

First Nations Fiscal and Statistical Management Act

Bill C-20. On the Order: Government Orders:

December 9, 2004—The Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians--Concurrence at report stage and second reading of Bill C-20, an act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other acts



Hon. Sue Barnes (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, discussions have taken place between the parties, and I believe that you will find consent for the following motion:

[*English*]

I move:

That Bill C-20, an act to provide for the real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other acts, be deemed to have been concurred in at report stage, read a second time and ordered for consideration at the third reading stage later this day.



The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(*Motion agreed to, bill concurred in and read a second time*)

The Speaker: When shall the bill be read a third time? By leave, now?

Some hon. members: Agreed.

[*Translation*]



Hon. Jean Lapierre (for the Minister of Indian Affairs and Northern Development) moved that the bill be read the third time and passed.

[*English*]



Hon. Sue Barnes (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I rise today in support of Bill C-20, the first nations fiscal and statistical management act.

Before I speak to the contents of the proposed legislation though, I would like to extend my sincere thanks to the members of the Standing Committee on Aboriginal Affairs and Northern Development, and I note that our chair, the member for Nunavut is here today, and colleagues in the House who, with their consent, facilitated this final debate today. I acknowledge and am grateful for that.

This important legislation will enable first nations to access the tools they need to increase their participation in the economy. Under the provisions of Bill C-20, first nations will have at their disposal the same financial instruments and mechanisms used by municipal governments to plan effectively, raise capital and secure investments. With this capacity, first nations will be better able to realize their dreams of self-sufficiency and prosperity.

The impetus for this legislation originates with first nation leaders from across the country. It is important to recognize that Bill C-20 was developed by first nations for first nations.

The legislation before us today is the product of many years of hard work, detailed analysis and continual refinement. Leaders of first nations have told us that Bill C-20 represents their communities' best hope for a more equitable share in Canada's prosperity. I believe it is incumbent upon us to champion this hope and facilitate a new reality for first nations in our country together.

The latest figures from Statistics Canada confirm that first nations communities continue to rank among the poorest in Canada; their residents experience the lowest standards of living. This is not acceptable. This we need to address.

Manny Jules, the principal architect of Bill C-20, summed up the current situation eloquently, when he said:

Today a wall surrounds First Nation economies; a wall built by past legislation and policies; a wall of mistrust and dependency that traps us in poverty. Each additional year of dependency adds another brick in this wall. The wall has not served Canada well because it prevents us from participating in the economy.

Manny Jules, together with Chief Strater Crowfoot, Chief Tom Bresette, Harold Calla and Deanna Hamilton are foremost among the committed leaders of this legislative initiative. Others have done amazing work to assist the development and realization of their dreams, and I acknowledge not only their presence and support today, but their steadfast efforts over time.

I am convinced that Bill C-20 will help dismantle the wall. With this vitally important legislation, first nations communities will be able to fulfill their vision of self-sufficiency and prosperity. Bill C-20 would enable first nations leaders to meet the specific needs of their specific community.

The essence of the legislation is a series of four distinct yet complementary institutions: a finance authority, a tax commission, a financial management board and a statistical institute. Precursors to two of these institutions, for instance the Indian taxation advisory board, have operated for several years and the results have been remarkable. The time has come to move forward to do better.

Once these institutions are in place, first nations will have many of the powers long enjoyed by municipal governments, including the ability to borrow money at competitive rates, to develop effective real property tax systems and to protect the interests of their ratepayers.

First nations that participate in these institutions will also be able to increase financial management capacity and improve long term planning. In short, first nations will exercise greater control over and assume greater responsibility for the economic and social health of their communities.

The viability of every community in Canada is affected by the strength and reliability of its physical infrastructure. For example, transportation links, water and sewage treatment facilities and other components of modern infrastructure are also essential to economic growth. Municipalities across Canada have long funded infrastructure projects through low interest loans. Lenders were keen to invest in these projects because of the legal status, financial health and political stability of municipal governments.

Most first nation communities, though, struggle to attract investors and finance the construction of infrastructure. Funding even the most modest of projects quickly becomes prohibitively expensive due to high transaction costs and interest rates. Furthermore, verification and approval processes often delay the start of projects, leading to additional costs.

According to a study completed by first nations fiscal institutions initiative, funding an infrastructure project in a first nations community can be up to 10 times more expensive than a similar project built elsewhere. As a result, today many first nations communities suffer from the effects of inadequate physical infrastructure. Bill C-20 would establish these four independent institutions that would provide valuable services to first nations at every stage of growth.

I would like to describe these institutions briefly now and explain their roles.

More than a decade ago, a handful of communities pooled their resources to create the First Nations Finance Authority Inc. for investment purposes. As the number of first nations participating in the authority grew, so did the feasibility of issuing debentures to access long term capital at competitive interest rates. The concept attracted the support of a key partner, the Municipal Finance Authority of British Columbia, which had 30 years' experience and a triple A credit rating.

The new First Nations Finance Authority will provide participating first nations with access to capital markets by issuing debentures using property tax revenues as security, debentures that will finance infrastructure projects.

To assist band councils in instituting effective property tax regimes, Bill C-20 would create the First Nations Tax Commission, or FNTC. The FNTC will establish the legal framework needed to effectively balance community and ratepayer interests. It will institute processes to resolve disputes and to approve bylaws and it will provide the services needed to securitize real property tax revenues. In short, the FNTC will foster the secure and stable fiscal environments sought by investors.

To ensure that this environment thrives over the long term, first nations must have access to adequate financial management services. Lenders must have a clear and accurate picture of the fiscal health of borrowers. Independent assessments must be readily available. The First Nations Financial Management Board, or FMB, is designed to meet these requirements.

There are two components of the FMB's mandate. The first component focuses on the provision of technical services to first nations regardless of financial status. The FMB will assist with research and advocacy, policy and capacity development, along with financial management, reporting and standards. These activities will help first nations communities to make the most of their financial resources.

The second part of the board's mandate focuses on first nations that collect property tax and seek to borrow against this revenue. The FMB will certify and monitor financial management standards of these first nations, providing potential investors with a clear and accurate picture of fiscal health. By conducting independent assessments of financial status, the board will ensure that lenders have the information and the confidence needed to invest. The FMB will be empowered to intervene promptly and decisively if needed.

To ensure that the institutions I have described can function appropriately, their performance must be recorded accurately and also analyzed regularly. To accomplish these goals, an effective method of gathering statistics is needed. Unfortunately, the quality and accuracy of statistical systems in first nations communities has been inadequate and, I must say, inconsistent. Precise, relevant data is particularly essential for community planners. Information on population growth and effectiveness of service delivery mechanisms, for instance, is needed to design effective housing and health initiatives.

Planners in first nations communities, though, rarely have had access to the valuable information collected from fellow residents. Although several government departments and agencies have long collected data about and from members of first nations, this information is seldom shared with other agencies or even with the communities that have provided the information in the first place.

A few years ago, the Auditor General estimated that each first nation annually provides the government with information about more than 150 aspects of community life. Data concerning school enrolment, employment, population and dozen of other subjects are recorded and analyzed, but the information is usually gathered for specific purposes and rarely shared with first nations.

Not surprisingly, this severely hampers the ability of band councils and aboriginal leaders to plan effectively. Further compounding the problem is the fact that few agencies involve residents of first nations communities directly in the compilation, collation and analysis of information. As a result, few aboriginal people have acquired any familiarity or expertise with statistical techniques. Although this is a generalization, I think it is relatively true.

Bill C-20 would improve the situation significantly by establishing the First Nations Statistical Institute, or FNSI. FNSI will have the power to collect information from a variety of sources and develop a comprehensive database of accurate and pertinent statistics about each first nation community in Canada. As a first nations led organization, FNSI will bring an aboriginal perspective to every aspect of information collection, interpretation and use.

Of greater significance, though, is the positive effect that the expertise in data management will have on local governance. Chiefs and councils will have the data needed to make informed decisions about economic and social development in their communities.

   (1015)

In the Speech from the Throne, the government committed to begin the essential task of renewing its relations with first nations. The government vowed to follow a collaborative approach and pledged to establish a relationship based on equality, trust and mutual respect. Much progress has been made on this front and we will continue to go forward.

The Canada-aboriginal peoples round table united representatives of dozens of governments, agencies and organizations from across Canada for a series of focused and productive discussions. These talks led to a series of processes to accelerate progress and measure performance.

Sectoral follow-up meetings focusing on health, lifelong learning and housing have already been held. Next week, sessions on fostering economic opportunity will get under way.

The legislation before us today is another part of this collaborative effort. Designed by first nations, Bill C-20 would play an important role in the new relationship between Canada and aboriginal peoples. The legislation sends a clear message to all first nations that the Government of Canada is aware of the problems they face, has listened carefully to the solutions they have proposed, and is now prepared to act.

The practical fiscal management tools at the heart of this legislation will help first nations better manage their land and more easily acquire the funds they need to engage in community building projects. Improvements in physical infrastructure would contribute to a better quality of life in two ways. Upgrading transportation and communication links creates jobs, establishes new opportunities for entrepreneurs and increases land values. Investments in infrastructure fuel a healthy cycle of economic development that will continue well into the future.

Bill C-20 provides these tools that would support the building of new relationships and give first nations access to financial instruments and mechanisms to raise capital and secure investment. With these tools, first nations would be able to create a business-friendly economic growth and realize their dreams, not ours, of self-sufficiency and prosperity.

This legislation is not a panacea for the economic woes of first nations. It will not magically transform poverty stricken communities into prosperous, thriving towns. Bill C-20, however, would give first nations the freedom to develop their communities on their own terms. Community leaders would gain access to the same legal tools and financial mechanisms that enabled other Canadian communities to flourish and grow. All first nations can benefit from the expertise of institutions such as the FMB, whether or not they decide to participate in the borrowing pool.

Bill C-20 would not diminish the constitutionally protected rights of aboriginal peoples. Instead, the legislation would help those first nations that choose to participate to exercise those rights by creating equal opportunities for first nations within the Canadian constitutional framework.

The government is well aware that there is no such thing as a one size fits all solution to the divergent needs and aspirations of first nations. First nations governments can use this legislation if and when they are ready. No band will ever be forced to take part. The choice of whether to participate or not will be up to the individual communities.

Bill C-20 is flexible and inclusive enough to meet the needs of hundreds of first nations. I am convinced that the tools accessible through Bill C-20 would help to close the considerable gaps that exist between aboriginal and non-aboriginal communities in this country.

Furthermore, by combining rigorous standards with legal powers and institutional support, the legislation would ensure that first nations operate within their debt carrying capacity as they move toward self-sufficiency.

Finally, Bill C-20 would create a legal framework enabling first nations to work directly and effectively with private companies and public agencies. This would put an end to first nation isolation and lead to a better quality of life for first nations communities.

In short, Bill C-20 outlines a balanced approach to long term financial health for first nations. Clearly, all Canadians stand to benefit.

   (1020)

Bill C-20 is not a prescriptive bill. First nations are neither required to participate in the institutions I have described, nor must they adhere to a specific regime. This legislation recognizes and accommodates the divergent needs and aspirations of first nations. I believe that the flexible, inclusive approach articulated by Bill C-20 is its greatest strength. Bill C-20 would provide access to a range of options, enabling each community to chart its own path to prosperity.

I thank my hon. colleagues of all parties who have by their actions shown support for this legislation. I say merci and I wish good luck to everyone.

   (1025)

 

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, it is important for me to ask this question, because it has been a very important subject at the meetings of our Standing Committee on the Status of Women these past few weeks. We have been having different groups come in and give presentations. The biggest concern we have heard is that we are passing legislation in the House without any type of gender analysis, without any type of analysis that tells us how legislation is going to affect women.

Some women coming to our status of women committee meetings are from the aboriginal groups. They have a lot of concerns. I would like to know how this bill is going to address the concerns that the aboriginal women have been bringing to our committee, particularly their concerns about property rights. Yesterday we heard a lot of concerns about not having enough shelters for a lot of the women who are trying to get away from violence, from domestic violence and from violent relationships. We also have heard a lot of concerns about not having representation of women on councils.

I am wondering if any of this has been taken into consideration. It looks like we are going to be spending quite a few of the next months listening to more of these presentations. I am wondering if this bill has been analyzed for gender.



Hon. Sue Barnes: Mr. Speaker, for the hon. member opposite, I am absolutely ecstatic that the opposition party is now in favour of gender analysis. It was a policy put forward through the Beijing meetings nearly a decade ago. I can tell the member that in the Department of Indian and Northern Affairs we have already started to do some gender work inside the department on specific projects. I can also tell the member that this side of the House is looking forward to doing more gender analysis throughout all the departments, but we know that this has not been completely done at this stage.

I am very happy to hear the Conservative Party talking to this aspect of government-wide work. I know the member is not referring specifically to the work we are doing in our committee; it is actually another committee of the House that she is referring to.

I can tell the hon. member I agree with her when she says there are problems, specifically with matrimonial property on reserves. This is an issue that has taken the interest of the minister. In fact, he has recently written to the chair of our committee asking the committee to study matrimonial property with a view to looking at legislation the House could put forward to address this huge challenge, which has stymied many first nations leaders and individuals.

I know that the reality of the problem is there. Our committee has not yet had a chance to discuss how we will go about this mandate, so I will not preclude what the committee will do on that matter because that would be inappropriate at this time. I very sincerely believe, as a personal belief, that this is a challenge which we have to all rise to together. We will not do that without a collaborative effort with first nations communities, which also recognize that this is a huge challenge.

As for the bill itself, if the member would read specific clauses in the bill she will see that they specifically talk about getting qualified men and women, for instance on the directorship, including first nations communities, involved in this legislation. At the committee, I actually pointed out the specific clause in the bill that refers to this.

The benefits will be in the well-being of the whole community. I am very much looking forward to people utilizing this aspect. I look forward to working with the member and her party in future on all these issues.

  (1030)



Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, throughout the debate on this bill much has been made of the optional nature of the bill. Even in earlier incarnations this was less clear, but in this incarnation of the bill, as it went from Bill C-19 to Bill C-23, to now Bill C-20 in this Parliament, the claim is made by the government that this is truly optional and people's fears are groundless.

However, it remains unclear to me and perhaps the parliamentary secretary can help me with this. In relation to the statistical institute, which is one of the four new fiscal institutions created by Bill C-20, I do not understand how the claim can be made that Bill C-20 is optional. In fact, the statistical institute is not optional at all. All first nations in Canada come under this whether they wish to or not.

Unless I am missing something completely, there is no optional nature to the statistical institute. Perhaps this should have been dealt with as a separate bill. Perhaps the government should have introduced the three other fiscal institutions as one bill. If there was a need for the statistical institute, it could have been dealt with separately. I would like the parliamentary secretary to explain to me how the statistical institute could be seen as optional.



Hon. Sue Barnes: Mr. Speaker, I referred to the optional part of this bill as in the fiscal tools. The minister stated in committee in his opening remarks that the statistical institute is not optional. It applies to all first nations. If the member had wanted to do something different about severing the statistical institute, I am sure he could have made amendments to that effect, but he did not. In fact, he chose, and I am very glad that he did, to be part of the unanimous passing with other amendments but nothing relating to that situation.

It was clarified in committee. The bill is a reincarnation of two previous attempts to have the bill changed into optional legislation. First nations will choose if and when they wish to participate in the taxing and borrowing regimes established by the bill. The provisions of the bill dealing with these regimes will apply only to those first nations which appear in the schedule to the bill. A band council must ask to be added to the schedule.

The schedule is established by the governor in council. The name of the first nation can appear in the schedule only at the request of the council of that first nation. First nations have had the option, under the Indian Act, to establish real property tax regimes since 1988 and that option will also continue to be available.

First nations would continue to be free to raise capital as they do now. There is no obligation for any first nation to borrow through the finance authority. No one has forced any first nation to tax under the provisions of the Indian Act. No one will force any first nation to tax or borrow under the provisions of this bill. First nations will make that decision. The minister made that point very clearly in committee.

This initiative is first nation led. The bill has resulted from over 15 years of dedicated effort by a group of first nation leaders who seek to remove existing barriers to economic development. The development of the bill has been guided by their vision, their determination, their skills and personal commitment, along with input of industry specialists.

Overall, yes this is optional for the taxation. The whole point of the statistical institute is to be able to do the planning. If that was unclear to the member, I am very glad he gave me this opportunity to clarify that.

   (1035)



Mr. Jim Prentice (Calgary Centre-North, CPC): Mr. Speaker, it is my pleasure to rise today and speak to Bill C-20, a bill described as the first nations statistical and management act. The bill has made quite an expeditious journey through the House of Commons to committee and back onto the floor of the House of Commons today, anticipating early approval with the cooperation of all of the parties in the House.

I will not replicate the comments made by my learned friend. There are substantial parts of this legislation upon which she and I agree for once. My comments will respond to a couple of the questions that have been raised and to outline in philosophical terms why our party supports this legislation. The Conservative Party is fully in support of Bill C-20 and the principles contained therein.

This past month the *National Post* published an opinion piece which was prepared by Phil Fontaine, the National Chief of the Assembly of First Nations. As I said before, while I do not agree with everything that my colleague, Grand Chief Fontaine, has said in that article, there are many matters upon which he and I agree and which I think all Canadians should consider.

This country is a modern federal democracy in which all of the citizens of Canada must bear equally the responsibilities and also the privileges of citizenship. The time has come that aboriginal Canadians are entitled, indeed they are expected, to share in the governance of Canada, to share in the governance of their own affairs, and their inherent right of self-government. If aboriginal Canadians are to be equal citizens in this country, if they are also to bear upon their shoulders the hopes and dreams of Canada, then they must also bear equally the responsibilities of governing this country. Concurrently, they must enjoy the full benefits of citizenship, including the protection of the Canadian Charter of Rights and Freedoms.

As Chief Fontaine observed in the *National Post*:

To be self-sufficient, to rely on ourselves, we must be free and able to make our own choices. Reliance on the choices that others make for us is a denial of the means to self-sufficiency.

In that regard, an important study was carried out in Canada and referred to by Mr. Fontaine, the Harvard Project. It referred to three factors which are critical to economic self-sufficiency. These are worth emphasizing in the context of this debate.

First, practical sovereignty means genuine decision-making power over internal affairs, governance, resources, institutions and development strategies.

Second, capable governing institutions are those which exercise power effectively, responsibly and reliably.

Third, the necessity for a cultural match, which means formal institutions of government that match indigenous concepts of how authority should be organized and should be exercised.

In this country, over the past many years, we have had a debate about the scope and content of aboriginal self-government. Much has been said about that subject and that debate will carry on. The debate, by and large, has been a democratic and a civil one, even though it has been marked by a lack of consensus on many fundamental matters.

Both aboriginal and non-aboriginal Canadians need to be reminded that, while we do not always agree upon the scope and content of governance rights, virtually all Canadians share a desire to see aboriginal Canadians as equal partners in this marvellous country. They wish to see a full embodiment of the inherent right of self-government in a way which is practical and which achieves success for aboriginal Canadians.

The Indian Act is both anachronistic and archaic. Frankly, it has no place in the Canada of tomorrow. It has not yet been replaced in our country by a modern legislative framework only because we have been unable as a country to this point to define how and by what legislative means the Indian Act should be replaced. However, I would hasten to add that I anticipate that in the next several years we will make great strides in that regard. We will succeed in replacing the Indian Act with legislation which has the support of first nations and which moves us into the future.

The issues to be sure are complex. They involve questions that strike to the heart of this country: issues pertaining to the application of the charter; the distribution of governmental jurisdiction within our country, within our federal system; the incidence of citizenship; the correlative rights and expectations which we demand of one another as fellow citizens; and also those difficult issues that deal with the distribution of resources.

These would be difficult enough questions on their own. They are all the more difficult when one factors in the rich and diverse mosaic, the linguistic mosaic, and the cultural mosaic of Canada's aboriginal peoples: Inuit, Métis and over 600 distinct Indian first nations.

   (1040)

As Grand Chief Fontaine has observed, people need control over their own lives and the chance to reap the benefits of their own labours. They do not flourish when they are denied the right to decide for themselves how they will live.

I for one have reached the conclusion, after many years of involvement on this subject, that many of the difficulties which aboriginal people have faced in this country tie back to their struggle against the collectivist tyranny of the Indian Act. It is important that we replace that legislation and Bill C-20 is extraordinarily important legislation in that regard. It represents one of the first steps to pass control of the lives of aboriginal Canadians in respect of economic and taxation matters back within their own jurisdiction in a voluntary manner.

In respect of self-government, the position of myself and my party is clear. The Indian Act and related legislation should be replaced by a modern legislative framework which provides for the inherent right of self-government for the devolution of full, legal and democratic responsibility to aboriginal peoples over their own affairs. This must be done within the overall framework of our federal state.

This reform should be pursued following full consultation with first nations, with the objective of achieving a full and complete devolution of democratic authority that is consistent with the devolution of authority elsewhere within our federal democratic system. Aboriginal Canadians, like all Canadians, are entitled to enjoy democratic control over their own affairs within a legislative context that ensures certainty, stability, respect for the rule of law, and which balances individual and collective responsibility.

Aboriginal communities must have the flexibility to determine for themselves whether and how principles, such as free market principles and individual property ownership should apply to reserve lands. We feel very strongly that this devolution should be accomplished in a manner which takes into account the cultural, linguistic and rich diversity of Canada's first nations. Within that context and within the framework of the Canadian Constitution, we should be prepared to make flexible accommodations for the protection of language and culture within self-government agreements.

I return at this point to the legislation before the House, Bill C-20. One of the fundamental aspects of this legislation, which warrants emphasis, is that it originates not so much with the Government of Canada, and I mean no disrespect in that regard, but rather with a group of visionary leaders, aboriginal Canadians who have fought for their vision of self-government and who have persisted in the face of considerable difficulty.

I speak of a team of people, but there are four or five people in particular I wish to mention for the record in this honourable House. They are Chief Tom Bressette, the chairman of the first nations statistical advisory panel and the present Chief of the Chippewas of Kettle and Stony Point First Nation; Harold Calla, chairman of the financial management advisory panel, a councillor and individual from the Squamish First Nation; Chief Strater Crowfoot, chairman of the Indian taxation advisory board and chief of the Siksika First Nation; Deanna Hamilton, the president and CEO of the first nation finance authority of the Westbank First Nation; and Manny Jules, the former Indian taxation advisory board chairman and the former chief of the Kamloops Indian Band.

These men and women, and the extraordinary team of people who have worked with them are fighting to ensure that the first nation communities that wish to will have voluntary access to practical levers of self-government, which will bring them economic progress, prosperity and social development.

   (1045)

Their vision is one of prosperity, of infrastructure development, of economic development, of economic opportunity and social progress. The self-government, which they are fighting for, is predicated upon the hard work associated with citizenship in this country, the installation of community infrastructure, the responsibilities of debt service, the administration of a property tax system, and the building of fiscal, managerial and financial capacity in their communities.

The legislation also concurrently balances the interests of the federal crown and contains provisions that would provide the necessary protection for the position of taxpayers commensurate with that of other taxpayers in our federal system.

I wish to point out, in response to some of the questions that have been raised surrounding this legislation, that there has been an enormous amount of consultation surrounding the development of this statute.

The bill not only originated with the first nation communities, of which I have spoken, but this project evolved to include many other first nations and regional first nation bodies, the First Nation Summit of British Columbia and the Union of Ontario Indians. Discussion was held in those forums.

Years of consultation and debate have surrounded the development of this initiative. Debates with the Assembly of First Nations AGM, the B.C. First Nation Summit, the Union of Ontario Indians, the Atlantic Policy Congress, as well as numerous discussions with individual first nations. In addition to those consultations, meetings have been held with non-first nation taxpayers, provincial governments, private sector companies and municipal governments.

I would point out for the record and for special note, that consultations have been held with the Canadian Property Tax Association, the Canadian Energy Pipeline Association, the Federation of Canadian Municipalities, the Union of B.C. Municipalities, the Bank of Montreal, First Nations Bank, TD Canada Trust, VanCity Credit Union, Standard & Poor's Corporation, Moody's Investors Services, the Aboriginal Finance Officers Association, the Municipal Finance Authority of British Columbia and other bodies as well.

What all of that speaks to is the remarkable amount of consultation on the legislative progress of the bill. In that regard, when I went through the provisions of the bill in a detailed way, chapter and verse, paragraph by paragraph, I was struck by the fact that the provisions of the bill were well thought out, well crafted and meticulously drafted.

There are three particular issues which the House needs to be aware of and which I think are adequately addressed in the legislation. First, the rights of taxpayers under this legislation; second, the liability of the crown; and third, the provisions relating to default or defalcation.

It is important to note that with respect to the rights of taxpayers, a great deal has been done in the legislation to ensure that a taxpayer on reserve, whether it be an industrial taxpayer or a taxpayer in a residential or commercial context, is being treated very much the same as a taxpayer anywhere else in Canada. An assessment bylaw must be approved by the tax commission under clause 5(2). Assessment appeals are mandatory and prescribed by regulation. There is an appeal review process. A review can be requested of the first nation tax commission under clause 33. In addition, the commissioners of the tax commission include specifically taxpayer appointed nominees under clause 20.

A great deal of effort went into ensuring that the rights of taxpayers were examined, considered and protected. I think they are quite commensurate with a situation any other taxpayer would face in this country.

   (1050)

With respect to the liability of the crown, this is an issue that has been raised. I would point out that under section 60 of the statute, no one is entitled to give a guarantee on behalf of the Government of Canada. Both sections 133 and 135 provide very clearly that no person has a right to receive any compensation or damages, or an indemnity from the crown in respect of this legislation.

I think that is very important because the first nations in this case are not being backstopped by anyone other than themselves. When we talk about aboriginal Canadians standing up and taking responsibility for their own affairs, this legislation shows that it is exactly what is happening. They are not being backstopped by the Government of Canada. This is their own responsibility. It is a collective effort on the part of first nations to guarantee one another's debt and, through that method, to advance themselves economically.

The legislation does contain provisions relating to accountability, and in particular what happens in the event of a difficult circumstance of defalcation or default. There are also extensive co-management or third party management procedures that would happen under the direction of the First Nations Finance Authority. Those matters have been dealt with as well.

This is good legislation and it is indicative of the direction in which we need to move. I spoke earlier of the individuals who have exercised leadership in bringing this forward. Our party compliments them. We are proud of the work they have achieved. We are proud to support this initiative. We think it sets a direction for the country.

Other initiatives in Canada are developing along these same lines. Just this week I met with a very well respected aboriginal leader, Satsan Herb George, who spoke of the governance centre in Chilliwack, British Columbia. This is a proposal that will fit quite naturally in with what is being envisioned by the legislation in front of us, Bill C-20.

What we are talking about is capacity building for first nations to put themselves in a position where they will have governance structures, taxation options, finance options and fiscal management capabilities to lift themselves up and to make social and economic progress on their reserves. This is all very positive.

For my part, I have sometimes worried about the endlessness of the debate that we are having surrounding self-government. The many issues surrounding self-government, the meaning, the scope and the content of that term will, in gradual course, be resolved in Canada, but I think it will be resolved in the same way that other issues in our country have been resolved and that is in an evolutionary and, I would suggest, a conservative and cautious manner that responds in a gradual way to the needs of our diverse Canadian community.

We will make progress. We perhaps will make it cautiously but we will make it with full regard to the consequences of the decisions that we are making.

Let us move forward with the legislation. This is not legislation that answers all of the self-government questions in this nation but it is a start . If we adopt this legislation there will be economic and social progress in Canada for many of the first nations that are in a position and can decide to avail themselves of this legislation. We will be closer to the economic independence and self-sufficiency of which Grand Chief Fontaine speaks.

   (1055)

 

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, it must be simple being the aboriginal affairs critic for that party because members of that party do not seem burdened by any contradictions or contradictions do not seem to bother them.

On the one hand, the member has been waxing poetic about the importance of self-determination and self-governance, and on the other hand, just this week we saw members of the Conservative Party en masse vote against the most historic self-governance and self-determination land claims issue in recent history, only the second such modern land claim in the country since the Nisga'a bill which they also voted against.

For all the member's quite valid language about the importance of the abolition of the Indian Act and that successful economic development models are directly correlated to the degree of self-governance, during the clause by clause consideration of Bill C-20 in committee he and his party voted against eight separate amendments which would have

given some input into the placement of the board of directors of these new fiscal institutions.

I would ask him to dwell on, if he could, why he could not see fit to support changes to the appointment process in Bill C-20, of appointing the board of directors which would have given first nations more direction and control over who will get these key commissioner, co-commissioner and director positions in these new fiscal institutions.



Mr. Jim Prentice: Mr. Speaker, I can confirm that it is a pleasure to be the critic on this subject matter for the Conservative Party. I can also confirm, as my friend has said, that it is a pleasure not to be burdened by contradiction because we are not.

Our party has spoken in a principled way about the way forward. We have consulted with people in the community. We have talked with the AFN and with others. We have put forward a series of policy ideas that take the Conservative Party to the very front of what is going to happen in this country in the next 20 years in terms of the development of self-government and those are based upon a very logical, consistent and principled approach.

I would point out that it is an approach that has enjoyed a great deal of support among the aboriginal Canadians with whom I have spoken. It involves the gradual orderly elimination of the Indian Act with other legislation, which will make it possible for aboriginal Canadians to get on with their lives and to achieve social and economic progress.

We are proud of where we are going. It is a program that will enjoy support in the days ahead. I have spoken of the need to develop a legislative framework which governs the expenditures that the department is making on behalf of aboriginal Canadians.

I would encourage my learned friend to stay involved in the debate and he will continue to be pleased with the progress that the Conservative Party is making.

With respect to his specific question, his party brought forward a series of motions which were soundly defeated at the committee stage. The effect of those motions would have been to essentially take the good work of the respected leaders, the respected aboriginal Canadians who brought Bill C-20 forward to this point, and frozen it by adopting a process of consultation that would have been unworkable and would have made it impossible for the government, or frankly any government, to achieve the necessary unanimity on appointments, and that is why we did not--

  (1100)



The Deputy Speaker: The member will have another five minutes for questions and comments after question period.

Government Orders

[Government Orders]

* * *

[*Translation*]

↘ ↗ First Nations Fiscal and Statistical Management Act

The House resumed consideration of the motion that Bill C-20, an act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts, be read the third time and passed.

↘ ↗

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I am pleased to speak to Bill C-20, the First Nations Fiscal and Statistical Management Act.

Like my colleague from Louis-Saint-Laurent—the Bloc Québécois Indian Affairs and Northern Development critic—who also delivered a speech at second reading on November 19 in favour of this bill, I agree with this act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts.

This bill essentially provides the first nations with financial management tools. Like many other bills, the bill being presented to this House today is not perfect, but it could help in creating an environment that would help first nations to assume their financial independence.

It was very important for us to support this bill to help the first nations to assume a certain financial independence or at least much more than they had in the past.

I sit on the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources with the hon. member for Louis-Saint-Laurent, and we heard from a number of first nations officials, who supported this bill, not to mention those whom we met privately, as part of our parliamentary duties.

Everyone knows that the Bloc Québécois cares about the self-government claims of the aboriginals, since we too have many such claims in Quebec. In fact, we prefer the term “sovereignist”. In our opinion, true self-government is achieved when a nation controls all of its economic levers. First nations that will avail themselves of the services provided under Bill C-20 will be able to play a more active role in their economy and promote private investments on their territory. This legislation will give first nations access to tools that are already available to other levels of government and in turn access to financial markets, among other things.

However, we warn the federal government not to succumb to the temptation of using Bill C-20 to opt out of its fiduciary responsibilities towards aboriginal people. It remains the government's job to address inequality between aboriginals and non-aboriginals. I can assure the government that we will keep a close watch.

For the benefit of the public and of those members who may not be very familiar with the bill, I should mention this legislation proposes the establishment of four financial institutions. I will explain them briefly.

The first one is the first nations tax commission, which will replace the Indian taxation advisory board. It will be responsible for the property tax rule approval process, and its streamlining will also help strike a fair balance between the interests of the community and those of taxpayers, when rates are set.

The second institution is the first nations financial management board. The board will set financial standards and provide the independent and professional property assessment services required by first nations that want to take advantage of the borrowing pool of the first nations finance authority.

The third institution, namely the first nations finance authority, will help first nations communities that will adhere to the legislative scheme to issue securities collectively and to raise long term capital at preferential rates for highways, water supply systems, sewers and, of course, other infrastructure projects.

Finally, the first nations statistical institute will help all first nations communities to meet their local data needs, while encouraging participation in Statistics Canada's integrated national systems and their use.

The establishment of a new financial relationship between the federal government and the first nations is nothing new. Already in 1983, the Penner report, a report by the special parliamentary committee on aboriginal self-government, recommended that the fiscal relationship between the federal government and the first nations be redefined. The Royal Commission on Aboriginal Peoples made the same recommendation in 1996. Bill C-20 is a step along the road toward greater economic autonomy for first nations.

Here is a brief historical overview of Bill C-20. Before it established a supervisory structure to administer the new legislation, the Department of Indian Affairs and

Northern Development created the Indian Taxation Advisory Board in early 1989. In September 2003, 107 first nations began to tax real property. After the Kamloops amendments, in 1988, if I am not mistaken, a number of events strengthened the existing support for the restructuring of financial relations between the first nations and the federal government.

In 1991, the Department of Finance undertook a review of its policy on Indian taxation and, in 1993, made public the Working Paper on Indian Government Taxation.

   (1215)

In 1995, the First Nations Financial Institute or FNFI was created and, at the instigation of the Westbank First Nation, it was then federally incorporated. The main objective of the FNFI was to provide investment opportunities to first nations in order to ensure long-term financing of their public debt. With the adoption of Bill C-20, the FNFI will become the First Nations Finance Authority, which was discussed a bit earlier in this debate.

In 1995, a round table of representatives from the Department of Finance and the Assembly of First Nations led to the adoption of a resolution on taxation. The following year, the participants at the annual general meeting of the Assembly of First Nations adopted resolution 5/96 supporting the establishment, between the first nations governments and the Government of Canada, of new fiscal relationships based on the principles of flexibility, equity, choice, the assurance of government services comparable to those provided by other governments, economic incentives and efficiency.

The Chiefs' Committee on Fiscal Relations was created two years later to review fiscal relations between first nation governments and the federal government. That is known as resolution 49/98 of the general assembly. It recommended the establishment of first nations financial institutions. In 1999, the Assembly of First Nations expressed its support for this initiative when participants in its annual general meeting supported the creation of the first nations financial authority, and backed the Indian Taxation Advisory Board's efforts to establish the first nations tax commission. Those are known as resolutions 6/99 and 7/99 respectively.

In December of the same year, the federal government and the Assembly of First Nations signed a memorandum of understanding concerning the creation of a national round table on financial relationships, with the objective of establishing solid bases for these relationships through an exchange of information, capacity building and the establishment of benchmarks.

In 2000—we are getting closer—the Assembly of First Nations maintained its support for the creation of the first nations statistical institute and the first nations financial management board, pursuant to resolutions 5/2000 and 6/2000 of the Confederacy of Indian Nations. The general assembly then passed resolution 24/2001 supporting the recommendation by the chiefs' committee regarding the establishment of the four new

first nations financial institutions by federal legislation. The legal validity of this resolution was questioned, however, since some people thought that it had not received the support of 60% of those present required, as we know, under the charter of the Assembly of First Nations.

On August 15, 2002, the Minister of Indian Affairs and Northern Development released a draft bill with the intent to carry out public consultations before introducing it in the House. Several first nations then raised deep concerns with the way the bill was written. Of course, the Bloc Québécois shared these same concerns.

As a result, the AFN convened a special chiefs assembly in November 2002 and passed a resolution rejecting the proposed first nations fiscal and statistical management bill. According to Resolution 30/2002, the proposed legislation violated the historic nation-to-nation relationship, infringed upon aboriginal and treaty rights, and was otherwise so flawed that it could not be corrected by mere amendments.

An additional so-called accommodation resolution was also passed, that is AFN Resolution 31/2002 respecting the right of those first nations to enter into local and regional agreements, but not in the context of national legislation.

On December 2, 2002, the Minister of Indian Affairs and Northern Development tabled Bill C-19 on first nations fiscal and statistical management in the House of Commons. That bill, which died on the Order Paper in November 2003, was reinstated as Bill C-23 on March 10, 2004. That bill also died on the Order Paper after third reading. It was re-introduced very recently, on November 2, 2004, with some significant changes. We are debating this new Bill C-20 today, after studying it for not too long, but, say, carefully in committee.

However, former Bills C-19 and Bill C-23 were unacceptable both to us and to first nations. We had concerns about the fact that the act could work against aboriginal rights and reduce the federal government's fiduciary obligations toward the first nations. We were also concerned that the institutions would only serve a few first nations.

Bill C-23, for example, like the Indian Act, delegated tax authority to first nations communities, which came down to making aboriginal governments municipal entities, if you will, when their legitimate desire was to enjoy greater financial autonomy.

   (1220)

Moreover, the preamble to Bill C-20 uses language that reflects the government's strongly municipal approach to the first nations.

With respect to Bill C-19, we had a number of critical comments. First, the definition of "specific claims" was too narrow. Access to the tribunal was nearly impossible; the \$7 million ceiling excluded most claims. Neither the commission nor the tribunal were

independent or impartial. The minister had the power to accept or reject claims. Finally, there was doubt about the impartiality and flexibility of the process.

Fortunately, two very important changes have been made in the bill before us today. First, a schedule was added to ensure that the legislation applies to those first nations who wish to participate, because participation is optional, something we feel is very important. Second, a non-derogation clause was included to protect the aboriginal and treaty rights of all first nations.

These changes ensure consistency with the Charter of the Assembly of First Nations as well as the principles of self-determination, the approach taken by the first nations, and the optionality provided for in recent resolutions of the Assembly of First Nations, which were passed in Saskatoon and ratified again in Charlottetown.

This economic disparity exists because some lands do not have services, investors are uncertain and the cost of starting a business is still too high.

A backgrounder produced by the First Nations Fiscal Institutions Initiative says that a dollar of first nation tax revenue buys 30% to 50% less in capital works than it does for other governments. The problem lies primarily in the legislative and institutional framework.

For 130 years, the Indian Act has perpetuated this state of affairs, this lack of fairness. It has prevented first nations from creating their own institutions and participating in the economy.

Will Bill C-20 completely correct this situation? No, but we think it is a step in the right direction, as long, of course, as the federal government does not use this bill as a means to opt out of its financial obligations with respect to the first nations. I repeat, the government has a fiduciary obligation to the aboriginal peoples and it cannot opt out of that.

There are so many things to improve in the living conditions of the first nations that they will not be settled by this bill, but only through real political will exercised by the current government.

Housing conditions, education and health are inferior compared to the rest of the population. On the reserves, 65% of families live in substandard housing. The Bloc Québécois is deeply concerned about the fact that the lack of adequate, affordable housing for aboriginals has implications beyond housing standards. We know that various medical and social problems are related to poor housing conditions and quality of life. The Government of Canada must make the necessary efforts to correct the situation without offloading the problems to the first nations.

Bill C-20 will help first nations who so desire to participate significantly in their economy and encourage private investment on their lands, which is more difficult at

present. First nations wanting to borrow money to develop their community infrastructure face transaction costs, processing delays and interest rates that are far too high, even prohibitive.

Despite the positive aspects of this bill, we must not lose sight of some of the basic principles it must respect. First, will it protect the first nations' right to self-determination? Will it benefit first nations, particularly those in Quebec? Will it protect the rights of first nations that opt out of the legislation and the obligations toward them? Will it help redress the fiscal imbalance of first nations that take advantage of this legislation? We may not get all the answers today, but we will make sure the minister does not forget these questions.

For the Bloc Québécois, aboriginal independence claims are very important and must be respected. Recently, with Bill C-14, we supported the aboriginal peoples' right to self-government. Bill C-14 was about the Tlicho people. This bill will help those first nations who so desire to access the financial tools they have been lacking and that the other levels of government have been using for a long time.

That is why we are in favour of Bill C-20.

   (1225)

[*English*]



Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, I will be sharing my time with my colleague from Skeena—Bulkley Valley.

I am very pleased to rise on behalf of the NDP to speak to Bill C-20. Nothing is perfect, but we see a lot of improvements in this bill over the one that was introduced in the 37th Parliament, Bill C-23. We had some very serious problems back then and thankfully people have had a chance to take another look. This is a bill that we can live with.

It is important because it does a number of things. It takes a huge step forward in giving autonomous responsibility to the first nations people for their own future. At the end of the day, is that not what all people ask for, frankly around the world, to be the authors of their own destiny? In the modern world, if we do not have control of our finances, we really are limited to how much true control we have over the course in front of us.

I am particularly pleased in terms of the pooling aspect, which is a big part of this. It came from the experience in B.C. with the New Democratic government there working with the municipalities and the provincial government. They pooled all their money so their borrowing needs were also pooled and that meant two things. First, all

municipalities had an opportunity to borrow money at one of the best rates available. That will now apply to the first nations people, assuming this bill carries and we certainly hope it does.

Second, it allows smaller communities or municipalities, in the case of the first nations people, to still benefit from what is usually available only to larger urban centres where they have the money and the ability to back up their borrowing needs with sufficient revenue at a very good rate. The lower rate we pay the more tax money can be applied to other important things such as health, education, environment, et cetera.

This part alone will play a significant role in assisting first nations people with a lot of their needed projects. Anyone who has visited any of the first nations reserves will know the challenges that are there. We cannot help but walk away with a heavy heart realizing how much more this country has to do for its first nations people.

This modest step forward is still significant because it will allow them a little more certainty in terms of the future: how they get there and how they are going to pay. The fact that they have smaller numbers will not limit their ability to play the kind of role that they obviously want to play, and that the House wants to see played.

Long after the bill is passed, we are going to be watching to ensure that there is no creeping paternalism in this process at all. This is meant to be an arm's-length autonomous process that allows the first nations people to make their own decisions. That means beginning with appointments to these boards and commissions and agencies, all the way through to the decisions that they make and the implementation of them. They need to be in control. We as a caucus will not stand for any kind of paternalism.

The whole idea is to get away from paternalism. This is very significant to us. It is equal in fact to the money and commissions that are being created, and the ability to charge for property taxes and increase their revenues. They are all important, but if we do not move away determinedly and in a progressive fashion from the overhang of paternalism that still exists, if we are not achieving that with Bill C-20 and every other bill we deal with from here on in, then quite frankly, this House is selling a bill of goods to the first nations people. History would show that they have been sold more than bill of goods.

This needs to work for them. It needs to work for Canada.

   (1230)

 

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I wish to thank the hon. member from Hamilton for sharing his time on this very important piece of legislation that we do support. It took the government a couple of kicks at the can to get it

right. Now that it has it right, we are able to see this thing through and see the light of day.

My riding of Skeena--Bulkley Valley is in the far northwest corner of British Columbia. There are a number of first nations groups in my riding. As the hon. member mentioned, when I visit the first nations, I am seeing the conditions that we would not accept in Toronto, Montreal, or Vancouver. I am seeing the way that people are living and struggling to survive, both through acquiring education and just the basic human rights, the basic health care needs.

The basic needs that all of us share are not being achieved. We hope that this bill goes some measure forward in allowing first nations to achieve and realize the same successes that many Canadians have realized over the past century.

The Nisga'a people are within my riding. Recently, I had the deep and profound honour of speaking at the memorial service for one of the great Nisga'a members, Rod Robinson, who recently passed away. He was a true giant of a man in the first nations community at the local level, across the province of British Columbia, and across our nation.

He was a man who saw the importance for first nations to be full and inclusive members in Canadian society, to be proud members, and to realize among themselves the importance of self-determination. He saw the importance of rights and title, of what it truly means to have consultation and accommodation, and the role that the federal Government of Canada plays in reaching out to first nations in a true and sincere way. Finally, to defend the honour of the Crown, which was recently spoken to in the decision by the Supreme Court of Canada with the Haida and the Tlingit.

The federal government has this responsibility to defend the honour of the Crown. The record of the federal Government of Canada over the last 150 years has been absolutely deplorable when dealing with first nations.

One has to look no further than some of the communities within my riding and the challenges that they face, the basic challenges of health and hygiene, advancement in education, and a real economy where they can strive ahead and look to the future. We believe this bill does a number of things that will allow first nations to combine their resources and go to the institutions that have the capital that they need to invest properly into their communities.

My hon. colleague mentioned that this came out of the B.C. NDP government. It organized the municipalities to give them greater strength in going to the banking community and allowing them to invest in those projects that they needed to do. It was a good idea and it has been working. It has been proven to work.

I believe that the idea was actually spurned by the Grimean Bank, an experience in the developing world. Small borrowers were able to pool their resources together, in that case

to get microcredit loans, to achieve small projects and realize great benefits for their local communities. We know the repayment schedules were excellent and did very well for those communities.

When the Nisga'a agreement was coming to fruition a number of years ago, I was not involved in politics. The member who was currently representing our riding at the time was Reform, then Alliance, and then Conservative. The fearmongering that went on during that debate, and there were 422 amendments or something that came through in the House, was that if this agreement went through, the economy in the northwest of British Columbia would shut down. There was fear spread that first nations would take over and control the resources, mining would shut down, forestry would no longer exist, and that it would all come tumbling down. The federal government was told that it should not be agreeing to this.

We heard similar rhetoric just recently on the Tlicho debate in the House. Frankly, I was embarrassed as a parliamentarian to hear the views expressed by fellow parliamentarians across the House describing the same scenario again. They were saying that first nations will take over, that this is a terrible idea, and that we should not allow them any progress. This is something that the government finally got agreement on from the local communities, from the major industries in the area, and from the Northwest Territories. Some members said that we should not allow this process to go ahead, that this is a bad thing for this country, and supposedly a bad thing for first nations.

The hypocrisy during that debate and the Nisga'a debate was deplorable. One of the reasons that I decided to enter into politics was the idea to represent my riding with such strong first nations' presence: the Haida, the Haisla, the Tlingit, the Tahltan, and the numbers go on. I wanted to come to the House to challenge those that would say that treaties are not good for first nations, that settling out and understanding how first nations are going to finally be included in the economy and the society of Canada in a meaningful way is not a worthy project.

We have constantly been pushing the government to come to the treaty table with first nations with a needed sense of urgency. To this point there is this open-ended feeling that we can go on and on, and that first nations can wait for these treaties to be settled in a meaningful way.

   (1235)

We are encouraged by this particular piece of legislation because it goes some way to push the government to allow first nations to pool their resources collectively. Recently, we received a letter from a financial institution, a credit union in B.C., which is very supportive of this work, ready to go, and already involved in projects of this nature. These are sometimes basic health care projects or economic projects. This is something that we are working collectively with our first nations brothers and sisters to finally get the issue pushed forward.

It was 15 years ago that we passed a resolution in the House to end child poverty in this country. We have been completely unable to do that. The statistics within the country are deplorable with respect to child poverty. It is a shame upon this House. If we move to the case of first nations, the case becomes much worse. Whatever indicator we look at, the first nations situation in Canada today is so much less, so much poorer than all other Canadians. If there is anything that we can do in the House to improve those conditions, both on and off reserve for first nations across the country, then our party will always be in support of it.

In my riding there is a beautiful example of first nations working together. Seven nations came together to work on a totem pole. From all living memory that we could decipher, there had been no instance of these first nations working together collectively on something as important and significant as the raising of a totem pole.

Through much deliberation and in conjunction with a community college with a non-aboriginal board of directors, they were able to come together, work with the communities, and find a place where they could work on this totem pole. Each group had to decide what it was going to bring to the pole. Some weeks ago they raised it together, pulled on the ropes together with the non-aboriginal community in Terrace, B.C. They raised this magnificent and stunning work which represents how first nations can work together with the non-aboriginal community to achieve something beautiful, historic and monumental.

We can apply that same feeling, that same willingness to work together across the nations with the non-aboriginal community and sincere feeling from government, to achieve even greater things, such as justice within our time, and some sense of pride when we look to the first nations communities and know that Canadians are doing well by our first nations brothers and sisters.

Then we can say to our children that we were involved in a process that finally remedied the abuses and the misconduct of the federal government toward first nations people. That will be a very proud day for us. That is a day that we need to all work toward collectively.

There is one more important concern. As we move toward this, some nations have expressed concern that the federal government will be abdicating some of its responsibility toward first nations, that it will be turning it over to the private sector. We will be looking very strongly throughout the implementation of this piece of legislation to ensure that the federal government maintains its importance. The Haida case and the Tlicho case point clearly to the federal government's role. It must be the one that consults with first nations, that works with true and proper accommodation of first nations' rights and title. That is the role of the federal government. That is the role that we must maintain.

While this is innovative, progressive, and born out of the provincial New Democrats, a place where many progressive, new and innovative things have come, we support it. The

federal government must maintain its place at the table and must increase its sense of urgency to finally and completely settle first nations claims.

   (1240)

 

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Deputy Speaker: I declare the motion carried.

(Motion agreed to, bill read the third time and passed)

* * *