



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**PUBLIC NOTICE of
the LEGISLATURE**

(Government Act, s. 30)

March 7, 2023

To all Huu-ay-aht Citizens:

PUBLIC NOTICE is hereby given that:

The attached motions and Acts will be considered at the
Spring, 2023 Session of the Legislature.





huu ay aht

ANCIENT SPIRIT, MODERN MIND

BUDGET ACT, 2023

The Huu-ay-aht Legislature enacts this law to establish spending authority and borrowing authority for the fiscal year beginning April 1, 2023 and ending March 31, 2024 and to retroactively amend spending authorities and borrowing authorities for the 2023-2024 fiscal year.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Budget Act, 2023* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Budget Act, 2023* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Budget Act, 2023* came into force on:

Law Clerk, Coraleah Bauer

BUDGET ACT, 2023

Contents

PART 1 – GENERAL OPERATING FUND

- 1 General operating fund spending authority

PART 2 – INVESTED WEALTH FUND

- 2 Invested Wealth Fund spending authority

PART 3 – SPECIAL PROGRAMS FUND

- 3 Special Programs Fund spending authority

PART 4 – CAPITAL SPENDING

- 4 Capital spending authority

PART 5 – BORROWING

- 5 Borrowing authority

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

- 6 Conditions for investment by way of loan or loan guarantee

Note to Reader

The *Budget Act, 2023* establishes the authority of government to spend money from April 1, 2023, to March 31, 2024. 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, Special Programs Fund, sets out the authorized capital spending of government for the 2023 – 2024 fiscal year.
- Part 4, Capital Spending, sets out the authorized general purpose spending of government for the 2023 – 2024 fiscal year.
- Part 5, Borrowing, sets out the authorized borrowings of government for the 2023 – 2024 fiscal year.
- Part 6, Investments in Huu-ay-aht business enterprises, 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, 2023 to March 31, 2024 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.	\$3,595,307
2	Infrastructure	To provide the services needed to support construction, operation and maintenance of community infrastructure and administration and oversight.	\$1,263,750
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 Hahuuʻi.	\$1,046,498
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.	\$391,401
5	Government Services	To provide the services needed to support government operations, engagement with Citizens and other stakeholders, committee, Hawiʻi Council and Executive Council operations.	\$1,165,560

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.	\$1,016,340
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.	\$970,000
8	Human Resources	To provide the services needed to support staff management, communications and engagement, and local government services for the community of Anacla.	\$568,086
9	Communications	To provide services needed to support communications to all HFN Citizens and non-citizens, and staff.	\$280,984
10	Depreciation	To allow for depreciation expenses related to capital assets	\$1,250,000
11	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	\$500,000
	Total General Operating Fund Spending Authority		\$12,047,926

PART 2 – INVESTED WEALTH FUND

Invested Wealth Fund spending authority

- 2 Spending from the Invested Wealth Fund from April 1, 2023 to March 31, 2024 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
12	Fund Management	For management of the investments of the Invested Wealth Fund	\$120,000
13	Transfer to General Operating Fund	For transferring money to the general operating fund to support government	\$600,000
	Total Invested Wealth Fund Spending Authority		\$720,00
	Total Consolidated Government Fund Spending Authority		\$14,659,011

PART 3 – SPECIAL PROGRAMS FUND

Special Programs Fund spending authority

- 3 Spending from the Special Programs Fund from April 1, 2023 to March 31, 2024 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.	\$200,000

No.	Budget Line Item Name	Purpose	Amount
S3	Bamfield Main Safety Upgrade	To make significant safety improvements to the 85-kilometre logging road	\$25,000,000
Total Special Programs Fund Spending Authority			\$45,200,000

PART 4 – CAPITAL SPENDING

Capital spending authority

- 4 Spending for capital purposes from April 1, 2023 to March 31, 2024 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
15	Capital Projects	For capital items included in the Capital Budget of the approved Financial Plan and the approved government infrastructure project list.	\$6,000,000
16	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			\$106,000,000

PART 5 – BORROWING

Borrowing authority

- 5 Borrowing from April 1, 2023 to March 31, 2024 is authorized for the purpose and amount shown in the same row as each borrowing authority item in the following table:

No.	Borrowing Authority	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	\$10,000,000
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	\$50,000,000
Total Borrowing Authority			\$60,000,000

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.



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**ELECTION ACT
AMENDMENT ACT, 2023**

*The Huu-ay-aht Legislature enacts this law
to amend the Election Act.*

REGISTRY OF LAWS CERTIFICATION

I certify that the *Election Act Amendment Act, 2023* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Election Act Amendment Act, 2023* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Election Act Amendment Act, 2023* came into force on:

Law Clerk, Coraleah Johnson

*Election Act Amendment Act, 2023**Contents*

- 1 Amendments
- 2 Commencement
- 3 Consolidation

The Legislature enacts as follows:

Amendments

- 1 The *Election Act*, HFNA 6/2011 is amended as follows:
 - (a) *in section 2, by:*
 - (i) *replacing the definition of “by-election” with:*
“by-election” means an election under section 12;
 - (ii) *replacing the definition of “commissioner” with:*
“commissioner” and “Election Commissioner” mean the individual appointed under section 15 unless the context requires otherwise;
 - (iii) *replacing the definition of “Councillor” with:*
“Councillor” means an elected Councillor unless the context requires otherwise;
 - (iv) *replacing the definition of “election period” with:*
“election period” means, in relation to an election, the period between the appointment of an Election Commissioner under section 15 and the completion of the commissioner’s duties and responsibilities under this Act in relation to that election;
 - (v) *replacing the definition of “eligible voter” with:*
“eligible voter” means an individual who is eligible to vote in an election under section 3;
 - (vi) *in the definition of “Law Clerk”, by adding “the” between the words “means” and “Law Clerk”;*
 - (vii) *in the definition of “tie vote”, by adding “cast in favour of two (2) or more candidates” after the word “votes”;*
 - (b) *by repealing section 7 and replacing it with the following:*
Huu-ay-aht employees as candidates
 - 7 (1) In this section, “employee candidacy period” means, in relation to a Huu-ay-aht employee, the period that begins on the first day of the campaign period, and ends, as applicable, if the employee

-
- (a) is not nominated before the end of the nomination period, on the day after the end of that period,
 - (b) withdraws as a candidate in the election, on the day after the withdrawal,
 - (c) is declared elected, on the day the employee resigns in accordance with subsection (1) or on the last day for taking office before the employee is deemed to have resigned for a failure to make the oath of office within the time specified under section 21 of the *Government Act*,
 - (d) is not declared elected and an application for a recount is not made to the tribunal, on the last day on which an application for a recount may be made, or
 - (e) is not declared elected and an application for recount is made, on the date when the results of the election are determined by or following the recount.
- (2) A Huu-ay-aht employee who is otherwise qualified to be nominated as a candidate under section 5 must comply with the requirements of this section to be eligible as a candidate in an election.
 - (3) Before consenting to nomination for an elected office, a Huu-ay-aht employee must give notice in writing to his or her employer of
 - (a) the employee's intention to consent to nomination, and
 - (b) whether the employee intends to take a leave of absence under subsection (5).
 - (4) The employer of a Huu-ay-aht employee who has given notice under subsection (2)(a) and indicated an intention to not take a leave of absence under subsection (2)(b) must determine, before the campaign period, whether the powers, duties and functions of the employee may give rise to an actual or apparent advantage for that employee in the election process.
 - (5) If the employer identifies any powers, duties or functions of a Huu-ay-aht employee that may give rise to an actual or apparent advantage in the election process, the employer must amend that employee's job description to remove those powers, duties or functions during the employee candidacy period.
 - (6) After giving notice under subsection (3), a Huu-ay-aht employee is entitled to, a leave of absence without pay from his or her position for the employee candidacy period.
 - (7) After being elected as Chief Councillor or Councillor and before making the oath of office under section 21 of the *Government Act*, a Huu-ay-aht employee on a leave of absence under this section must resign from his or her position.

(c) ***by repealing section 8 and replacing it with the following:*****Council members in by-elections**

- 8** (1) A Councillor may not consent to nomination in a by-election for Chief Councillor unless the Councillor resigns from office within 7 days of the appointment of a commissioner for the by-election.
- (2) The office of a Councillor who has resigned under subsection (1) is deemed to have been declared vacant, and the notice period for resignation from elected office under section 24 of the *Government Act* does not apply, so that the by-election may proceed for the vacant offices of Chief Councillor and Councillor.
- (3) The Law Clerk must notify Executive Council and the Ha'wiih Council and give public notice of a vacancy under subsection (2).
- (4) A Chief Councillor may not resign and be nominated in a by-election for Councillor.

(d) ***in section 12 (5), by adding “from” after the word “resigns”;***(e) ***in section 12 (6), by adding “section 42 of” after the word “under”;***(f) ***in section 12 (7) (b), by adding “within the time specified” after the word “office”;***(g) ***in section 12 (7) (d), by adding “within the time specified” after the words “oath of office”;***(h) ***in section 13, by changing the subsection numbers “(1)” and “(2)” to subsection “(2)” and “(3)” and replacing subsection (1) with the following:***

- (1) If a vacancy in an elected office occurs during the 12-month period following a general election a by-election must be held only if the Law Clerk is unable to fill the seat in accordance with section 13.1.

(i) ***in section 13 (2), by striking out “after January 1 in a general election year” and replacing it with “during the 12-month period leading up to a general election”;***(j) ***in section 13 (2) (b), by striking out “the” before the word “Ha’wiih”;***(k) ***in section 13 (3) by striking out “(1)” and replacing it with “(2)” and by striking out “of this section”;***(l) ***by inserting the following in between sections 13 and 14:*****Vacancy within 12 months following general election**

- 13.1** (1) In the case of a vacancy under section 13 (1) the individual who is recorded in the official election record compiled under section as receiving the next highest number of votes after the individual who was elected to that office with the least number of votes, will become eligible to be deemed elected to the vacant office.
- (2) As soon as practicable after declaring the vacancy, the Law Clerk must notify the individual identified under subsection (1) in writing that he or she is eligible to be deemed elected to the vacant office.

- (3) An individual who receives notice under subsection (2) or 4 (b) and wishes to fill the vacant seat must notify the Law Clerk in writing within 72 hours.
- (4) If the Law Clerk has provided notice under subsection (2) or 4 (b) and the eligible individual does not provide notice under subsection (3) within 72 hours, the Law Clerk must
- (a) declare the individual who was given notice ineligible to be deemed elected to the vacant office, and
 - (b) notify the individual who received the next highest number of votes after the individual who was previously notified under this section that he or she is eligible to be deemed elected to the vacant office.
- (5) As soon as practicable after receiving notice under subsection 3, the Law Clerk must declare and give public notice that the vacant seat has been filled.
- (m) *by repealing section 14;*
- (n) *in section 15 (1) (a) by striking out “70” and replacing it with “71”;*
- (o) *by repealing section 17 and replacing it with the following:*

Role of commissioner

- 17 (1) The commissioner is responsible for the fair, efficient, accessible, and transparent conduct of elections under this Act.
- (2) For greater certainty,
- (a) there is no reporting relationship between the commissioner and Executive Council, and
 - (b) the commissioner will not communicate directly with any Council member except in his or her capacity as a candidate and then only to the same extent as with any other candidate.

- (p) *in section 20 (4), by striking out “(c),” and replacing it with “(c)”;*
- (q) *in section 20 (5) (c), by striking out “employment” and replacing it with “appointment”;*
- (r) *in section 21 (6), by striking out “appointed under this Act”;*
- (s) *by inserting the following in between sections 21 and 22:*

Definitions

21.1 In this division,

- (1) “**voters list**” means the list prepared under section 23 (3),
- (2) “**public voters list**” means the list prepared under section 24,
- (3) “**official voters list**” means the list prepared under section 27 (1), and
- (4) “**candidate voters list**” means the list prepared under section 29.

- (t) *in section 22 (1), by striking out “64” and replacing it with “68”;*
- (u) *by repealing section 23;*
- (v) *in section 24, by striking out “list provided under section 22” and replacing it with “voters list”;*
- (w) *by repealing section 25 and replacing it with the following:*

Posting of public voters list

- 25 (1)** At least 61 days before voting day, the commissioner must give public notice that
- (a) the public voters list and any other information specified by the commissioner will be available for public inspection from the date specified in the notice until the close of voting, and
 - (b) eligible voters may request corrections to the voters list in accordance with the process set out in section 26.
- (2) At least 61 days before voting day, the commissioner must make the public voters list available for public inspection at the Huu-ay-aht government offices and other prescribed locations.
- (3) Before inspecting the public voters list, a person must agree in writing that the person will not use or disclose the information on that list except for the purposes of and in accordance with this Act.

- (x) *by repealing section 26 and replacing it with the following:*

Correction to voters list

- 26 (1)** Subject to this Act, the commissioner may do any of the following to maintain the accuracy of the voters list:
- (a) correct the name, date of birth or contact information of an eligible voter;
 - (b) add an eligible voter;
 - (c) remove an individual who is not an eligible voter.
- (2) The Registrar or an individual may request a correction to the voters list by delivering a request in the prescribed form to the commissioner at least 36 days before voting day.
- (3) As soon as practicable after receiving a request under subsection (2), the commissioner must
- (a) if the requester is the Registrar, make the requested correction,
 - (b) if the requester is an individual other than the Registrar,
 - (i) decide whether the request is approved or denied,
 - (ii) give written notice of the decision to the requester, the affected individual, and the Registrar, and

- (iii) make any changes to the voters list required to give effect to that decision as soon as practicable.
- (4) The requester, the affected individual or the Registrar may appeal the decision of the commissioner under subsection (3)(b)(i) to the tribunal under Part 3 of the *Tribunal Act* no later than 25 days before voting day.
- (5) The tribunal must decide the appeal under subsection (4) and provide notice of its decision to the appellant, the Registrar and the commissioner no later than 24 days before voting day.
- (6) The commissioner must, as soon as practicable, make any changes to the voters lists ordered by the tribunal under subsection (5).
- (y) ***by repealing section 27 and replacing it with the following:***
Official voters list
- 27** (1) From the voters list, the commissioner must prepare an official voters list at least 30 days before voting day
- (a) containing the names and addresses of eligible voters, and
- (b) incorporating any corrections to the voters list under section 26.
- (2) Unless ordered by the tribunal, the official voters list must not be altered.
- (3) The commissioner must maintain the confidentiality of the official voters list.
- (4) Only individuals whose names are on the official voters list may vote in an election.
- (z) ***by repealing section 28 and replacing it with the following:***
Revised public voters list
- 28** If the commissioner makes any corrections to the public voters list, the commissioner must, as soon as practicable
- (a) make the revised public voters list available for public inspection at the Huu-ay-aht government offices and other prescribed locations, and
- (b) give public notice that a copy of the revised public voters list is available for public inspection until the close of voting.
- (aa) ***in section 29 (1), by striking out “28” and replacing it with “29”;***
- (bb) ***in section 30, by:***
- (i) ***striking out “57” and replacing it with “61”;***
- (ii) ***adding “the call for” after the first instance of the word “of”;***
- (cc) ***by repealing section 32 and replacing it with the following:***
Nomination form
- 32** The nomination of a candidate for elected office must be made in the prescribed form and include all of the following:

- (a) the elected office for which the individual is nominated;
- (b) the full name of, photograph of, and contact information for, the nominated individual;
- (c) a statement signed by the nominated individual consenting to the nomination;
- (d) the full names, contact information and signatures of at least ten (10) eligible voters making the nomination;
- (e) a statement signed by each of the individuals under paragraph (d) that
 - (i) to the best of their knowledge the nominated individual is qualified to be a candidate under section 5, and
 - (ii) they are qualified as eligible voters to nominate a candidate;
- (f) a certified copy of a criminal record check for the nominated individual obtained within six (6) months of voting day;
- (g) a solemn declaration of the nominated individual declaring that
 - (i) he or she is qualified to be nominated, and
 - (ii) to the best of his or her knowledge, the information provided in the nomination form is true.
- (dd) ***In the heading to section 33, by striking out "Delivering" and replacing it with "Submitting";***
- (ee) ***in section 33(1), by striking out "delivered" and replacing it with "submitted";***
- (ff) ***by striking out section 33(3);***
- (gg) ***in section 34, by:***
 - (i) ***striking out "completed" and replacing it with the word "complete";***
 - (ii) ***adding the words "as soon as practicable" after "inspection";***
- (hh) ***by repealing section 35 and replacing it with the following:***

Declaring candidates

35 (1) Subject to subsection (2), at least 36 days before voting day, the commissioner must declare as candidates for elected office all the individuals who have met the nomination requirements and give public notice of the candidates.

(2) If there are no candidates for the office of Chief Councillor or fewer candidates are nominated for the office of Councillor than there are elected offices for Councillor, the commissioner must

 - (a) extend the period for nominations until noon of the 32nd day before voting day,
 - (b) give public notice of the extended nomination period as soon as practicable, and

- (c) at least 31 days before voting day, declare as candidates for elected office all the individuals who have met the nomination requirements and give public notice of the candidates.

(ii) **by repealing section 36 and replacing it with the following:**

Challenging nomination

- 36** (1) In this section, “**nominee**” means an individual nominated under this Division whose nomination is challenged.
- (2) Subject to this section, an eligible voter may challenge a nomination by applying to the tribunal under section 17 (1) (c) of the *Tribunal Act*.
 - (3) Despite any earlier acknowledgement by the commissioner under section 33 (2) (a), the commissioner must immediately challenge a nomination by applying to the tribunal under section 17 (1) (c) of the *Tribunal Act* if it appears to the commissioner that an individual is disqualified from nomination.
 - (4) An application under subsection (2) or (3) must be
 - (a) submitted no later than 20 days before voting day,
 - (b) made on one or more of the following grounds:
 - (i) the nominee is not qualified to be nominated under section 5;
 - (ii) the nomination was not made in accordance with sections 31 to 33, and
 - (c) supported by the applicant’s solemn declaration as to the matters in the application.
 - (4.1) Before submitting an application under subsection (2) or (3), the applicant must
 - (a) deliver a copy of the application to the commissioner, and
 - (b) make every reasonable effort to provide a copy of the application to the nominee using the nominee’s contact information provided on the nomination form.
 - (5) An application under subsection (2) or (3) must set out all of the following:
 - (a) the nominee’s full name;
 - (b) the full name and contact information of the applicant;
 - (c) the grounds upon which the challenge is brought and the facts that support those grounds;
 - (d) notice to the nominee of the requirement set out at subsection (7);
 - (e) any other requirements Executive Council considers advisable.
 - (6) The commissioner must provide the tribunal with a copy of the nominee’s completed nomination form
 - (a) upon making an application under subsection (3), or

- (b) as soon as practicable after receiving a copy of an application under subsection (4.1).
 - (7) Within 2 days of receiving a copy of an application under subsection (4.1), a nominee must inform the tribunal whether the nominee will be making submissions to the tribunal in respect of the application.
 - (8) Within 3 days of receiving an application under subsection (2) or (3), the tribunal must:
 - (a) decide whether the application will be determined by oral or written submissions,
 - (b) give notice to participating parties of its decision under paragraph (a), and
 - (c) give any procedural directions necessary for determining the application.
 - (9) Within 10 days of receiving an application under subsection (2) or (3), the tribunal must determine the matter and issue an order with written reasons, either
 - (a) confirming the nominee is qualified to be nominated, or
 - (b) declaring the nominee is disqualified from nomination.
 - (10) The onus is on the applicant to establish that a nominee is not qualified to be nominated.
 - (11) If the tribunal finds that the evidence supports 2 or more different findings and that evidence is evenly weighted, the tribunal must resolve the matter in a manner that favours the nominee.
 - (12) Until the tribunal determines otherwise, a nominee is qualified for nomination or a candidate in the election, as applicable.
- (jj) *by repealing section 37 and replacing it with the following:*

Withdrawal of nomination

- 37 (1) A nominated individual or a candidate may withdraw from the election by submitting written notice to the commissioner
- (a) before noon no later than 28 days before voting day, or
 - (b) if the nomination is subject to a challenge under section 36, at any time prior to a decision of the tribunal in respect of the challenge.
- (2) The commissioner must accept the withdrawal and remove the individual's nomination form from public inspection.
- (3) If a candidate dies, is disqualified or otherwise withdraws, the commissioner must
- (a) give public notice of the candidate's withdrawal,
 - (b) if reasonably possible, remove the candidate's name from ballots or post notice of the candidate's withdrawal at the voting places, and

- (c) if, as a result of the withdrawal, only one candidate remains for an elected office to be filled, declare the candidate elected by acclamation.

(kk) *by repealing section 41 and replacing it with the following:*

Campaign period

- 41** The campaign period begins when the commissioner gives public notice of the individuals nominated for elected office under section 35 and ends when the commissioner declares the election will be by acclamation or at the close of voting on voting day.

(ll) *by repealing section 42 and replacing it with the following:*

Campaign code of conduct

- 42 (1)** A candidate, and any person campaigning for a candidate, must not do any of the following:
- (a) campaign at or within 50 meters of an office of a Huu-ay-aht body;
 - (b) require a public officer to provide services or resources to a candidate either directly or indirectly;
 - (c) use a Huu-ay-aht body's resources for their campaign.
- (2) A public officer must not use the resources of a Huu-ay-aht body to assist a candidate either directly or indirectly.
- (3) During the campaign period for a general election, members of Executive Council must not engage in, or travel on, government business.
- (3.1) Despite subsection (3), in an emergency or special circumstances where, in the view of the Chief Councillor or three members of Executive Council, a delay of consideration of a matter is not in the best interests of the Huu-ay-aht, the Chief Councillor or three members of Executive Council may direct the Law Clerk to call a special meeting of Executive Council during the campaign period.
- (3.2) At a meeting convened under subsection (3.1), Executive Council may act insofar as is necessary to address the emergency or special circumstances giving rise to the meeting.
- (3.3) Despite subsection (3), a member of Executive Council may engage in, or travel on, government business if authorized to do so by Executive Council on the basis of an emergency or special circumstances.
- (3.4) During the campaign period, unless authorized to do so by Executive Council, the Executive Director must not
- (a) make distributions to citizens,
 - (b) implement new projects or programs,
 - (c) implement material changes to existing projects or programs, or
 - (d) make public statements about matters described in paragraphs (a) – (c).

- (3.5) Executive Council may authorize the Executive Director to take an action set out in subsection (3.4) during the campaign period in an emergency or special circumstances where a delay is not in the best interests of the Huu-ay-aht.
- (3.6) Despite section 12 (3), subsection (3) does not apply to a by-election.
- (3.7) During the campaign period for a by-election, unless authorized to do so under section (3.8), Executive Council and members of Executive Council must not
- (a) make distributions to citizens,
 - (b) implement new projects or programs,
 - (c) implement material changes to existing projects or programs, or
 - (d) make public statements about matters described in paragraphs (a) – (c).
- (3.8) Executive Council may take or authorize an action set out in subsection (3.7) during the campaign period for a by-election in an emergency or special circumstances where a delay is not in the best interests of the Huu-ay-aht.
- (4) A candidate, and any person campaigning for a candidate, must not campaign other than during the campaign period.
- (5) On voting day, a candidate, or a person campaigning on behalf of a candidate, must not
- (a) campaign within 100 meters of a voting place,
 - (b) display election campaign information within 100 meters of a voting place, or
 - (c) publish campaign advertising including advertising in a newspaper or magazine, or on the radio, television or internet.
- (6) A candidate, and any person campaigning for a candidate, must comply with the campaign code of conduct and any modifications or additions to the campaign code of conduct prescribed under section 85.

(mm) in section 43 (1), by:

- (i) **striking out** “Candidates” **and replacing it with the words** “Up to 25 days before voting day, candidates”;
- (ii) **striking out** "up to 22 days before voting day";

(nn) in section 43 (2), by striking out “21” and replacing it with “22”;

(oo) by repealing section 43 (3) and replacing it with the following:

- (3) The commissioner may mail campaign information under subsection (2) together with any other materials from the commissioner’s office.

(pp) in section 43 (4) (a), by striking out “22” and replacing it with “25”;

(qq) **by repealing section 44 (1) and replacing it with the following:**

44 (1) In this section, “community” refers to a geographic area defined by the commissioner.

(rr) **by adding the following between sections 44 (1) and 44 (2):**

(1.1) If the commissioner declares an election to be by voting, a meeting of all candidates for Councillor and a meeting of all candidates for Chief Councillor must each be held at least once

- (a) in every other community that has 50 or more eligible voters, during the campaign period, prior to the meeting in Port Alberni and Anacla,
- (b) in Port Alberni, at least seven (7) and nor more than 15 days before voting day,
- (c) in Anacla, at least seven (7) and no more than 15 days before voting day.

(1.2) At least one of the meetings of all candidates for Councillor and of the meetings of all candidates for Chief Councillor held between seven (7) and 15 days before voting day must allow for electronic viewing and participation by citizens.

(ss) **by repealing section 44 (2) and replacing it with the following:**

(2) Each candidate must make every reasonable effort to attend every meeting of all candidates for the applicable elected office.

(tt) **in section 48 (1), by:**

- (i) **striking out** “The” **and replacing it with the words** "At least 29 days before voting day, the";
- (ii) **striking out the words** “at least 28 days before voting day”;

(uu) **in section 48 (2), by striking out “21” and substituting “22”;**

(vv) **by adding the following after section 48 (5):**

(6) Candidates and individuals who have campaigned for candidates are not permitted to deliver mail-in ballots for eligible voters other than themselves and their immediate families.

(ww) **In the heading to section 49, by striking out "Electronic voting" and replacing it with "Alternate voting methods";**

(xx) **in section 49(1), by:**

- (i) **striking out** ", after consulting with the commissioner,”;
- (ii) **striking out** “means” **and replacing it with** “methods”;

(yy) **in section 50 (2) (a), by striking out** “instructions as to”;

(zz) **in section 50 (2) (c), by striking out** “colour”;

(aaa) **in section 52 (1), by striking out** “Ballot boxes” **and replacing it with** “A ballot box”;

(bbb) **between sections 54 (1) and 54 (2), by inserting the following:**

(1.1) For certainty, subsection (1) does not prohibit the provision of assistance to eligible voters under section 51(4).

(ccc) **in section 73 (2), by adding “, within fourteen days after the election is finally decided,” after the word “must”;**

(ddd) **in section 85 (2) (a) (iii), by striking out “lists” and substituting “list”;**

(eee) **in section 85 (e), by striking out “run off” and substituting “run-off”.**

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 *Election Act*, HFNA 6/2011 to include the amendments contained in this Act.



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**CITIZENSHIP AND TREATY
ENROLMENT ACT
AMENDMENT ACT, 2023**

*The Huu-ay-aht Legislature enacts this law to amend
the Citizenship and Treaty Enrolment Act.*

REGISTRY OF LAWS CERTIFICATION

I certify that the *Citizenship and Treaty Enrolment Act Amendment Act, 2023* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Citizenship and Treaty Enrolment Act Amendment Act, 2023* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Citizenship and Treaty Enrolment Act Amendment Act, 2023* came into force on:

Law Clerk, Coraleah Johnson

Citizenship and Treaty Enrolment Act Amendment Act, 2023

Contents

- 1 Amendments
- 2 Commencement
- 3 Consolidation

The Legislature enacts as follows:

Amendments

1 The *Citizenship and Treaty Enrolment Act*, HFNA 2/2011 is amended as follows:

- (a) *in section 8 (b)*,
 - (i) *in paragraph (i) by striking out* “a Huu-ay-aht treaty participant” *and replacing it with* “an individual eligible for enrolment under section 21 (a), 21 (b) or 21 (c)”, *and*
 - (ii) *in paragraph (ii) by striking out* “a Huu-ay-aht treaty participant” *and replacing it with* “an individual eligible for enrolment under section 21 (a), 21 (b) or 21 (c)”
- (b) *in section 15 (1), by replacing* “section 8 (4)” *with* “section 8 (7)”
- (c) *in section 24*,
 - (i) *by adding* “or” *after paragraph a*;
 - (ii) *in paragraph (b) by replacing* “.” *with* “; and”
 - (iii) *by adding the following after paragraph b*:
 - (c) the individual meets the prescribed standards for demonstrating an ongoing significant attachment to the Huu-ay-aht to the satisfaction of the Ha’wiih Council.
- (d) *by repealing section 25 and replacing it with:*

If section 24 does not apply, an individual is eligible for enrolment under the Treaty under section 21 (d) if

- (a) for at least 5 years before the date of his or her application for enrolment, the individual was married to, or living and cohabiting in a marriage-like relationship with, an individual eligible for enrolment under section 21 (a), 21 (b) or 21 (c), and

- (b) the individual meets the prescribed standards for demonstrating an ongoing significant attachment to the HUU-AY-AHT to the satisfaction of the Ha'wiih Council.
- (e) *in section 26 by adding after subsection (1):*
- (1.1) If the applicant under subsection (1)
- (a) is a member or a registered Indian of an Indian Band,
 - (b) is enrolled under another treaty or land claims agreement in Canada, or
 - (c) is entitled to receive benefits under another treaty or land claims agreement in Canada,
- that applicant must include with their application the documents necessary to withdraw the applicant's membership, registration, enrolment or entitlement under paragraphs (a) to (c) and written authorization for the Registrar to submit those documents on the applicant's behalf in the event that the application is accepted.
- (f) *in section 27,*
- (i) *in subsection (1) by striking out "Within" and replacing it with "Subject to subsection (4), within"*
 - (ii) *by adding after subsection (2):*
- (3) Where the eligibility criteria under Part 3 include a requirement to demonstrate an ongoing significant attachment to the HUU-AY-AHT to the satisfaction of the Ha'wiih Council, the committee will refer the application to the Ha'wiih Council.
 - (4) When an application has been referred to the Ha'wiih Council under subsection (3) the time period for the committee to reach a determination under subsection (1) is extended by 30 days.
- (g) *by adding after section 27:*

Determination by Ha'wiih Council

- 27.1** (1) For each application referred to it under section 27 (3) or new information referred to it under section 28 (2.2), the Ha'wiih Council must, within 30 days, determine whether the applicant meets prescribed standards for demonstrating an ongoing significant attachment to the HUU-AY-AHT.
- (2) After making a determination under subsection (1), the Ha'wiih Council must provide the committee with written notice of its decision, including the reasons for the decision.
- (h) *in section 28,*
- (i) *in subsection (2) by striking out "The" and replacing it with: "After receiving a decision under subsection (1), the"*

(ii) **by adding after subsection (2):**

(2.2) If information submitted under subsection (2) relates to a requirement to demonstrate an ongoing significant attachment to the HUU-AY-AHT to the satisfaction of the Ha'wiih Council, the committee will refer the new information to the Ha'wiih Council for a determination.

(iii) **in subsection (3) by adding** “and the results of any determination under subsection (2.2)” **after** “under subsection (2)”.

Commencement

2 This Act comes into force by resolution of Executive Council.

Consolidation

3 The Law Clerk is directed to consolidate the *Citizenship and Treaty Enrolment Act*, HFNA 6/2011 to include the amendments contained in this Act.



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**COMMUNITY SAFETY ACT
AMENDMENT ACT, 2023**

*The Huu-ay-aht Legislature enacts this law
to amend the Community Safety Act.*

REGISTRY OF LAWS CERTIFICATION

I certify that the *Community Safety Act Amendment Act, 2023* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Community Safety Act Amendment Act, 2023* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Community Safety Act Amendment Act, 2023* came into force on:

Law Clerk, Coraleah Bauer

Community Safety Act Amendment Act, 2023

Contents

- 1 Amendments
- 2 Commencement
- 3 Consolidation

The Legislature enacts as follows:

Amendments

- 1 The *Community Safety Act*, HFNA 4/2021 is amended as follows:
 - (a) *In section 2, by adding the following definition immediately before “excludable offence”:*
“**convicted**”, for greater certainty, means convicted or found guilty of;
 - (b) *In section 2, in the definition for “exclusion order”, by replacing “an individual” with “a person”.*
 - (c) *In section 5 (2) (i), by replacing “convictions” with “offences”.*
 - (d) *In section 5 (5), by replacing “7 days” with “10 working days”.*
 - (e) *In section 11 (g), by replacing “individual” with “excluded person”.*
 - (f) *In section 11 (i), by replacing “prescribed” with “excludable”.*
 - (g) *In section 20, by replacing the title “Offences” with “Definition”*
 - (h) *In section 25 (1), by replacing “the purpose mitigating” with “the purpose of mitigating”.*

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 *Community Safety Act*, HFNA 4/2021 to include the amendments contained in this Act.



huu ay aht

ANCIENT SPIRIT, MODERN MIND

**CODE OF CONDUCT AND
CONFLICT OF INTEREST ACT
AMENDMENT ACT, 2023**

*The Huu-ay-aht Legislature enacts this law
to amend the Code of Conduct and Conflict of Interest Act.*

REGISTRY OF LAWS CERTIFICATION

I certify that the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* came into force on:

Law Clerk, Coraleah Bauer

Code of Conduct and Conflict of Interest Act Amendment Act, 2023

Contents

- 1 Amendments
- 2 Commencement
- 3 Consolidation

The Legislature enacts as follows:

Amendments

- 1 The *Code of Conduct and Conflict of Interest Act*, HFNA 4/2011 is amended as follows:
 - (a) ***in section 6 (6), by replacing “are disqualified” with “may be disqualified”.***
 - (b) ***by repealing section 6 (7) and replacing it with:***
 - (7) A government member who is found at the conclusion of a disciplinary process in Part 4 to be, in the professional opinion of a medical practitioner, incapacitated and unable to perform their official duties, must be disqualified from holding his or her position.
 - (c) ***by repealing section 12 (4) and replacing it with:***
 - (4) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have contravened this section must be disqualified from holding his or her position.
 - (d) ***by repealing section 13 (2) and replacing it with:***
 - (2) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have knowingly contravened this section must be disqualified from holding his or her position.
 - (e) ***in section 15,***
 - (i) ***by adding the following immediately after the definition of “common law”:***

“biological uncle or aunt” refers to a sibling of an individual’s parent;
 - (ii) ***by repealing items (i) and (j) in the list in the definition of immediate family member and replacing them with the following:***
 - (i) biological uncle or aunt,
 - (j) biological nephew or niece, and
 - (k) any other relative who resides permanently in the public officer’s household or with whom the public officer permanently resides;
 - (iii) ***by adding the following immediately after the definition of “indirect private interest”:***

“nephew or niece” refers to the son or daughter of an individual’s sibling.

- (f) *in section 20 (3), by replacing “\$50 in value” with “the prescribed amount”.*
- (g) *in section 20 (4), by replacing “\$500 in value” with “the prescribed amount”.*
- (h) *by repealing section 21 (2) and replacing it with:*
 - (2) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have contravened subsection (1) must be disqualified from holding his or her position.
- (i) *by repealing section 22 (6) and replacing it with:*
 - (6) A public officer who is found at the conclusion of a disciplinary process in Part 4 to have contravened subsection (1) or (2) and who does not comply with subsection (3), must be disqualified from holding his or her position.
- (j) *in section 24 (1), by replacing “,or may be, disqualified” with “subject to disqualification”.*
- (k) *in section 24 (2), by replacing “under this section” with “in relation to a disqualification under section 6 (7), 12 (4), 13 (2), 21 (2) or 22 (6)”.*
- (l) *in section 29 (3), by replacing “, is, or may be, disqualified” with “is subject to disqualification”.*
- (m) *in section 36, by repealing subsection (h) and replacing it with:*
 - (h) prescribing the threshold values of gifts or personal benefits for the purposes of sections 20 (3) and (4);
 - (i) for any other purpose for which regulations are contemplated by this Act.

Commencement

- 2 This Act comes into force by resolution of Executive Council.

Consolidation

- 3 The Law Clerk is directed to consolidate the *Code of Conduct and Conflict of Interest Act*, HFNA 4/2011 to include the amendments contained in this Act.



huu ay aht

ANCIENT SPIRIT, MODERN MIND

HOUSING AUTHORITY ACT

*The Huu-ay-aht Legislature enacts this law to establish a
Huu-ay-aht public body to administer rental housing.*

REGISTRY OF LAWS CERTIFICATION

I certify that the *Housing Authority Act* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Housing Authority Act* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Housing Authority Act* came into force on:

Law Clerk, Coraleah Bauer

HOUSING AUTHORITY ACT

Contents

PART 1 - PURPOSE AND INTERPRETATION

- 1 Purpose
- 2 Definitions

PART 2 - HOUSING AUTHORITY ADMINISTRATION

- 3 Housing authority established
- 4 Mandate
- 5 Restriction on activities
- 6 Member or shareholder of housing authority
- 7 Appointment of directors
- 8 Housing authority regulation

PART 3 - GENERAL

- 9 Power to make regulations
- 10 Commencement

Note to Reader

The *Housing Authority Act* establishes the Huu-ay-aht housing authority as a Huu-ay-aht public body to

- administer, manage and maintain Huu-ay-aht rental housing,
- finance and construct new Huu-ay-aht rental housing, and
- acquire interests in land as required for Huu-ay-aht rental housing.

The sole member or shareholder of the housing authority will be Huu-ay-aht First Nations, and the Executive Council will appoint the directors to the housing authority board.

The Act requires that Executive Council enact a housing policy regulation that sets out

- the composition of the board of directors,
- the processes by which directors will be selected,
- the process by which the housing authority will consult with non-citizen stakeholders,
- the process by which non-citizen stakeholders or their representatives will be given the opportunity to participate in discussions and vote on decisions of the housing authority that directly and significantly affect non-citizen stakeholders,
- requirements for director remuneration,
- duties of the board and the directors, and
- major decisions of the board that require Executive Council approval.

The Legislature enacts as follows:

PART 1 - PURPOSE AND INTERPRETATION

Purpose

- 1 The purpose of this Act is to establish a Huu-ay-aht public body to administer rental housing.

Definitions

- 2 In this Act:
 - “**board**” means the board of directors of the housing authority;
 - “**consult**” has the same meaning as the one set out in the Treaty;
 - “**director**” means a director of the housing authority;
 - “**housing authority**” is the entity designated by Executive Council as the housing authority in accordance with section 3 (1);
 - “**Huu-ay-aht housing**” means rental housing operated by the housing authority;
 - “**non-citizen stakeholder**” means an individual who has reached the age of majority, is ordinarily resident on Treaty Lands, is not a Huu-ay-aht citizen and is directly and significantly affected by a decision of the housing authority; and
 - “**Treaty Lands**” means the lands set out in Appendix B-1 of the Treaty, as amended from time to time under the Treaty.

PART 2 - HOUSING AUTHORITY ADMINISTRATION

Housing authority established

- 3 (1) Executive Council may, by regulation, designate an entity as the housing authority.
- (2) The housing authority is established
 - (a) as a Huu-ay-aht public institution under section 13.11.1.a of the Treaty, and
 - (b) as a Huu-ay-aht public body under section 32 (b) of the *Government Act*.

Mandate

- 4 (1) The mandate of the housing authority is to
 - (a) administer, manage and maintain Huu-ay-aht housing in accordance with the *Rental Housing Regulation*, HFNR 1/2022 and other applicable laws,
 - (b) finance and construct new Huu-ay-aht housing with the approval of Executive Council, and
 - (c) acquire interests in land as required for Huu-ay-aht housing.
- (2) The housing authority must perform the duties and may exercise the powers reasonably necessary for it to fulfill its mandate, subject to this Act and all applicable laws.

Restriction on activities

- 5 The housing authority may only engage in activities that
- (a) reasonably fall within its mandate or are necessarily ancillary or incidental to that mandate, and
 - (b) are consistent with its contractual obligations to the HUU-AY-AHT.

Member or shareholder of housing authority

- 6 The sole member or shareholder of the housing authority must be HUU-AY-AHT First Nations, as represented by Executive Council.

Appointment of directors

- 7 Executive Council will exercise its authority to appoint the directors in accordance with the policy prescribed under section 8.

Housing authority regulation

- 8
- (1) Executive Council must, by regulation, adopt a housing authority policy.
 - (2) The regulation under subsection (1) must set out the following:
 - (a) requirements relating to the composition of the board of directors of the housing authority, including
 - (i) the minimum and maximum number of directors,
 - (ii) selection criteria for the directors,
 - (iii) the term of office for directors,
 - (iv) the processes by which vacancies on the board will be filled, and
 - (v) the circumstances in which directors will be removed from the board,
 - (b) the processes by which the directors to be appointed by Executive Council are selected,
 - (c) the process by which the housing authority will consult with non-citizen stakeholders concerning decisions of the housing authority that directly and significantly affect those non-citizen stakeholders,
 - (d) the process by which non-citizen stakeholders or their representatives will be given the opportunity to participate in discussions and vote on those decisions of the housing authority that directly and significantly affect non-citizen stakeholders,
 - (e) requirements for director remuneration,
 - (f) duties of the board and the directors,
 - (g) major decisions of the board that require Executive Council approval, and
 - (h) any other matters Executive Council considers advisable.

PART 3 - GENERAL**Power to make regulations**

- 9** (1) Executive Council may make regulations referred to in section 39 of the *Interpretation Act*, HFNA 14/2011.
- (2) Without limiting subsection (1), Executive Council may make regulations as follows:
- (a) designating an entity as the housing authority under section 3 (1); and
 - (b) adopting a housing authority policy under section 8.

Commencement

- 10** This Act comes into force as follows:
- (a) sections 3 (1), 8 and 9, on the date of the enactment of this Act by the Legislature; and
 - (b) other sections on a date set by resolution of Executive Council.



huu ayah't

ANCIENT SPIRIT, MODERN MIND

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, 2023*

Whereas:

- a) Executive Council approved the proposed *Budget Act, 2023* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Budget Act, 2023* first reading;
- 2) Will proceed with discussion of the proposed *Budget Act, 2023* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Budget Act, 2023* second reading at the sitting of the Legislature scheduled for March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel on behalf of the acting Executive Director.

The following documents:

- The proposed *Budget Act, 2023*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2023

DATE OF MEETING



huu ayah't

ANCIENT SPIRIT, MODERN MIND

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 *Election Act Amendment Act, 2023*

Whereas:

- a) Executive Council approved the proposed *Election Act Amendment Act, 2023* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Election Act Amendment Act, 2023* first reading;
- 2) Will proceed with discussion of the proposed *Election Act Amendment Act, 2023* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Election Act Amendment Act, 2023* second reading at the sitting of the Legislature scheduled for March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel on behalf of the acting Executive Director.

The following documents:

- The proposed *Election Act Amendment Act, 2023*
- Blackline showing the proposed amendments to the *Election Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2023

DATE OF MEETING



huu ayah't

ANCIENT SPIRIT, MODERN MIND

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 *Citizenship and Treaty Enrolment Act Amendment Act, 2023*

Whereas:

- a) Executive Council approved the proposed *Citizenship and Treaty Enrolment Act Amendment Act, 2023* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Citizenship and Treaty Enrolment Act Amendment Act, 2023* first reading;
- 2) Will proceed with discussion of the proposed *Citizenship and Treaty Enrolment Act Amendment Act, 2023* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Citizenship and Treaty Enrolment Act Amendment Act, 2023* second reading at the sitting of the Legislature scheduled for March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel on behalf of the acting Executive Director.

The following documents:

- The proposed *Citizenship and Treaty Enrolment Act Amendment Act, 2023*
- Blackline showing the proposed amendments to the *Citizenship and Treaty Enrolment Act*

Introduced by:	Date: March 22, 2023
MEMBER OF LEGISLATURE	DATE OF MEETING



huu ayah't

ANCIENT SPIRIT, MODERN MIND

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 *Community Safety Act Amendment Act, 2023*

Whereas:

- a) Executive Council approved the proposed *Community Safety Act Amendment Act, 2023* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Community Safety Act Amendment Act, 2023* first reading;
- 2) Will proceed with discussion of the proposed *Community Safety Act Amendment Act, 2023* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Community Safety Act Amendment Act, 2023* second reading at the sitting of the Legislature scheduled for March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel on behalf of the acting Executive Director.

The following documents:

- The proposed *Community Safety Act Amendment Act, 2023*
- Blackline showing the proposed amendments to the *Community Safety Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2023

DATE OF MEETING



huu ayah't

ANCIENT SPIRIT, MODERN MIND

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 Code of Conduct and Conflict of Interest Act Amendment Act, 2023*

Whereas:

- a) Executive Council approved the proposed *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* first reading;
- 2) Will proceed with discussion of the proposed *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* second reading at the sitting of the Legislature scheduled for March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel on behalf of the acting Executive Director.

The following documents:

- The proposed *Code of Conduct and Conflict of Interest Act Amendment Act, 2023*
- Blackline showing the proposed amendments to the *Code of Conduct and Conflict of Interest Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2023

DATE OF MEETING



huu ayahT

ANCIENT SPIRIT, MODERN MIND

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 *Housing Authority Act*

Whereas:

- a) Executive Council approved the proposed *Housing Authority Act* for introduction to the Legislature.

Be it resolved that the Legislature:

- 1) Hereby gives the proposed *Housing Authority Act* first reading;
- 2) Will proceed with discussion of the proposed *Housing Authority Act* in accordance with the *Government Act* section 93(1)(c); and
- 3) Will give the proposed *Housing Authority Act* second reading at the sitting of the Legislature scheduled for March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel on behalf of the acting Executive Director.

The following documents:

- The proposed *Housing Authority Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 22, 2023

DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

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, 2023*

Whereas:

- a) The Legislature gave the *Budget Act, 2023* first reading at its sitting on March 22, 2023.

Be it resolved that the Legislature:

- 1) Hereby gives the *Budget Act, 2023* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Budget Act, 2023* at a meeting of the Legislature to be convened today, March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Budget Act, 2023*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

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 *Election Act Amendment Act, 2023*

Whereas:

- a) The Legislature gave the *Election Act Amendment Act, 2023* first reading at its sitting on March 22, 2023.

Be it resolved that the Legislature:

- 1) Hereby gives the *Election Act Amendment Act, 2023* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Election Act Amendment Act, 2023* at a meeting of the Legislature to be convened today, March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Election Act Amendment Act, 2023*
- Blackline showing the proposed amendments to the *Election Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



huu ayahT

ANCIENT SPIRIT, MODERN MIND

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 *Citizenship and Treaty Enrolment Act Amendment Act, 2023*

Whereas:

- a) The Legislature gave the *Citizenship and Treaty Enrolment Act Amendment Act, 2023* first reading at its sitting on March 22, 2023.

Be it resolved that the Legislature:

- 1) Hereby gives the *Citizenship and Treaty Enrolment Act Amendment Act, 2023* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Citizenship and Treaty Enrolment Act Amendment Act, 2023* at a meeting of the Legislature to be convened today, March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Citizenship and Treaty Enrolment Act Amendment Act, 2023*
- Blackline showing the proposed amendments to the *Code of Citizenship and Treaty Enrolment Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

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 *Community Safety Act Amendment Act, 2023*

Whereas:

- a) The Legislature gave the *Community Safety Act Amendment Act, 2023* first reading at its sitting on March 22, 2023.

Be it resolved that the Legislature:

- 1) Hereby gives the *Community Safety Act Amendment Act, 2023* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Community Safety Act Amendment Act, 2023* at a meeting of the Legislature to be convened today, March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Community Safety Act Amendment Act, 2023*
- Blackline showing the proposed amendments to the *Community Safety Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



huu ayahT

ANCIENT SPIRIT, MODERN MIND

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 *Code of Conduct and Conflict of Interest Act Amendment Act, 2023*

Whereas:

- a) The Legislature gave the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* first reading at its sitting on March 22, 2023.

Be it resolved that the Legislature:

- 1) Hereby gives the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* at a meeting of the Legislature to be convened today, March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Code of Conduct and Conflict of Interest Act Amendment Act, 2023*
- Blackline showing the proposed amendments to the *Code of Conduct and Conflict of Interest Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



huu ayah't

ANCIENT SPIRIT, MODERN MIND

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 *Housing Authority Act*

Whereas:

- a) The Legislature gave the *Housing Authority Act* first reading at its sitting on March 22, 2023.

Be it resolved that the Legislature:

- 1) Hereby gives the *Housing Authority Act* second reading; and
- 2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Housing Authority Act* at a meeting of the Legislature to be convened today, March 30, 2023.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Housing Authority Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



huu ayaht

ANCIENT SPIRIT, MODERN MIND

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 updated 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 30, 2021

 DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

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, 2023*

Whereas:

- a) The Legislature gave the *Budget Act, 2023* second reading at its sitting earlier today, March 30, 2023; and
- b) In the event that the Ta'yii Hawilth is unable or unwilling to sign a Huu-ay-aht Act that has passed third reading by the Legislature, the Legislature must designate a Huu-ay-aht citizen to sign on their behalf (*Government Act, s. 93(6)*).

Be it resolved that the Legislature hereby:

- 1) In accordance with *Government Act s. 93(1)(g)*, adopts the *Budget Act, 2023* (the "Act");
- 2) Designates Yaalthuu-a, Councillor Jeff Cook to sign the Act on behalf of the Ta'yii Hawilth;
- 3) Directs that the following actions be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the Act has passed third reading by signing it today, March 30, 2023 (s. 93(1)(h));
 - b. Yaalthuu-a, on behalf of the Ta'yii Hawilth, will certify that the Act is enacted as Huu-ay-aht law by signing it today, March 30, 2023 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the Act into force today, March 30, 2023 (s. 95(5));
 - ii. Place the signed Act and a certified true copy in the registry no later than April 4, 2023 (s. 95(6)(a)); and
 - iii. Publish the Act no later than April 11, 2023 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Budget Act, 2023*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

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 *Election Act Amendment Act, 2023*

Whereas:

- a) The Legislature gave the *Election Act Amendment Act, 2023* second reading at its sitting earlier today, March 30, 2023; and
- b) In the event that the Ta'yii Hawilth is unable or unwilling to sign a Huu-ay-aht Act that has passed third reading by the Legislature, the Legislature must designate a Huu-ay-aht citizen to sign on their behalf (*Government Act, s. 93(6)*).

Be it resolved that the Legislature hereby:

- 1) In accordance with *Government Act s. 93(1)(g)*, adopts the *Election Act Amendment Act, 2023* (the "Act");
- 2) Designates Yaalthuu-a, Councillor Jeff Cook to sign the Act on behalf of the Ta'yii Hawilth;
- 3) Directs that the following actions be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the Act has passed third reading by signing it today, March 30, 2023 (s. 93(1)(h));
 - b. Yaalthuu-a, on behalf of the Ta'yii Hawilth, will certify that the Act is enacted as Huu-ay-aht law by signing it today, March 30, 2023 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the Act into force today, March 30, 2023 (s. 95(5));
 - ii. Place the signed Act and a certified true copy in the registry no later than April 4, 2023 (s. 95(6)(a)); and
 - iii. Publish the Act no later than April 11, 2023 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Election Act Amendment Act, 2023*

Introduced by:	Date: March 30, 2023
MEMBER OF LEGISLATURE	DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

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 *Citizenship and Treaty Enrolment Act Amendment Act, 2023*

Whereas:

- a) The Legislature gave the *Citizenship and Treaty Enrolment Act Amendment Act, 2023* second reading at its sitting earlier today, March 30, 2023; and
- b) In the event that the Ta'yii Hawilth is unable or unwilling to sign a Huu-ay-aht Act that has passed third reading by the Legislature, the Legislature must designate a Huu-ay-aht citizen to sign on their behalf (*Government Act*, s. 93(6)).

Be it resolved that the Legislature hereby:

- 1) In accordance with *Government Act* s. 93(1)(g), adopts the *Citizenship and Treaty Enrolment Act Amendment Act, 2023* (the "Act");
- 2) Designates Yaalthuu-a, Councillor Jeff Cook to sign the Act on behalf of the Ta'yii Hawilth;
- 3) Directs that the following actions be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the Act has passed third reading by signing it today, March 30, 2023 (s. 93(1)(h));
 - b. Yaalthuu-a, on behalf of the Ta'yii Hawilth, will certify that the Act is enacted as Huu-ay-aht law by signing it today, March 30, 2023 (s. 93(1)(i)); and
 - c. The Law Clerk will, within 10 days, publish the act with a notation that it is not in force until Executive Council passes a resolution to bring it into force (s. 95(7)(a)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Citizenship and Treaty Enrolment Act Amendment Act, 2023*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

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 *Community Safety Act Amendment Act, 2023*

Whereas:

- a) The Legislature gave the *Community Safety Act Amendment Act, 2023* second reading at its sitting earlier today, March 30, 2023; and
- b) In the event that the Ta'yii Hawilth is unable or unwilling to sign a Huu-ay-aht Act that has passed third reading by the Legislature, the Legislature must designate a Huu-ay-aht citizen to sign on their behalf (*Government Act, s. 93(6)*).

Be it resolved that the Legislature hereby:

- 1) In accordance with *Government Act s. 93(1)(g)*, adopts the *Community Safety Act Amendment Act, 2023* (the "Act");
- 2) Designates Yaalthuu-a, Councillor Jeff Cook to sign the Act on behalf of the Ta'yii Hawilth;
- 3) Directs that the following actions be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the Act has passed third reading by signing it today, March 30, 2023 (s. 93(1)(h));
 - b. Yaalthuu-a, on behalf of the Ta'yii Hawilth, will certify that the Act is enacted as Huu-ay-aht law by signing it today, March 30, 2023 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the Act into force today, March 30, 2023 (s. 95(5));
 - ii. Place the signed Act and a certified true copy in the registry no later than April 4, 2023 (s. 95(6)(a)); and
 - iii. Publish the Act no later than April 11, 2023 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Community Safety Act Amendment Act, 2023*

Introduced by:	Date: March 30, 2023
MEMBER OF LEGISLATURE	DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

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 *Code of Conduct and Conflict of Interest Act Amendment Act, 2023*

Whereas:

- a) The Legislature gave the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* second reading at its sitting earlier today, March 30, 2023; and
- b) In the event that the Ta'yii Hawilth is unable or unwilling to sign a Huu-ay-aht Act that has passed third reading by the Legislature, the Legislature must designate a Huu-ay-aht citizen to sign on their behalf (*Government Act*, s. 93(6)).

Be it resolved that the Legislature hereby:

- 1) In accordance with *Government Act* s. 93(1)(g), adopts the *Code of Conduct and Conflict of Interest Act Amendment Act, 2023* (the "Act");
- 2) Designates Yaalthuu-a, Councillor Jeff Cook to sign the Act on behalf of the Ta'yii Hawilth;
- 3) Directs that the following actions be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the Act has passed third reading by signing it today, March 30, 2023 (s. 93(1)(h));
 - b. Yaalthuu-a, on behalf of the Ta'yii Hawilth, will certify that the Act is enacted as Huu-ay-aht law by signing it today, March 30, 2023 (s. 93(1)(i)); and
 - c. The Law Clerk will, within 10 days, publish the act with a notation that it is not in force until Executive Council passes a resolution to bring it into force (s. 95(7)(a)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- *The Code of Conduct and Conflict of Interest Act Amendment Act, 2023*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



huu ay aht

ANCIENT SPIRIT, MODERN MIND

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 *Housing Authority Act*

Whereas:

- a) The Legislature gave the *Housing Authority Act* second reading at its sitting earlier today, March 30, 2023; and
- b) In the event that the Ta'yii Hawilth is unable or unwilling to sign a Huu-ay-aht Act that has passed third reading by the Legislature, the Legislature must designate a Huu-ay-aht citizen to sign on their behalf (*Government Act*, s. 93(6)).

Be it resolved that the Legislature hereby:

- 1) In accordance with *Government Act* s. 93(1)(g), adopts the *Housing Authority Act* (the "Act");
- 2) Designates Yaalthuu-a, Councillor Jeff Cook to sign the Act on behalf of the Ta'yii Hawilth;
- 3) Directs that the following actions be completed in compliance with the *Government Act* (s. 93 and 95):
 - a. The Chief Councillor will certify that the Act has passed third reading by signing it today, March 30, 2023 (s. 93(1)(h));
 - b. Yaalthuu-a, on behalf of the Ta'yii Hawilth, will certify that the Act is enacted as Huu-ay-aht law by signing it today, March 30, 2023 (s. 93(1)(i)); and
 - c. The Law Clerk will:
 - i. Sign the Act into force today, March 30, 2023 (s. 95(5));
 - ii. Place the signed Act and a certified true copy in the registry no later than April 4, 2023 (s. 95(6)(a)); and
 - iii. Publish the Act no later than April 11, 2023 (s. 95(6)(b)).
 - iv. The Law Clerk will, within 10 days, publish the act with a notation that only sections 3 (1), 8 and 9 are in force until such time as Executive Council passes a resolution to bringing the remainder of the Act into force (s. 95(7)(a)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- *The Housing Authority Act*

Introduced by:

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING