

## MINUTES OF PROCEEDINGS

Meeting No. 27

Wednesday, April 30, 2008

The Standing Committee on Aboriginal Affairs and Northern Development met in a televised session at 3:36 p.m. this day, in Room 237-C, Centre Block, the Chair, Barry Devolin, presiding.

*Members of the Committee present:* Harold Albrecht, Rod Bruinooge, Rob Clarke, Jean Crowder, Barry Devolin, Nancy Karetak-Lindell, Tina Keeper, Marc Lemay, Yvon Lévesque, Hon. Anita Neville, Todd Norman Russell and Chris Warkentin.

*In attendance: Standing Committee on Aboriginal Affairs and Northern Development:* Bonnie Charron, Clerk of the Committee.  
*Library of Parliament:* Mary Hurley, Analyst. *House of Commons:* Christine Lafrance, Legislative Clerk.

*Witnesses: Department of Indian Affairs and Northern Development :* Sylvia Duquette, Executive Director, Specific Claims Reform Initiative. *Department of Justice:* Robert Winogron, Senior Counsel.

Pursuant to the Order of Reference of Monday, December 10, 2007, the Committee resumed consideration of Bill C-30, An Act to establish the Specific Claims Tribunal and to make consequential amendments to other Acts.

The Committee commenced its clause-by-clause study of the Bill.

Pursuant to Standing Order 75(1), consideration of the Preamble and Clause 1 is postponed.

By unanimous consent, Clause 2 was allowed to stand.

By unanimous consent, Clauses 3 to 13 inclusive carried.

On Clause 14,

Anita Neville moved, — That Bill C-30, in Clause 14, be amended by replacing line 26 on page 7 with the following:

“the Crown's provision or non-provision of reserve lands,”

After debate, the question was put on the amendment of Anita Neville and it was agreed to, by a show of hands: YEAS: 7; NAYS: 4.

Clause 14, as amended, carried.

Clause 15 carried.

By unanimous consent, Clauses 16 to 19 inclusive carried.

On Clause 20,

Jean Crowder moved, — That Bill C-30, in Clause 20, be amended by replacing lines 25 and 26 on page 11 with the following:

“this subsection, pay from its own funds compensation in excess of \$150 million, and shall leave any additional amount awarded as a matter to be negotiated by the claimant with the federal government;”

The Chair ruled the proposed amendment inadmissible because it infringed on the financial initiative of the Crown, as provided on page 655 of House of Commons Procedure and Practice.

Jean Crowder moved, — That Bill C-30, in Clause 20, be amended by replacing line 36 on page 12 with the following:

“(3) The Tribunal may deduct from the”

The Chair ruled the proposed amendment inadmissible because it infringed on the financial initiative of the Crown, as provided on page 655 of House of Commons Procedure and Practice.

Jean Crowder moved, — That Bill C-30, in Clause 20, be amended by adding after line 17 on page 13 the following:

“(5.1) The maximum compensation provided for in paragraph (1)(b) applies with respect to each claimant referred to in paragraph (4)(b).”

The Chair ruled the proposed amendment inadmissible because it infringed on the financial initiative of the Crown, as provided on page 655 of House of Commons Procedure and Practice.

Jean Crowder moved, — That Bill C-30, in Clause 20, be amended by adding after line 25 on page 13 the following:

“(7) Notwithstanding anything in this Act, the Tribunal may, as part of its decision, make recommendations on non-monetary matters relating to a specific claim.”

The Chair ruled the proposed amendment inadmissible because it was contrary to the principle of the Bill, as provided on page 654 of House of Commons Procedure and Practice.

Clause 20 carried.

Clause 21 carried.

By unanimous consent, Clauses 22 to 34 inclusive carried.

On Clause 35,

Todd Norman Russell moved, — That Bill [C-30](#), in Clause 35, be amended by replacing line 20 on page 16 with the following:

“substantially the same grounds on which the”

The Chair ruled the proposed amendment inadmissible because it infringed on the financial initiative of the Crown, as provided on page 655 of House of Commons Procedure and Practice.

Clause 35 carried.

By unanimous consent, Clauses 36 to 40 inclusive carried.

On Clause 41,

Jean Crowder moved, — That Bill [C-30](#), in Clause 41, be amended by replacing line 19 on page 18 with the following:

“the Minister recommends and the representations which have been made by First Nations.”

After debate, the question was put on the amendment of Jean Crowder and it was agreed to, by a show of hands: YEAS: 7; NAYS: 4.

Clause 41, as amended, carried.

On Clause 42,

Jean Crowder moved, — That Bill [C-30](#), in Clause 42, be amended by deleting lines 23 to 29 on page 19.

After debate, the question was put on the amendment of Jean Crowder and it was negatived, by a show of hands: YEAS: 1; NAYS: 10.

By unanimous consent, Clauses 42 to 53 inclusive carried.

By unanimous consent, the Committee reverted to Clause 2 previously stood.

Clause 2 carried.

Schedule 1 carried.

The Short Title carried.

On Preamble,

Marc Lemay moved, — That Bill [C-30](#), in the preamble, be amended by adding after line 21 on page 1 the following:

“this Act results from a political agreement between the Minister of Indian Affairs and Northern Development and the National Chief of the Assembly of First Nations, and the implementation of this Act must therefore respect the principles set out in that agreement;”

The Chair ruled the proposed amendment inadmissible because it proposed a substantive amendment to the Bill by way of a modification to the interpretation clause, as provided on page 656 of House of Commons Procedure and Practice.

The Preamble carried.

The Title carried.

The Bill, as amended, carried.

ORDERED, — That the Chair report the Bill, as amended, to the House.

ORDERED, — That Bill C-30, as amended, be reprinted for the use of the House at report stage.

At 5:00 p.m., the Committee adjourned to the call of the Chair.

Graeme Truelove  
Committee Clerk

2008/05/01 4:28 p.m.

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