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ANCIENT SPIRIT, MODERN MIND

PUBLIC NOTICE of the LEGISLATURE

(*Government Act*, s. 30)

March 02, 2020

To all Huu-ay-aht Citizens:

PUBLIC NOTICE is hereby given that:

The Spring 2020 Session of the Legislature originally scheduled to be held on March 17, 2020, with second and third sittings occurring on March 26, 2020 at MA?AS SUQIN (Administration Office), Anacla, BC is now scheduled to be convened at 10:00 am on March 18, 2020, with the second and third sittings occurring on March 30, 2020.

The revised Proposed Agenda is attached.

The proposed motions and acts to be considered at the Spring 2020 Session of the Legislature are attached.

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ANCIENT SPIRIT, MODERN MIND

LEGISLATURE

AGENDA

(*Government Act*, s. 30)

REVISED PROPOSED AGENDA
SPRING 2020 SESSION OF THE LEGISLATURE

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

First Sitting

March ~~17~~ 18, 2020, 10:00 a.m.

1. Opening of the Spring 2020 Session of the Huu-ay-aht Legislature
2. First Reading of the *Budget Act, 2020*
3. First Reading of the *Financial Administration Act Amendment Act, 2020*
4. Adjourn

Second Sitting

March ~~26~~ 30, 2020, 10:00 a.m.

1. Call to Order
2. Second Reading of the *Budget Act, 2020*
3. Second Reading of the *Financial Administration Act Amendment Act, 2020*
4. Approval of the Economic Development Plan
5. Adjourn

Third Sitting

March ~~26~~ 30, 2020, following the Second Sitting

1. Call to Order
2. Third and Final Reading of the *Budget Act, 2020*
3. Third and Final Reading of the *Financial Administration Act Amendment Act, 2020*
4. Closing of the Spring 2020 Session of the Huu-ay-aht Legislature

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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 Amendments to Proposed Agenda

Whereas:

a) On February 13, 2020 Executive Council called a regular session of the Legislature to commence on March 17 and continue on March 26, 2020;

b) It is the view of Executive Council that it is in the best interests of the Huu-ay-aht that the Legislature be convened on alternate dates to allow its members to be present at a conflicting event scheduled for March 17, 2020;

c) Executive Council directed that the Legislature will convene on March 18 and 30, 2020, rather than March 17 and 26, 2020, as set out in the attached revised proposed agenda; and

d) The Legislature may change various matters, including the date of the session, if the change is reasonably justified and passed by the Legislature.

Be it resolved that the Legislature hereby:

1) Approves the revised proposed agenda, including the proposed changes to the dates of the sitting of the Legislature.

Appendices attached to Motion:

Written report prepared by not applicable.

- Revised proposed agenda.

Introduced by:	Date: March 30, 2020
MEMBER OF LEGISLATURE	DATE OF MEETING

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ANCIENT SPIRIT, MODERN MIND

BUDGET ACT, 2020

The Huu-ay-aht Legislature enacts this law to establish spending authority and borrowing authority for the fiscal year beginning April 1, 2020 and ending March 31, 2021, and to retroactively amend spending authorities and borrowing authorities for the 2020-2021 fiscal year.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Budget Act, 2020* was passed by Executive Council on:

_____

_____

Chief Councillor, Robert Dennis

I certify that the *Budget Act, 2020* is enacted as law on:

_____

_____

Ta'yii Hawilth, Derek Peters

I certify that the *Budget Act, 2020* came into force on:

_____

_____

Law Clerk, Coraleah Bauer

Budget Act, 2020

Contents

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

Note to Reader

The *Budget Act, 2020* establishes the authority of government to spend money from April 1, 2020 to March 31, 2021. 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 2020 – 2021 fiscal year.
- Part 4 sets out the authorized general-purpose spending of government for the 2020 – 2021 fiscal year.
- Part 5 sets out the authorized borrowings of government for the 2020 – 2021 fiscal year.
- Part 6, Special Programs Fund, sets out the authorized spending for special programs for the 2020 – 2021 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, 2019 to March 31, 2020 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 including communications.	$4,895,382
2	Infrastructure	To provide the services needed to support construction, operation and maintenance of community infrastructure and administration and oversight.	$1,328,500
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 Hahuuḥi.	$1,511,460
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.	$511,039
5	Government Services	To provide the services needed to support government operations, engagement with Citizens and other stakeholders, committee, Hawiih Council and Executive Council operations.	$2,009,206

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.	$1,343,212
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.	$763,443
8	Human Resources	To provide the services needed to support staff management, communications and engagement, and local government services for the community of Anacla.	$370,521
9	Depreciation	To allow for depreciation expenses related to capital assets	$1,000,000
10	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		**$14,232,763**

PART 2 – INVESTED WEALTH FUND

Invested Wealth Fund spending authority

2 Spending from the Invested Wealth Fund from April 1, 2019 to March 31, 2020 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	Fund Management	For management of the investments of the Invested Wealth Fund	$100,000
12	Transfer to General Operating Fund	For transferring money to the general operating fund to support government	$600,000
	Total Invested Wealth Fund Spending Authority		**$660,000**
	Total Consolidated Government Fund Spending Authority		**$14,932,763**

PART 3 – SPECIAL PROGRAMS FUND

Special Programs Fund spending authority

3 Spending from the Special Programs Fund from April 1, 2019 to March 31, 2020 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.	$500,000
	Total Special Programs Fund Spending Authority		**$20,500,000**

PART 4 – CAPITAL SPENDING

Capital spending authority

4 Spending for capital purposes from April 1, 2019 to March 31, 2020 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
13	Capital Projects	For capital items included in the Capital Budget of the approved Financial Plan and the approved government infrastructure project list.	$6,582,000
14	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		**$106,582,000**

PART 5 – BORROWING

Borrowing authority

5 Borrowing from April 1, 2019 to March 31, 2020 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	$5,000,000

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	$100,000,000
	Total Borrowing Authority		$105,000,000

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.

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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, 2020*

Whereas:

a) Executive Council approved the proposed *Budget Act, 2020* for introduction to the Legislature**.**

Be it resolved that the Legislature:

1) Hereby gives the proposed *Budget Act, 2020* first reading;
2) Will proceed with discussion of the proposed *Budget Act, 2020* in accordance with the *Government Act* section 93(1)(c); and
3) Will give the proposed *Budget Act, 2020* second reading at the sitting of the Legislature scheduled for March 30, 2020.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Budget Act, 2020.*

Introduced by:		Date:	March 18, 2020
	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 Second Reading of the *Budget Act, 2020*

Whereas:

a) The Legislature gave the *Budget Act, 2020* first reading at its sitting on March 18, 2020.

Be it resolved that the Legislature:

1) Hereby gives the *Budget Act, 2020* second reading; and
2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Budget Act, 2020* at a meeting of the Legislature to be convened today, March 30, 2020.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Budget Act, 2020.*

Introduced by:		Date:	March 30, 2020
	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 *Budget Act, 2020*

Whereas:

a) The Legislature gave the *Budget Act, 2020* second reading at its sitting earlier today, March 30, 2020.

Be it resolved that:

1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Budget Act, 2020;* 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, 2020* has passed third reading by signing it today, March 26, 2020 (s. 93(1)(h));

   b. The Ta'yii Hawilth, will certify that the *Budget Act, 2020* is enacted as Huu-ay-aht law by signing it today, March 26, 2020 (s. 93(1)(i)); and

   c. The Law Clerk will:

      i. Sign the *Budget Act, 2020* into force today, March 26, 2020 (s. 95(5));

      ii. Place the signed *Budget Act, 2020* and a certified true copy in the registry no later than April 6, 2020 (s. 95(6)(a)); and

      iii. Publish the *Budget Act, 2020* no later than April 9, 2020 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Budget Act, 2020.*

Introduced by:	Date: March 30, 2020
MEMBER OF LEGISLATURE	DATE OF MEETING

huu ay aht

ANCIENT SPIRIT, MODERN MIND

FINANCIAL ADMINISTRATION ACT AMENDMENT ACT, 2020

REGISTRY OF LAWS CERTIFICATION

I certify that the *Financial Administration Act Amendment Act, 2020* was passed by Executive Council on:

_____

_____

Chief Councillor, Robert Dennis

I certify that the *Financial Administration Act Amendment Act, 2020* is enacted as law on:

_____

_____

Ta'yii Hawilth, Derek Peters

I certify that the *Financial Administration Act Amendment Act, 2020* came into force on:

_____

_____

Law Clerk, Coraleah Johnson

Financial Administration Act Amendment Act, 2020

Contents

1 Amendments
2 Commencement
3 Consolidation

Amendments

1 (1) ***Section 3 of the Financial Administration Act, HFNA 7/2011 is amended as follows:***

(a) by replacing the definition of "*Huu-ay-aht public body*" with:

"**Huu-ay-aht public body**" means any entity that is owned or controlled, directly or indirectly, by government except for a Huu-ay-aht business enterprise or an entity owned or controlled, directly or indirectly, by a Huu-ay-aht special investment body;

(b) by replacing the definition of "*Huu-ay-aht special investment body*" with:

"**Huu-ay-aht special investment body**" means a Huu-ay-aht body prescribed by Executive Council under section 62.1(1);

(2) ***Schedule 1 of the Interpretation Act, HFNA 14/2011 is amended by adding the following definition:***

"**Huu-ay-aht special investment body**" means a Huu-ay-aht body prescribed by Executive Council under section 62.1(1) of the *Financial Administration Act*;

(3) ***Section 2 of the Code of Conduct and Conflict of Interest Act, HFNA 4/2011; section 2 of the Freedom of Information and Protection of Privacy Act, HFNA 2/2012; Schedule 1 of the Interpretation Act, HFNA 14/2011 and section 2 of the Land Act, HFNA 9/2011 are each amended by replacing the definition of "*Huu-ay-aht public body*" with:***

"**Huu-ay-aht public body**" means any entity that is owned or controlled, directly or indirectly, by government except for a Huu-ay-aht business enterprise or an entity owned or controlled, directly or indirectly, by a Huu-ay-aht special investment body;

Commencement

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

Consolidation

3 The Law Clerk is directed to consolidate the *Financial Administration Act*, HFNA 7/2011, the *Interpretation Act*, HFNA 14/2011, the *Code of Conduct and Conflict of Interest Act*, HFNA 4/2011, the *Freedom of Information and Protection of Privacy Act*, HFNA 2/2012 and the *Land Act*, HFNA 9/2011.

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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, 2020*

Whereas:

a) Executive Council approved the proposed *Financial Administration Act Amendment Act, 2020* for introduction to the Legislature**.**

Be it resolved that the Legislature:

1) Hereby gives the proposed *Financial Administration Act Amendment Act, 2020* first reading;
2) Will proceed with discussion of the proposed *Financial Administration Act Amendment Act, 2020* in accordance with the *Government Act* section 93(1)(c); and
3) Will give the proposed *Financial Administration Act Amendment Act, 2020* second reading at the sitting of the Legislature scheduled for March 30, 2020.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The proposed *Financial Administration Act Amendment Act, 2020.*

Introduced by:	Date: March 18, 2020
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 Second Reading of the *Financial Administration Act Amendment Act, 2020*

Whereas:

a) The Legislature gave the *Financial Administration Act Amendment Act, 2020* first reading at its sitting on March 18, 2020.

Be it resolved that the Legislature:

1) Hereby gives the *Financial Administration Act Amendment Act, 2020* 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, 2020* at a meeting of the Legislature to be convened today, March 30, 2020.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The draft *Financial Administration Act Amendment Act, 2020.*

Introduced by:	Date: March 30, 2020
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 *Financial Administration Act Amendment Act, 2020*

Whereas:

a) The Legislature gave the *Financial Administration Act Amendment Act, 2020* second reading at its sitting earlier today, March 30, 2020.

Be it resolved that:

1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Financial Administration Act Amendment Act, 2020;* 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, 2020* has passed third reading by signing it today, March 30, 2020 (s. 93(1)(h));

   b. The Ta'yii Hawilth, will certify that the *Financial Administration Act Amendment Act, 2020* is enacted as Huu-ay-aht law by signing it today, March 30, 2020 (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.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Financial Administration Act Amendment Act, 2020.*

Introduced by:	Date: March 30, 2020
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 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 _____.

The following documents:

- Economic Development Plan

Introduced by:	Date: March 30, 2020
MEMBER OF LEGISLATURE	DATE OF MEETING