



huuayaht

ANCIENT SPIRIT, MODERN MIND

MINUTES of MEETING of THE SECOND SITTING OF LEGISLATURE

Wednesday, March 30, 2022

10:00am – Anacla Government Office

Speaker: Angela Wesley

Attendance: John Jack, Brad Johnson, Edward Johnson, Duane Nookemis, Jeff Cook, Evan Cook

Excused: Robert Dennis

Resource: Coraleah Bauer – Law Clerk, Alexis Young – Deputy Law Clerk, Cynthia Rayner – Acting Executive Director, Coral Johnson – Acting Associate Executive Director, Melinda Skeels – Legal Counsel,

Guests: Theresa Nookemus, Alec Frank, Tommy Happynook

1. OPENING:

The meeting was called to order at 10:10 a.m.

Angela thanks everyone for attending in person as well as those who are online, she asked Councillor Edward Johnson to open the session with a prayer.

2. Second Reading of the Budget Act, 2023

Legislative member John Jack is speaking to the amendments that are being presented in the Budget Act

MOTION PASSED re: Introduction of Proposed Amendments to the Budget Act, 2023

Resolution #LEG230330-01

MOTION PASSED re: Second Reading of the Budget Act, 2023

Resolution # LEG230330-02

3. Second Reading of the Elections Act Amendment Act, 2023

Legislative Member John Jack is speaking to the amendments of the Elections Act, the speaker does remind everyone that the people's assembly had already approved.

MOTION PASSED re: Second Reading of the Election Act Amendment Act, 2023

Resolution #LEG230330-03

4. Second Reading of the Citizenship and Treaty Enrolment Act Amendment, 2023

Legislative member Edward Johnson spoke to the act and the extensive process we have gone through and asked Legal Counsel Melinda Skeels to go over the proposed amendments.

MOTION PASSED re: Second Reading of the Citizenship and Treaty Enrolment Act Amendment Act,2023

Resolution # LEG230330-04

5. Second Reading of the Community Safety Act Amendment Act, 2023

Legislative member John Jack is speaking to the amendments of the Community Safety Act.

MOTION PASSED re: Second Reading of the Community Safety Act Amendment Act, 2023

Resolution # LEG230330-05

6. Second Reading of the Code of Conduct and Conflict of Interest Act Amendment Act, 2023

Legal Counsel Melinda Skeels is speaking to the amendments to the Code of Conduct

MOTION PASSED re: Second Reading of the Code of Conduct Conflict of Interest Act Amendment Act, 2023

Resolution # LEG230330-06

7. Second Reading of the Housing Authority Act

Legislative member John Jack is speaking to the proposed Act.

MOTION PASSED re: Second Reading of the Housing Authority Act

Resolution # LEG230330-07

8. Approval of the Economic Development Plan

Legislative member Evan Cook mentions they have added in some of the Development Capital Raise ("DCR") projects for future potential economic possibilities. Legislative member John Jack elaborates on each item in detail that has been added into the economic development plan.

MOTION PASSED re: Approval of Economic Development Plan

Resolution # LEG230330-08

9. Approval of Amendments to the Maa-Nulth First Nations Final Agreement

Legislative member Brad Johnson is speaking to the work that has been conducted, Legal Counsel Melinda Skeels is presenting the background at today's reading.

MOTION PASSED re: The Maa-nulth Treaty Section 87 Tax Exemption Extension

Resolution # LEG230330-09

Ha'wiih Councillor Yaalthuu-a (Jeff Cook) has asked Ha'wiih to participate in today's Legislature, he conducted the oath with Thlut' as-aksup (Theresa Nookemus), hii-ni-naa-sim (Tommy Happynook) and λaacmiik (Alec Frank). He invites Ha'wiih to join the Executive Council meeting that will take place in the afternoon.

The second reading of the legislature closed out at 11:48 am and will reconvene for the Third sitting.



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ANCIENT SPIRIT, MODERN MIND

Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

Motion

Motion Regarding: Introduction of Proposed Amendments to the Budget Act, 2023

Date of Meeting: March 30, 2023

Introduced by:

John Jack

Member of Legislature

Seconded by:

Duane Nookemis

Member of Legislature

Record of decision:

Adopted by consensus OR Recorded vote called by

Member of Legislature

Record of vote:

Members in Favour:

Members Opposed:

Abstentions:

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Resolution Number

Did not pass OR Passed by the Legislature as Resolution #: leg230330-01

March 30, 2023

Date

[Signature]
Signature of Speaker



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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 Introduction of proposed amendments to the *Budget Act, 2023*

Whereas:

- a) The Legislature gave the *Budget Act, 2023* (the “proposed Act”) first reading at its sitting on March 22, 2023;
- b) Finance Committee Chair, Councillor John Jack proposes amendments to the proposed Act as set out in the attached document (the “proposed amendments”); and
- c) The Law Clerk has given technical advice on and approval for the wording of the proposed amendment as set out above.

Be it resolved that the Legislature: hereby incorporates the proposed amendments into the proposed *Budget Act, 2023*.

Appendices attached to Motion:

Written report prepared by

The following documents:

- A legal blackline of the *Budget Act, 2023* showing the proposed amendments

Introduced by:

John Jack

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING

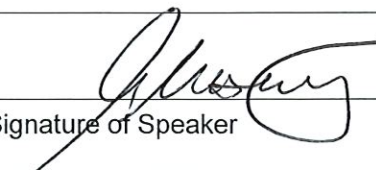


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ANCIENT SPIRIT, MODERN MIND

Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

Motion		
Motion Regarding: <u>Second Reading of the Budget Act, 2023</u>		
Date of Meeting:		
Introduced by:	Seconded by:	
<u>John Jack</u>	<u>Duane Nookemis</u>	
Member of Legislature	Member of Legislature	
Record of decision:		
<input checked="" type="checkbox"/> Adopted by consensus OR <input type="checkbox"/> Recorded vote called by _____ <div style="text-align: right; margin-right: 100px;">Member of Legislature</div>		
Record of vote:		
Members in Favour:	Members Opposed:	Abstentions:
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Resolution Number		
<input type="checkbox"/> Did not pass OR <input checked="" type="checkbox"/> Passed by the Legislature as Resolution #: <u>leg 230330-02</u>		
<u>march 30, 2023</u>		
Date	Signature of Speaker	



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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:

John Jack

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

Motion

Motion Regarding: Second Reading of the Election Act Amendment Act, 2023

Date of Meeting: March 30, 2023

Introduced by:

John Jack

Member of Legislature

Seconded by:

Brad Johnson

Member of Legislature

Record of decision:

Adopted by consensus **OR** Recorded vote called by

_____ Member of Legislature

Record of vote:

Members in Favour:

Members Opposed:

Abstentions:

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Resolution Number

Did not pass **OR** Passed by the Legislature as Resolution #: leg230330-03

March 30, 2023

Date

[Signature]

Signature of Speaker



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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:

B. John Jack

MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

Motion

Motion Regarding: Second Reading of the Citizenship & Treaty Enrolment Act Amendment

Date of Meeting: Act, 2023

Introduced by:

Seconded by:

Edward Johnson

Evan Cook

Member of Legislature

Member of Legislature

Record of decision:

Adopted by consensus OR Recorded vote called by

Member of Legislature

Record of vote:

Members in Favour:

Members Opposed:

Abstentions:

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Resolution Number

Did not pass OR Passed by the Legislature as Resolution #: leg 230330-04

March 30, 2023

Date

Signature of Speaker



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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; and
- b) The Maa-nulth Final Agreement recognizes the Huu-ay-aht First Nations' right to make laws respecting Huu-ay-aht citizenship.

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: <u>Edward Johnson</u>	Date: <u>March 30, 2023</u>
MEMBER OF LEGISLATURE	DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

Motion

Motion Regarding: Second Reading of the Community Safety Act Amendment Act, 2023

Date of Meeting: March 30, 2023

Introduced by:

John Jack

Member of Legislature

Seconded by:

Duane Nookemis

Member of Legislature

Record of decision:

Adopted by consensus OR Recorded vote called by

Member of Legislature

Record of vote:

Members in Favour:

Members Opposed:

Abstentions:

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Resolution Number

Did not pass OR Passed by the Legislature as Resolution #: leg 230330-05

March 30, 2023

Date

Signature of Speaker



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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:

John Jack
MEMBER OF LEGISLATURE

Date: March 30, 2023

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

Motion

Motion Regarding: Second Reading of the Code of Conduct & Conflict of Interest Act

Date of Meeting: Amendment Act, 2023

Introduced by:

John Jack

Member of Legislature

Seconded by:

Duane Nookemis

Member of Legislature

Record of decision:

Adopted by consensus OR Recorded vote called by

Member of Legislature

Record of vote:

Members in Favour:

Members Opposed:

Abstentions:

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Resolution Number

Did not pass OR Passed by the Legislature as Resolution #: leg 230330-06

March 30, 2023

Date

Signature of Speaker



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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: John Jack.
MEMBER OF LEGISLATURE

Date: March 30, 2023
DATE OF MEETING

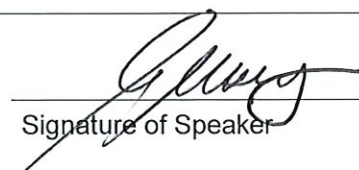


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ANCIENT SPIRIT, MODERN MIND

Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

Motion		
Motion Regarding: <u>Second Reading of the Housing Authority Act</u>		
Date of Meeting:		
Introduced by:	Seconded by:	
<u>John Jack</u>	<u>Evan Cook</u>	
Member of Legislature	Member of Legislature	
Record of decision:		
<input checked="" type="checkbox"/> Adopted by consensus <input type="checkbox"/> OR <input type="checkbox"/> Recorded vote called by _____ Member of Legislature		
Record of vote:		
Members in Favour:	Members Opposed:	Abstentions:
_____	_____	_____
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Resolution Number		
<input type="checkbox"/> Did not pass <input checked="" type="checkbox"/> Passed by the Legislature as Resolution #: <u>Leg 230330-07</u>		
<u>March 30, 2023</u>		
Date	Signature of Speaker	



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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:

John Jack

MEMBER OF LEGISLATURE

Date:

March 30, 2023

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

Motion		
Motion Regarding: <u>Approval of Economic Development Plan</u>		
Date of Meeting: <u>March 30, 2023</u>		
Introduced by: <u>Evan Cook</u> Member of Legislature	Seconded by: <u>Brad Johnson</u> Member of Legislature	
Record of decision:		
<input checked="" type="checkbox"/> Adopted by consensus OR <input type="checkbox"/> Recorded vote called by _____ <div style="text-align: right;">Member of Legislature</div>		
Record of vote:		
Members in Favour:	Members Opposed:	Abstentions:
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Resolution Number		
<input type="checkbox"/> Did not pass OR <input checked="" type="checkbox"/> Passed by the Legislature as Resolution #: <u>leg230330-08</u>		
<u>March 30, 2023</u> Date	<u>[Signature]</u> Signature of Speaker	



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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:

Evan Cook
MEMBER OF LEGISLATURE

Date: March 30, 2021

DATE OF MEETING



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ANCIENT SPIRIT, MODERN MIND

Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

Motion		
Motion Regarding: <u>The Maa-nulth Treaty Section 87 Tax Exemption Extension</u>		
Date of Meeting: <u>March 30, 2023</u>		
Introduced by: <u>Brad Johnson</u> Member of Legislature	Seconded by: <u>Duane Nookemis</u> Member of Legislature	
Record of decision:		
<input checked="" type="checkbox"/> Adopted by consensus OR <input type="checkbox"/> Recorded vote called by _____ <div style="text-align: right; margin-right: 100px;">Member of Legislature</div>		
Record of vote:		
Members in Favour:	Members Opposed:	Abstentions:
_____	_____	_____
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Resolution Number		
<input type="checkbox"/> Did not pass OR <input checked="" type="checkbox"/> Passed by the Legislature as Resolution #: <u>Leg 230330-09</u>		
<u>March 30, 2023</u> Date	 Signature of Speaker	



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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 the Maa-nulth Treaty Section 87 Tax Exemption Extension

Whereas:

- a) Huu-ay-aht First Nations have the inherent right to self-determination and to govern ourselves in accordance with our nuučaañuł values and as recognized in the Maa-nulth Treaty.
- b) As provided in Chapter 19 Taxation of the Maa-nulth Treaty, Huu-ay-aht First Nations have the jurisdiction to tax and should have the flexibility to tax only when and how it chooses to do so.
- c) The Maa-nulth Treaty needs to be amended to allow that flexibility, both Canada and British Columbia have indicated their willingness to consent to such an amendment and, in accordance with 1.14.5 and 1.14.6 of the Maa-nulth Treaty, a special resolution approved by two-thirds of the members of the Huu-ay-aht First Nations Legislature is required to give Huu-ay-aht First Nations' consent to such an amendment.

Be it resolved as a special resolution that the Legislature hereby:

- 1) Gives its consent on behalf of the Huu-ay-aht First Nations to the amendments to the Maa-nulth First Nations Final Agreement set out in English in Schedule 1 and in French in Schedule 2 attached to the *Maa-nulth First Nations Final Agreement Amendment Process Agreement* dated for reference March 6, 2023, included in the Report to the Legislature regarding the Maa-nulth Treaty Section 87 Tax Exemption Extension dated March 10, 2023.
- 2) Directs the Law Clerk to provide by April 7, 2023, a certified copy of these resolutions to Legal Counsel for the Maa-nulth Treaty Society, R. Brent Lehmann of Ratcliff LLP, for him to deliver to Canada, British Columbia and the other Maa-nulth First Nations.

Appendices attached to Motion:

Written report prepared by R. Brent Lehmann, Legal Counsel, Maa-nulth Treaty Society.

The following documents:

- *Maa-nulth First Nations Final Agreement Amendment Process Agreement* dated March 6, 2023

Introduced by: <u>Brad Johnson</u> MEMBER OF LEGISLATURE	Date: <u>March 30, 2023</u> DATE OF MEETING
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