

## ***Following the Legislative Process***

Welcome to the third issue of *FNFI Update*. As the *First Nations Fiscal and Statistical Management Act* (Bill C-19) continues its drive towards Royal Assent, it is more important than ever for us to keep you informed of the latest developments, and how they will affect First Nations throughout Canada. This issue touches upon the Committee phase of the legislative process for Bill C-19, highlights the chronological events that have lead to this point and lists all witnesses who participated in the Committee process. As always, your comments, suggestions and questions are most welcome and can be sent to [mail@fnfi.ca](mailto:mail@fnfi.ca)

## ***Committee Hearings for Bill C-19***

Monday, June 9, 2003 marked Bill C-19's transition to the Committee phase of the legislative process. The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources heard testimony from witnesses over a four-day period ending on June 12.

The wide-ranging views of the witnesses – both for and against – demonstrated the complexity of Bill C-19 and the objectives that the legislation seeks to achieve. Witnesses were heard from all parts of Canada, both in person and (in large part) by videoconference.

Highlights of the Committee hearings for Bill C-19 included:

- the statement given by Assembly of First Nations Vice-Chief Satsan (Herb George), in which he discussed how First Nations must be able to implement their rights within Canada;

- presentations and Q & A sessions from the Chairs of the four institutions proposed under Bill C-19, where the importance of the Bill was most effectively impressed upon the Committee members; and
- the Committee's acknowledgement that First Nations require the tools proposed in Bill C-19 in order to progress towards eventual self-government.

Although a clause-by-clause consideration of the Bill had been scheduled for June 16, a motion was adopted by the House of Commons on June 13 to adjourn proceedings for the summer. Parliament is scheduled to return from recess on September 15, at which point clause-by-clause consideration of Bill C-19 is expected to commence.



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## How Did We Get Here?

- 1869 Government of Canada introduces an *Act for the Gradual Enfranchisement of Indians and the Better Management of Indian Affairs*. The legislation asserts control over First Nation government. The Act is later consolidated under the *Indian Act* of 1876.
- 1884 Canada introduces the *Indian Advancement Act*. Wider powers over local government and the raising of money are given to First Nations; however, decision-making is left to the local Indian Agent as chairman of the Council. Only a few First Nations are granted new powers under this legislation.
- 1800s – 1910 First Nation communities like the Abenaki at Odanak and Six Nations of the Grand River are raising revenue through taxation to pay for schools, roads, and general administration.
- 1920 – 1930 *Indian Act* amendments significantly reduce First Nations' decision-making power regarding capital expenditures. Increased government control over First Nations.
- 1910 – 1988 Communities like Tyendinaga, Kamloops, Six Nations and the Algonquins of the River Desert Band try to assert their revenue jurisdiction but are precluded by the government.
- 1988 Kamloops amendments to the *Indian Act* are introduced, paving the way for First Nation property tax jurisdiction. The Indian Taxation Advisory Board is created to facilitate First Nation property tax jurisdiction.
- 1995 First Nations Finance Authority established to give First Nations greater access to capital and investment opportunities.
- 1996 In July, National Chief Ovide Mercredi signs an Assembly of First Nations (AFN) Resolution directing the AFN to work with Canada to develop a new fiscal relationship.
- 1997 In November, the Royal Commission on Aboriginal Peoples (RCAP) releases its final report and among its recommendations is the development of a new fiscal relationship between First Nations and the Government of Canada.
- 1998 In January, Canada releases "Gathering Strength", the federal response to RCAP's final report. The Agenda for Action includes immediate development of a new fiscal relationship.
- 1998 In June, the AFN mandates the establishment of a regionally representative Chiefs Committee on Fiscal Relations (CCFR) and a technical support team to focus on developing fiscal relations. The development of fiscal institutions becomes the first stage in its development.

- 1999 In July, the AFN endorses the creation of a federally legislated First Nations Tax Commission and a First Nations Finance Authority.
- 1999 In December, Canada and the AFN establish the National Table on Fiscal Relations. The parties develop a workplan to develop a new fiscal transfer model and four institutions to assist First Nations.
- 2000 In April, the AFN endorses the creation of a First Nations Financial Management Board (FMB) and a First Nations Statistical Institute (FNSI).
- 2001 In January, National First Nations Advisory Panels are created to oversee the development of both the FMB and FNSI.
- 2001 In April, the Chiefs Committee on Fiscal Relations announce they have obtained Canada's support to develop a federal legislative proposal for the four institutions. The Chiefs Committee launches a nation-wide campaign to visit First Nations and explain the First Nations Fiscal Institutions Initiative.
- 2001 In July, National Chief Matthew Coon Come sends a letter to all Chiefs endorsing the First Nations Fiscal Institutions Initiative.
- 2001 In July, the AFN endorses the First Nations Fiscal Institutions Initiative and directs the Chiefs Committee on Fiscal Relations to develop federal legislation.
- 2002 In August, Co-Chair of the Chiefs Committee on Fiscal Relations, C.T. (Manny) Jules and Minister of Indian Affairs, Robert Nault, release the consultative draft of the *First Nations Fiscal and Statistical Management Act (Bill-C-19)*. In the same month, National Chief Matthew Coon Come endorses the announcement and sends all Chiefs copies of the consultative draft and a community guide explaining the institutions.
- 2002 In November, the Implementation Committee on the Protection of Treaty and Inherent Rights is formed to lobby against all First Nations legislation. A Special Assembly is held where its 80 some members vote against the proposed institutions.
- 2002 In December, the Minister of Indian Affairs introduces Bill C-19 into Parliament.

## Bill C-19 Witnesses

### June 9, 2003

Vice-Chief Ghislain Picard, *Assembly of First Nations, Québec Region*

Vice-Chief Satsan (Herb George), *Assembly of First Nations, BC Region*

The Hon. Robert D. Nault, *Minister of Indian Affairs and Northern Development*

### June 10, 2003

C.T. (Manny) Jules, *Chairman, Indian Taxation Advisory Board*  
Chief Tom Bressette, *Chippewas of Kettle and Stony Point First Nation, and Chairman, First Nations Statistics Advisory Panel*

Harold Calla, *Chairman, First Nations Financial Management Board Advisory Panel*

Deanna Hamilton, *President, First Nations Finance Authority*  
Chief Perry Bellegarde, *Federation of Saskatchewan Indian Nations*

David Paul, *Member of the Maliseet First Nation, Tobique, New Brunswick*

### June 11, 2003

Grand Chief Chris McCormick, *Association of Iroquois and Allied Indians (Ontario)*

Eric J. Large, *Councillor, Saddle Lake Cree First Nation*

Ken MacLeod, *Former Inspector of Municipalities, Ministry of Municipal Affairs, British Columbia*

Fred Lazar, *Economist, York University (Schulich School of Business)*

Grand Chief Margaret Swan, *Assembly of Manitoba Chiefs*  
Chief Stewart Phillip, *Union of British Columbia Indian Chiefs*  
Roger Obonsawin, *Chair, Aboriginal Peoples Council of Toronto*  
Grand Chief Francis Flett and Michael Anderson, *Research Director, Manitoba Keewatinowi Okimakanak Inc.*

Larry Blain, *Chief Executive Officer of Partnerships BC and former Managing Director, RBC Dominion Securities, British Columbia*

### June 12, 2003

David General, *Councillor, Six Nations of the Grand River, Ontario*  
Chief R.K. (Joe) Miskokomon, *Chippewas of The Thames First Nation, Ontario*

Chief William McCue, *Chippewas of Georgina Island, Ontario*  
Murray Mollard, *Executive Director, British Columbia Civil Liberties Association*

Steve Berna, *Executive Director, British Columbia Municipal Finance Authority (BCFMA) and Frank Leonard, Chair, BCMFA and Mayor of Saanich, British Columbia*

Robert L. Bish, *Professor Emeritus, University of Victoria*

## FNFI on the Internet

The following Web sites have more information about Bill C-19:

- First Nations Fiscal Institutions  
[www.fnfi.ca](http://www.fnfi.ca)
- First Nations Finance Authority  
[www.fnfa.ca](http://www.fnfa.ca)
- First Nations Financial Management Board  
[www.fnfmb.com](http://www.fnfmb.com)
- First Nations Statistical Institute  
[www.firststats.ca](http://www.firststats.ca)
- First Nations Tax Commission  
[www.fntc.ca](http://www.fntc.ca)

## Contact Information



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### First Nations Financial Management Board (FMB)

Suite 905-100 Park Royal South  
West Vancouver, BC V7T 1A2  
**Phone:** (604) 925-6665  
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**Toll-Free Phone:** 1-877-925-6665  
<http://www.fnfmb.com>  
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### First Nations Statistical Institute (FNSI)

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### First Nations Tax Commission (FNTC)

**Eastern Office:**  
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