

MOTIONS PASSED DURING THE PEOPLE'S ASSEMBLY 2014

On November 29 and 30, motions proposed by the citizens and several appointments of authorities and amendments to the HFN Acts were brought to the People's Assembly for consideration.

During the event, attendees received a binder upon registration that contained all the information on the subject (Tab 7 and 8). If you did not receive one, please refer to http://huuayaht.org/?page_id=4353 for details.

CITIZEN MOTIONS:

1. Support and Accommodations for Huu-ay-aht First Nations Students

A recommendation was made by Maria Newfield to Executive Council to develop a process for determining how to better support Huu-ay-aht students who travel from their homes in Anacla and surrounding areas to Port Alberni for school (ie: accommodations and transportation).

2. Richard Johnson Nookemus Citizen Motions

A recommendation was made to Executive Council to consider and discuss with community members, Richard Nookemus three motions: 60th birthday gifts to citizens, Funeral expenses and Pumping and maintenance of residential septic tanks.

Executive Council will consider the recommendations of the People's Assembly at their December 18, 2014 Executive Council Meeting.

APPOINTMENTS OF AUTHORITIES:

1. Meyers Norris Penny was appointed as auditor for Huu-ay-aht First Nations for the period April 1, 2014 to March 31, 2015
2. Brian Happynook was appointed as a member of the Huu-ay-aht Tribunal as provided for in section 3(2)(d) of the *Tribunal Act*.

At the November 28, 2014 meeting, the H̱aw̱iiẖ Council appointed Florence Wylie and Trudy Warner as members of the Huu-ay-aht Tribunal as provided for in section 3(2)(c) of the *Tribunal Act*. As per section 6(1)(c) of the *Tribunal Act*, the term of office for all three appointments is three years.

AMENDMENTS TO ACTS

1. *Government Act Amendment Act, 2015*

This amendments refer to shortening the public notice period and report requirements for Executive Council and Committee meetings and giving the Executive Director the discretion to appoint someone other than him or herself to the position of Law Clerk.

The citizens recommended that the amendments set out in the draft *Government Act Amendment Act, 2015* be subject of community rounds and discussions before the next People's Assembly.

2. *Code of Conduct and Conflict of Interest Act and Land Act*

These are the consequential amendments to the two Acts as set out in sections 48 and 55 of the *Economic Development Act*.

3. *Government Act Amendment Act, 2014.*

This amendment is to s.39 Appointment of Speaker. "Huu-ay-aht Citizen" was substituted with "individual." It also included the addition of a subsection: "When considering applications for appointment to the position of Speaker by candidates who meet the requirements of section (2), Executive Council shall give preference to any candidate who is a Huu-ay-aht Citizen."

4. *Financial Administration Act Amendment Act, 2014.*

This amendment is regarding the dollar amounts set out in section 68, requiring that every expenditure in excess of \$1,000 not required by Huu-ay-aht Legislation be authorized by written agreement, and that every expenditure in excess of \$10,000, not specified in the description of a budget line item, be authorized by Executive Council. The amendment reflects that the dollar amounts set out in section 68 be prescribed by Executive Council through regulation, rather than be explicitly set out in the text of the *Financial Administration Act*.

5. *Amendment Relating to the Implementation of an Enforcement Framework*

Huu-ay-aht First Nations has entered into a Natural Resource Sector Enforcement Framework with BC, under which agreements were negotiated with the Conservation Officer Services of the Ministry of Environment ("MOE") and the Resource Officers of the Ministry of Forest, Lands and Natural Resources operations ("FLNRO"). Under these agreements, complaints against MOE or FLNRO Officers will proceed through the Province's public complaints process and will only be appealable to the Huu-ay-aht Tribunal following the outcome of that process. This creates a conflict with the way that complaints are handled under existing Huu-ay-aht Legislation and will require amendments to the *Freedom of information and Protection of Privacy Act and Offence and Law Enforcement Acts*. Further Huu-ay-aht First Nations has a Legislative framework to levy certain fines and fees, but do not have a legal mechanism for collection of amounts owing to the government. Amendments to the *Financial Administration Act* and the *Offence and Law Enforcement Act* are requirement to make fines and penalties levied by Huu-ay-aht First Nations enforceable as court judgments through the BC court processes for collecting judgments. The draft *Enforcement Framework Amendment Act 2015* was approved by Executive Council for introduction to the Legislature to implement an Enforcement framework that addresses the enforcement issues.