



huu ay aht

ANCIENT SPIRIT, MODERN MINE

PUBLIC NOTICE of the LEGISLATURE

(Government Act, s. 30)

July 16, 2019

To all Huu-ay-aht Citizens:

PUBLIC NOTICE is hereby given that:

Executive Council has called a special session of the Legislature, to be held at 11:00 a.m on July 23, 2019 at MA?AS SUQIN (Administration Office), Anacla, BC, with second and third sittings occurring on July 31, 2019.

The proposed agenda and motions to be considered at each of the three sittings are attached.

The only matter to be considered at this special session of the Legislature is the enactment of the *Government Act Authorizations Act* (the “proposed Act”). The proposed act is being prepared and considered on an expedited basis because there is some ambiguity as to whether it is required in order for the Huu-ay-aht to enter into the new proposed Fiscal Financing Agreement (“2019 FFA”) with Canada and British Columbia, which was the subject of community engagement sessions in the Spring. Attached to this notice is an information sheet about the 2019 FFA.

Because the *Government Act Authorizations Act* is being drafted on an expedited basis, a copy is not yet available to post with this Public Notice. As soon as one becomes available, further Public Notice will be given.

Any citizens who have questions or comments about the 2019 FFA or the proposed Act are invited to contact Paul Rokeby-Thomas at 250-723-0100. You may also submit written comments to Paul at paul.r@huuayaht.org

Fiscal Financing Agreement Info Sheet

Background

The Fiscal Financing Agreement (FFA) is a financial arrangement that specifies the funding provided to Huu-ay-aht First Nations (HFN) by Canada and British Columbia and sets out the responsibilities of HFN in delivering agreed upon programs and services. The fiscal relationship should ensure that HFN has sufficient fiscal resources to fulfill our responsibilities under Treaty and the associated expenditure need, and to provide public services that are comparable to public services available to other Canadians.

The initial FFA came into effect on April 1, 2011 and ran to March 31, 2019. The term has been extended one year to March 31, 2020 while the new FFA is being negotiated.

Work done so far

In March 2018 HFN started the process of negotiating a new FFA. We have been participating in negotiations with the other Maa-Nulth Nations who have the same term on their FFAs.

A major contributor to the negotiation process has been a new 'Self-Government Fiscal Policy' (Green Book) adopted by the Canadian Government in the first quarter of 2019. The Green Book policy was developed through a collaborative process that included all self-governing Nations, including HFN. The Green Book policy created an entirely new model for self-government fiscal arrangements that focused on the expenditure need of each Nation.

Where we are at

There are many areas of responsibility covered in the FFA: Governance, Lands and Resources, Treaty Management, Economic Development, Heritage, Culture and Language, Infrastructure, Education and Social Development. Application of the new Green Book policy to all areas will take years to fully implement, so it was agreed that the new FFA would have multiple versions until all areas are updated. The first version primarily focuses on applying the Green Book policy to Governance and Lands.

We have negotiated terms for version 1 of the FFA renewal that have been approved by Executive Council and each government (HFN, BC, Canada) are putting the draft agreement through their approval process.

The anticipated change in funding in version 1 is as follows:

	Old FFA	Version 1, New FFA	Increase
Annual Funding	\$3,091,095	\$6,797,967	\$3,706,872

Note: anticipated figures are not locked in until all parties have executed the agreement

Next Steps

The authority to enter into Government to Government Agreements must be authorized by an HFN Act. The proposed Government Act Authorizations Act will satisfy this requirement and allow Executive Council to sign version 1 of the new FFA.



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LEGISLATURE AGENDA

(Government Act, s. 30)

JULY 2019 SPECIAL SESSION OF THE LEGISLATURE

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

First Sitting

July 23, 2019, 11:00 a.m.

1. Opening of the Special Session of the Huu-ay-aht Legislature
2. First Reading of the *Government Agreements Authorizations Act*
3. Adjourn

Second Sitting

July 31, 2019, 10:00 a.m.

1. Call to Order
2. Second Reading of the *Government Agreements Authorizations Act*
3. Adjourn

Third Sitting

July 31, 2019, following the Second Sitting

1. Call to Order
2. Third and Final Reading of the *Government Agreements Authorizations Act*
3. Closing of the Special 2019 Session of the Huu-ay-aht Legislature



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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 *Government Agreements Authorizations Act*

Whereas:

- a) Executive Council considered the proposed *Government Agreements Authorizations Act* and approved it for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Government Agreements Authorizations Act* first reading;
- 2) Will proceed with discussion of the proposed *Government Agreements Authorizations Act*, in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Government Agreements Authorizations Act* second reading at the sitting of the Legislature scheduled for July 31, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Government Agreements Authorizations Act*.

Introduced by:

MEMBER OF LEGISLATURE

Date: July 23, 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 Agreements Authorizations Act*

Whereas:

- a) The Legislature gave the *Government Agreements Authorizations Act* first reading at its sitting on July 23, 2019

Be it resolved that the Legislature:

- 1) Hereby gives the *Government Agreements Authorizations Act* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on *Government Agreements Authorizations Act* at a meeting of the Legislature to be convened today, July 31, 2019.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Government Agreements Authorizations Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: July 31, 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 *Government Agreements Authorizations Act*

Whereas:

- a) The Legislature gave the *Government Agreements Authorizations Act* second reading at its sitting earlier today, July 31, 2019

Be it resolved that:

- 1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Government Agreements Authorizations Act*; 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 Agreements Authorizations Act* has passed third reading by signing it today, July 31, 2019 (s. 93(1)(h));
 - b. The Ta'yii Hawilth, will certify that the *Government Agreements Authorizations Act* is enacted as Huu-ay-aht law by signing it today, July 31, 2019 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the *Government Agreements Authorizations Act* into force today, July 31, 2019 (s. 95(5));
 - ii. Place the signed *Government Agreements Authorizations Act* and a certified true copy in the registry no later than August 6, 2019 (s. 95(6)(a)); and
 - iii. Publish the *Government Agreements Authorizations Act* no later than August 12, 2019 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Government Agreements Authorizations Act*.

Introduced by:

MEMBER OF LEGISLATURE

Date: July 31, 2019

DATE OF MEETING