

SESSION OF LEGISLATURE
Monday, March 30, 2015
12:45 am Administration Office, Anacla

Attendance: Jeff Cook, John Jack, Tom Happynook, Charlie Clappis, Jack Cook
Conference Call: Sheila Charles
Absent: Derek Peter, Tom Happynook
Acting Speaker: Angela Wesley
Deputy Law Clerk: Deborah Smith
Resource: James Edwards .Melinda Skeels, Ratcliff & Company

MINUTES OF THE SESSION OF LEGISLATURE

1. SESSION OF LEGISLATURE

The Acting Speaker, Angela Wesley called the session of Legislature to order at 12:45 pm

2. AGENDA

John Jack requested the third reading of the Amendment to FOIPPA and the Economic Development Plan be added to the Agenda.

MOTION:

BE IT RESOLVED THAT the Agenda was adopted as amended.

Adopted by Consensus
Resolution #2015-116

3. THIRD READING OF THE BUDGET ACT 2015

Jack Cook spoke to the materials.

MOTION:

Whereas:

- (a) Executive Council considered the proposed *Budget Act, 2015* (the "Proposed Act") at its February 12, 2015 meeting and approved the Proposed Act for introduction to the Legislature;
- (b) The Legislature gave the Proposed Act first reading at its March 20, 2015 sitting;
- (c) The Legislature gave the Proposed Act second reading at the sitting of the Legislature convened today, March 30, 2015, prior to this sitting; and

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- (d) In the event that the Ta'yii Hawilth is unable to sign an act pursuant to section 93(1)(i) of the *Government Act*, the Legislature must designate a Huu-ay-aht citizen to sign on its behalf (s. 93(6)).

Therefore be it resolved that:

- (1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Budget Act, 2015*; and
- (2) The following actions will be completed in compliance with the *Government Act* (s. 93 and 95):
- a. The Chief Councillor will certify that the *Budget Act, 2015* has passed third reading by signing it today, March 30, 2015 (s.93(1)(h));
 - b. Acting Speaker Angela Wesley, signing in place of the Ta'yii Hawilth, will certify that the *Budget Act, 2015* is enacted as Huu-ay-aht law by signing it today, March 30, 2015 (s.93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the *Budget Act, 2015* into force today, March 30, 2015 (s. 95(5));
 - ii. Publish the *Budget Act, 2015* no later than Monday, April 6, 2015 (s.95(6)(a)); and
 - iii. Place the signed *Budget Act, 2015* and a certified true copy in the registry no later than Thursday, April 9, 2015 (s.95(6)(b)).

Adopted by Consensus
Resolution #2015-117

4. THIRD READING OF THE ECONOMIC DEVELOPMENT ACT, AMENDMENT ACT 2015

John Jack Spoke to the materials.

MOTION:

Whereas:

- (a) Executive Council considered the proposed Economic Development Act Amendment Act, 2015 (the "Proposed Act") at its February 12, 2015 meeting and approved the Proposed Act for introduction to the Legislature;
- (b) The Legislature gave the Proposed Act first reading at its March 20, 2015 sitting;
- (c) The Legislature gave the Proposed Act second reading at the sitting of the Legislature convened today, March 30, 2015, prior to this sitting; and
- (d) In the event that the Ta'yii Hawilth is unable to sign an act pursuant to section 93(1)(i) of the *Government Act*, the Legislature must designate a Huu-ay-aht citizen to sign on its behalf (s. 93(6)).

Therefore be it resolved that:

- (1) The Legislature hereby, in accordance with Government Act s. 93(1)(g), adopts the Economic Development Act Amendment Act, 2015; and
- (2) The following actions will be completed in compliance with the Government Act (s. 93 and 95):
 - a. The Chief Councillor will certify that the *Economic Development Act Amendment Act, 2015* has passed third reading by signing it today, March 30, 2015 (s.93(1)(h));
 - b. Acting Speaker Angela Wesley, signing in place of the Ta'yii Hawilth, will certify that the *Economic Development Act Amendment Act, 2015* is enacted as Huu-ay-aht law by signing it today, March 30, 2015 (s.93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the Economic Development Act Amendment Act, 2015 into force today, March 30, 2015 (s. 95(5));
 - ii. Publish the Economic Development Act Amendment Act, 2015 no later than Monday, April 6, 2015 (s.95(6)(a)); and
 - iii. Place the signed Economic Development Act Amendment Act, 2015 and a certified true copy in the registry no later than Thursday, April 9, 2015 (s.95(6)(b)).

Adopted by Consensus
Resolution #2015-118

5. THIRD READING OF THE ENFORCEMENT FRAMEWORK AMENDMENT ACT, 2015

John Jack reviewed the materials.

MOTION:

Whereas:

- (a) Executive Council considered the proposed Enforcement Framework Amendment Act, 2015 (the "Proposed Act") at its October 24, 2014 meeting and approved the Proposed Act for introduction to the Legislature;
- (b) The Legislature gave the Proposed Act first reading at its March 20, 2015 sitting; and
- (c) The Legislature gave the Proposed Act second reading at the sitting of the Legislature convened today, March 30, 2015, prior to this sitting; and
- (d) In the event that the Ta'yii Hawilth is unable to sign an act pursuant to section 93(1)(i) of the Government Act, the Legislature must designate a Huu-ay-aht citizen to sign on its behalf (s. 93(6)).

Therefore be it resolved that:

- (1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the Enforcement Framework Amendment Act, 2015; and
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- (2) The following actions will be completed in compliance with the Government Act (s. 93 and 95):
- a. The Chief Councillor will certify that the *Enforcement Framework Amendment Act, 2015* has passed third reading by signing it today, March 30, 2015 (s.93(1)(h));
 - b. Acting Speaker Angela Wesley, signing in place of the Ta'yii Hawilth, will certify that the *Enforcement Framework Amendment Act, 2015* is enacted as Huu-ay-aht law by signing it (s.93(1)(i)) today, March 30, 2015; and
 - c. The Law Clerk will:
 - i. Sign the *Enforcement Framework Amendment Act, 2015* into force today, March 30, 2015 (s. 95(5));
 - ii. Publish the *Enforcement Framework Amendment Act, 2015* no later than Monday, April 6, 2015 (s.95(6)(a)); and
 - iii. Place the signed *Enforcement Framework Amendment Act, 2015* and a certified true copy in the registry no later than Thursday, April 9, 2015 (s.95(6)(b)).

Adopted by Consensus
Resolution #2015-119

6. **THIRD READING OF THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT, AMENDMENT ACT**

John Jack reviewed the materials.

MOTION:

Whereas:

- (a) Executive Council considered the proposed *Freedom of Information and Protection of Privacy Act Amendment Act, 2015* (the "Proposed Act") at its March 12, 2015 meeting and approved the Proposed Act for introduction to the Legislature;
- (b) The Legislature gave the Proposed Act first reading at its March 20, 2015 sitting; and
- (c) The Legislature gave the Proposed Act second reading at the sitting of the Legislature convened today, March 30, 2015, prior to this sitting; and
- (d) In the event that the Ta'yii Hawilth is unable to sign an act pursuant to section 93(1)(i) of the Government Act, the Legislature must designate a Huu-ay-aht citizen to sign on its behalf (s. 93(6)).

Therefore be it resolved that:

- (1) The Legislature hereby, in accordance with Government Act s. 93(1)(g), adopts the *Freedom of Information and Protection of Privacy Act Amendment Act, 2015*; and

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- (2) The following actions will be completed in compliance with the Government Act (s. 93 and 95):
- a. The Chief Councillor will certify that the *Freedom of Information and Protection of Privacy Act Amendment Act, 2015* has passed third reading by signing it today, March 30, 2015 (s.93(1)(h));
 - b. Acting Speaker Angela Wesley, signing in place of the Ta'yii Hawilth, will certify that the *Freedom of Information and Protection of Privacy Act Amendment Act, 2015* is enacted as Huu-ay-aht law by signing it (s.93(1)(i)) today, March 30, 2015; and
 - c. The Law Clerk will:
 - i. Sign the *Freedom of Information and Protection of Privacy Act Amendment Act, 2015* into force today, March 30, 2015 (s. 95(5));
 - ii. Publish the *Freedom of Information and Protection of Privacy Act Amendment Act, 2015* no later than Monday, April 6, 2015 (s.95(6)(a)); and
 - iii. Place the signed *Freedom of Information and Protection of Privacy Act Amendment Act, 2015* and a certified true copy in the registry no later than Thursday, April 9, 2015 (s.95(6)(b)).

Adopted by Consensus
Resolution #2015-120

7. ECONOMIC DEVELOPMENT PLAN

The Feasibility Study was recommended regarding the new business opportunity. Executive Director, James Edwards was asked to present the materials.

MOTION:

Whereas:

- (a) Executive Council considered the Feasibility Study for the LNG Project Development (the "Feasibility Study"; the "New Business Opportunity") and recommends the New Business Opportunity for approval in principle by the Legislature and inclusion in an updated economic development plan;
- (b) Under section 38 of the Government Act, the Law Clerk must deliver a report for any substantive matter to be considered by the Legislature to the members of the Legislature at least four working days before the matter will be considered;
- (c) In an emergency or special circumstances where the Legislature reasonably believes that a delay in the consideration of a matter is not in the best interests of the Huu-ay-aht, the Legislature may, by resolution, reduce the requirement that a written report be delivered at least 4 working days in advance of its consideration (Government Act, s. 38(4));

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- (d) The members of the Legislature considered the New Business Opportunity at an in camera session of Executive Council as the Feasibility Study contains commercially sensitive information;
 - (e) A report in respect of the New Business Opportunity (the "Report") was provided to the Legislature prior to today's sitting;
 - (f) The Legislature considers that it has had sufficient opportunity to consider the subject-matter of the Report;
 - (g) The Legislature is of the view that it is in the best interests of the Huu-ay-aht to create a new operating limited partnership as soon as practicable to pursue the potential development of the New Business Opportunity;
 - (h) An updated economic development plan including LNG Project Development must be approved by the Legislature before the New Business Opportunity can be implemented through the creation of a new operating limited partnership pursuant to section 19 of the Economic Development Act; and
 - (i) The Legislature may delegate to Executive Council its powers to protect and advance Huu-ay-aht interests (Government Act, s. 33(3)).

Therefore be it resolved that the Legislature hereby:

- (1) Approves in principle LNG Project Development as a new business opportunity;
- (2) Reduces the delivery requirement with respect to the report in respect of the New Business Opportunity on the basis that a delay in the consideration of the matter is not in the best interests of the Huu-ay-aht (*Government Act*, s. 38(4)(c)); and
- (3) In accordance with the *Government Act*, s. 33(3), delegates to Executive Council until the next session of the Legislature the Legislature's authority to approve an updated economic development plan in accordance with the *Economic Development Act*.

**Adopted by Consensus
Resolution #2015-121**

Angela Speaker thanked the Legislature for the opportunity to be the Speaker again. There being no further business this session of legislature adjourned at 1:09 pm.