying to access this, it's not available. With over 700 municipalities it's not something we can possibly manage. But as many things that RMs are required to do, it's there. It's in the Act — and in this case, the regulations — and their citizens can hold them accountable.

[15:45]

Ms. Ritchie: — I'm not sure that that fully addresses the concern. There have been cases in the past where there has been a failure on the part of RMs to provide information as per section 117. And what I'm looking to establish is whether or not the changes that are reflected, in these amendments before us and the corresponding regulations, are going to in any way hold RMs accountable in a timely fashion to provide information that's requested and duly by rights should be shared by municipalities with their organized hamlets.

Ms. Ulrich: — Certainly, and you know, that's one of the issues we heard about when we were consulting and when we were looking into some of the issues around organized hamlets, is the communication and information. So, yeah, that's certainly something we've attempted to provide clarity on. And as I said, it's very new, so we haven't received a lot of feedback yet on how that's working.

Also the Office of the Information and Privacy Commissioner is certainly a good place for people to go if they feel that they can't access the information that they should be able to access.

Ms. Ritchie: — Well I guess there's always that. It does sometimes become cost prohibitive though if, you know, fees are then applied for accessing documents that should be readily available.

I notice in that section it does identify that a lot of this information could be made available on a website and not require going to those sorts of extents in order to access information that should be available to the public, and especially as it relates to organized hamlets, something that deeply affects their interests, particularly in cases where RMs have an interest in changing the manner in which they are part of that RM in terms of dissolution, in the case in particular for Lone Rock.

But I guess I just want to go back and ask the question again. Are penalties contemplated when an RM refuses to provide information as per section 117?

Ms. Ulrich: — I guess one last resort is there's fines and penalties so anyone that contravenes the Act can be brought . . . the court system and then it could be enforced that way.

Ms. Ritchie: — And if that route is taken, what would be the process that they would need to follow?

Ms. Ulrich: — I'm not familiar with bringing up a case to the courts.

Ms. Ritchie: — Would another official be able to respond?

Mr. Nasewich: — Rod Nasewich, executive director of policy and program services. Yeah, there are general offence and penalty provisions in the Act that provide for any violation of the Act to be fined for an individual. And there's continuing fines, there's lump sum fines, but it has to go through a court. One would have to make an application through the provincial courts about exactly what the contravention is and show up, and then the court decides on those fines and penalties and who is creating the offence and levy those against a municipality or an administrator. I mean those things are required in the Act, so it's the duties of an administrator to follow to make sure that stuff is available for public inspection and for council as well.

Ms. Ritchie: — Thank you for that response. There's been some changes in terms of the manner in which disputes between a hamlet board and a council are resolved. I see in section 77(1), there is a number that are listed that can go forward.

Does the ongoing dispute between the RM of Wilton and the organized hamlet of Lone Rock fall under any of the categories that are provided in that section?

Hon. Mr. McMorris: — I think I'll start by answering that. You're certainly being very specific on an organized hamlet, Lone Rock, and the RM of Wilton, and we probably aren't going to discuss, get into the particulars.

This is an overarching legislation that affects all organized hamlets, and the intent of the overarching legislation is to avoid disputes between organized hamlets and rural municipalities. I think it's fair to say that not all, maybe, RMs understand their responsibility to the OH [organized hamlet] and not all OHs understand the responsibility towards the RM.

On the Lone Rock-Wilton piece, a lot of their dispute is in front of the Municipal Board. It's probably not appropriate for us to start singling them out and what is or what isn't appropriate. We'll kind of answer to general questions regarding organized hamlets and municipalities.

Ms. Ritchie: — So in that case, hypothetically speaking, if say an organized hamlet has an existing dispute before the Municipal Board, and now we have these regulations coming into effect where it requires an agreement as it's laid out in section 68, how would a case that's currently before the Municipal Board be impacted by these changes?

Ms. Ulrich: — So when these changes come into effect and they're required to have an agreement, then existing organized hamlets and RMs will have to also establish that agreement, and it's defined that failure to come to an agreement is also a dispute.

And so their current dispute is already before the SMB, the Saskatchewan Municipal Board, and if that is not resolved at the time this comes into effect, then there could be potentially more items. I'm not sure that would really be within the purview of the Saskatchewan Municipal Board on how to deal with the current case versus what might happen in the future.

Ms. Ritchie: — In reviewing the latest annual report for the SMB, that being 2022, they've set out, I guess, service targets. But I didn't see anything there in terms of sort of what would be a reasonable time frame in which a dispute — in particular such as, you know, one occurring between an organized hamlet and an RM — should be resolved within. Could you please tell me if those kinds of targets exist and, if so, what they would be?

Hon. Mr. McMorris: — I'll let Bonnie come up and answer. But before she answers it, I'll just say that this is really . . . the bill has nothing to do with the Municipal Board. We're going to try and keep it on what this bill pertains to, but it's hard to not use the expertise that we have in the room because they can answer all your questions. So you know, we'll certainly take a crack at that one, and then we're going to try and bring it back to just bill-specific, please.

The Chair: — I would caution that we stay on track to the bill, to what's in front of us as far as bills and not get into confidentiality and a specific case.

Ms. Chambers: — Bonnie Chambers, executive director of the advisory services, municipal relations branch in Government Relations.

Our understanding with the delay at the Municipal Board, and

that this hasn't happened, is because of changes to legal counsel on one side or the other. As that is a separate entity of government and arm's length, we're not aware of or privy to when the hearings will be held. What we do know is that there was changes to legal counsel and the SMB gave time for the legal counsel to be brought up to speed on the matter. And that's as far as our understanding is.

Ms. Ritchie: — Thank you for that response. Do these amendments to the municipal statutes contemplate having, either within the Act or the regulations, stipulated time frames in which disputes will be resolved?

Hon. Mr. McMorris: — No, that would not be contemplated in this. I mean, you can imagine the number of different disputes that come before the SMB. Some can be handled quickly; others take quite a bit of research and time. And so no, we're not . . . The SMB is arm's-length. It would not be appropriate to put time frames in an Act like this.

Ms. Ritchie: — And as part of the consultations that occurred in lead up to these amendments, was it considered to include anything further with respect to either ensuring that conflicts of interest, real or perceived, are avoided by RM councillors?

Ms. Ulrich: — There are no conflict-of-interest-related amendments pertaining to RM councillors. As part of the organized hamlet consultations, we did look at conflict of interest for hamlet board members, and those are in the regulations that were approved in summer of 2023.

Ms. Ritchie: — And could you please share with us what those were?

Ms. Ulrich: — Just very similar to municipal council members. If there's a conflict of interest they step away, they declare what it is, and they remove themselves from deliberations.

Ms. Ritchie: — So in terms of conflict of interest, do the regulations include anything with respect to political donations?

[16:00]

Ms. Ulrich: — Nothing that specific.

Ms. Ritchie: — Nothing that specific. Okay. Sort of not related to that line of questioning, but it's also my understanding that before services can be dismantled within an organized hamlet, the RM needs to receive approval from the SMB before performing those works. Is there anything in these amendments that would address situations where such approvals have not been received?

Ms. Ulrich: — No, there isn't.

Ms. Ritchie: — There isn't. Okay. So just maybe going back to one of your earlier responses when you mentioned that PARCS was consulted. It's not clear to me that all organized hamlets would be represented by PARCS, because some would be, you know, resort villages and some would not. And so what attempts or efforts were made to consult with OHs that are outside of that sector?

Ms. Ulrich: — That's correct. Not all organized hamlets would be part of PARCS. We also worked with SARM [Saskatchewan Association of Rural Municipalities] in terms of, for them to communicate to their members. So that covers all of the RMs that have organized hamlets. And what we would like to see . . . We just can't consult with every single municipality. Numbers-wise it's impossible of course. But we do our best to work with the associations, and they're very good at getting information out to their members. So we did have a number of touchpoints over the last several years with SARM on this.

And we also communicate through *Municipalities Today* which goes to administrators, so there is an expectation, a responsibility that administrators of RMs that have organized hamlets will be passing on that information.

Ms. Ritchie: — Okay. But just to be clear, in those consultations you did not receive any feedback regarding issues or concerns with lack of SMB approvals with respect to dismantling of the services within organized hamlets?

Ms. Ulrich: — No, we did not hear about that.

Ms. Ritchie: — Okay. Or did you hear any issues about information being provided to organized hamlets on the issue of council elections or by-elections? Did that issue come up at all?

Ms. Ulrich: — No, I don't believe so. We definitely heard a lot about organized hamlet board elections and some clarification about who can vote in those. The manner of voting, it used to be just show of hands. We've now made it more flexible so that they can use a ballot or they can continue to use show of hands if they want. They can have nominations.

But really, because we are now treating them more like a board, as a board they're going to have policies around their elections and how they are held. So all the talk we heard about elections during consultations were about the hamlet board member elections.

Ms. Ritchie: — But you didn't hear any concerns regarding how there was obstruction of information being shared between RMs and organized hamlets with respect to upcoming elections?

Ms. Ulrich: — I don't recall anything like that.

Ms. Ritchie: — Okay. Okay . . .

The Chair: — Sorry, Ms. Ritchie, if you could please stay on task of Bill 153 please.

Ms. Ritchie: — Right. No, no. Yes.

The Chair: — Keep your questions pertaining to Bill 153.

Ms. Ritchie: — Okay. Thank you, Mr. Chair. I'm just trying to understand, as part of the consultations for the amendments that came forward, you know, the feedback that was received and then contributed to the amendments that we see before us. Because certainly in my own engagement with stakeholders, these were some of the matters that were identified, issues around timeliness, information sharing. Good to hear that, you know, there's going to be some communication protocols, and some of

the things I'm mentioning might be things that you might want to consider as you build those out.

I think related to that has been the issue of decisions for the establishments of corporations by RMs. It's my understanding that before an RM can establish a corporation, it has to, obviously, you know, go before the RM, be approved and signed off and then publicly shared. Are the amendments that I see before me, is there anything either here or in the regulations that address issues where . . . the manner in which that needs to be undertaken?

Hon. Mr. McMorris: — No, that has nothing to do with this Act.

Ms. Ritchie: — Okay. Okay. I guess then lastly sort of along this line of questioning, another issue that's come to my attention is the cost for insurance of residents within organized hamlets for fire protection and also the protection of water pipes and things of that nature. Will the regulations, if that will be part of the amendment process, be addressing insurance provisions for these ratepayers?

Hon. Mr. McMorris: — No, that's not really part of this either.

Ms. Ritchie: — No? Okay. Okay. I wonder if you could tell me what feedback you received that suggested organized hamlets should get a shorter period of inactivity before they're demoted.

Ms. Ulrich: — Yes. So one of the concerns we heard is that two years is a very long time, especially when there's annual requirements for organized hamlet boards. So once that organized hamlet is no longer serving its function, is no longer engaging in its legislated activities, then the RM would request that their status be revoked or disestablished. But that's a request to the minister, so it's not an automatic reversion either. It's a request to the minister.

Ms. Ritchie: — Back to sort of some of the changes to section 77, you know, I'm wondering if you could explain to me why it was necessary to itemize the types of disputes that are listed in subsection (2). What has been gained by taking this approach?

Ms. Ulrich: — Certainly. So we of course consult with the SMB when we have amendments concerning their role. And as part of that discussion, it was recognized that the matters for disputes should be pertaining to matters within *The Municipalities Act* and *The Municipalities Regulations*, so matters that are legislated. And that is the clear role where the SMB has the expertise and is more appropriate for them to be ruling on.

So the disputes, the matters under subsection (2), are things that would be in the agreement and therefore — it would be clearly laid out in the regulations in terms of what's supposed to be in the agreements — it would be clear, you know, where that dispute lands and there would be no question of whether that jurisdiction would fall under the SMB or not.

Ms. Ritchie: — Okay. So that's a very helpful point you just made in terms of there would be sort of a clear relationship here between the items that are part of the agreement and then those things that would be identified as . . . if there was a dispute, they could come before the board. So what about in the case of, if an RM is contemplating sort of dissolution of an RM? Would that

be something that would be considered or contemplated under section 77(2)?

Ms. Ulrich: — Sorry, do you mean organized hamlet?

Ms. Ritchie: — I mean organized . . . I'll try to restate it. Sorry if I misspoke. I'm talking about a case where a rural municipality makes a decision to dissolve an organized hamlet. Would that be a matter that would fall under the items listed in subsection (2)?

Ms. Ulrich: — No, it would not because it would be the minister who would make that decision. Yeah, it's a request to the minister, so it would not be the RM making that decision. Therefore it couldn't be a dispute.

Ms. Ritchie: — Okay. Oh, I wasn't aware of that. So that's interesting. So before an RM can proceed with dissolution, they have to . . . And what section would that fall under?

Ms. Ulrich: — So in the bill, section 52 where it makes that change from two years to one year, that's also where it has the wording that the council shall request the minister to order the reversion of the status of the organized hamlet if no active hamlet board has existed for the preceding year.

Ms. Ritchie: — Okay. So I'm just looking at that section right now. And so is my understanding correct in terms of the municipality . . . Maybe you could just put that in layman's terms for me, please.

Ms. Ulrich: — So if the organized hamlet is not active, and "active" is now defined in regulations as having an annual general meeting as well as the policies that they're required to have, then the council of the RM come to the ministry and say, this organized hamlet is not active. We're requesting that the minister order that its status be reverted. And then the ministry, the minister would look at that and see if it's appropriate to make that order. And then just as an organized hamlet is established by a minister's order, then that status is also able to be taken away with a minister's order.

Ms. Ritchie: — Okay. And so those would be the only circumstances under which that dissolution could go forward. Basically it's that the organized hamlet hasn't sort of been managing their affairs, meeting as an organization, that it's . . . Would it have anything to do with any kind of financial considerations of the RM?

Ms. Ulrich: — Under this provision it's if they're not active, so if they're not meeting their responsibilities. There's always section 399, and the minister has the authority to intervene. So if there are other situations where the minister decided to order an inspection and found something was remiss, could make any order that pertains to whatever that inspection found.

So there's other circumstances where something could be changed, but under this section in terms of the status of the organized hamlet, it's whether there's activity or not. In many of these places population is declining. There's maybe 20 people left. There's several organized hamlets with very small populations, and so they simply don't have the resources or the will to carry out the requirements of having an organized hamlet board. So those would be the more common.

[16:15]

Ms. Ritchie: — So if I understand you correctly, an RM cannot act unilaterally. They have to put the request to the minister.

Ms. Ulrich: — In terms of the status of the organized hamlet, yes.

Ms. Ritchie: — Okay. And then likewise, in order to proceed with dismantling waterworks, that too would need to . . . That would require minister approval or a board approval or both?

Ms. Ulrich: — And so because the services are the RM, whether those services are in the organized hamlet or not, it's still under the governance and the authority of the RM. So in the future something like that could be contained in an agreement, and that would certainly be a good practice so that there is clarity, especially when there could be impacts on an organized hamlet. But currently that's not a requirement and the RM has the ability and authority to act in what services they provide their residents.

Ms. Ritchie: — Well that's different than my understanding, so thank you for that correction. But again just to make sure that I have this correctly, so you're saying that it's within the RM's authority to dismantle services and they do not require approval from SMB before and there's nothing in these amendments . . . Well you are saying that in the future, it could be part of the agreement but at the current, as it presently sits, there is no approval required.

Ms. Ulrich: — Correct.

Ms. Ritchie: — Correct? Okay. All right. Thank you very much.

So with the changes that we see to section 77, how are you anticipating this to impact on the casework before the SMB?

Hon. Mr. McMorris: — That isn't the reason why we're doing this. I mean I don't think we've done any work on that that wouldn't be kind of what . . . This is just to make sure that organized hamlets and RMs are communicating better and have a better understanding of the responsibilities before there gets to be any dispute.

Ms. Ritchie: — So in that case, hopefully it would reduce and limit the number that need to go for it because these things would be more clearly outlined in an agreement.

Hon. Mr. McMorris: — I guess, yes. I would say that hopefully that's the case.

Ms. Ritchie: — Okay. And in the consultations that have occurred on these amendments, did you hear anything back from stakeholders regarding lengthy delays or and how these amendments might be able to reduce them?

Ms. Ulrich: — Specifically regarding disputes?

Ms. Ritchie: — Yes.

Ms. Ulrich: — We did send out a survey because we don't have information regarding disputes if they're using the three-person appeal board, and there was only the one. They're really not that

common to have formal disputes. There were a couple of instances where they were heading that way and were able to come to a resolution. But they're really quite uncommon. So since the ability for them to be referred to the SMB, only the one has, the one you're referring to. But yes, other than that it's not common, and so we did not hear that from anyone else.

Ms. Ritchie: — Has any consultation report been prepared that summarizes the feedback received?

Ms. Ulrich: — There is a report that we published regarding the focus groups we did in 2021 and I believe that would be the only thing that has been published publicly.

Hon. Mr. McMorris: — I think probably it's common to, as Andrea mentioned, who we consult with. It's not common to do a report on every piece of information. We did on the focus groups, but it isn't common on other legislation.

Ms. Ritchie: — And would it be possible to receive a summary of the feedback that was received?

Hon. Mr. McMorris: — So we could probably do a summary of what we heard from the focus groups from three and a half years ago, three years ago, 2021.

Ms. Ritchie: — But there were consultations that have happened since then, is that right? Is there a record of that feedback that could be provided?

Hon. Mr. McMorris: — As I said, we can tell you who we talked to.

Ms. Ritchie: — Okay.

Hon. Mr. McMorris: — I don't think we have a roll-up of what we . . . a printed version of what we had heard.

Ms. Ritchie: — Okay, thank you very much. I appreciate that. Perhaps maybe just to kind of round this out, in cases where there are disputes between hamlets and councils, as is sort of contemplated and in section 77, subsections (1) and (2), will there still be an appeal process if one of the parties is not satisfied with the outcome?

Ms. Ulrich: — A decision of the SMB can be appealed to the courts.

Ms. Ritchie: — Okay, so nothing's changed in that regard?

Ms. Ulrich: — No.

Ms. Ritchie: — Okay. Mr. Chair, thank you. I have no more questions.

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

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1-1 agreed to.]

[Clauses 2-1 to 5-1 inclusive agreed to.]

The Chair: — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Miscellaneous Municipal Statutes Amendment Act, 2023*.

I'd ask a member to move to report Bill No. 153, *The Miscellaneous Municipal Statutes Amendment Act, 2023* without amendment. Mr. Goudy, you move? Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Thank you. I'd like to ask the minister for some closing comments.

Hon. Mr. McMorris: — Great. Thank you, Mr. Chair. Thank you to the critic and government members for being here, to allow this to happen. And especially thank you to all the officials that are behind me, that know this stuff so well.

The Chair: — Thank you, Minister. Ms. Ritchie.

Ms. Ritchie: — Yes, thank you, Mr. Chair. I just also want to echo the minister's remarks and thank the officials for all being present and answering my question, as well to legislative services for their role in these proceedings. Thank you all.

The Chair: — Mr. Keisig, you have comments?

Mr. Keisig: — Thank you, Mr. Chair. I'd just like to add and thank the minister and his team and just give a really big shout-out to all of the organized hamlet, resort village, and rural municipal administrators across the province for all the hard work that they do and staying current on bills and legislative changes that we bring forward. So thank them for their service and all of their hard work. So thank you, Mr. Chair.

The Chair: — Thank you. I'd also like to thank the ministers and the staff and Ms. Ritchie and the crew here for all their work today. We will now recess till 6:30 tonight. Thank you.

[The committee recessed from 16:29 until 18:29.]

The Chair: — Good evening. I'd like to welcome everybody back. With us . . . joining us is Nicole Sarauer and Mr. Blaine McLeod.

[18:30]

Bill No. 144 — *The Police (Miscellaneous) Amendment Act, 2023*

Clause 1

The Chair: — Next on our agenda is Bill No. 144, *The Police (Miscellaneous) Amendment Act, 2023*. Minister Merriman is here with his officials. I will remind the officials to identify themselves for the record before they speak and do not touch the microphones. Hansard operator will turn them on for you.

We will begin our consideration with clause 1, short title.

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

Hon. Mr. Merriman: — Thank you very much, Mr. Chair. I'll now offer my opening remarks for Bill 144, *The Police (Miscellaneous) Amendment Act*. With me I have Greg Gudelot, and I also have Neil Karkut.

This bill contains two sets of changes. First the bill creates new provisions respecting the Saskatchewan marshals service. The Saskatchewan marshals service is a police service that will provide an additional law enforcement presence across Saskatchewan. Its duties will include detecting, disrupting, and deterring criminal activity, primarily in rural and remote areas; conducting proactive investigations into offences relating to farming and agriculture; enforcing provincial and federal statutes; locating and apprehending high-risk and prolific offenders with outstanding arrest warrants; and providing emergency and specialized support to other law enforcement services.

The Saskatchewan marshals services was established by order in council last August in accordance with section 24.1 of the Act. This was an interim step to allow staffing and procurement process to begin, including the appointment of Rob Cameron as chief marshal.

The proposed amendments designate the Saskatchewan marshals services as a police service through legislation and sets out details respecting its structure, operation, and governance as well as collective bargaining and human resource matters. Under the proposed legislative structure, a chief marshal will administer and manage the Saskatchewan marshals service's operations and maintain discipline. The minister will work with the chief marshal to develop long-term strategic priorities.

The legislation expressly prohibits the minister from providing direction respecting investigations, the conduct of operation, the discipline of members, or the day-to-day administration of the Saskatchewan marshals service. And Saskatchewan marshals service governance advisory council will advise the minister on the minister's powers and the duties respecting the Saskatchewan marshals services.

Additionally, the deputy minister will act as the board while dealing with public complaints, collective bargaining, and serious incidents. This legislative structure ensures that the Saskatchewan marshals service can carry out its own duties and mandates independently without political bias.

The second set of changes to the Act, its provisions respecting the serious incident response team or SIRT. First, the changes create a warrant process to allow SIRT to obtain evidence from third parties that will assist with investigations. Currently if SIRT requires third-party evidence and the third party is not co-operative, a warrant is required under the Criminal Code. That warrant process requires a reasonable belief that a criminal offence was committed.

Specific warrant powers for SIRT will help ensure transparency and public confidence in policing, even in cases where there are no grounds to believe an offence was committed. Appropriate rules and processes are included to ensure the privacy rights of

third parties are respected. These changes also update matters respecting notices and timing requirements. Most of these changes are currently addressed through regulations, but it will now be clarified under the Act.

With that, Mr. Chair, I welcome questions to Bill 144, *The Police (Miscellaneous) Amendment Act, 2023* from the committee.

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

Ms. Sarauer: — Thank you, Mr. Chair, and thank you, Minister, for your opening remarks. I have a few questions about some changes in the bill. I will try and go through them from start to finish, but I might end up jumping around based on our conversation. The first provision I wish to ask a question about is in relation to section 5 of the bill which repeals subsection 24.1(5) of the legislation. Can you explain why this subsection is being repealed?

Mr. Karkut: — Neil Karkut, I'm from the Ministry of Justice and Attorney General. As the minister mentioned previously, initially the marshals were established by order in council through section 24.1. In the previous set of amendments to the Act, there were some updates made to that section to accommodate the development of the marshals, and one of them being that subsection (5) you see there.

As a default, it's anticipated that the police commission regulations will apply to the marshals, however those commission regulations are very detailed. So in some instances it might be necessary to create specific regulations to the marshals. So for example, if a logo is different than set out in the regulations or some of the clothing or equipment requirements differ slightly from what the commission sets out in its normal regulations. So that power was established at that time in case that needed to occur.

Those types, no specific regulations have been passed yet. However now that the marshals are going to have their own specific provisions under the Act, the legislation is removing that general provision and it will be under the marshals' specific provisions that those unique regulations can be passed.

Ms. Sarauer: — Thank you. Now looking at section 36.1(1), which is a part of the new part III as you're saying, this distinct part of the bill that includes the Saskatchewan marshals service. So going back to my question, 36.1(1)(2) speaks about something that you have alluded to in your opening remarks, Minister, that there will be consultation with the minister around direction, policy, strategy, or plans. That's clearly contemplated in this subsection of the Act. Can you provide some examples of what that might include?

Hon. Mr. Merriman: — Thank you for the question. As it was addressed in my opening comments, this would be providing overall very high-level direction to the marshals service for making sure that they're in compliance with *The Police Act* and making sure that any needs that they are requiring as far as financial needs, that those are brought to my attention to be able to make sure that there is budgetary dollars for that. But it wouldn't be, as I identified, anything to do with day-to-day operations or anything to do with specific investigations that . . .

no different than any other police service that's in the province.

Ms. Sarauer: — Sorry, you said at the very end, "no different than any other police service that's in the province." Do you mean a police service that answers to a . . . like it's similar to how a police service answers to a police board? That's what that relationship will be?

Mr. Karkut: — You mentioned the board. The deputy minister would step in where a board would traditionally act with the police service. So an example for that would be in human resource matters; in collective bargaining; in some instances, for example, with a public complaint the board might play a role. So it's the deputy minister that would be playing those roles with the marshals.

Ms. Sarauer: — Thank you for that clarification. This provision deals directly with the minister, and I see . . . Now the minister's spoken a little bit about what this provision means broadly. He mentioned "high-level direction." Can you provide some more detail as to what that would look like, for example?

Hon. Mr. Merriman: — Yeah, like I had talked about, some of the general goals would be — and as I identified, there's going to be no hands-on from the minister in any direction as far as investigation or day to day — but like I said, it's very similar to other police. Technically under the Act, the RCMP [Royal Canadian Mounted Police] in section 5(1) indicates that the RCMP Commissioner is "under the direction of the Minister of Public Safety and Emergency Preparedness."

It is very similar to what that is. Again, duties include detecting, disrupting, and deterring criminal activity; proactive investigations into offences; enforcing provincial and federal statutes; locating and apprehending high-risk offenders; providing emergency and specialized supports — these are some of the duties that the marshals service will be able to execute once they are up and running.

Ms. Sarauer: — Thank you. I understand what the legislation disallows the minister to be involved in specifically, but I am asking around more detail as to what the minister is allowed to do, provided under subsection (2). So there are clear words here like "direction," "policy," "strategy," or "plan" in 36.11(2), and I'm wondering if you can provide more detail than you have provided as to what that could mean for the marshals service.

Hon. Mr. Merriman: — Well I would think it would be very similar to what I do right now when I meet with the Saskatchewan association of police chiefs, when I talk to them, I talk to the commissioner of RCMP — not providing specific direction, but providing support for those individual agencies and agencies working together, working with the RCMP, working with municipal police.

I interact with chiefs of police and not providing specific direction but providing support in their doing. And any direction that is provided is at very, very high level and is nothing . . . like I said, mentioned it has nothing to do with the day-to-day operations or any execution.

The marshals will be an independent organization from the ministry. It's very similar to what I do with other agencies is I

check in with them how I can support them, how I can make sure that their budgetary needs are being met and try to work as coordination of these different entities through my office.

Ms. Sarauer: — Thank you, Minister. As you know well, words matter in legislation. You've mentioned that you see the role as one being a support role to the marshals; however, "support" is not used in that provision. There are . . . "direction," "policy," and "strategy" are the three words that are used.

Do you have any comments as to . . . Are you able today to provide further detail as to what that is going to look like?

Mr. Karkut: — So I guess just an example of the strategic direction that you might see is what the minister had originally gone over. For example, the SMS's [Saskatchewan marshals service] duties involve, you know, detecting, disrupting, and deterring criminal activity primarily in rural and remote areas; locating and apprehending high-risk and prolific offenders with outstanding arrest warrants. The marshals are going to be carrying out specific duties in those types of listed areas.

That's an example where the minister would be providing high-level, strategic guidance on what their goals and duties are to carry out. They're not the police force of original jurisdiction. They're going to be carrying out the specialized duties. So that's, I guess, one of the best or clearest examples we can provide of what type of strategic direction and policy the minister would be providing to them.

Ms. Sarauer: — You mentioned that the deputy minister will be acting as the board in a traditional sense. I'm just looking at the definition of . . . or not the definition but the Regina Police Service board of police commission's website where they outline what their responsibilities are. One of them is "the Board establishes the objectives and priorities of the Regina Police Service." So will the deputy minister be serving in that role or will the minister be serving in that role?

[18:45]

Hon. Mr. Merriman: — I guess as I identified in my opening comments, the deputy minister will act as the board dealing with very high-level public complaints, collective bargaining, and serious incidents. That would be where the deputy minister's role is on the operation. Then it would be talking, you know, as far as the specific operational side of things, that would be up to the chief marshal.

And I'll also mention that there would be an advisory committee that'll be . . . make up of community members that will also assist in providing direction, which will be made up of organizations such as SARM, SUMA [Saskatchewan Urban Municipalities Association]. We will work with First Nations to find an additional person from our Indigenous, representing our Indigenous community, as well as rural and remote areas. So we'll make sure that that advisory committee is in place to also help advise myself as well as the deputy minister if need be, or the chief marshal.

Ms. Sarauer: — Thank you. We'll get to more detail. I'll ask some questions around the advisory council as well shortly. So I'm just looking at 36. I was talking about 36.11 but in addition

there's 36.4, the role of the minister. You've talked a lot about what the minister will not do. And then here where it says in subsection (1)(a) that:

. . . the minister shall:

(a) provide general direction, policy and priorities to the chief marshal respecting the SMS . . .

So it looks like that role, and as you have just described, Minister, what the specifics of the DM [deputy minister] will be, the DM role, that that policy and direction will . . . The "high level" as you've described it will come from the minister specifically.

Now you've spoken a bit about the role of the marshals and what their duties will be. And I know that is also laid out here in terms of 36.3 around "Members." I just have a few questions about the scope of work for the marshals. Now you mentioned in your opening remarks, Minister, that they will be focused on the rural and remote areas of the province. Is that correct?

Hon. Mr. Merriman: — Primarily rural and remotes, but also helping to assist other police force in backfill if there is any requirement for that to happen.

Ms. Sarauer: — They will be based out of Prince Albert. Is that correct?

Hon. Mr. Merriman: — Yeah, they'll be headquartered out of P.A. [Prince Albert] and it'll be up to the chief marshal to decide operationally where he feels individual postings will be.

Ms. Sarauer: — So have there been any decisions yet as to where those individual postings will be or how many of them there will be in the province?

Hon. Mr. Merriman: — I don't think so. The chief marshal hasn't identified anything. I would leave it up to his discretion as to where they are. He wouldn't necessarily . . . It's an operational issue.

Ms. Sarauer: — Will a piece of that be a funding issue, though, from the government? I'm assuming with individual postings there will be buildings and equipment and the like that will need to be purchased through the ministry. Is that correct?

Hon. Mr. Merriman: — That hasn't been determined yet.

Ms. Sarauer: — So the only thing that has been determined so far is where the headquarters will be?

Hon. Mr. Merriman: — That's correct. I assume that the chief marshal is looking at a plan operationally on where he feels that the marshals will be the most effective. But they will be mobile throughout the province. It's just more where they're posted. But that would be an operational decision based on his experience as a former police officer himself.

Ms. Sarauer: — Has that building been purchased yet for that headquarters?

Hon. Mr. Merriman: — No. Yes, there is a building that has been purchased for that.

Ms. Sarauer: — How much was the purchase price?

Hon. Mr. Merriman: — It was leased. My mistake.

Ms. Sarauer: — Okay. What is the price of the lease?

Hon. Mr. Merriman: — I'm not sure what that has to do with the piece of legislation, but it would be within budgetary dollars that have been allocated to the chief marshal.

Ms. Sarauer: — How much?

Hon. Mr. Merriman: — I don't know how much it is. It's within the chief marshal's budget.

Ms. Sarauer: — Could you provide that number to the committee at a later date?

Hon. Mr. Merriman: — Again I'm not sure what that has to do with the legislation. It's an operational decision. This is a high-level, strategic legislative bill that is not into the operation. I feel we're very deep into the operations of the chief marshal. I don't think that that has anything to do with the piece of legislation in front of us.

Ms. Sarauer: — Just for clarity of the committee, are you refusing to provide an answer to that question?

Hon. Mr. Merriman: — I'm not refusing to provide any answer to . . . I'm talking about the piece of legislation in front of us. Those would be something that could be done through written questions, question period, or through estimates. We're talking about a piece of legislation in front of us, not necessarily the operations.

Ms. Sarauer: — Well we're asking about the marshals service and how it's going to operate, which is what this legislation is doing. A piece of that involves purchasing equipment, purchasing buildings, hiring staff. And I think it's imperative on us as legislators to ask the ministry and yourself as minister what the costs are associated with that with respect to this bill.

Hon. Mr. Merriman: — Yeah, and we've been very clear with that. The start-up costs this year were \$7 million, which was budgeted, which was gone through the legislative process. And we're looking at the budget for next year, which is . . . Everything that you were asking about is encompassed in that budget. So if there's some budgetary questions when that comes, we'd be more than happy to answer those budgetary questions. We're speaking specifically about the legislation, not about the budget.

Ms. Sarauer: — So are you saying that any expenses related to the lease did not happen in this budget term, but that it will be in the following budget? Like it's not coming into effect until April 1st?

Hon. Mr. Merriman: — What I'm saying is that there are \$7 million allocated in this year's budget for the marshals and \$20 million in next year's budget for that, which we've been very transparent about. All of the costs that are going to be incurred for the lease, the vehicles, the equipment, the outfitting of the specific officers, the training of those specific officers are all within that budgetary number.

Ms. Sarauer: — So just to clarify, the cost of the lease falls within the \$7 million allocation that was provided for this budget cycle.

Hon. Mr. Merriman: — That's what I've been told, yes.

Ms. Sarauer: — Okay. But you will not provide us the exact number.

Hon. Mr. Merriman: — I don't have the exact number.

Ms. Sarauer: — Okay.

Hon. Mr. Merriman: — We're talking about two different things. We're talking about a budgetary number versus a piece of legislation. A piece of legislation does not necessarily . . . There's nothing in this legislation about dollars. That's a budgetary issue that we can discuss at a financial committee meeting, absolutely. I'm just not sure what that actually has to do with the piece of legislation in front of us, because the budget has been set and is being adhered to.

Ms. Sarauer: — Well again it deals with the operations of the marshals service, which is what this legislation is designed to do. I will move on because you're not going to answer that question.

Can you provide some more details as to what the scope of the work of the marshals service will be?

Hon. Mr. Merriman: — Like are you talking about this . . .

Ms. Sarauer: — You had talked about warrant enforcement and . . .

Hon. Mr. Merriman: — Sure.

Ms. Sarauer: — You had talked about that in your opening remarks.

Hon. Mr. Merriman: — Sure. Yeah, I can go through it, sure. The duties will include detecting, disrupting, and deterring criminal activity primarily in rural and remote areas; conducting proactive investigations into offences related to farming and agriculture; enforcing provincial and federal statutes; locating and apprehending high-risk and prolific offenders with outstanding warrants; and providing emergency and specialized support to other law enforcement services, which I think is a very big piece of the marshals that might not be understood by the general public, that we will be able to backfill and help support municipal policing as well as RCMP with marshals so we can keep more officers in the field versus them being pulled off to do special duties.

Ms. Sarauer: — So you mentioned municipal backfill. Is that being done at the request of municipal police forces?

Hon. Mr. Merriman: — Well in a situation where just recently the Prince Albert police with one of the recommendations came out that they needed to form a special task force or a special group of officers, and they said it was very difficult and challenging for them to do that because they have officers that are being used in other capacities. So this is where the marshals could come in and backfill those positions to help out so those officers would be

able to go out onto the special task, and marshals would be able to help them and provide some support in behind those municipal or RCMP depending on what the task force is.

Ms. Sarauer: — I'm actually curious to know how that's going to work operationally. So if the marshals are coming in to support municipal forces, are they then answering to and taking direction from the police chief of that jurisdiction, say the P.A. chief for example? Or are they taking direction from the chief marshal?

Hon. Mr. Merriman: — I think it would be requested by the municipality for them that they need some support in there, that if the chief marshal is able to allocate that support out to that specific police force, that would be an operational decision no different than when we have a lot of our task force, our crime reduction team are made up of municipal and RCMP. So they work in conjunction together, not necessarily reporting to the municipality or the RCMP, but they have a specific task. And the crime reduction team or warrant enforcement team, the marshals would dovetail into that very similar and be able to assist wherever they're needed.

And that's why bringing an additional 70 officers into Saskatchewan to be able to address this and be able to help out and support other municipalities is being very positively received by the Saskatchewan Association of Chiefs of Police.

Ms. Sarauer: — Sorry. Are you saying that the marshals service has been very positively received by the Saskatchewan Association of Chiefs of Police?

Hon. Mr. Merriman: — I would say that yes, the police officers that I've spoken to are supportive of that, the chiefs that I have talked to.

The RCMP had some initial concerns, but we're certainly working that out with them and how this is not pulling away from RCMP officers. And I think that's a very important point, is we are funding the RCMP. We're looking at increasing the funding for the RCMP. We're not taking any money away from the RCMP to fund the marshals. We were able to fund the RCMP an additional \$13 million in this fiscal year. So we are supporting the RCMP. We are supporting our municipal police force, our First Nation, and now we will be supporting the marshals.

Ms. Sarauer: — There has been a concern about poaching, whether or not this service will, instead of adding more bodies to Saskatchewan, will just move bodies from one policing force to another. Do you have any comments on that?

Hon. Mr. Merriman: — Well I would again leave that up to the chief marshal as far as who he is hiring and who he is not hiring. We've had lots of interest from outside the province. I think we've had over 125 résumés come in of seasoned officers that would like to be a part of this. They certainly see the value of the marshals as law enforcement. And we would do our best to make sure that we're not pulling from one police force to be adding into another police force. We would make sure that we keep them as whole as possible.

In saying that, we want to make sure that we have the most effective marshal force out there as well.

Ms. Sarauer: — What is the starting salary for a marshal?

Hon. Mr. Merriman: — As I've been told, we're going through the process of the public service to be able to determine their salary, but it will be somewhat comparable to other law enforcement at that level.

Ms. Sarauer: — Thank you. What is the salary of the chief marshal?

[19:00]

Hon. Mr. Merriman: — Again, I think we're venturing off into budgetary questions again. And I understand where you're trying to go with this, Ms. Sarauer, but we just hired the chief marshal as of January 1st. It would be the equivalent of a police chief in other areas such as Prince Albert Chief Nogier, in and around that specific area. But we're really venturing into budgetary questions, not policy questions.

Ms. Sarauer: — Thank you. I understand you have the number and are not providing it to the committee at this time. I will ask it again at estimates.

I'm going to move on to the governance advisory council which you touched on very briefly, Minister. Can you provide some further explanation as to what their role will be?

Mr. Karkut: — So the SMS governance advisory council, that was based partly on Ontario's new policing legislation, so we modelled that partially off their approach. And I guess the best way to describe the role of the advisory council goes back to what the minister was describing as there's the role of the minister to provide general policy and administrative oversight, and then the role of the chief marshal who really runs the operational day to day, the investigations, those elements.

So the advisory council I guess helps maintain an extra level of oversight to ensure that independence and separation of roles.

Ms. Sarauer: — So just walk me through how that's going to work, the ensuring the independence of the roles or the separation of the roles. Sorry, I can't remember if you said separation or independence.

Mr. Karkut: — Separation. Separation works.

Ms. Sarauer: — So 36.7 speaks specifically about what the role of the advisory council is. It looks like the minister, they're not required to but they can submit, for example, a policy to the advisory council who will then determine whether or not the minister is able to provide that policy to the SMS? Is that correct?

Mr. Karkut: — That would be a correct description. I would just add that there's two branches. So the minister may submit a policy, for example, to the advisory council. But if you also look at subsection (3), the advisory council can request that the minister provide a direction or policy or strategy as well. So if there was something in the works or something recently introduced, they could also request that be provided. So they could initiate the review as well.

Ms. Sarauer: — So what happens after that review concludes?

Mr. Karkut: — That would be, I guess, 4(b) would be the main description there, is they can “provide any advice or recommendations to the minister with respect to the direction, policy, strategy or plan . . .” It’s an advisory role.

Ms. Sarauer: — So would their recommendations ever be publicly available?

Mr. Karkut: — Yeah. That’s addressed in subsection (5). It’s in the minister’s discretion, but may publish any advice they receive in the manner that the minister considers appropriate.

Ms. Sarauer: — Thank you. So you hit the piece that I wanted to ask about. It’s a “may” clause not a “shall” clause. Why was that drafted in that way?

Mr. Karkut: — That’s essentially to protect the operational integrity of the marshals. When you’re dealing with the types of . . . For example, there might be a policy or strategic initiative looking into gang activities where the marshals don’t want to be publishing the details of those operations because it could be a very sensitive area that would impact policing operations. So that’s the main reason why the legislation leaves that as discretionary.

Ms. Sarauer: — Thank you. I’ve a very specific question around — now I’m going back — 36.5(2) which is around indemnifying members for costs in the cases of criminal prosecution. Now if you look at the end of subsection (2) it says, “. . . the minister may indemnify the member for all reasonable costs incurred in the defence of the criminal prosecution.” Now my understanding is most municipal police collective bargaining agreements actually require their employer to indemnify members.

Could you explain why there is a difference between what municipal police members receive in their CBA [collective bargaining agreement] and what the marshals service members will receive pursuant to this legislation in terms of indemnification?

Mr. Karkut: — When this piece was reviewed there was concern that there may be instances where you would have a police officer who was acting in a negligent or criminal matter, and it’s not appropriate to be indemnifying them for their criminal prosecution, for example. So that was the reason it was determined to make this a discretionary power.

Ms. Sarauer: — Thank you. I forgot to ask a question about the advisory council when we were on it, so I’ll go back to it. You mentioned that the board will consist of at least three members. Do you have any idea yet how big that board is going to be? You had mentioned, Minister, some of the stakeholders, organizations that you anticipate will form part of the advisory council. I’m just wondering what more work has been done with respect to what the board is going to look like.

Hon. Mr. Merriman: — Yeah, I think I can tell you this: there’s been a lot of stakeholders that have approached us and said that they would like to be involved with this as it is a new initiative. We’ve had lots of groups like the Cattlemen’s Association. SARM, SUMA have specifically asked if they could be involved with this. I gave them my verbal that, yes, they would be involved.

We would make sure that SARM and SUMA have a representative, now whether that’s the president or a designate, because I think it’s very important that the marshals look at what’s happening rural and urban as well, First Nations. I don’t have the size of that made up, but I would like to be able to make sure that it’s inclusive of northern communities, rural communities, as well as First Nation communities. We’ve had a very preliminary discussion with some Métis communities as well to see if they would be interested.

I haven’t got the total number of how many people would be on that board. I would like it to be effective, usually I would think 8 to 10 would be maximum, just otherwise it gets too convoluted. And I want to make sure that they’re very focused on helping me make decisions, or helping the minister make the decisions, and also helping out with the chief marshal.

Ms. Sarauer: — Thank you. I also used the word “board.” I need to be more careful with my language — “advisory council,” just to be specific. Do you have a timeline for when the advisory council will be formed?

Hon. Mr. Merriman: — I don’t have a specific timeline, but we’ve had a lot of interest. So we’re just gathering the information, and we’re going to set up a matrix to make sure that we do have a robust advisory council. But we do have a lot of interest from a lot of our stakeholders right now. It’s hard to provide an advisory council without operationalizing the marshals. But we’ll make sure that we are meeting with lots of stakeholders right now, not in an advisory capacity but in an unofficial capacity, and they’re providing lots of great input to us, especially SARM and SUMA.

Ms. Sarauer: — Thank you. Do you have a timeline for when the marshals will be operationalized?

Hon. Mr. Merriman: — 2026.

Ms. Sarauer: — You had mentioned in terms of scope of duties of the marshals a focus on rural and remote areas of the province. As I’m sure you well know, one of the main challenges that the RCMP are faced with right now in Saskatchewan is the exponential file load of the officers who are working north of Prince Albert. And as a result RCMP have had to shift resources from the south of the province to the north of the province.

Will the marshals service be addressing some of the challenges that are being faced currently north of Prince Albert?

Hon. Mr. Merriman: — There’s a few things that have to happen north of Prince Albert. Certainly the marshals are a piece of that, but obviously not addressing that issue until we’re operational, as in 2026. And it’s also how we can help Assistant Commissioner Blackmore fill up her roster of individuals, not just in the South but in the North and all areas of the community. And I think she’s done an amazing job of opening up recruits’ eyes that are from different parts of the country to be able to fill that.

So the marshals are a piece of that. They’re not going to fix all of the gaps that are out there from the RCMP. As we sit right now in the last . . . We’re about 16 per cent short on our RCMP complement, either hard or soft vacancies. The marshals can’t fill

that. We need to raise all of our police forces, whether they be municipal, First Nation, marshals, or the RCMP. We need more officers, especially in the North because there are some unique challenges.

And it does take a unique individual to be able to work in the North, just because of the geography and the culture that is up north. There's a lot of nuances to that, so we want to make sure that we're supporting the RCMP to be able to fill those spots, as well as helping out with the marshals to be able to fill in some of those gaps to assist the RCMP.

[19:15]

Ms. Sarauer: — Thank you. No further questions.

The Chair: — 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 14 inclusive agreed to.]

The Chair: — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Police (Miscellaneous) Amendment Act, 2023*.

I'd ask a member to move that we report Bill No. 144, *The Police (Miscellaneous) Amendment Act, 2023* without amendment. Mr. Keisig moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Minister, do you have any closing comments?

Hon. Mr. Merriman: — I'd just thank my officials. I thank Ms. Sarauer for the respectful discussion. And my quick comment is, I think this is my first bill under His Majesty, so it was one little nuance there that I caught. But thank you very much to all my officials and thanks very much to the committee for their time this evening.

The Chair: — Thank you. Ms. Sarauer, any closing comments?

Ms. Sarauer: — I just join with the minister in thanking yourself, Mr. Chair, and the rest of the committee for their important work, as well as the minister and his officials for their thoughtful responses to my questions. And just thanks to everyone within your ministry, including those behind you, for all the work that they do in serving the province every single day.

The Chair: — Thank you. I too would like to thank the minister and the staff and all the colleagues here that are here tonight as well. We'll now take a brief recess to change officials. Thank you.

[The committee recessed for a period of time.]

The Chair: — I'd like to welcome everybody back, and we have Minister Eyre here with her officials for consideration of our remaining bills. I would remind officials to identify themselves for the record before speaking and not to touch the microphones. The Hansard operator will do them for you.

Bill No. 140 — *The Miscellaneous Statutes Repeal Act, 2023*

Clause 1

The Chair: — We will begin with Bill No. 140, *The Miscellaneous Statutes Repeal Act, 2023*, clause 1, short title. Minister Eyre, please make your opening comments and introduce your officials.

Hon. Ms. Eyre: — Absolutely. So thank you, Mr. Chair. I'm here with Darca Tkach, Crown counsel, legislative service; Darcy McGovern as well. And this is Bill 140, as stated. To that bill, Mr. Chair, we are always reviewing legislation to identify any statutes which have become outdated or obsolete. These include older Acts that are no longer relevant, Acts that have been replaced by new legislation, private Acts where non-profit organizations have ceased operations.

And this year there are eight Acts proposed for repeal. Three of these are public. *The Names of Homes Act* from 1927 has had its purpose partly assumed by *The Business Names Registration Act*. *The Saskatchewan Advantage Grant for Education Savings (SAGES) Act* oversaw a program of provincial education grants which ended in 2017. *An Act respecting The Summer Resort Village of Carlyle Lake Resort* is out of date, as what is now the White Bear Lake Resort is currently managed by the White Bear First Nations.

And the other five Acts to be repealed are private Acts relating to non-profit organizations which are no longer operating as corporate entities in the province. These are *An Act respecting the Canadian Bible Society, Saskatchewan District*; *An Act to incorporate Sacred Heart Academy*; *An Act to incorporate The Catholic Women's League*; *An Act to incorporate the Herbert Bible School Association*; and *An Act to incorporate The Wildlife Foundation of Saskatchewan*.

In preparing this bill, officials have worked with officials from other ministries and stakeholders to confirm that the proposed repeal of legislation is appropriate. And with that I welcome questions respecting Bill 140, Mr. Chair.

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

Ms. Sarauer: — Thank you, Mr. Chair. Minister, thank you for your opening remarks. In your opening remarks you've answered all of the questions that I had with respect to this bill, so I have no further questions.

The Chair: — Seeing as there was no questions, not 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 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 Miscellaneous Statutes Repeal Act, 2023*.

I'd ask a member to move that we report Bill No. 140, *The Miscellaneous Statutes Repeal Act, 2023* without amendment.

Mr. Grewal: — I so move.

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

Some Hon. Members: — Agreed.

The Chair: — Carried. Is there any closing comments on none of the questions?

Hon. Ms. Eyre: — No.

The Chair: — Thank you. Ms. Sarauer, you have none? Okay, we'll move forward.

Bill No. 141 — *The Statute Law Amendment Act, 2023*

Clause 1

The Chair: — Next on our agenda will be Bill No. 141, *The Statute Law Amendment Act, 2023*. We will begin our consideration with clause 1, short title. Minister Eyre, please make your opening comments and introduce your officials.

Hon. Ms. Eyre: — Okay. Thank you, Mr. Chair. This bill will make housekeeping changes to a number of Acts. The changes won't have substantive impact on the Acts being amended, but they fit into the policy of keeping legislation up to date.

Cross references and language errors will be corrected in *The Animal Production Act*; *The Architects Act, 1996*; *The Business Corporations Act, 2021*; and *The Saskatchewan Technology Start-up Incentive Act*. Provisions relating to the new application for leave-to-appeal process will be added to *The Insurance Act* and *The Securities Act, 1998*.

References to repealed Acts will be replaced with the current applicable legislation in *The Enforcement of Money Judgments Act*; *The Public Guardian and Trustee Act*; *The Public Health Act, 1994*; and *The Summary Offences Procedure Act, 1990*.

Redundant or out-of-date provisions will be repealed in *The Personal Property Security Act*, *The Public Pension and Benefits Administration Corporation Act*, and *The Time Act*.

The name of a government branch will be updated in *The Medical Laboratory Licensing Act, 1994*.

Finally, references to Her Majesty will be amended to say the Crown or His Majesty in *The Justice and Attorney General Act*, *The Provincial Sales Tax Act*, and *The Sale or Lease of Certain*

Lands Act.

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

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

Ms. Sarauer: — Thank you, Minister. Thank you, Mr. Chair, and thank you, Minister, for your opening comments. As you had mentioned, there are several changes in this legislation, all housekeeping, one of those being a change to pieces of legislation to make the language gender neutral. What other work is the ministry doing to ensure that language throughout all legislation is gender neutral?

Mr. McGovern: — Thank you. The role of our drafters, on an ongoing basis with respect to all the legislation that is coming forward, has been to identify methods for dealing more specifically with the officers. As you know, in the old days it was "he." That was how the references defaulted to, and that became "he or she."

And it became clear that it was more appropriate to, in cases where they could, refer instead to the officer, to the sheriff, to the office of the director of land titles, for example, and then that was simply a more appropriate way to do it.

And at this point that's been a very effective way to bring the legislation forward without having to be specific with respect to the gender changes, and our drafters view that as a standing challenge and something that they try and do.

Ms. Sarauer: — So legislation is being continually reviewed for that purpose?

[19:30]

Mr. McGovern: — That's correct. As you know, in Saskatchewan we haven't had an approach of seeing, since 1978, a full, revised *Statutes of Saskatchewan*. Instead the policy and the direction of cabinet and the ongoing direction of the ministers has been to continually seek to refresh the legislation and do that on a consistent policy basis.

Ms. Sarauer: — Thank you. No further questions.

The Chair: — Seeing as we have 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 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 Statute Law Amendment Act, 2023*.

I'd ask a member to move that we report Bill No. 141, the statute

amendment law Act, 2023 without amendment.

Mr. B. McLeod: — So moved.

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

Some Hon. Members: — Agreed.

The Chair: — Carried. Any closing comments on this bill? Hearing none. Ms. Sarauer, you're good? Okay.

Bill No. 145 — *The Funeral and Cremation Services (Legal Decision-Maker Protection) Amendment Act, 2023*

Clause 1

The Chair: — We'll be moving on to consideration of Bill No. 145, *The Funeral and Cremation Services (Legal Decision-Maker Protection) Amendment Act, 2023*. Clause 1, short title. Minister Eyre, please make your opening comments.

Hon. Ms. Eyre: — Thank you, Mr. Chair. And with me, Maria Markatos, senior Crown counsel, legislative services branch with the Ministry of Justice; and Denny Huyghebaert, executive director, consumer protection division, Financial and Consumer Affairs Authority of Saskatchewan.

So thank you, Mr. Chair. I'm pleased to offer opening remarks on, as stated, Bill 145, *The Funeral and Cremation Services (Legal Decision-Maker Protection) Amendment Act, 2023*. This bill amends *The Funeral and Cremation Services Act* to make important changes to the priority scheme for decision making regarding the disposition of human remains.

When a death occurs it can be of course a very difficult and emotionally charged time for family members. In some cases the family members of a deceased person cannot agree on how the remains of the deceased should be disposed of, and specifically where there is no executor and family members cannot agree.

This bill amends the Act to create a distinction between the legal decision maker for a child and another parent. And, Mr. Chair, this distinction is necessary because where persons in the same category disagree, the oldest is currently given priority — despite not perhaps having had legal decision-making responsibility for a child. The amendments will instead give priority decision-making responsibility over the disposition of remains in these circumstances to a legal decision maker appointed by the court.

The proposed amendments also include some housekeeping changes. And with those opening remarks, Mr. Chair, I welcome questions regarding this bill.

The Chair: — Thank you for your comments, Minister. We'll open it up. Ms. Sarauer.

Ms. Sarauer: — Thank you, Mr. Chair, and thank you, Minister, for your opening comments. I have a few questions with respect to this bill, the first one being section 6 of the bill, which repeals subsection 25(6). Could you provide some explanation as to why this particular subsection is being repealed?

Ms. Markatos: — Thank you. Maria Markatos, legislative

services branch, Ministry of Justice and Attorney General. This amendment is entirely around clarifying the terms for members appointed to the Funeral and Cremation Services Council. So 25(6), which is being repealed, applies only to members who are applied pursuant to clause (1)(a).

Those members were the ones who were appointed back in 1999. They were at that time entitled to be appointed as part of the first council and then for two additional three-year terms. Current members are entitled to hold office under 26(2) for two consecutive terms. So to avoid any issue about which section applies, we're repealing this section to make it clear that 26(2) applies.

Ms. Sarauer: — Thank you for that. Now the crux of this bill is around section 91 and who will be an authorized decision maker. And I think, Minister, you laid out the problem with the original legislation very well. Could you provide any explanation as to why section 91 was enacted in its original form?

Hon. Ms. Eyre: — Thanks, Mr. Chair. Maria can perhaps provide just a little bit more background. I mean this is sort of late '90s and around some of the health care Acts of the time.

One thing that you had raised previously, and it's on whether there were any remaining bills that have this priority scheme. And so just as a foreword to Maria's comments on some of the history of that section and the history of the Act, I thought it was interesting or perhaps important to point out that there are no remaining pieces of legislation that will have the oldest parent take priority over a legal guardian. And we can provide more information around that, but I know that was something that we had talked about previously.

And so with the proposed amendments, this Act will be now in line with the other Acts that have a priority scheme for decision making, so all of which provide that that legal decision maker takes priority over another parent regardless of age. But Maria, please, if you want to go into the history of the section.

Ms. Markatos: — Sure, thank you. This provision dates back to 1999 and it came about right around the same time as *The Health Care Directives and Substitute Health Care Decision Makers Act* in 1997, which has a priority scheme for decision making in a timely manner.

So I think — and I wasn't around back in the '90s — but I think the intention was because there is a concern around a timely disposition of human remains and dignity to the deceased person, that a priority scheme be in place so that an authorized decision maker can be found quickly to make those decisions.

Ms. Sarauer: — Thank you. And thank you, Minister. You anticipated and answered my follow-up question and I appreciate that.

With respect to this amendment, in particular in relation to adult children, how does this amended provision compare to how this issue is handled in other jurisdictions throughout Canada?

Ms. Markatos: — Across the country, BC [British Columbia] and Alberta are the only other jurisdictions that have priority schemes that are similar to ours. The further east you move, there

are no priority schemes in place, so the disposition of human remains lies with the executor. If there is no executor under the will, then it would be an administrator if there's a dispute over human remains . . . [inaudible interjection] . . . I know, I was surprised as well.

Ms. Sarauer: — I'm very curious to how that works, how that . . . Operationally it seems like it would be a challenge in a lot of circumstances.

Ms. Markatos: — There is definitely a lot of case law in other jurisdictions, but BC and Alberta are very similar to our current framework; they came about around the same time.

Ms. Sarauer: — Thank you for that.

As you well know, Minister, and I spoke about this in my adjourned debate . . . Just for the purposes of the committee, this was an issue that was brought to my attention and my colleague's attention — Ms. Young — from a woman who had a pretty horrific story about her adult son who died in a car accident. And although her adult son had lived with her up to recently, had been . . . You know, she was the legal decision maker for many years because she had left an abusive relationship.

Because her ex, the father, was older than her, he ultimately was the one who was granted decision-making powers as to how to deal with the body and what the funeral would look like, which was very traumatic for her and actually has resulted in a lot of challenges in terms of accessing . . . being able to know when the funeral was going to occur and being able to access the body, frankly.

So we wrote a letter, my colleague and I, to you, Minister, and very much appreciate how quickly you acted on this particular issue and how you were able to expeditiously move a practical solution forward so hopefully another person in this province doesn't have to experience what that woman experienced. So I just thank you.

Hon. Ms. Eyre: — Thank you for that. And again, I won't reiterate anything that you said in terms of the tragedy of the situation. And correctly there was . . . the woman involved, I think, around the same time wrote to you and your colleague, wrote to my office and a colleague as well. And so we're pleased to be able to do this practical but important . . . to carry out this change.

Ms. Sarauer: — Absolutely. We don't always get to celebrate when we work together to achieve positive solutions, so I always want to make sure that we take the opportunity to point those out, because they definitely do happen. So thank you for that. 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 15 inclusive agreed to.]

The Chair: — His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Funeral and Cremation Services (Legal Decision-Maker Protection) Amendment Act, 2023*.

I'd ask a member to move that we report Bill No. 145, the funeral and cremation services (legal decision-maker protection) Act, 2023 without amendment. Mr. Goudy moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Any closing comments? Thank you. Any comments?

Bill No. 146 — *The King's Bench Consequential Amendments Act, 2023*

Clause 1

The Chair: — Next on our agenda will be Bill No. 146, *The King's Bench Consequential Amendments Act, 2023*, clause 1, short title. Minister Eyre, will you please make your opening comments and introduce your officials if you wish.

Hon. Ms. Eyre: — Thank you, Mr. Chair. With me, Kara Moen, Crown counsel at legislative services; and I'm not sure I properly introduced Darcy McGovern earlier, K.C. [King's Counsel], legal executive director of public law. I should have done that.

So, Mr. Chair, pleased to offer opening remarks concerning Bill 146. It is a companion to *The King's Bench Act* which was passed in the spring of 2023 following the succession of the Throne. *The King's Bench Act* updated *The Queen's Bench Act, 1998* and made some amendments to bilingual legislation to replace references to the Queen with references to the King.

[19:45]

This bill continues that work by making consequential amendments to over 250 English-only statutes, and it's entirely housekeeping in nature, Mr. Chair. Ensures that the name of our superior court and its rules will be accurately cited in our legislation.

So with those remarks, I welcome any questions.

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

Ms. Sarauer: — Thank you, Mr. Chair, and thank you, Minister, for your opening remarks.

Understanding that this legislation is housekeeping, I'm just wondering if there are any anticipated further amendment legislation required to deal with the succession of the Throne in the future.

Hon. Ms. Eyre: — Kara can certainly add anything. My understanding is that there are about 600 amendments here to

over 250 statutes that refer to Queen's Bench, Queen, etc. So that will all be updated herewith, and the legal effect of Queen to King, as you'll know, already took place with the introduction of *The King's Bench Act* in the fall. So this just cleans up all the statutes.

Ms. Moen: — Kara Moen, Crown counsel. That's correct. And I tip my hat to the drafting branch that does a very fine-tooth comb of all this legislation. And we may see some changes in regulations going forward, but we're hopeful that we've caught most, the vast majority of the changes.

Ms. Sarauer: — Thank you. And join with you in respect and empathy for the drafting branch who went through all of this legislation with a fine-tooth comb. I have no further questions.

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

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clause 2 to 33 inclusive agreed to.]

[Schedule 1 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 Consequential Amendments Act, 2023*.

I'd ask a mover that we report Bill 146, *The King's Bench Consequential Amendments Act, 2023* without amendment.

Mr. Keisig: — I do so move.

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

Some Hon. Members: — Agreed.

The Chair: — Carried. Is there any closing comments on this bill?

Ms. Sarauer: — Mr. Chair, yeah, thank you. Since it's my last Justice bill of the evening, I just want to take the opportunity to thank yourself, Mr. Chair, and the committee for their work, as well as the minister for her thoughtful answers to my questions. And all of your officials, thank you for being here tonight answering my questions and for all the work you do on behalf of the province every day.

The Chair: — With that I'd like to thank Ms. Sarauer for her work tonight, and thank you for all the good questions and an easy job.

Mr. B. McLeod: — Mr. Chair?

The Chair: — Yes?

Mr. B. McLeod: — I just noticed that we passed a motion for

schedule 1. There also is a schedule 2, and I just don't want to have to come back here again. Page 9.

The Chair: — Oh, okay. That's right here. Look at that.

Okay. Schedule 2, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. We will add that on to the list if everybody's in agreeance. Thank you.

[Schedule 2 agreed to.]

The Chair: — Thank you for catching that, Mr. McLeod.

Bill No. 148 — *The Film Content Information Act*

Clause 1

The Chair: — We will now move on to Bill No. 148, *The Film Content Information Act*, clause 1, short title. Minister Eyre, please make your opening comments and introduce your officials.

Hon. Ms. Eyre: — Absolutely. My pleasure again, Mr. Chair. Denny Huyghebaert, executive director of FCAA [Financial and Consumer Affairs Authority of Saskatchewan]. Karen Pflanzner is here, senior counsel with FCAA; and Darca Tkach, Crown counsel, legislative services with me.

So pleased to offer opening remarks on this bill, Bill 148, Mr. Chair. The film industry has undergone significant changes since the existing film classification system was originally implemented. Digital technology, streaming platforms have changed how media is being distributed and consumed. Increasingly, film content is being downloaded over the internet or streamed on demand rather than being viewed at theatres or at home.

That said, the film industry has also seen something of a renaissance since the pandemic, and the current Act requires classification of films before they are exhibited to the public or sold or rented. It also requires that advertising associated with films be approved.

Film exhibitors and distributors must also currently register with and submit an annual return to the director of film classification with the Financial and Consumer Affairs Authority. Additionally, exhibitors and distributors must pay — that's currently — a fee of up to \$440 per film for the classification of a film unless it's exempted from classification in Saskatchewan. This Act will remove that fee, resulting in savings to operators of about \$65,000.

There is a certain amount of red tape for cinema operators currently. National exhibitors must at times pay multiple sets of classification fees in different provinces for a film to be viewed in Canada. Film industry stakeholders in Saskatchewan asked the government to consider ways to reduce the burden and cost for film exhibitors, large and small.

This Act, Mr. Chair, will modernize film classification, remove

cumbersome and expensive requirements for cinema operators, and ensure that Saskatchewan filmgoers continue to make informed viewing choices. Exhibitors will now be required to provide information about a film's content to consumers in advance of exhibition.

It's also important to note that the bill will still require that adult films be reviewed and approved by an entity authorized to approve adult films. And this proposed Act will continue to ensure that consumers are provided with film content information that they need to make informed viewing choices but, as stated, will also reduce unnecessary red tape and compliance costs for businesses.

The legislation and accompanying regulations will still require that film exhibitors provide detailed information on a film's content with the public, which could include the age of the intended audience; adult themes; violent, coarse, or obscene language; and substance use. And with that, Mr. Chair, welcome questions regarding Bill 148.

The Chair: — Thank you for your opening comments, Minister. I will now open it up for questions. Mr. Teed.

Mr. Teed: — Yes, thank you so much for your opening remarks, Minister. My first question is just, which stakeholders did the ministry consult with specifically about these amendments?

Hon. Ms. Eyre: — So thanks, Mr. Chair, and certainly any additional comments officials can certainly weigh in on.

So a consultation paper regarding the review of Saskatchewan's film and video classification legislation was posted on the FCAA's website on August 31 of 2023. And it was emailed directly to over 145 stakeholders, including all existing film registrants, the Saskatchewan Coalition for Tobacco Reduction, the Saskatchewan Medical Association, Consumer Association of Saskatchewan, and film industry associations.

There was a news release issued on August 31 also of last year, inviting the Saskatchewan public and interested stakeholders to offer feedback on the consultation paper and the regulatory framework which governed film classification. And the FCAA received 17 written responses, in my understanding, received them from parents, from consumers, exhibitors, distributors, industry groups, a consultant, and other film registrants. There were no responses, again in my understanding, that were received from health advocacy groups.

Mr. Teed: — And since introduction, have there been any further concerns or feedback brought forward by those or similar agencies? Anything new?

Hon. Ms. Eyre: — My understanding is that it's been largely no. Very limited, if at all, and largely positive. Anything that officials want to add there?

Mr. Huyghebaert: — Yeah, I'll just add, you know, from consumers, no additional feedback or comments or questions. We've had a couple of inquiries from industry members inquiring about when this legislation might come into effect in anticipation.

Mr. Teed: — In the opening remarks, it was mentioned that film advertisement had, in the past, needed to be approved before exhibition. Will that continue, or is that one of the red tapes that will kind of be taken away in this upcoming legislation?

Hon. Ms. Eyre: — Do you want to just repeat the question? I'm sorry, Mr. Teed.

Mr. Teed: — Yeah. It was just mentioning that film advertisement in the past had needed to be approved before it could be put forward. I'm wondering if that will continue, or is that kind of the red tape that's mentioned, that these operators will be able to just go forward without having to approve that advertisement?

Mr. Huyghebaert: — Yeah, that's being removed as well.

Mr. Teed: — Okay, perfect. As I was doing a bit of a deep dive into film classification, I came to understand that we have our own film classification but have kind of opted to use British Columbia. Us in Saskatchewan, Manitoba, and British Columbia kind of use a similar classification. Will there be any change to the way consumers see those classifications on posters, I'm imagining, advertised or communicated through websites? Will we continue to maintain that kind of 14A, 18A, rated R type classification system?

Hon. Ms. Eyre: — Certainly again, officials, feel free to weigh in. So in terms of the BC aspect that you referenced, I believe you are referring to the classification system which we currently are part of, through which we have to go through BC. So basically so exhibitors and distributors currently get charged twice. So the current fee for age classification of a film in Saskatchewan, as I said, is 440; 220 is retained by BC and 220 to Saskatchewan, so as it currently is to the film classification unit within the FCAA.

Ontario went down this road, so I guess if there was any looking to another jurisdiction it was perhaps more eastward in that sense in terms of how they had manoeuvred around this. It really is taking out that middleman, if you like, of going always through the BC classification system and the cost involved really for anyone who wants to show films, including of course in Saskatchewan independent theatres. And so it's not only the bigger players. So it's really removing ourselves from that red tape, I guess, if you like.

Mr. Teed: — No, that makes a lot of sense. My next question maybe kind of is answered along the same line, as I was looking at the director of film content and potentially any deputies. Are these new positions that will be created to facilitate this new Saskatchewan model where we won't have to rely on British Columbia? Is that kind of the line of that?

Hon. Ms. Eyre: — There are no positions in terms of this change.

Mr. Teed: — Oh okay. In the legislation it says that there might be a director appointed, a director of film content.

[20:00]

Mr. Huyghebaert: — So within existing staff. And so right now

there's a director of film classification; now under the new regime it would be a director of film content.

Mr. Teed: — Perfect. I think that is all my questions this evening. Thank you so much.

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 21 inclusive agreed to.]

His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Film Content Information Act*.

I would ask a member to move that we report Bill No. 148, *The Film Content Information Act* without amendment. Moved by Mr. Grewal. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. I will now ask the minister for some closing comments.

Hon. Ms. Eyre: — Thank you, Mr. Chair. Thank you to committee members. Thank you for your vigilance around subclause (2). Very important. And I want to thank officials.

One is very struck every year by the proverbial journey that is these bills. And so they go through many processes and much scrutiny, and it's all worthwhile in the end. But I do want to thank all officials for all their work, their very detailed work on all of this.

The Chair: — Thank you, Minister. Mr. Teed, do you have any closing comments?

Mr. Teed: — I just echo the comments by the minister. Thank you all so much for yourself and your team and committee members and all the staff here at the Legislative Assembly.

The Chair: — Thank you. I would also too like to thank the minister, staff, and all the committee today, and also the staff for putting up with us tonight.

That completes our committee's business for tonight. I would ask a member to move the motion of adjournment. Mr. McLeod, you're efficient enough. You can move it.

Mr. B. McLeod: — I so move.

The Chair: — Is that all agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. This committee stands adjourned till the call of the Chair.

[The committee adjourned at 20:03.]

CORRIGENDUM

On page 597 of the November 28, 2023, verbatim report No. 28 for the Standing Committee on Intergovernmental Affairs and Justice, the last sentence of the first paragraph, right column, should read:

Like these dollars that you have.

The online transcript for November 28, 2023 has been corrected.

We apologize for the error.