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ANCIENT SPIRIT, MODERN MIND

PUBLIC NOTICE of the LEGISLATURE

(*Government Act*, s. 30)

February 20, 2017

To all Huu-ay-aht Citizens:

PUBLIC NOTICE is hereby given that the Spring 2017 Session of the Legislature will open at 10:00 am on March 23, 2017 at MA?AS SUQIN (administration office), Anacla, with second and third sittings occurring on March, 31, 2016.

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

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ANCIENT SPIRIT, MODERN MIND

LEGISLATURE

AGENDA

(*Government Act*, s. 30)

SPRING 2017 SESSION OF THE LEGISLATURE

MA?AS SUQIN (administration office), Anacla

First Sitting

March 23, 2017,10:00 a.m.

1. Opening of the Spring 2017 Session of the Huu-ay-aht Legislature
2. First Reading of the *Financial Administration Act Amendment Act, 2017*
3. First Reading of the *Budget Act, 2017*
4. Adjourn

Second Sitting

March 31, 2017,10:00 a.m.

1. Call to Order
2. Second Reading of the *Financial Administration Act Amendment Act, 2017*
3. Second Reading of the *Budget Act, 2017*
4. Approval of the Economic Development Plan
5. Adjourn

Third Sitting

March 31, 2017, following Second Sitting

1. Call to Order
2. Third and Final Reading of the *Financial Administration Act Amendment Act, 2017*
3. Third and Final Reading of the *Budget Act, 2017*
4. Closing of the Spring 2017 Session of the Huu-ay-aht Legislature

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ANCIENT SPIRIT, MODERN MIND

FINANCIAL ADMINISTRATION ACT AMENDMENT ACT, 2017

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

REGISTRY OF LAWS CERTIFICATION

I certify that the *Financial Administration Act Amendment Act, 2017* was passed by Executive Council on:

_____

_____

Chief Councillor, Robert Dennis

I certify that the *Financial Administration Act Amendment Act, 2017* is enacted as law on:

_____

_____

Ta'yii Hawilth, Derek Peters

I certify that the *Financial Administration Act Amendment Act, 2017* came into force on:

_____

_____

Law Clerk, Kim Chretien

Financial Administration Act Amendment Act, 2017

Contents

1 Amendments
2 Commencement
3 Consolidation

Amendment

1 The *Financial Administration Act*, HFNA 7/2011 is amended **by striking out section 35(1) and substituting the following**:

"35 (1) An auditor must be a member of the Organization of Chartered Professional Accountants of British Columbia."

Commencement

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

Consolidation

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

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ANCIENT SPIRIT, MODERN MIND

BUDGET ACT, 2017

The Huu-ay-aht Legislature enacts this law to establish spending authority and borrowing authority for the fiscal year beginning April 1, 2017 and ending March 31, 2018, and to retroactively amend spending authorities and borrowing authorities for the 2017-2018 fiscal year.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Budget Act, 2017* was passed by Executive Council on:

_____

_____

Chief Councillor, Robert Dennis

I certify that the *Budget Act, 2017* is enacted as law on:

_____

_____

Ta'yii Hawilth, Derek Peters

I certify that the *Budget Act, 2017* came into force on:

_____

_____

Law Clerk, Kim Chretien

BUDGET ACT, 2017

Contents

PART 1 – GENERAL OPERATING FUND
General operating funds pending authority
PART 2 – INVESTED WEALTH FUND
Invested Wealth Funds pending authority
PART 3 – CAPITAL SPENDING
Capital spending authority
PART 4 – GENERAL PURPOSE SPENDING
General Purpose Spending
PART 5 – BORROWING
Borrowing authority
PART 6 – SPECIAL PROGRAMS FUND
Special Programs Funds pending authority
PART 7 – INVESTMENTS IN HUU-AY-AHT BUSINESS ENTERPRISES
Conditions for investment by way of loan or loan guarantee

Note to Reader

The *Budget Act, 2017* establishes the authority of government to spend money from April 1, 2017 to March 31, 2018. A *Budget Act* is required by the *Financial Administration Act* each fiscal year. Government may only spend money if it has spending authority.

- Part 1, General Operating Fund, sets out the budget line items that provide spending authority for government from the general operating fund.
- Part 2, Invested Wealth Fund, sets out the amount of funds that may be spent from the Invested Wealth Fund.
- Part 3 sets out the authorized capital spending of government for the 2017 – 2018 fiscal year.
- Part 4 sets out the authorized general purpose spending of government for the 2017 – 2018 fiscal year.
- Part 5 sets out the authorized borrowings of government for the 2017 – 2018 fiscal year.
- Part 6, Special Programs Fund, sets out the authorized spending for special programs for the 2017 – 2018 fiscal year.
- Part 7 sets out the conditions for Executive Council to invest in Huu-ay-aht business enterprises by borrowing funds or guaranteeing loans.

The Legislature enacts as follows:

PART 1 – GENERAL OPERATING FUND

General operating fund spending authority

1 Spending from the general operating fund from April 1, 2017 to March 31, 2018 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 including children and family support, health and social services, education, culture and the delivery of Citizenship benefits including communications.	$2,609,247
2	Lands, Resources and Infrastructure	To provide the services needed to support construction, operation and maintenance of community infrastructure and administration, oversight and planning of resource management.	$1,412,999
3	Government Services	To provide the services needed to support government operations, and engagement with Citizens and other stakeholders, committee and Council operations, Hawiih Council operations, financial management and comptrollership, records and administrative support, local government services for the community of Anacla, staff management and engagement, and communication, consultation and engagement with other government departments and institutions.	$3,547,687
4	Economic Development Services	To provide programs, services and support related to the establishment of project management systems, development and implementation of approved projects, identification, communication, fulfill the obligations of the Economic Development Officer and identify engagement with potential industry and strategic partners, .	$473,969
5	Huu-ay-aht Settlement Trust	Potential transfer of funds to Huu-ay-aht Settlement Trust	$1,000,000

No.	Budget Line Item Name	Purpose	Amount
6	Depreciation	To allow for depreciation expenses related to capital assets	$1,000,000
7	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	$300,000
	Total General Operating Fund Spending Authority		**$10,343,902**

PART 2 – INVESTED WEALTH FUND

Invested Wealth Fund spending authority

2 Spending from the Invested Wealth Fund from April 1, 2017 to March 31, 2018 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
8	Fund Management	For management of the investments of the Invested Wealth Fund	$60,000
9	Transfer to General Operating Fund	For transferring money to the general operating fund to support government operations	$500,000
	Total Invested Wealth Fund Spending Authority		$560,000
	Total Consolidated Government Fund Spending Authority		**$10,903,902**

PART 3 – CAPITAL SPENDING

Capital spending authority

3 Spending for capital purposes from April 1, 2017 to March 31, 2018 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
10	Capital Projects	For capital items included in the Captial Budget of the approved Financial Plan.	$4,838,529
	Total Capital Spending Authority		**$4,838,529**

PART 4 – GENERAL PURPOSE SPENDING

General purpose spending

4 Spending for general purposes from April 1, 2017 to March 31, 2018 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
11	General Purpose	For otherwise unanticipated expenditures relating to: the acquisition of real property, capital projects, new business opportunities, economic development or emergency situations. For great certainty, such expenditures must be authorized by Executive Council.	$10,000,000
	Total General Purpose Spending Authority		**$10,000,000**

PART 5 – BORROWING

Borrowing authority

5 Borrowing from April 1, 2017 to March 31, 2018 is authorized for the purpose and amount shown in the same row as each borrowing authority item in the following table:

No.	Borrowing Authority Item Name	Purpose	Amount
B1	General Purpose Borrowing	For borrowing to meet the need for cash that may arise from time to time related to expenditures, infrastructure investment, and capital spending	$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 development activities	$5,000,000
	Total Borrowing Authority		**$15,000,000**

PART 6 – SPECIAL PROGRAMS FUND

Special Programs Fund spending authority

6 Spending from the Special Programs Fund from April 1, 2017 to March 31, 2018 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
	Total Special Programs Fund Spending Authority		**$20,000,000**

PART 7 – INVESTMENTS IN HUU-AY-AHT BUSINESS ENTERPRISES

Conditions for investment by way of loan or loan guarantee

7 (1) Executive Council may borrow funds to invest in a Huu-ay-aht business enterprise in accordance with section 69 of the *Financial Administration Act* if

(a) the purpose and amount is authorized by a borrowing authority,

(b) Executive Council has considered the recommendation of Finance Committee,

(c) loan conditions, including security, term and source of repayment, are approved by Executive Council,

(d) the term of the loan does not exceed 25 years, and

(e) the loan will be repaid by a Huu-ay-aht business enterprise or from payments received from Canada or British Columbia.

(2) Executive Council may guarantee a Huu-ay-aht business enterprise loan or obligation for the purpose of making an investment in a Huu-ay-aht business enterprise if

(a) the purpose and amount is authorized by a borrowing authority,

(b) Executive Council has considered the recommendation of Finance Committee,

(c) the guarantee conditions, including security, term and discharge are approved by Executive Council,

(d) the term of the guarantee does not exceed 25 years, and

(e) the Huu-ay-aht business enterprise has the capacity to repay the loan or obligation and discharge the Huu-ay-aht guarantee.

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ANCIENT SPIRIT, MODERN MIND

WRITTEN MOTION of THE LEGISLATURE

(*Government Act*, s. 35)

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

Motion Regarding First Reading of the *Financial Administration Act Amendment Act, 2017*

Whereas:

a) Executive Council considered the proposed *Financial Administration Act Amendment Act, 2017* and approved it for introduction to the Legislature**.**

Be it resolved that the Legislature:

1) Hereby gives the proposed *Financial Administration Act Amendment Act, 2017* first reading;
2) Will proceed with discussion of the proposed *Financial Administration Act Amendment Act, 2017* in accordance with the *Government Act* section 93(1)(c); and
3) Will give the proposed *Financial Administration Act Amendment Act, 2017* second reading at the sitting of the Legislature scheduled for March 31, 2017.

Appendices attached to Motion:

Written report prepared by __Melinda Skeels, legal counsel_____.

The following documents:

- The proposed *Financial Administration Act Amendment Act, 2017*.

Introduced by:	Date: March 23, 2017
MEMBER OF LEGISLATURE	DATE OF MEETING

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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 First Reading of the *Budget Act, 2017*

Whereas:

a) Executive Council considered the proposed *Budget Act, 2017* and approved it for introduction to the Legislature**.**

Be it resolved that the Legislature:

1) Hereby gives the proposed *Budget Act, 2017* first reading;
2) Will proceed with discussion of the proposed *Budget Act, 2017* in accordance with the *Government Act* section 93(1)(c); and
3) Will give the proposed *Budget Act, 2017* second reading at the sitting of the Legislature scheduled for March 31, 2017.

Appendices attached to Motion:

Written report prepared by __Melinda Skeels, legal counsel_____.

The following documents:

- The proposed *Budget Act, 2017*.

Introduced by: _____ MEMBER OF LEGISLATURE	Date: March 23, 2017 _____ 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 *Financial Administration Act Amendment Act, 2017*

Whereas:

a) The Legislature gave the *Financial Administration Act Amendment Act, 2017* first reading at its sitting on March 23, 2017.

Be it resolved that the Legislature:

1) Hereby gives the *Financial Administration Act Amendment Act, 2017* second reading; and
2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Financial Administration Act Amendment Act, 2017* at a meeting of the Legislature to be convened today, March 31, 2017.

Appendices attached to Motion:

Written report prepared by __Melinda Skeels, legal counsel____.

The following documents:

- The draft *Financial Administration Act Amendment Act, 2017*

Introduced by: _____ MEMBER OF LEGISLATURE	Date: March 31, 2017 _____ DATE OF MEETING

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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, 2017*

Whereas:

a) The Legislature gave the *Budget Act, 2017* first reading at its sitting on March 23, 2017.

Be it resolved that the Legislature:

1) Hereby gives the *Budget Act, 2017* second reading; and
2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on *the Budget Act, 2017* at a meeting of the Legislature to be convened today, March 31, 2017.

Appendices attached to Motion:

Written report prepared by __Melinda Skeels, legal counsel____.

The following documents:

- The draft *Budget Act, 2017*

Introduced by:	Date: March 31, 2017
MEMBER OF LEGISLATURE	DATE OF MEETING

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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 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 _____Melinda Skeels, Legal Counsel_____.

The following documents:

- Economic Development Plan

Introduced by:	Date: March 31, 2017
MEMBER OF LEGISLATURE	DATE OF MEETING

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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 Third Reading of the *Financial Administration Act Amendment Act, 2017*

Whereas:

a) The Legislature gave the *Financial Administration Act Amendment Act, 2017* second reading at its sitting earlier today, March 31, 2017.

Be it resolved that:

1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Financial Administration Act Amendment Act, 2017;* and

2) The following actions will be completed in compliance with the *Government Act* (s. 93 and 95):

   a. The Chief Councillor will certify that the *Financial Administration Act Amendment Act, 2017* has passed third reading by signing it today, March 31, 2017 (s. 93(1)(h));

   b. The Ta'yii Hawilth, will certify that the *Financial Administration Act Amendment Act, 2017* is enacted as Huu-ay-aht law by signing it today, March 31, 2017 (s. 93(1)(i)); and

   c. The Law Clerk will:

      i. Sign the *Financial Administration Act Amendment Act, 2017* into force today, March 31, 2017 (s. 95(5));

      ii. Place the signed *Financial Administration Act Amendment Act, 2017* and a certified true copy in the registry no later than April 4, 2017 (s. 95(6)(a)); and

      iii. Publish the *Financial Administration Act Amendment Act, 2017* no later than April 10, 2017 (s. 95(6)(b)).

3) The Law Clerk will prepare a consolidation of the *Financial Administration Act* incorporating the amendments set out in the *Financial Administration Act Amendment Act, 2017* and place the consolidated *Financial Administration Act* in the registry no later than April 4, 2017.

Appendices attached to Motion:

Written report prepared by ___Melinda Skeels, legal counsel_____.

The following documents:

- The *Financial Administration Act Amendment Act, 2017*

Introduced by:	Date: March 31, 2017
MEMBER OF LEGISLATURE	DATE OF MEETING

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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 Third Reading of the *Budget Act, 2017*

Whereas:

a) The Legislature gave the *Budget Act, 2017* second reading at its sitting earlier today, March 31, 2017.

Be it resolved that:

1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Budget Act, 2017;* and

2) The following actions will be completed in compliance with the *Government Act* (s. 93 and 95):

   a. The Chief Councillor will certify that the *Budget Act, 2017* has passed third reading by signing it today, March 31, 2017 (s. 93(1)(h));

   b. The Ta'yii Hawilth, will certify that the *Budget Act, 2017* is enacted as Huu-ay-aht law by signing it today, March 31, 2017 (s. 93(1)(i)); and

   c. The Law Clerk will:

      i. Sign the *Budget Act, 2017* into force today, March 31, 2017 (s. 95(5));

      ii. Place the signed *Budget Act, 2017* and a certified true copy in the registry no later than April 4, 2017 (s. 95(6)(a)); and

      iii. Publish the *Budget Act, 2017* no later than April 10, 2017 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by ___Melinda Skeels, legal counsel_____.

The following documents:

- The *Budget Act, 2017*

Introduced by: _____ MEMBER OF LEGISLATURE	Date: March 31, 2017 _____ DATE OF MEETING