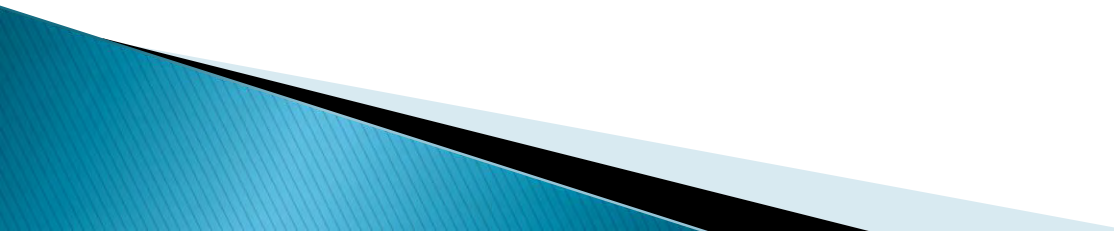


# IMPORTANT NOTE TO READER

We welcome your questions and feedback on this presentation both before and during the People's Assembly on Saturday November 26<sup>th</sup> .

Please contact Sheila Charles, Chair Citizen Development Committee, John Jack, Chair Finance Committee, or Connie Waddell, Law Clerk, by e-mail or at 250-723-0100 if you have any questions or comments.



# Spring 2012 Legislation

October 25, 2011

Rob Botterell, Legislative Legal Counsel

# Purpose of Presentation

- ▶ Provide overview of proposed Huu-ay-aht Acts and key proposed Huu-ay-aht regulations
- ▶ Consult with Huu-ay-aht Citizens and obtain feedback on these proposed laws
- ▶ Seek approval of People's Assembly, as required by law, for Amendment to Citizenship Declaration

**Please ask questions and provide feedback at any time during the presentation!**



# Spring 2012 HUU-AY-AHT LAWS

- ▶ *Budget Act, 2012*
- ▶ *Real Property Tax Act*
- ▶ *Freedom of Information Act and Protection of Privacy Act*
- ▶ *Housing Act*
- ▶ *Amendment to Citizenship Declaration*
- ▶ Citizen Development Policy Regulation
- ▶ Rental Housing Policy Regulation

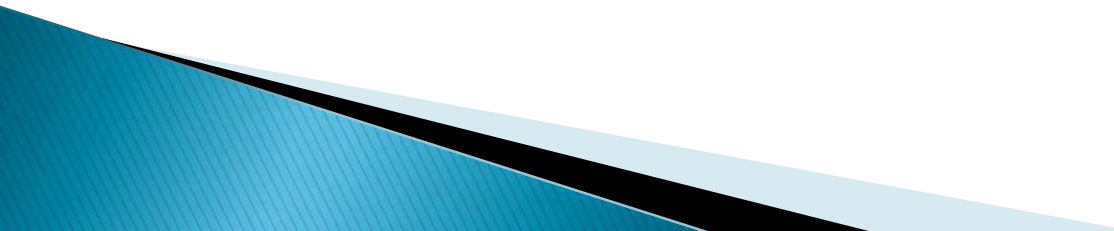
Acts

Key Regulations


# Budget, Tax and FOIPOP Laws

- ▶ *Budget Act, 2012* – Required by FAA. Please provide feedback on budget priorities to Executive Council and Finance Committee.
- ▶ Real Property Tax Act – Required by Treaty. Format and content of Act dictated by Treaty. Tax exemption until 8 years after ED.
- ▶ *Freedom of Information and Protection of Privacy Act (FOIPOP)* – Required by Treaty. Standard format and content. Questions –
  - Should there be a reading room for easy access to information?
  - What general information should be in the reading room?
  - What personal information should be kept strictly confidential?

# Housing and Citizen Development

- ▶ *Housing Act*
  - ▶ Rental Housing Policy Regulation
  - ▶ Citizen Development Policy Regulation
- 

# HOUSING – BACKGROUND

- ▶ Citizens and non-citizens wishing to use or occupy Treaty Lands for residential purposes must obtain authorization under HUU-ay-aht law. They may lease or rent .
  - ▶ HUU-ay-aht law requires that a *Housing Act and Rental Housing Policy Regulation* be adopted by March 31, 2012.
  - ▶ For discussion purposes, HUU-ay-aht Treaty Lands can be divided into Lower Anacla, Upper Anacla, and other Lands.
  - ▶ The Citizen Development Committee and Finance Committee are responsible for overseeing development of these laws.
- 

# *Housing Act* – Key Questions

## Key Questions For Lower Anacla, Upper Anacla, and Other Treaty Lands

1. Who is eligible for a lease?
2. Who decides who gets a lease?
3. What criteria should the decision maker apply? (Example: Existing residents first then lottery/auction of new lots)
4. How much will the lease cost? (Examples: \$1, Market Value, Auction Price)
5. How long will the lease last? (Examples: 1 year, 50 years, 99 years)
6. Other key questions identified by citizens

Important Note – Ed Johnson Sr. and Connie Waddell have leases that set out other standard terms and conditions recommended by legal counsel.

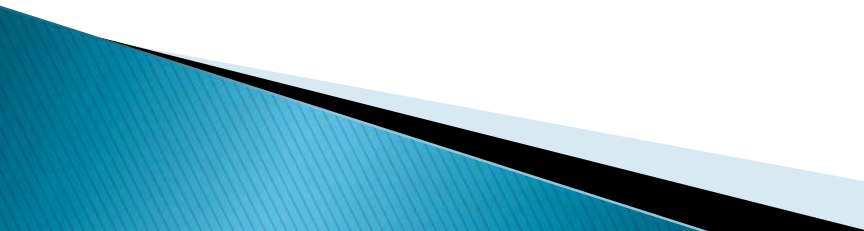


# Rental Housing Policy – Key Questions

## Key Questions

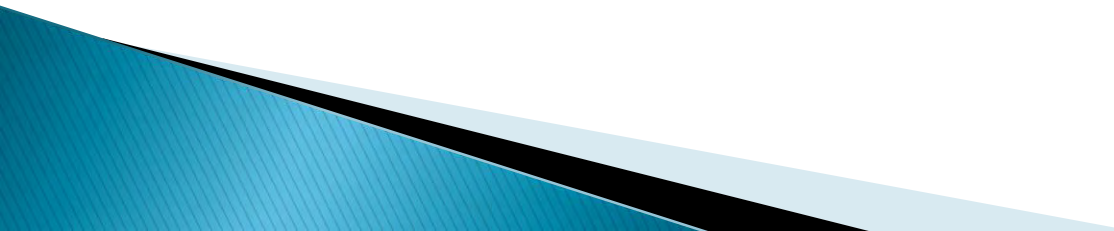
1. Who is eligible for social or market rent housing?
2. Who decides who gets a social or market rent housing unit?
3. What criteria should the decision maker apply?
4. How is the rent set?
5. What are the responsibilities and obligations of renters?
6. What form will the rental agreement take?
7. Other key questions identified by citizens

Important Note – Rental agreements take a variety of forms and examples of best practices are publicly available.



# Citizen Development Policy – Key Question

**What are the best ways for the Huu-ay-aht government to encourage and enable greater success in the following areas?**

1. Preschool education
  2. Kindergarten to grade 12 education
  3. Post secondary education, including apprenticeship and skills training offered by post secondary institutions
  4. Practical skills training and capacity development
- 

# Amendment to *Citizenship and Treaty Enrolment Act*

- ▶ On Effective Date Citizens took the HUU-ay-aht Oath for Public Officers instead of the Citizenship Declaration.
- ▶ The Oath and Citizenship Declaration are similar. See attached.
- ▶ People's Assembly approval is sought to amend the wording of the Citizenship Declaration in the *Citizenship and Treaty Enrolment Act* so that it is the same as the HUU-ay-aht Oath.

# Huu-ay-aht Oath

I, \_\_\_\_\_, do solemnly affirm (or swear) that:

I will act in the best interests of present and future generations of Huu-ay-aht citizens,

I will honour the vision, values, and sacred principles of Huu-ay-aht -  
**Uu-a-thluck** (taking care of future generations), and  
**Hish-uk-tsawak** (everything is one),

I will be a positive role model, following the principle of **ii-saak** (conducting myself honestly and respectfully), and

I will uphold the Constitution and obey Huu-ay-aht laws.

# CITIZENSHIP DECLARATION

I, \_\_\_\_\_, do solemnly affirm (or swear) that I will:

- (a) uphold and respect the Constitution and HUU-AY-AHT laws,
- (b) fulfill my personal obligations with respect to the care and guidance of HUU-AY-AHT children and families,
- (c) adhere to the teachings related to II-SAAK (respect),
- (d) promote a healthy and vibrant community for all HUU-AY-AHT citizens, and
- (e) fulfill all my duties and responsibilities as a HUU-AY-AHT citizen.

# Next Steps

- ▶ Committee review of Citizen and Ha'wiih Council feedback
  - ▶ Develop formal drafting instructions
  - ▶ Executive Council approval of formal drafting instructions
  - ▶ Draft legislation
  - ▶ Executive Council approval of legislation for introduction to the Legislature
  - ▶ Introduction of legislation at March 2012 session of Legislature
- 