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ANCIENT SPIRIT, MODERN MIND

MINUTES of MEETING of THE LEGISLATURE

Tuesday, March 23, 2021

10:00am - Zoom

Attendance: Kit Spence (Speaker), Robert Dennis, John Jack, Trevor Cootes, Derek Peters, Duane Nookemis, Edward Johnson, Charlie Clappis

Resource: Coraleah Bauer- Law Clerk, Connie Waddell- Executive Director, Melinda Skeels- Legal Counsel

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1. **OPENING:**

   The meeting was called to order at 10:33a.m.

2. **Community Safety Act**

MOTION PASSED re: 7-day time period- Charlie Clappis 2nd Robert Dennis

Resolution #LEG210323-01

Councillor Charlie Clappis is going over the Community Safety Act and the amendments that are being proposed at today reading of the legislature.

MOTION PASSED re: Proposed Amendment Charlie Clappis 2nd Derek Peters

Resolution #LEG210323-02

MOTION PASSED re: Charlie Clappis 2nd John Jack

Resolution #LEG210323-03

MOTION PASSED re: Second Reading of the Community Safety Act Charlie Clappis 2nd Robert Dennis

Resolution #LEG210323-04

3. **ADJOURN:**

The meeting was adjourned at 10:52

Meeting was called to order 10:52

MOTION PASSED re: Third and Final Reading of Community Safety Act Charlie Clappis 2nd Trevor Cootes

Resolution #LEG210323-05

Meeting adjourned at 10:54am Robert 2nd Trevor

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Record of WRITTEN Resolution of THE LEGISLATURE

(*Government Act*, s. 52, 53)

Motion	
Motion Regarding:	*Second Reading of the Community Safety Act*
Date of Meeting:	*March 23, 2021*

Introduced by:	Seconded by:
Charlie Clappis	Robert Dennis
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:

Resolution Number

☐ Did not pass **OR** ☑ Passed by the Legislature as Resolution #: LEG210323-01

March 23, 2021
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*

Whereas:

a) The Legislature gave the *Community Safety Act* (the "proposed Act") first reading at its sitting on March 19, 2021;

b) In the ordinary course, at least 7 days must elapse between first reading and second reading of a proposed Act;

c) The Legislature believes that a delay in consideration of the proposed Act is not in the best interests of the Huu-ay-aht;

d) The Legislature added sittings of the Legislature today, March 23, 2021, for the purpose of giving the proposed Act second and third reading;

Be it resolved that the Legislature in accordance with the *Government Act* section 93(7(b), reduces the 7 day time period under the *Government Act* section 93(1)(f) such that the proposed *Community Safety Act* may proceed to second reading today, March 23, 2021.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

Introduced by:	Charlie Clappis MEMBER OF LEGISLATURE	Date:	March 23, 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:	*Introduction of Proposed Amendments to the Community Safety Act*
Date of Meeting:	*March 23, 2021*

Introduced by:

Charlie Clappis
Member of Legislature

Seconded by:

Derek Peters
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:

Resolution Number

☐ Did not pass **OR** ☑ Passed by the Legislature as Resolution #: LEG210323-02

March 23, 2021
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 Introduction of proposed amendment to the *Community Safety Act*

Whereas:

a) The Legislature gave the *Community Safety Act* first reading at its sitting on March 19, 2021;

b) Law and Policy Development Committee Chair Councillor Charlie Clappis proposes amendments to proposed *Community Safety Act* as follows:

> In section 5, by striking out clause 5(2)(ii) and replacing it with: "a solemn declaration in the prescribed form that the person has not been convicted of any excludable offence in the past 5 years."
>
> In section 21, by adding a new subsection as follows:
>
> > Any person who provides false information in a solemn declaration under section 5 (2) (c) (ii) commits an offence punishable on summary conviction.
>
> (the "proposed amendments")

c) The Law Clerk has given technical advice on and approval for the wording of the proposed amendments as set out above.

Be it resolved that: the proposed amendments to the *Community Safety Act* are hereby introduced for discussion by the Legislature.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

Introduced by:	Charlie Clappis	Date:	March 23, 2021
	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:	*Incorporation of Proposed Amendments into the Community Safety Act*
Date of Meeting:	*March 23, 2021*

Introduced by:	Seconded by:
Charlie Clappis	John Jack
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:

Resolution Number

☐ Did not pass **OR** ☑ Passed by the Legislature as Resolution #: LEG210323-03

March 23, 2021
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 Incorporation of proposed amendment into the *Community Safety Act*

Whereas:

a) Proposed amendments reflected in the attached document were introduced for discussion.

Be it resolved that the Legislature hereby incorporates the proposed amendment into the proposed *Community Safety Act*.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- A legal blackline of the *Community Safety Act* showing the proposed amendment

Introduced by: Charlie Clappis MEMBER OF LEGISLATURE	Date: March 23, 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:	*Second Reading of the Community Safety Act*
Date of Meeting:	*March 23, 2021*

Introduced by:	Seconded by:
Charlie Clappis	Robert Dennis
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:

Resolution Number

☐ Did not pass **OR** ☑ Passed by the Legislature as Resolution #: LEG210323-04

March 23, 2021
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*

Whereas:

a) The Legislature gave the *Community Safety Act* first reading at its sitting on March 19, 2021;

b) The Legislature has incorporated a proposed amendment into proposed Act.

Be it resolved that the Legislature:

1) Hereby gives the *Community Safety Act*, incorporating the proposed amendment, second reading; and

2) Will, in accordance with the *Government Act* section 93(1)(f), proceed to vote on the *Community Safety Act* at a meeting of the Legislature to be convened today, March 23, 2021.

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- A legal blackline showing the proposed *Community Safety Act* with the proposed amendment tracked.

Introduced by:	Date:
Charlie Clappis	March 23, 2021
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 *Community Safety Act*

Whereas:

a) The Legislature gave the *Community Safety Act* second reading at its sitting earlier today, March 23, 2021.

Be it resolved that:

1) The Legislature hereby, in accordance with *Government Act* s. 93(1)(g), adopts the *Community Safety Act;* 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 *Community Safety Act* has passed third reading by signing it today, March 23, 2021 (s. 93(1)(h));

   b. The Ta'yii Hawilth, will certify that the *Community Safety Act* is enacted as Huu-ay-aht law by signing it today, March 23, 2021 (s. 93(1)(i)); and

   c. The Law Clerk will:

      i. Sign the *Community Safety Act* into force today, March 23, 2021 (s. 95(5));

      ii. Place the signed *Community Safety Act* and a certified true copy in the registry no later than March 29, 2021 (s. 95(6)(a)); and

      iii. Publish the *Community Safety Act* no later than April 2, 2021 (s. 95(6)(b)).

Appendices attached to Motion:

Written report prepared by Melinda Skeels, Legal Counsel.

The following documents:

- The *Community Safety Act*

Introduced by:	Date: March 23, 2021
MEMBER OF LEGISLATURE	DATE OF MEETING