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ANCIENT SPIRIT, MODERN MINE

**PUBLIC NOTICE of
the LEGISLATURE**

(Government Act, s. 30)

February 11, 2019

To all Huu-ay-aht Citizens:

PUBLIC NOTICE is hereby given that:

The Spring 2019 Session of the Legislature will be held at 10:00 a.m. on March 14, 2019 at MA?AS SUQIN (Administration Office), Anacla, BC, with second and third sittings occurring on March 22, 2019.

The Proposed Agenda, proposed legislation and motions to be considered at each of the three sittings are attached.



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ANCIENT SPIRIT, MODERN MINE

LEGISLATURE AGENDA

(Government Act, s. 30)

SPRING 2019 SESSION OF THE LEGISLATURE

MA?AS SUQIN (Administration Office), Anac̓la, BC

First Sitting

March 14, 2019, 10:00 a.m.

1. Opening of the Spring 2019 Session of the Huu-ay-aht Legislature
2. First Reading of the *Budget Act, 2019*
3. First Reading of the *Financial Administration Act Amendment Act, 2019*
4. First Reading of the *Economic Development Act Amendment Act, 2019*
5. First Reading of the *Government Act Amendment Act, 2019*
6. Adjourn

Second Sitting

March 22, 2019, 10:00 a.m.

1. Call to Order
2. Second Reading of the *Budget Act, 2019*
3. Second Reading of the *Financial Administration Act Amendment Act, 2019*
4. Second Reading of the *Economic Development Act Amendment Act, 2019*
5. Second Reading of the *Government Act Amendment Act, 2019*
6. Approval of the Economic Development Plan
7. Adjourn



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ANCIENT SPIRIT, MODERN MINE

LEGISLATURE AGENDA

(Government Act, s. 30)

Third Sitting

March 22, 2019, following the Second Sitting

1. Call to Order
2. Third and Final Reading of the *Budget Act, 2019*
3. Third and Final Reading of the *Financial Administration Act Amendment Act, 2019*
4. Third and Final Reading of the *Economic Development Act Amendment Act, 2019*
5. Third and Final Reading of the *Government Act Amendment Act, 2019*
6. Closing of the Spring 2019 Session of the Huu-ay-aht Legislature



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ANCIENT SPIRIT, MODERN MIND

BUDGET ACT, 2019

The Huu-ay-aht Legislature enacts this law to establish spending authority and borrowing authority for the fiscal year beginning April 1, 2019 and ending March 31, 2020, and to retroactively amend spending authorities and borrowing authorities for the 2019-2020 fiscal year.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Budget Act, 2019* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Budget Act, 2019* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Budget Act, 2019* came into force on:

Law Clerk, Coraleah Bauer

*Budget Act, 2019**Contents***PART 1 – GENERAL OPERATING FUND**

General operating funds pending authority

PART 2 – INVESTED WEALTH FUND

Invested Wealth Funds pending authority

PART 3 – SPECIAL PROGRAMS FUND

Special Programs Funds pending authority

PART 4 – CAPITAL SPENDING

Capital spending authority

PART 5 – BORROWING

Borrowing authority

PART 6 – INVESTMENTS IN HUU-AY-AHT BUSINESS ENTERPRISES

Conditions for investment by way of loan or loan guarantee

Note to Reader

The *Budget Act, 2019* establishes the authority of government to spend money from April 1, 2019 to March 31, 2020. A *Budget Act* is required by the *Financial Administration Act* each fiscal year. Government may only spend money if it has spending authority.

- Part 1, General Operating Fund, sets out the budget line items that provide spending authority for government from the general operating fund.
- Part 2, Invested Wealth Fund, sets out the amount of funds that may be spent from the Invested Wealth Fund.
- Part 3 sets out the authorized capital spending of government for the 2019 – 2020 fiscal year.
- Part 4 sets out the authorized general purpose spending of government for the 2019 – 2020 fiscal year.
- Part 5 sets out the authorized borrowings of government for the 2019 – 2020 fiscal year.
- Part 6, Special Programs Fund, sets out the authorized spending for special programs for the 2019 – 2020 fiscal year.
- Part 7 sets out the conditions for Executive Council to invest in Huu-ay-aht business enterprises by borrowing funds or guaranteeing loans.

The Legislature enacts as follows:

PART 1 – GENERAL OPERATING FUND

General operating fund spending authority

- 1** Spending from the general operating fund from April 1, 2019 to March 31, 2020 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
1	Community Services	To provide for the services to all HFN Citizens and non-citizens, in accordance with Jordan’s Principle, including children and family support, health and social services, education, culture and the delivery of Citizenship benefits including communications.	\$5,757,813
2	Infrastructure	To provide the services needed to support construction, operation and maintenance of community infrastructure and administration and oversight.	\$1,217,991
3	Lands & Natural Resources	To provide the services needed to support the conservation of our natural resources to ensure self-sufficiency and sustainability within the Hahuuli.	\$1,202,858
4	Economic Development	To provide programs, services and support to implement the Economic Development Plan, actively seek, secure and promote economic initiatives, oversee the activities of HUU-ay-aht business entities through the Governance and Fiscal Agreement.	\$490,232
5	Government Services	To provide the services needed to support government operations, engagement with Citizens and other stakeholders, committee, Hawaii Council and Executive Council operations.	\$1,827,644

No.	Budget Line Item Name	Purpose	Amount
6	Finance and Administration	To provide the services needed to support financial management and comptrollership, records and administrative support, consultation and engagement with other government departments and institutions.	\$9,388,527
7	Implementation	To provide the services needed to support the implementation of obligations and opportunities in the Maa-Nulth Treaty and side agreements, and obligations and opportunities from any other agreements.	\$845,893
8	Human Resources	To provide the services needed to support staff management, communications and engagement, and local government services for the community of Anacra.	\$394,971
9	Depreciation	To allow for depreciation expenses related to capital assets	\$1,000,000
10	Contingencies and New Programs	To provide for expenditure or spending incurred for the purposes of other budget line items that are in excess of the amounts authorized by the budget line item spending authorities or statutory spending authorities. To also provide funding for new programs created after the beginning of the fiscal year and for natural disasters, emergency relief and the assistance of those in need as the result of an event that was not expected or where the timing of the event was not known in advance	\$7,825,856
Total General Operating Fund Spending Authority			\$29,951,785

PART 2 – INVESTED WEALTH FUND

Invested Wealth Fund spending authority

- 2 Spending from the Invested Wealth Fund from April 1, 2019 to March 31, 2020 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
11	Fund Management	For management of the investments of the Invested Wealth Fund	\$60,000
12	Transfer to General Operating Fund	For transferring money to the general operating fund to support government operations	\$600,000
	Total Invested Wealth Fund Spending Authority		\$660,000
	Total Consolidated Government Fund Spending Authority		\$30,611,785

PART 3 – SPECIAL PROGRAMS FUND

Special Programs Fund spending authority

- 3 Spending from the Special Programs Fund from April 1, 2019 to March 31, 2020 is authorized for the purposes and in the amounts shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
S1	Special Programs	To provide for spending incurred for purposes specified in a contribution or funding agreement under which revenues are provided to the Huu-ay-aht by another government, organization or entity for expenditure on those specified purposes.	\$20,000,000
S2	HFN/WFP Employment & Training Agreement	To provide the budget authority to spend the restricted funds per the HFN/WFP Employment & Training Agreement.	\$500,000
	Total Special Programs Fund Spending Authority		\$20,500,000

PART 4 – CAPITAL SPENDING

Capital spending authority

- 4 Spending for capital purposes from April 1, 2019 to March 31, 2020 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
13	Capital Projects	For capital items included in the Capital Budget of the approved Financial Plan and the approved government infrastructure project list.	\$6,789,500
14	Capital Investments	For major capital investments other than in infrastructure and included in the Capital Budget of the approved Financial Plan. May include investments to be made through a Huu-ay-aht business enterprise.	\$100,000,000
	Total Capital Spending Authority		\$106,789,500

PART 5 – BORROWING

Borrowing authority

- 5 Borrowing from April 1, 2019 to March 31, 2020 is authorized for the purpose and amount shown in the same row as each borrowing authority item in the following table:

No.	Borrowing Authority Item Name	Purpose	Amount
B1	General Purpose Borrowing	For borrowing to meet the need for cash that may arise from time to time related to expenditures, infrastructure investment, and capital spending	\$5,000,000
B2	Borrowing to invest in Huu-ay-aht business enterprises	For borrowing to invest in Huu-ay-aht business enterprises or guaranteeing Huu-ay-aht business enterprise loans to support business operations and economic development activities	\$100,000,000
	Total Borrowing Authority		\$105,000,000

PART 6 – INVESTMENTS IN HUU-AY-AHT BUSINESS ENTERPRISES

Conditions for investment by way of loan or loan guarantee

- 6 (1) Executive Council may borrow funds to invest in a Huu-ay-aht business enterprise in accordance with section 69 of the *Financial Administration Act* if
- (a) the purpose and amount is authorized by a borrowing authority,

- (b) Executive Council has considered the recommendation of Finance Committee,
 - (c) loan conditions, including security, term and source of repayment, are approved by Executive Council,
 - (d) the term of the loan does not exceed 25 years, and
 - (e) the loan will be repaid by a HUU-ay-aht business enterprise or from payments received from Canada or British Columbia.
- (2) Executive Council may guarantee a HUU-ay-aht business enterprise loan or obligation for the purpose of making an investment in a HUU-ay-aht business enterprise if
- (a) the purpose and amount is authorized by a borrowing authority,
 - (b) Executive Council has considered the recommendation of Finance Committee,
 - (c) the guarantee conditions, including security, term and discharge are approved by Executive Council,
 - (d) the term of the guarantee does not exceed 25 years, and
 - (e) the HUU-ay-aht business enterprise has the capacity to repay the loan or obligation and discharge the HUU-ay-aht guarantee.



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ANCIENT SPIRIT, MODERN MIND

**FINANCIAL ADMINISTRATION ACT
AMENDMENT ACT, 2019**

*The Huu-ay-aht Legislature enacts this law to amend the
Financial Administration Act*

REGISTRY OF LAWS CERTIFICATION

I certify that the *Financial Administration Act Amendment Act, 2019* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Financial Administration Act Amendment Act, 2019* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Financial Administration Act Amendment Act, 2019* came into force on:

Coraleah Bauer, Law Clerk

Financial Administration Act Amendment Act, 2019

Contents

- 1 Amendments
- 2 Consolidation
- 3 Commencement

Amendments

1 The *Financial Administration Act*, HFNA 7/2011 is amended by:

(a) *In section 3, adding the following definition:*

“**Huu-ay-aht special investment body**” means:

- (a) a Huu-ay-aht body prescribed by Executive Council under s. 62.1(1), and;
- (b) a Huu-ay-aht body held or controlled, whether directly or indirectly, by a Huu-ay-aht special investment body prescribed by Executive Council under s. 62.1(1).

(b) *Following section 62, adding the following new section:*

“Huu-ay-aht Special Investment Body

- 62.1** (1) Executive Council may prescribe a Huu-ay-aht body as a Huu-ay-aht special investment body and any conditions respecting that body following:
- (a) consultation with the Hāwīih Council; and
 - (b) consideration of a recommendation by the Finance Committee.
- (2) A regulation under subsection (1) must be approved by the People’s Assembly before coming into force.
- (3) The Finance Committee may only make a recommendation to Executive Council in respect of prescribing a Huu-ay-aht special investment body under subsection (1) after it has reviewed a report in respect of the special investment body that includes the following:
- (a) an assessment of the potential investment opportunity as compared to other potential investment opportunities in terms of likely return on investment, risks and sustainability;
 - (b) a description of the purpose of the nature of the potential investment opportunity, including a description of the interests or investments to be held or controlled by such body;
 - (c) the capital required to invest in the potential investment opportunity and the planned source of that capital;
 - (d) a description of the corporate structure for the potential investment opportunity or how the potential investment

- opportunity will otherwise be managed including associated costs and reporting requirements for such body;
- (e) an assessment of the possible risks facing the potential investment opportunity and possible action that should be taken to mitigate those risks;
 - (f) an outline of financial performance or other benefits from the potential investment opportunity, including employment and training targets, for the first 5 years;
 - (g) a description of any other requirements necessary to begin or complete the potential investment opportunity.
- (4) Executive Council may authorize the use of money in a fund other than the Invested Wealth Fund for the purposes of investing in a Huu-ay-aht special investment body.
- (5) The Executive Director may designate an individual to approve the payment of funds for the purposes of an investment authorized under subsection (4).
- (6) Government and other Huu-ay-aht bodies may borrow money for the purposes of investing in a Huu-ay-aht special investment body if the borrowing, including:
- (a) the maximum amount to be borrowed;
 - (b) the purpose of the borrowing;
 - (c) the security for the borrowing;
 - (d) the term of the borrowing; and
 - (e) the source of money to repay the borrowing
- is specifically set out in a regulation.
- (7) Government and Huu-ay-aht bodies may guarantee the debt of a Huu-ay-aht body if the borrowing in respect of which the debt is incurred is set out in a regulation under subsection (6).
- (8) A regulation under subsection (6) must be approved by the People's Assembly before coming into force.
- (9) A regulation approved by the People's Assembly under subsection (6) may provide that the indebtedness associated with some or all of the funds borrowed or guaranteed in accordance with the regulation will not count towards the aggregate amount specified under section 69(6).
- (10) Despite the *Government Act*, s. 89(2), Executive Council may direct that the report in respect of a regulation presented for approval of the People's Assembly under subsection (1) or (6) need not be provided to citizens at least 14 days in advance of consideration of the matter and may instead be provided to citizens at the session of the People's Assembly at which the matter is being considered.

- (c) *In section 69(6), adding “, except as permitted under any regulation enacted under s. 62.1(9)”.*
- (d) *In section 93, adding the following subsections:*
 - “(h) prescribing a Huu-ay-aht special investment body in accordance with s. 62.1(1); and
 - (i) respecting borrowing for the purposes of investing in a Huu-ay-aht special investment body in accordance with s. 62.1(6)”.

Commencement

- 2 This act comes into force on the date of its enactment by the Legislature.

Consolidation

- 3 The Law Clerk is directed to consolidate the *Financial Administration Act*, HFNA 7/2011 to include the amendments contained in this act.



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ANCIENT SPIRIT, MODERN MIND

**ECONOMIC DEVELOPMENT ACT
AMENDMENT ACT, 2019**

The Huu-ay-aht Legislature enacts this law to establish the governance framework for the oversight and management of Huu-ay-aht First Nations economic development.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Economic Development Act Amendment Act, 2019* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Economic Development Act Amendment Act, 2019* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Economic Development Act Amendment Act, 2019* came into force on:

Coraleah Bauer, Law Clerk

Economic Development Act Amendment Act, 2019

Contents

- 1 Amendments
- 2 Commencement
- 3 Consolidation

Amendments

1 The *Economic Development Act*, HFNA 2/2013, is amended:

(a) In Section 1, by:

(i) Striking out:

“**board of directors’ operational manual**” means the board of directors’ operational manual as set out in section 6.6 of the governance and fiscal agreement;

(ii) Adding the following definition:

“**economic development**” means the activities set out in section 2;

(iii) In the definition of “HDC board” striking out “HDC board” and substituting “HFN DC board”;

(iv) Adding the following definition:

“**Huu-ay-aht special investment body**” means a Huu-ay-aht body prescribed by Executive Council under section 62.1(1) of the *Financial Administration Act*, HFNA 7/2011;

(v) In paragraph (b) of the definition “operating limited partnership”, striking out “Schedule” and substituting “official Schedule of Huu-ay-aht business enterprises”.

(b) In section 2, by adding the following subsection:

(c) create the environment and develop the infrastructure that is necessary or desirable for successful business development,

(c) In section 3, by adding “in relation to the economic development:” following “uphold the following values”.

(d) In section 5, by:

(i) In subsection (1), striking out “and (3)” following “Subject to subsection (2)”;

- (ii) Repealing subsection (2).**
- (e) In section 6(e) by striking out “(i)” and substituting “(h)”;**
- (f) In section 8, by striking out “The Economic Development Committee existing on the day immediately preceding the date that this Act comes into force is continued.”**
- (g) In section 10(b), by striking out “in conjunction with the HDC board and”.**
- (h) In section 15(1), by striking out “Schedule” and substituting “official Schedule of HUU-AY-AHT business enterprises”.**
- (i) In section 16, by:**

 - (i) In subsection 1(b), striking out the text “and, having regard to the mission set out in section 2 and the values set out in section 3, the goals, objectives and financial performance and employment targets hoped to be achieved by the HUU-AY-AHT First Nations and HUU-AY-AHT business enterprises in that time period”;**
 - (ii) In subsection (1), adding the following paragraph before paragraph (d):**

 - (c) a statement of the goals, objectives and employment targets hoped to be achieved by the HUU-AY-AHT First Nations and HUU-AY-AHT business enterprises for the following 4 years**
 - (iii) Repealing subsection (2) and substituting:**

 - (2) The economic development officer must update the economic development plan on at least an annual basis to include any new business opportunities approved by the Legislature.**
- (iv) In subsection 3(b), striking out “the” and substituting “any”.**
- (j) In section 19, by repealing subsections (2) and (3);**
- (k) In section 21, by:**

 - (i) In subsection (2), striking out “, in the following order”;**
 - (ii) Repealing subsection (4) and substituting the following:**

 - (4) The Economic Development Committee must include any recommendations of the Ha’wiih Council or committees provided under subsection (2) in an appendix to its recommendation on a plan.**
- (l) In section 23(e), striking out “HDC Board” and substituting “HFN DC Board”;**

- (m) By repealing section 26;*
- (n) In section 29, by changing instances of “HDC Board” to “HFN DC Board”;*
- (o) In section 30, by striking out “HDC Board” and substituting “HFN DC Board”;*
- (p) In section 31, by:*
 - (i) In the definition for board, striking out “HDC Board” and substituting “HFN DC Board”;*
 - (ii) In the definition for director, striking out “HDC Board” and substituting “HFN DC Board”.*
- (q) In section 43(1), by adding “other than a Huu-ay-aht special investment body” following “a Huu-ay-aht body”.*
- (r) Repealing Part 9 – Transitional Provision and Consequential Amendments.*
- (s) Repealing the Schedule.*

Commencement

- 2** This Act will come into force on the date of its enactment by the Legislature.

Consolidation

- 3** The Law Clerk is directed to consolidate the *Economic Development Act*, HFNA 2/2013.



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ANCIENT SPIRIT, MODERN MIND

**GOVERNMENT ACT AMENDMENT
ACT, 2019**

The Huu-ay-aht Legislature enacts this law to establish an effective system of government where decisions are made in the best interests of present and future generations of Huu-ay-aht citizens.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Government Act Amendment Act, 2019* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Government Act Amendment Act, 2019* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Government Act Amendment Act, 2019* came into force on:

Coraleah Bauer, Law Clerk

Government Act Amendment Act, 2019

Contents

- 1 Amendments
- 2 Commencement
- 3 Consolidation

Amendments

- 1 The *Government Act*, HFNA 3/2011 is amended:
 - (a) ***In section 2, by adding the following definition:***

“**substantive matter**” means any matter to be considered at a meeting or session of government that is not procedural in nature;
 - (b) ***In section 13 (1)(k), by adding the following clause:***
 - (ii) Defining the duties associated with a portfolio, and
 - (c) ***In section 17(f), by striking out “other”.***
 - (d) ***In section 18, by striking out subsection (2) and replacing it with:***
 - (2) If a Councillor is assigned a portfolio, the Councillor
 - (a) leads policy discussions related to that portfolio at meetings of Executive Council,
 - (b) chairs related committees in the specified area of government responsibility, and
 - (c) carries out other duties associated with the portfolio.
 - (e) ***In section 19(1), by:***
 - (i) ***striking out “who have” and substituting “are”; and***
 - (ii) ***striking out “been”.***
 - (f) ***In section 30 by:***
 - (i) ***In subsection (2), striking out subsections (c) and (d);***
 - (ii) ***Repealing subsection (5) and substituting:***
 - (5) If the Law Clerk reduces the notice period under subsection (3), the Law Clerk must give public notice of the session as soon as practicable.

(g) *By adding the following section:*

Public notice of proposed motions and Acts

- 30.1** (1) At least 14 days before the first day of a session of the Legislature, the Law Clerk must give public notice of the proposed motions and Acts to be considered by the Legislature.
- (2) Notice under subsection (1), must include the following:
- (a) any proposed Huu-ay-aht Act listed on the proposed agenda;
 - (b) proposed motions in respect of any substantive matter on the proposed agenda;
 - (c) other information specified by resolution of Executive Council.
- (3) If the Law Clerk has reduced the notice period under section 30(3), notice under subsection (1) must be given as soon as practicable following public notice of the session under section 30(5).

(h) *In section 31, by adding “(2)” following “30”.*

(i) *In section 32, by adding the following paragraph:*

- (d) other duties assigned by Huu-ay-aht Acts.

(j) *In section 35, by:*

(i) *Repealing subsection (1) and substituting:*

- (1) Decisions by the Legislature in respect of substantive matters must be introduced in the form of written motions.

(ii) *Repealing subsection (2) and substituting:*

- (2) Decisions by the Legislature in respect of procedural matters may be introduced in the form of written or verbal motions.

(iii) *In subsection (4), striking out “motions” and substituting “motion”.*

(k) *By repealing section 37 and substituting:*

Open and transparent Legislature

- 37** (1) Sessions of the Legislature are open to the public.
- (2) Executive Council may provide for observation of, or participation in, sessions of the Legislature by electronic or other means.
- (3) The Law Clerk must ensure that an accurate record of the proceedings of the Legislature is prepared, containing all of the following:
- (a) the notice of the session;
 - (b) the proposed and approved agendas;

- (c) a record of motions introduced, motions adopted by consensus, votes taken and resolutions passed, including copies of each written motion considered and records referred therein;
 - (d) written minutes or electronic records of the proceedings in the form specified by Executive Council;
 - (e) any additional documents or reports provided for the session;
 - (f) other records specified by Executive Council.
- (4) For greater certainty, copies of each written motion included in the record of proceedings must attach as appendices all records referred to in the motion, except for in force Huu-ay-aht legislation;
 - (5) After a session of the Legislature has ended, the Law Clerk must, as soon as practicable, certify a true copy of the record of proceedings and place that copy in the registry.
 - (6) The Law Clerk must provide to the Executive Director a copy of the records prepared under subsections (3) (c) and (d) as soon as practicable.
 - (7) The Chief Councillor, or an individual designated in writing by the Chief Councillor, is the public spokesperson for the Legislature.
- (l) ***By striking out*** “Division 3 – Staff Assistance to Legislature”;
 - (m) ***By striking out*** “Division 4 – Speaker” ***and substituting*** “Division 3 – Speaker”
 - (n) ***In section 39, by repealing subsection (1) and substituting:***
 - (1) Executive Council must, in consultation with the Ha’wiih Council, appoint a Speaker at the first meeting of Executive Council in April of each year.
 - (o) ***By repealing section 42 and substituting:***

Huu-ay-aht Council acting as Executive Council

- 42** (1) Huu-ay-aht Council may only act as Executive Council when all of the following conditions are met:
- (a) subject to subsections (2) and (3), at least 5 members of Huu-ay-aht Council are present;
 - (b) a meeting has been called in accordance with section 44;
 - (c) public notice of the meeting has been provided as set out in section 45.
- (2) In extraordinary circumstances, such as a natural disaster or community health emergency, where the circumstances make it impossible to convene at least 5 members of Huu-ay-aht Council, a lesser number may act as Executive Council insofar as is necessary for the proper functioning of government or to address the immediate effects of the extraordinary circumstances.

- (p) ***In section 52, by:***
- (i) ***Repealing subsection (2) and substituting:***
- (2) Decisions by Executive Council under subsection (1) in respect of substantive matters must be introduced in the form of written motions.
- (ii) ***Repealing subsection (3) and substituting:***
- (3) Decisions by Executive Council in respect of procedural matters may be introduced in the form of written or verbal motions.
- (q) ***In section 54, by:***
- (i) ***Repealing subsection (4)(c) and substituting:***
- (c) a record of motions introduced, motions adopted by consensus, votes taken and resolutions passed, including copies of each written motion considered;
- (ii) ***Repealing subsection (4)(d) and substituting:***
- (d) written minutes or electronic recording of the proceedings in the form specified by Executive Council;
- (iii) ***Repealing subsection (4)(e) and substituting:***
- (e) any additional reports or other documents provided for the meeting;
- (iv) ***Adding the following subsection:***
- (5) For greater certainty, copies of each written motion included in the record of proceedings must attach as appendices all records referred to in the motion, except for in force Huu-ay-aht legislation;
- (v) ***In subsection (7), by striking out “(e)” and substituting “(d)”.***
- (r) ***In section 58, by repealing subsection (4).***
- (s) ***In section 59, by striking out subsection (3).***
- (t) ***In section 60, by adding “and may appoint another member of the committee as acting chair to temporarily fulfil the chair’s responsibilities” to the end of subsection (2);***

- (u) ***In section 63, by repealing subsection (2) and substituting:***
- (2) The chair must advise the Law Clerk of the date, time, location and proposed agenda for committee meeting as soon as practicable.
- (v) ***In section 67, by:***
- (i) ***Repealing subsection (1) and substituting:***
- (1) Decisions by a committee in respect of substantive matters must be introduced in the form written motions.
- (ii) ***Repealing subsection (2) and substituting:***
- (2) Decisions of a committee in respect of procedural matters may be introduced in the form of written or verbal motions.
- (w) ***In section 71, by:***
- (i) ***Repealing subsection (1)(c) and substituting:***
- (c) a record of motions introduced, motions adopted by consensus, votes taken, and resolutions passed, including copies of each written motion considered;
- (ii) ***Repealing subsection 1(e) and substituting:***
- (e) written minutes or electronic recording of the proceedings in the form specific by Executive Council;
- (iii) ***Repealing subsection (1)(f) and substituting:***
- (f) any additional reports or other documents provided for the meeting;
- (iv) ***Adding the following subsection:***
- (2) For greater certainty, copies of each written motion included in the record of proceedings must attach as appendices all records referred to in the motion, except for in force Huu-ay-aht legislation.
- (v) ***In subsection (4), striking out “(f)” and substituting “(e)”.***
- (x) ***In section 79, by:***
- (i) ***In subsection (1), adding the following paragraph:***
- (d) is responsible for specifying the proposed agenda for a regular session;

(ii) Repealing subsection (2) and substituting:

- (2) After consulting with the Ha'wiih Council, the Chief Councillor or Executive Council may call a special session, and must specify the dates, times and proposed agenda of that special session.

(iii) Adding the following subsection:

- (3) Prior to calling a special session under section 79(2), the Chief Councillor must consult with Executive Council.

(y) In section 80, by:

(i) striking out subsection (2)(d);

(ii) in subsection (4), by adding "or Executive Council" following "Chief Councillor".

(z) By repealing section 81 and substituting:**Session changes**

81 The People's Assembly may make changes to matters referred in to in the notice under section 80(2), if the change

- (a) is reasonably justified, and
 (b) is passed by the People's Assembly.

(aa) In section 86, by:

(i) Repealing section (1) and substituting:

- (1) Substantive matters for consideration by the People's Assembly must be introduced in the form of written motions.

(ii) Repealing section (2) and substituting:

- (2) Procedural matters for consideration by the People's Assembly may be introduced in the form of written or verbal motions.

(bb) By repealing section 88 and substituting:**People's Assembly open to public**

- 88** (1) Subject to subsection (2), sessions are open to the public.
 (2) The People's Assembly may, by resolution, allow only specified individuals who are not Huu-ay-aht citizens to be present for part of a session.
 (3) Subject to an order of the Speaker, every Huu-ay-aht citizen has a right to attend and speak at a session.

- (4) Executive Council may provide for individuals to observe, participate, and if eligible to do so vote, in a session by electronic or other means.
- (5) The Law Clerk must ensure that an accurate record of the proceedings of each session is prepared including the following:
 - (a) the notice of the session;
 - (b) the proposed and approved agendas;
 - (c) a record of motions introduced, motions adopted by consensus, votes taken, and resolutions passed, including copies of each written motion considered;
 - (d) written minutes or electronic recording of the proceedings in the form specified by Executive Council;
 - (e) any additional reports or other documents provided for the meeting;
 - (f) other records specified by Executive Council.
- (6) For greater certainty, copies of each written motion included in the record of proceedings must attach as appendices all records referred to in the motion, except for in force Huu-ay-aht legislation.
- (7) After a session has ended, the Law Clerk must, as soon as practicable, certify a true copy of the record of proceedings and place that copy in the registry.
- (8) The Law Clerk must provide the Executive Director with a copy of the records prepared under subsection (5) (c) and (d) as soon as practicable.
- (9) The Chief Councillor, or an individual designated in writing by the Chief Councillor, is the public spokesperson for the People's Assembly.
- (10) If the Chief Councillor or a designated public spokesperson under subsection (9), is unwilling or unable to carry out the function of public spokesperson, the People's Assembly may, by resolution, designate a public spokesperson for that session.

(cc) By repealing section 89 and substituting:

Reports

- 89**
- (1) In this section, "citizen motion" refers to motion put forward by a citizen who wishes for the People's Assembly to consider making a recommendation to Executive Council under section 84(1)(a).
 - (2) The Executive Director must prepare a written report on any substantive matter listed on the session's agenda.
 - (3) A citizen putting forward a citizen motion may elect to provide a written report to the Law Clerk for delivery under subsection (4), provided they do so in accordance with a timeline and other requirements set by the Law Clerk.

- (4) Reports in respect of any substantive matter on the proposed agenda must be delivered to HUU-ay-aht citizens at least 14 days before the People's Assembly will consider the substantive matter.
- (5) Despite subsection (2), the Executive Director is not required to prepare a written report on any citizen motion on the agenda.
- (6) Subject to subsections (7) and (8), the People's Assembly must not vote on any substantive matter on the proposed or approved agenda until it has received and considered a report.
- (7) In an emergency, or if the People's Assembly reasonably believes that a delay in consideration of a matter is not in the best interests of the HUU-ay-aht, the People's Assembly may, by resolution, do one or more of the following:
 - (a) waive the requirement that the report be in writing;
 - (b) waive other report requirements under this section;
 - (c) waive or reduce the 14³ day⁴ delivery requirement.
- (8) Despite subsection (6), the People's Assembly may vote on a citizen motion without having received a written report on the matter provided the citizen making the motion speaks to the matter at the People's Assembly.

^{1,3} HFNA 2/2016, s. 2(d); ² HFNA 2/2016, s. 2(b); ⁴ HFNA 2/2016, s. (c).

(dd) In section 106, by striking out subsection (6).

(ee) By striking out section 113.

(ff) By striking out section 115.

Consequential Amendment

- 2** The *Interpretation Act*, HFNA 14/2011 is amended in section 38 by adding the following subsection:

- (2) A document delivered by ordinary mail is deemed to be delivered five (5) days after the day it was mailed.

Commencement

- 3** (1) Subject to subsection (2), this Act comes into force by resolution of Executive Council.
- (2) Section 2 and subsection 4(2) come into force on the date of enactment of this Act.

Consolidation

- 4** (1) The Law Clerk is directed to consolidate the *Government Act*, HFNA 3/2011.
- (2) The Law Clerk is directed to consolidate the *Interpretation Act*, HFNA 3/2011.



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding First Reading of the *Budget Act, 2019*

Whereas:

- a) Executive Council approved the proposed *Budget Act, 2019* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Budget Act, 2019* first reading;
- 2) Will proceed with discussion of the proposed *Budget Act, 2019* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Budget Act, 2019* second reading at the sitting of the Legislature scheduled for March 22, 2018.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Budget Act, 2019.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 14, 2019

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding First Reading of the *Financial Administration Act Amendment Act, 2019*

Whereas:

- a) Executive Council approved the proposed *Financial Administration Act Amendment Act, 2019* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Financial Administration Act Amendment Act, 2019* first reading;
- 2) Will proceed with discussion of the proposed *Financial Administration Act Amendment Act, 2019* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Financial Administration Act Amendment Act, 2019* second reading at the sitting of the Legislature scheduled for March 22, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Financial Administration Act Amendment Act, 2019.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 14, 2019

DATE OF MEETING



huu ayah't

ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding First Reading of the *Economic Development Act Amendment Act, 2019*

Whereas:

- a) Executive Council approved the proposed *Economic Development Act Amendment Act, 2019* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Economic Development Act Amendment Act, 2019* first reading;
- 2) Will proceed with discussion of the proposed *Economic Development Act Amendment Act, 2019* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Economic Development Act Amendment Act, 2019* second reading at the sitting of the Legislature scheduled for March 22, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Economic Development Act Amendment Act, 2019.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 14, 2019

DATE OF MEETING



huu ayah't

ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding First Reading of the *Government Act Amendment Act, 2019*

Whereas:

- a) Executive Council approved the proposed *Government Act Amendment Act, 2019* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Government Act Amendment Act, 2019* first reading;
- 2) Will proceed with discussion of the proposed *Government Act Amendment Act, 2019* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Government Act Amendment Act, 2019* second reading at the sitting of the Legislature scheduled for March 22, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Government Act Amendment Act, 2019.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 14, 2019

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Second Reading of the *Budget Act, 2019*

Whereas:

- a) The Legislature gave the *Budget Act, 2019* first reading at its sitting on March 14, 2010.

Be it resolved that the Legislature:

- 1) Hereby gives the *Budget Act, 2019* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on *the Budget Act, 2019* at a meeting of the Legislature to be convened today, March 22, 2018.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Budget Act, 2019*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2019

DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Second Reading of the *Financial Administration Act Amendment Act, 2019*

Whereas:

- a) The Legislature gave the *Financial Administration Act Amendment Act, 2019* first reading at its sitting on March 14, 2019.

Be it resolved that the Legislature:

- 1) Hereby gives the *Financial Administration Act Amendment Act, 2019* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Financial Administration Act Amendment Act, 2019* at a meeting of the Legislature to be convened today, March 22, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Financial Administration Act Amendment Act, 2019.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2019

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Second Reading of the *Economic Development Act Amendment Act, 2019*

Whereas:

- a) The Legislature gave the *Economic Development Act Amendment Act, 2019* first reading at its sitting on March 14, 2019.

Be it resolved that the Legislature:

- 1) Hereby gives the *Economic Development Act Amendment Act, 2019* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Economic Development Act Amendment Act, 2019* at a meeting of the Legislature to be convened today, March 22, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Economic Development Act Amendment Act, 2019.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2019

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Second Reading of the *Government Act Amendment Act, 2019*

Whereas:

- a) The Legislature gave the *Government Act Amendment Act, 2019* first reading at its sitting on March 14, 2019.

Be it resolved that the Legislature:

- 1) Hereby gives the *Government Act Amendment Act, 2019* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Government Act Amendment Act, 2019* at a meeting of the Legislature to be convened today, March 22, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Government Act Amendment Act, 2019*.

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2019

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Approval of Economic Development Plan

Whereas:

- a) The Economic Development Committee has prepared an Economic Development Plan in accordance with the *Economic Development Act*, s. 10(b); and
- b) Executive Council recommends the Economic Development Plan for approval by the Legislature in accordance with the *Economic Development Act*, s. 6(d).

Be it resolved that the Legislature hereby approves the Economic Development Plan, in accordance with section 5(2)(b) of the *Economic Development Act*.

Appendices attached to Motion:

Written report prepared by _____.

The following documents:

- Economic Development Plan

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2019

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Third Reading of the *Budget Act, 2019*

Whereas:

- a) The Legislature gave the *Budget Act, 2019* second reading at its sitting earlier today, March 22, 2019

Be it resolved that:

- 1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Budget Act, 2019*; 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, 2019* has passed third reading by signing it today, March 22, 2019 (s. 93(1)(h));
 - b. The Ta'yii Hawilth, will certify that the *Budget Act, 2019* is enacted as Huu-ay-aht law by signing it today, March 22, 2019 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the *Budget Act, 2019* into force today, March 22, 2019 (s. 95(5));
 - ii. Place the signed *Budget Act, 2019* and a certified true copy in the registry no later than March 27, 2019 (s. 95(6)(a)); and
 - iii. Publish the *Budget Act, 2019* no later than April 1, 2019 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Budget Act, 2019*.

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2019

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Third Reading of the *Financial Administration Act Amendment Act, 2019*

Whereas:

- a) The Legislature gave the *Financial Administration Act Amendment Act, 2019* second reading at its sitting earlier today, March 22, 2019

Be it resolved that:

- 1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Financial Administration Act Amendment Act, 2019* ; 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 *Financial Administration Act Amendment Act, 2019* has passed third reading by signing it today, March 22, 2019 (s. 93(1)(h));
 - b. The Ta'yii Hawilth, will certify that the *Financial Administration Act Amendment Act, 2019* is enacted as Huu-ay-aht law by signing it today, March 22, 2019 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the *Financial Administration Act Amendment Act, 2019* into force today, March 22, 2019 (s. 95(5));
 - ii. Place the signed *Financial Administration Act Amendment Act, 2019* and a certified true copy in the registry no later than March 27, 2019 (s. 95(6)(a));
 - iii. Publish the *Financial Administration Act Amendment Act, 2019* no later than April 1, 2019 (s. 95(6)(b)); and
 - iv. Prepare and publish a consolidation of the *Tribunal Act* no later than April 1, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Financial Administration Act Amendment Act, 2019.*

Introduced by:	Date: March 22, 2019
MEMBER OF LEGISLATURE	DATE OF MEETING



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ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Third Reading of the *Economic Development Act Amendment Act, 2019*

Whereas:

- a) The Legislature gave the *Economic Development Act Amendment Act, 2019* second reading at its sitting earlier today, March 22, 2019

Be it resolved that:

- 1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Economic Development Act Amendment Act, 2019* ; 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, 2019* has passed third reading by signing it today, March 22, 2019 (s. 93(1)(h));
 - b. The Ta'yii Hawilth, will certify that the *Economic Development Act Amendment Act, 2019* is enacted as Huu-ay-aht law by signing it today, March 22, 2019 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the *Economic Development Act Amendment Act, 2019* into force today, March 22, 2019 (s. 95(5));
 - ii. Place the signed *Economic Development Act Amendment Act, 2019* and a certified true copy in the registry no later than March 27, 2019 (s. 95(6)(a));
 - iii. Publish the *Economic Development Act Amendment Act, 2019* no later than April 1, 2019 (s. 95(6)(b)); and
 - iv. Prepare and publish a consolidation of the *Tribunal Act* no later than April 1, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Economic Development Act Amendment Act, 2019.*

Introduced by:	Date: March 22, 2019
_____	_____
MEMBER OF LEGISLATURE	DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MINE

WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

For ease of reference, this motion may be referred to as:

Motion Regarding Third Reading of the *Government Act Amendment Act, 2019*

Whereas:

- a) The Legislature gave the *Government Act Amendment Act, 2019* second reading at its sitting earlier today, March 22, 2019

Be it resolved that:

- 1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Government Act Amendment Act, 2019*; 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 *Government Act Amendment Act, 2019* has passed third reading by signing it today, March 22, 2019 (s. 93(1)(h));
 - b. The Ta'yii Hawilth, will certify that the *Government Act Amendment Act, 2019* is enacted as Huu-ay-aht law by signing it today, March 22, 2019 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the *Government Act Amendment Act, 2019* into force today, March 22, 2019 (s. 95(5));
 - ii. Place the signed *Government Act Amendment Act, 2019* and a certified true copy in the registry no later than March 27, 2019 (s. 95(6)(a));
 - iii. Publish the *Government Act Amendment Act, 2019* no later than April 1, 2019 (s. 95(6)(b)); and
 - iv. Prepare and publish a consolidation of the *Tribunal Act* no later than April 1, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Government Act Amendment Act, 2019.*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2019

DATE OF MEETING