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ANCIENT SPIRIT, MODERN MIND

# MINUTES of MEETING of THE LEGISLATURE

Monday, September 11, 2023

10:00am – Hybrid Anacla Government office/ Zoom

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**Attendance:** Anagela Wesley (Speaker), John Jack, Brad Johnson, Edward Johnson, Evan Cook, Stephen Rayner, Stella Peters

**Excused:** Theresa Nookemus

**Resource:** Coraleah Bauer- Law Clerk, Karen Haugen- Executive Director, Melinda Skeels- Legal Counsel

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## 1. OPENING:

The meeting was called to order at 10:11 a.m.

Angela welcomed everyone to the Special session of the Legislature and asks that Chief Councillor John Jack to open with some opening comments.

## 2. ADOPTION OF THE AGENDA:

MOTION PASSED re: Adoption of Agenda as Proposed

Resolution #LEG230911-01

## 3. First Reading of the Huu-ay-aht First Nations Goods and Services Act Repeal Act, 2023

Legal Counsel Melinda Skeels is going over the procedures regarding the GST Repeal Act.

MOTION PASSED re: First Reading of the Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023

Resolution #LEG230911-02

Councillor Brad Johnson mentions that this started at the Maa-nulth table which he is happy to see that we are on the last steps to have this fully implemented.

MOTION PASSED re: Proceeding to the Second Reading of the Huu-ay-aht First nations Goods and Services Tax Act Repeal Act, 2023

Resolution #LEG230911-03

**4. ADJOURN:**

The meeting was adjourned at **10:24am**



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# Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

<b>Motion</b>		
<b>Motion Regarding:</b> <i>First Reading of the Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023</i>		
Date of Meeting: <i>September 11, 2023</i>		
Introduced by:	Seconded by:	
Evan Cook	Stephen Rayner	
Member of Legislature	Member of Legislature	
<b>Record of decision:</b>		
<input checked="" type="checkbox"/> Adopted by consensus	<b>OR</b>	<input type="checkbox"/> Recorded vote called by _____ Member of Legislature
<b>Record of vote:</b>		
Members in Favour:	Members Opposed:	Abstentions:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
<b>Resolution Number</b>		
<input type="checkbox"/> Did not pass <b>OR</b> <input checked="" type="checkbox"/> Passed by the Legislature as Resolution #: <u>LEG230911-02</u>		
September 11, 2023		
Date	Signature of Speaker	



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# 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 *Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023*

**Whereas:**

- a) Executive Council approved the proposed *Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023* for introduction to the Legislature.

**Be it resolved that the Legislature:**

- 1) Hereby gives the proposed *Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023* first reading; and
- 2) Will proceed with discussion of the proposed *Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023* in accordance with the *Government Act* section 93(1)(c).

**Appendices attached to Motion:**

Written report prepared by Ewa Holender, Legal Counsel on behalf of the Executive Director.

The following documents:

- Proposed *Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023*

Introduced by: <u>Evan Cook</u> MEMBER OF LEGISLATURE	Date: <u>September 11, 2023</u> DATE OF MEETING
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ANCIENT SPIRIT, MODERN MIND

# Record of WRITTEN Resolution of THE LEGISLATURE

(Government Act, s. 52, 53)

<b>Motion</b>		
<b>Motion Regarding:</b> <i>Proceeding to Second Reading of the Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023</i>		
Date of Meeting: <i>September 11, 2023</i>		
Introduced by:	Seconded by:	
Stephen Rayner	Stella Peters	
Member of Legislature	Member of Legislature	
<b>Record of decision:</b>		
<input checked="" type="checkbox"/> Adopted by consensus	<b>OR</b>	<input type="checkbox"/> Recorded vote called by _____ Member of Legislature
<b>Record of vote:</b>		
Members in Favour:	Members Opposed:	Abstentions:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
<b>Resolution Number</b>		
<input type="checkbox"/> Did not pass <b>OR</b> <input checked="" type="checkbox"/> Passed by the Legislature as Resolution #: <u>LEG230911-03</u>		
September 11, 2023		
Date	Signature of Speaker	



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# WRITTEN MOTION of THE LEGISLATURE

(Government Act, s. 35)

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

**Motion Regarding** Proceeding to Second Reading of the *Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023*

**Whereas:**

- a) The Legislature gave the proposed *Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023* (the “proposed Act”) first reading at its sitting today, September 11, 2023;
- b) Ordinarily at least 7 days must pass between the day on which the Legislature gives first reading to an Act and the day on which the Legislature gives second reading to that Act (*Government Act*, s. 93(1)(f));
- c) In circumstances where the Legislature reasonably believes that a delay in consideration of a proposed Act is not in the best interests of the Huu-ay-aht, it may, by unanimous resolution, reduce that 7-day time period to no less than one day (*Government Act*, s. 93(7)(b));
- d) The enactment of the proposed Act must align with the termination of the First Nations Goods and Services Tax Administration Agreement between Huu-ay-aht and Canada (the “Tax Agreement”), which is proposed to take place on September 30, 2023. The schedules of the members of the Huu-ay-aht Council and others necessary to convene the Legislature do not allow for a meeting of the Legislature to be convened at least 7 days after first reading and with sufficient time to align enactment with the timeline for termination of the Tax Agreement; and
- e) The Legislature is of the view that it is not in the best interests of the Huu-ay-aht that the Legislature delay second reading of the proposed Act past September 15, 2023.

**Be it resolved that the Legislature:**

- 1) Will proceed to second reading of the *Huu-ay-aht First Nations Goods and Services Tax Act Repeal Act, 2023* at the sitting of the Legislature scheduled for September 15, 2023.

**Appendices attached to Motion:**

Written report prepared by Ewa Holender, Legal Counsel.

Introduced by:	Stephen Rayner
	MEMBER OF LEGISLATURE

Date:	September 11, 2023
	DATE OF MEETING