



FOR IMMEDIATE RELEASE

October 7, 2020

Assembly of Manitoba Chiefs Respond to the Speech from the Throne

Treaty One Territory, Winnipeg, MB – The Assembly of Manitoba Chiefs (AMC) is issuing this statement in response to Manitoba’s Speech from the Throne, which was shared in Winnipeg today.

QUOTES

“Today’s Throne Speech displays a lack of desire by the Pallister Government to build a meaningful working relationship with Manitoba First Nations in a number of areas that are important to the original people of this land,” said AMC Grand Chief Arlen Dumas. “First Nations were not mentioned once in this Speech and upon initial review, I do not see many concrete actions or developments that lead to positive outcomes for First Nations in Manitoba.”

“I am also very concerned by the proposed ‘blockades’ legislation mentioned in the Throne Speech, which is intended to counter the righteous national actions of First Nations earlier this year, including here in Manitoba, in response to the unjust enforcement of the Coastal Gas Link injunction by the RCMP on Wet’suwet’en traditional territory. If this proposed legislation is passed, First Nations in Manitoba will not tolerate this attack on our civil liberties,” said Dumas.

STATEMENT FROM ASSEMBLY OF MANITOBA CHIEFS ON THE SPEECH FROM THE THRONE:

The Assembly of Manitoba Chiefs is disappointed with today’s Throne Speech delivered by the Lieutenant-Governor of Manitoba and prepared by the Pallister Government. It’s general narrative with little details does not include any substantive goals or actions that involve Manitoba First Nations.

Regarding Manitoba’s actions, the Assembly of Manitoba Chiefs is extremely concerned with the Government of Manitoba’s attempt to fast track legislation that seeks to end the hydro rate exemption for First Nations, and exempts the province of Manitoba from any liability as it continues to take Children’s Special Allowance from First Nations children.

The AMC learned that the Government of Manitoba intended to enact Bill 44: The Public Utilities Ratepayer Protection and Regulatory Reform Act and proceed to second reading of Bill 34: The Budget Implementation and Tax Statutes Amendment Act 2020 in today’s emergency sitting which was meant to respond to COVID-19. Given the lack of unanimous consent, Bill 44 was not addressed in the Legislative Assembly and to our knowledge, Bill 34 was not addressed.

Bills 44 and 34 are not emergency legislation. It is wholly inappropriate for them to be included as part of the Government's so-called response to the COVID-19 pandemic. **There has been no consultation with First Nations about these bills which directly affect First Nations people in Manitoba.** They should be withdrawn and avoid expediting them through processes under the guise of "emergency measures" simply to further political agendas.

Bill 44 should be withdrawn and not be expedited

Bill 44 directly denies Manitobans the protection of the independent Public Utilities Board's (PUB) oversight of the Crown Corporation Manitoba Hydro's rate increases by giving the provincial Cabinet the authority to approve hydro rates for the next four years, by substantially reducing hearings from annual intervals to five-year intervals, and by stripping the PUB of its authority to review capital targets for rate approval purposes.

In 2018, the PUB created a new customer class for First Nations on-reserve customers. The PUB found that it would be unjust and unreasonable to order a rate increase for First Nations on-reserve customers and exempted these customers from a Hydro rate increase of 3.6%. Bill 44 prohibits the PUB from approving or varying rates for different customers or classes of customers based on affordability or other socio-economic factors. It is unclear what effect this bill will have on the PUB's First Nations on-reserve customer class and we are very concerned that this bill may increase First Nations on-reserve customers Hydro rates during this pandemic, where jobs have been lost and lives are at stake.

The provincial government is pushing this legislation forward without public consultation under the guise of emergency measures, instead of focusing on ensuring the health and safety of all Manitobans.

Accordingly, the AMC calls on the government of Manitoba to withdraw Bill 44 and avoid expediting the Bill as part of its response to COVID-19. As well, this letter serves as a request under s. 12(1)(i)(i.1) of The Emergency Measures Act for an exemption from Manitoba Hydro rates for service for First Nations in Manitoba, including individual citizens, First Nations and their entities, and businesses, during the state of emergency in Manitoba.

Division 8 of Bill 34 should be withdrawn and not be expedited

Bill 34 is an omnibus budget bill which includes changes to the funding for child and family services under Division 8. Specifically, Bill 34 justifies the practice of clawing back funding for First Nations children in care from 2005-2019 by the Government of Manitoba and immunizes the Provincial government from legal actions in this regard. Children's Special Allowances (CSA) is a monthly payment by the federal government that is supposed to be used by agencies to support the care of First Nations children through education, training and recreational activities.

Bill 34 tries to continue the province of Manitoba's unilateral and ill-conceived "child welfare reform" and block funding. It does this by continuing to put provincially-mandated First Nations Child and Family Service Agencies and Authorities in a compromised position. Block funding has resulted in less resources for CFS Agencies. As a direct result of underfunding caused by block funding, the province is now forcing Agencies and Authorities to use resources meant for First Nations children through the taking of CSA from those very same children to fund their activities and administration.

Article 31(2) of the Convention on the Rights of the Child states that parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity. Bill 34 is contrary to article 31(2) of this Convention.

Recently, Manitoba Minister of Families, Heather Stefanson, was reported saying that CFS agencies and authorities began retaining the CSA as of April 2019. However, the province of Manitoba has failed to show that children who are aging out of care receive their CSA to assist with their transition to independent living. In fact, the AMC, through the First Nations Family Advocate Office (FNFAO), continues to witness children who are turning 18 years of age being dropped off at the Salvation Army without any proper supports from the CFS agencies or authorities. Over the years, the FNFAO assisted a number of children that aged out of care and reunified dozens of children, in which, they have never received any of their CSA that were accumulated in the last year.

In closing, the AMC calls on the Government to withdraw Bill 44 and Division 8 of Bill 34. Now, more than ever during the time of a pandemic, First Nations should not have to be distracted with legislative initiatives that disrespect First Nations inherent jurisdiction and Treaty rights.

-30-

AMC Media Contact:

Stacia Franz,

sfranz@manitobachiefs.com

204-292-1504

About the Assembly of Manitoba Chiefs

The AMC was formed in 1988 by the Chiefs in Manitoba to advocate on issues that commonly affect First Nations in Manitoba. AMC is an authorized representative of 62 of the 63 First Nations in Manitoba with a total of more than 151,000 First Nation citizens in the province, accounting for approximately 12 percent of the provincial population. AMC represents a diversity of Anishinaabe (Ojibway), Nehetho / Inineu (Cree), Anishinew (Ojibwe-Cree), Denesuline (Dene) and Dakota Oyate (Dakota) people.