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# Standing Committee on Indigenous and Northern Affairs

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Chair: Mrs. Jenica Atwin





## Standing Committee on Indigenous and Northern Affairs

Monday, May 8, 2023

• (1540)

[*Translation*]

**The Chair (Mrs. Jenica Atwin (Fredericton, Lib.)):** Welcome to meeting number 63 of the Standing Committee on Indigenous and Northern Affairs.

We acknowledge that this meeting is taking place on the unceded territory of the Algonquin and Anishinaabe peoples.

Today's meeting is taking place in a hybrid format, pursuant to the House order of Thursday, June 23, 2022. Members are participating in person, in the room, and remotely using the Zoom application.

The proceedings will be made available via the House of Commons website. Just so that you are aware, the webcast will always show the person speaking rather than the entire committee.

[*English*]

Before speaking, please wait until I recognize you by name.

[*Translation*]

A reminder that all comments by members and witnesses should be addressed through the chair.

[*English*]

When speaking, please speak slowly and clearly. When you're not speaking, your mike should be on mute, particularly those of us online today.

Pursuant to the order of reference of Wednesday, May 3, 2023, we will begin clause-by-clause consideration of Bill C-45, an act to amend the First Nations Fiscal Management Act, to make consequential amendments to other acts, and to make a clarification relating to another act.

I will note that we have witnesses in the room for our reference.

We have with us today, from the Department of Crown-Indigenous Relations and Northern Affairs, Philippe Bertrand, manager; Christopher Duschenes, director general, indigenous institutions and governance modernization; Andrea Dixon, senior policy officer; Karine Tremblay, senior policy analyst; and from the Department of Justice, Andrew Ouchterlony, legal counsel.

Before we begin our clause-by-clause consideration, I do want to mention that there is a possibility of a vote that may interrupt our proceedings. We will suspend at that time. We could be finished at that time, but we will have to wait and see. I will be as clear and as

slow as possible, but we certainly want to be diligent with our time, so I will begin.

I would like to provide members of the committee with some instructions and with a few comments on how the committee will proceed with the clause-by-clause considerations of Bill C-45.

As the name indicates, this is an examination of all the clauses in the order in which they appear in the bill. I will call each clause successively, and each clause is subject to debate and to a vote. If there are amendments to the clause in question, I will recognize the member proposing it, who may explain it. The amendment will then be open for debate. When no further members wish to intervene, the amendment will be voted on. Amendments will be considered in the order in which they appear in the bill and in the package each member received from the clerk. Members should note that new amendments must be submitted in writing to the clerk of the committee. The chair will go slowly to allow all members to follow the proceedings properly.

Amendments have been given an alphanumeric number in the top right corner to indicate which party submitted them. There is no need for a seconder to move an amendment. Once moved, you will need unanimous consent to withdraw it. During debate on an amendment, members are permitted to move subamendments. These subamendments must be submitted in writing. They do not require the approval of the mover of the amendment. Only one subamendment may be considered at a time. That subamendment cannot be amended. When a subamendment is moved to an amendment, it is voted on first. Then, another subamendment may be voted on, or the committee may consider the main amendment and vote on it.

Once every clause has been voted on, the committee will consider and vote on the title and the bill itself. If amendments are adopted, an order to reprint the bill may be required so that the House has a proper copy for use at report stage. Finally, the committee will have to order the chair to report the bill to the House. That report contains only the text of adopted amendments as well as an indication of any deleted clauses.

Are we ready to begin? Okay.

I would like to note for the committee that there are no amendments submitted to clauses 1 to 26. I ask for unanimous consent to group them for a vote.

**Some hon. members:** Agreed.

**The Chair:** Excellent. We'll go to the vote.

(Clauses 1 to 26 inclusive agreed to)

(On clause 27)

• (1545)

**The Chair:** Clause 27 has the G-1 amendment in the package.

Mr. Battiste.

**Mr. Jaime Battiste (Sydney—Victoria, Lib.):** Madam Chair, before I get into my amendments by the government side, I just want to assure the members opposite that we have reached out to the members and the stakeholders—Ernie, Manny, Mr. Calla—and we made sure that we showed these to them and that they were in support of this.

With that said, we want to amend clause 27. I'll read this. It's under government amendment one, G-1.

We want to amend subclause 27(7) of the bill by replacing the term “imposed” in proposed paragraph 53(6)(d) with the term “assumed”, for consistent use of terminology throughout the act. There will be two of those to ensure consistency within the language.

**The Chair:** Thank you, Mr. Battiste.

Is there debate?

Okay. Shall amendment G-1 carry?

(Amendment agreed to)

(Clause 27 as amended agreed to)

(On clause 28)

**The Chair:** On clause 28, I see Mr. Battiste.

**Mr. Jaime Battiste:** Madam Chair, as stated before, with this amendment we are asking to amend clause 28 of the bill by once again replacing the term “imposed”, in proposed paragraph 53.1(8) (d), with the term “assumed”, for consistent use of terminology throughout the act.

**The Chair:** Is there consensus? Shall G-2 carry?

(Amendment agreed to)

(Clause 28 as amended agreed to)

**The Chair:** Moving on to clause 29, I note that there are no amendments submitted for clauses 29 to 40. Do we have unanimous consent to group them for the vote?

**Some hon. members:** Agreed.

(Clauses 29 to 40 inclusive agreed to)

(On clause 41)

**The Chair:** We have G-3 of the amendment package.

Go ahead, Mr. Battiste.

**Mr. Jaime Battiste:** I would like to amend subclause 41(2) of the bill to align the English-language version with the French-language version. We would amend subclause 41(2) of the bill by amending proposed paragraph 86(4)(b) to clarify that the circumstances referred to in the paragraph must be related to a loan secured by local revenues.

**The Chair:** Shall amendment G-3 carry?

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 41 as amended agreed to)

(On clause 43)

**The Chair:** I will now call clause 43 and amendment G-4.

Go ahead, Mr. Battiste.

**Mr. Jaime Battiste:** Madam Chair, the Bloc is going to have to forgive my French on this.

I move that Bill C-45 in clause 43 be amended by replacing, in the French version, line 1 on page 37 with the following:

[*Translation*]

113b)(i), révoquer pour un motif suffisant un conseiller mentionné au para-

[*English*]

Did the interpreters get that, Madam Gill? Was that not so bad?

• (1550)

[*Translation*]

**Mrs. Marilène Gill (Manicouagan, BQ):** Yes.

**The Chair:** Thank you, Mr. Battiste.

[*English*]

Shall G-4 carry?

(Amendment agreed to)

(Clause 43 as amended agreed to)

**The Chair:** Again, I note that there are no amendments submitted for clauses 44 to 51. Do I have unanimous consent to group them for the vote?

**Some hon. members:** Agreed.

(Clauses 44 to 51 inclusive agreed to)

(On clause 52)

**The Chair:** I now call clause 52 with amendment G-5 from the package.

Go ahead, Mr. Battiste.

**Mr. Jaime Battiste:** Okay.

Madam Chair, we would like that Bill C-45, in clause 52, be amended by replacing, in the French version, lines 36 and 37 on page 46 with the following:

[*Translation*]

l'emportent sur les dispositions incompatibles d'un texte législatif sur les recettes locales ou d'un texte législatif pris en vertu du paragraphe 97(1) d'une première nation.

[*English*]

**An hon. member:** Well done.

**Mr. Jaime Battiste:** I practised all day.

**The Chair:** Shall amendment G-5 carry?

(Amendment agreed to)

(Clause 52 as amended agreed to)

(On clause 53)

**The Chair:** I will now call clause 53.

Would a member like to move an amendment?

[*Translation*]

**Mrs. Marilène Gill:** Yes, Madam Chair.

I have an amendment to propose. It's already gone out to the committee members.

I move that Bill C-45, in clause 53, be amended by replacing line 12 on page 47 with the following:

(2) If there is a demand for services in a par-

I will explain. Clause 53 pertains to the availability of services in a particular official language “if there is a significant demand for services” in that language.

Some of the first nations in my riding may not be large enough to represent a significant demand in relation to all of Canada, but they are listed in a schedule and are entitled to receive services in French. That point was made during the study on languages.

The purpose of the motion is to ensure that those communities have access to the same services as others first nations. I want to be sure services are available to them in French, which is their second language, after Innu. I'm proposing the amendment to ensure that they are able to benefit from the provision.

**The Chair:** Thank you, Mrs. Gill.

**The Clerk of the Committee (Ms. Vanessa Davies):** Madam Chair, I sent out the amendment.

[*English*]

**The Chair:** Excellent. Thank you, Madam Clerk.

We will suspend briefly for members to consider the amendment.

• (1550) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1555)

**The Chair:** We will resume proceedings.

Is there debate on the amendment?

**Mr. Jaime Battiste:** Madam Chair, I asked our technicians to consider this and give us their feedback on what they think this impact could be in terms of overall thoughts around official languages. We want to make sure that those first nations and indigenous people in Quebec have access to that service. I just want to make sure that our technicians are okay with taking away the word “significant” and just going with “if there is a demand”. That's the gist of this question we're asking.

If we say “if there is a demand” rather than “if there is a significant demand”, what is the impact in terms of the considerations

around what we should be doing moving forward on this legislation?

**The Chair:** Is there a witness who would like to speak to this?

**Mr. Christopher Duschenes (Director General, Indigenous Institutions and Governance Modernization, Department of Crown-Indigenous Relations and Northern Affairs):** Yes. Thank you very much, Madam Chair.

That is a difficult question to answer because it's highly operational in terms of knowing exactly what those significant requests could be. However, there is a commitment for the provision of services in both languages. From here, yes, to actually know what the repercussions would be at an operational level.... It's very hard to tell.

In the English version, it says, “significant demand”. However, if there is a demand, obviously the institutions will be trying to provide those services in both official languages. It's not us providing the service, so it is rather difficult to answer.

**The Chair:** Thank you.

Is there further discussion?

**Mr. John Aldag (Cloverdale—Langley City, Lib.):** Can we ask for a brief suspension so that we can have a further discussion before we make a decision on this, please?

**The Chair:** Yes.

We will suspend. Thank you.

• (1555) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1555)

**The Chair:** We will resume proceedings.

Is there any further debate or discussion?

**Mr. Jaime Battiste:** Madam Chair, we will support this. There has been some discussion, and the folks in the organizations have let us know that they have several French members and that they can accommodate this. They're confident, so we're happy to support it.

**The Chair:** I will call the question.

Shall the amendment BQ-1 carry?

(Amendment agreed to)

(Clause 53 as amended agreed to)

**The Chair:** Please note that there are no amendments submitted for clauses 54 to 63. Do we have unanimous consent to group them for the vote?

**Some hon. members:** Agreed.

• (1600)

**The Chair:** That's great.

(Clauses 54 to 63 inclusive agreed to)

**The Chair:** That's excellent. Nice work, committee members.

Shall the title carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the bill as amended carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the chair report the bill as amended to the House?

**Some hon. members:** Agreed.

**The Chair:** Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

**Some hon. members:** Agreed.

**The Chair:** That's excellent. So be it.

Unless there is further committee business that I am unaware of, I believe we have reached the time for adjournment.

**An hon. member:** I move to adjourn.

**Some hon. members:** Agreed.

**The Chair:** We will adjourn. Thank you very much.

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