NATIONAL ASSEMBLY

FIRST SESSION FORTY-FIRST LEGISLATURE

Bill 83

An Act to amend various municipal-related legislative provisions concerning such matters as political financing

Introduction

Introduced by
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EXPLANATORY NOTES

This bill makes various amendments concerning municipal affairs.

Municipalities are allowed to require applicants to pay a financial contribution for the issue of certain permits or certificates.

Changes are proposed relating to audits in municipalities. In particular, the bill requires local municipalities with a population of 100,000 or more to establish an audit committee composed of council members and independent members, and prescribes special audit rules applicable to the central municipalities of urban agglomerations.

Amendments are made to the Act respecting elections and referendums in municipalities concerning electoral proceedings. Provision is expressly made for polling stations to be accessible to handicapped persons on polling day, while provisions about partisan activity by public servants and municipal employees are revised, and eligibility for a position as council member is clarified.

Amendments are also made to that Act with regard to political financing. Supplemental public financing rules in municipalities with a population of 20,000 or more are introduced to ensure payment of amounts to authorized parties and independent candidates on the basis of the amounts they receive as contributions. The obligation to include an appropriation to provide for payment of an allowance as reimbursement for expenses incurred for the day-to-day administration of every authorized party is extended to cover such municipalities, and the minimum amount of the appropriation is increased. The total amount of contributions that may be paid by the same elector in the same fiscal year is decreased from $300 to $100, and payment of another maximum contribution of $100 is provided for during a general election or a by-election. Furthermore, the election expenses reimbursement rate is decreased, and an advance equal to half of the expenses and the supplemental public financing is to be paid by the municipality on the filing of a return. Lastly, certain other financing rules are revised, in particular as regards cash contributions and the electoral debt reimbursement period for authorized independent candidates.

Measures relating to the reimbursement of councillors' research and support expenses are amended to, among other things, make them applicable to municipalities with a population of 20,000 or more and establish, on the basis of the population of the municipalities concerned, the maximum reimbursement to which councillors are entitled annually.

Intermunicipal boards of transport and municipalities organizing a public transit service are from now on subject to the rules for awarding contracts applicable to municipal bodies.

The Act respecting municipal taxation is amended to increase, for certain fiscal years, the percentages of compensation standing in lieu of taxes paid to the municipalities by the Government for immovables in the elementary or secondary education network and in the higher education and health and social services networks.

The obligation for municipalities and certain municipal bodies to send their budget to the Minister of Municipal Affairs and Land Occupancy is struck out, and provision is made for certain rules applicable in the execution of a judgment rendered in favour of a municipality.

The urban agglomeration of Îles-de-la-Madeleine is designated as "Communauté maritime des Îles-de-la-Madeleine".

The Act respecting the Société d'habitation du Québec is amended to allow the Government to constitute a regional housing bureau in the territory of any regional county municipality it designates or a municipal housing bureau resulting from the amalgamation of existing municipal bureaus. Measures are also provided concerning the destination and use of the contributions required from bodies receiving financial assistance under certain housing programs, and provision is made for the Société d'habitation du Québec to designate, in certain cases, a person to manage major repair or improvement work to low-rental housing immovables.

Lastly, the bill contains various technical and transitional provisions.

LEGISLATION AMENDED BY THIS BILL:

– Act respecting land use planning and development (chapter A-19.1);

– Cities and Towns Act (chapter C-19);

– Municipal Code of Québec (chapter C-27.1);

– Act respecting the Communauté métropolitaine de Montréal (chapter C-37.1);

– Act respecting the Communauté métropolitaine de Québec (chapter C-37.2);

– Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1);

– Act respecting elections and referendums in municipalities (chapter E-2.2);

– Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001);

– Taxation Act (chapter I-3);

– Act respecting the Société d'habitation du Québec (chapter S-8);

– Act respecting public transit authorities (chapter S-30.01);

– Act respecting the remuneration of elected municipal officers (chapter T-11.001);

– Transport Act (chapter T-12).

Bill 83

AN ACT TO AMEND VARIOUS MUNICIPAL-RELATED LEGISLATIVE PROVISIONS CONCERNING SUCH MATTERS AS POLITICAL FINANCING

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

1. The heading of Division IX of Chapter IV of Title I of the Act respecting land use planning and development (chapter A-19.1) is replaced by the following heading:

"CERTAIN CONTRIBUTIONS TO MUNICIPAL WORKS AND SERVICES".

2. Section 145.21 of the Act is replaced by the following section:

"**145.21.** The council of a municipality may, by by-law, subordinate the issue of a building or subdivision permit or of a certificate of authorization or occupancy to

(1) the making of an agreement between the applicant and the municipality on the carrying out of work relating to municipal infrastructures or equipment and on the payment or sharing of the expenditures incurred in respect of such work;

(2) the payment by the applicant of a contribution to finance all or part of an expense related to any addition to or enlargement or improvement of municipal infrastructures or equipment required to ensure the increased provision of municipal services necessary as a result of the intervention authorized under the permit or certificate.

The municipal equipment referred to in subparagraph 2 of the first paragraph does not include rolling stock with an expected useful life of less than seven years or computer systems.

The requirement to pay a contribution under subparagraph 2 of the first paragraph is not applicable to a public body within the meaning of the first paragraph of section 3 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1)."

3. Section 145.22 of the Act is amended

(1) by inserting “or to the payment of a contribution” after “agreement” in subparagraph 2 of the first paragraph;

(2) by adding the following subparagraphs after subparagraph 5 of the first paragraph:

“(6) where applicable, any infrastructure or equipment for which an addition, enlargement or improvement is planned or any class of such infrastructure or equipment that may be financed in whole or in part by the payment of a contribution, and specify, where applicable, that the contribution may be used to finance infrastructures or equipment destined, regardless of location, to serve not only immovables to which the permit or certificate applies, including their occupants and users, but also other immovables in the territory of the municipality, including their occupants and users;

“(7) the rules, where applicable, for setting the amount of the contribution that the applicant must pay according to the classes of structure, land, work, infrastructure or equipment specified in the by-law.”;

(3) by adding the following paragraphs at the end:

“If the payment of a contribution is required under subparagraph 2 of the first paragraph of section 145.21, the by-law must provide for the creation of a fund intended exclusively to receive the contribution and to be used for the purposes for which the contribution is required.

For the purposes of subparagraphs 6 and 7 of the first paragraph, the municipality must establish an estimate of any addition, enlargement or improvement to be financed in whole or in part by means of a contribution, which estimate may pertain to a class of infrastructure or equipment. The amount of the contribution, set in accordance with the rules referred to in subparagraph 7 of the first paragraph, must be based on that estimate.”

4. Section 145.29 of the Act is amended by replacing “or 5” by “, 5 or 7”.

5. Section 145.30 of the Act is amended by inserting “or the payment of a contribution” after “agreement” in the first paragraph.

CITIES AND TOWNS ACT

6. Section 52 of the Cities and Towns Act (chapter C-19) is amended

(1) by inserting “except the chief auditor” after “employees of the municipality” in the first paragraph;

(2) by inserting “except the chief auditor” after “employee of the municipality” in the second paragraph.

7. Section 105.1 of the Act is amended by striking out ", the chief auditor's report transmitted under section 107.14" in the first paragraph.

8. The Act is amended by inserting the following heading before section 107.1:

"(*a*) *Appointment*".

9. Section 107.2 of the Act is amended by replacing "seven" by "10".

10. The Act is amended by inserting the following heading after section 107.4:

"(*b*) *Operating expenses*".

11. Section 107.5 of the Act is amended

(1) by replacing "Subject to the third paragraph," in the second paragraph by "Subject to the third, fourth and fifth paragraphs,";

(2) by adding the following paragraphs at the end:

"If, for a fiscal year, the total of the appropriations provided for in the budget for operating expenses gives rise to the application of the subparagraph of the second paragraph that follows the one that applied for the preceding fiscal year, the amount of the appropriation provided for in the first paragraph may not, despite the application of that subparagraph, be less than the amount of the appropriation for the preceding fiscal year.

Furthermore, the appropriation provided for in the first paragraph may never be less than $400,000."

12. The Act is amended by inserting the following heading after section 107.5:

"(*c*) *Mandate*".

13. Section 107.8 of the Act is amended by replacing the second and third paragraphs by the following paragraphs:

"Furthermore, in a central municipality of an urban agglomeration, the audit for the fiscal year in which a general election is held must also cover the three preceding years as regards the following elements:

(1) the determination of expenditures incurred in the exercise of urban agglomeration powers and mixed expenditures;

(2) the compliance of the apportionment of mixed expenditures with the by-law passed under section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001);

(3) the compliance of the establishment, as the case may be, of the aliquot shares required from related municipalities or of the taxes imposed on the taxpayers of such municipalities;

(4) the analysis of the administrative practices implemented by the central municipality to comply with the laws applicable to the urban agglomeration and the by-laws and policies of the central municipality.

Lastly, the audit of the affairs and accounts of the central municipality of an urban agglomeration must cover, if the audit committee requires it under subparagraph 3 of the first paragraph of section 107.20, the elements that are so required among those described in the second paragraph."

14. The Act is amended by inserting the following sections after section 107.8:

"**107.8.1.** The audit must not call into question the merits of the policies and objectives of the municipality or of the legal persons described in paragraph 2 of section 107.7.

"**107.8.2.** The chief auditor, in the performance of the chief auditor's duties, is authorized

(1) to examine any document concerning the affairs and accounts relating to the objects of the audit;

(2) to require from any employee of the municipality or any legal person described in paragraph 2 of section 107.7 all the information, reports and explanations the chief auditor considers necessary."

15. Section 107.12 of the Act is amended by adding the following paragraph at the end:

"If an audit committee has been established, a request under the first paragraph may be made only by the latter if it concerns an element referred to in the first paragraph of section 107.20."

16. The Act is amended by inserting the following heading after section 107.12:

"(*d*) *Report*".

17. The Act is amended by inserting the following section after section 107.13:

"**107.13.1.** Despite section 107.13, the chief auditor's report on the elements prescribed in the second paragraph of section 107.8 must be transmitted to the urban agglomeration council, the councils of the reconstituted municipalities and the Commission municipale du Québec not later than 30 June of the year following the year of the general election.

The chief auditor's report on the elements prescribed in the third paragraph of section 107.8 must be transmitted to the audit committee on the date fixed by the committee. The committee shall transmit a copy to the urban agglomeration council, the councils of the reconstituted municipalities and the Commission municipale du Québec."

18. Sections 107.14 and 107.15 of the Act are repealed.

19. The Act is amended by inserting the following heading after section 107.15:

"(*e*) *Protection*".

20. The Act is amended by inserting the following headings after section 107.16:

"IV.2. — *Audit committee*

"(*a*) *Provisions applicable to municipalities other than Ville de Longueuil, Ville de Montréal and Ville de Québec*".

21. Section 107.17 of the Act is replaced by the following section:

"**107.17.** The council of a municipality with a population of 100,000 or more, other than Ville de Longueuil, Ville de Montréal or Ville de Québec, must establish an audit committee composed of not more than seven members.

Not more than five committee members must be chosen from among the members of the council, other than the mayor or the members of the executive committee.

Two members of the committee must qualify as independent members.

Members qualify as independent if they are not council members and have no direct or indirect relation or interest, in particular of a financial, commercial, professional or philanthropic nature, likely to interfere with the quality of their decisions as regards the interests of the municipality.

Members are deemed not to be independent if they are or have been employees of the municipality or of a legal person described in paragraph 2 of section 107.7 in the three years before the date of their appointment.

Furthermore, one of the independent members must be able to understand a set of financial statements that present a breadth and level of complexity of accounting issues that are generally comparable to the breadth and level of complexity of the issues that can reasonably be expected to be raised by the municipality's financial statements. The other independent member must be chosen from among a pool of people who, in light of their expertise, are likely to enhance the competence and efficiency of the audit committee."

22. The Act is amended by inserting the following after section 107.17:

"(*b*) *Provisions applicable to Ville de Longueuil, Ville de Montréal and Ville de Québec*

"**107.18.** The urban agglomeration council of Longueuil and that of Québec must each establish an audit committee composed of not more than seven members.

Not more than three committee members must be chosen from among the urban agglomeration council members who are also members of the central municipality's council, other than the mayor or the members of the executive committee. The resolution appointing those members is to be adopted, on the mayor's recommendation, by a favourable vote that includes that of at least two thirds of the members of the urban agglomeration council who are also members of the central municipality's council.

Two members of the committee are chosen by the mayors of the reconstituted municipalities from among the members of the urban agglomeration council.

Two members of the committee must qualify as independent members, in accordance with the fourth and fifth paragraphs of section 107.17, and meet the conditions set out in the sixth paragraph of that section. The resolution appointing the members is to be unanimously adopted, on the recommendation of the mayor of the central municipality, by the members of the urban agglomeration council.

"**107.19.** The urban agglomeration council of Montréal must establish an audit committee composed of not more than nine members.

Not more than four committee members must be chosen from among the urban agglomeration council members who are also members of the central municipality's council, other than the mayor or the members of the executive committee. The resolution appointing the members is to be adopted, on the mayor's recommendation, by a favourable vote that includes that of at least two thirds of the members of the urban agglomeration council who are also members of the central municipality's council.

Three members of the committee are chosen by the mayors of the reconstituted municipalities from among the members of the urban agglomeration council.

Two members of the committee must qualify as independent members, in accordance with the fourth and fifth paragraphs of section 107.17, and meet the conditions set out in the sixth paragraph of that section. The resolution appointing the members is to be unanimously adopted, on the recommendation of the mayor of the central municipality, by the members of the urban agglomeration council.

"(*c*) *Mandate of the audit committee*

"**107.20.** The audit committee has the exclusive mandate

(1) to require, if the committee deems it advisable, that an audit for compliance of the chief auditor's operations with the Acts, regulations, policies and directives or an audit for value-for-money of the chief auditor's resources be conducted by a person the committee chooses but who may not be one of those described in section 108.5 or the external auditor of the municipality;

(2) to require, if the committee deems it advisable, that the chief auditor conduct a value-for-money audit of the chief auditor's resources;

(3) to require, if the committee deems it advisable, that the audit of the accounts and affairs of the central municipality cover the elements prescribed in the second paragraph of section 107.8. In addition, the audit committee may require any information it considers relevant and significant with regard to those elements;

(4) to recommend measures that the central municipality should implement following the chief auditor's report on the elements prescribed in the second paragraph of section 107.8 and the terms and conditions for applying those measures.

The urban agglomeration council or the council of the central municipality may assign any other mandate it deems advisable to the audit committee.

Furthermore, the audit committees of Ville de Longueuil, Ville de Montréal or Ville de Québec shall submit opinions to the urban agglomeration council on the chief auditor's requests, findings and recommendations concerning the urban agglomeration. They shall also inform the chief auditor of the urban agglomeration council's interests and concerns with respect to the audit of the accounts and affairs of the central municipality. On an invitation by the committee, the chief auditor or the person designated by the chief auditor may attend a sitting and take part in deliberations.

The committee is authorized to enter alone into the contract referred to in subparagraph 1 of the first paragraph, in a manner consistent with the rules and standards applicable to the municipality.

"**107.21.** The person chosen under subparagraph 1 of the first paragraph of section 107.20 shall have access to the chief auditor's books, accounts, securities, documents and vouchers and may require the chief auditor to provide any information and explanations necessary for the performance of the person's mandate. The report made following the audit must include the chief auditor's comments on the audit. The report is submitted to the audit committee, which decides on any follow-up.

"(*d*) *Operation of the audit committee*

"**107.22.** A quorum of the audit committee is the majority of its members and must include at least one member chosen from among the members of the council of the municipality and one independent member.

A quorum of the audit committee of Ville de Longueuil, Ville de Montréal and Ville de Québec is the majority of its members and must include at least one member chosen from among the members of the council of the central municipality, one member chosen by the mayors of the reconstituted municipalities and one independent member.

"**107.23.** The audit committee shall sit publicly or in private.

However, the audit committee shall sit in private to consider questions related to the audit of the chief auditor's accounts and affairs.

"**107.24.** The decisions of the audit committee of Ville de Longueuil and of the audit committee of Ville de Québec relating to matters that concern the related municipalities as a whole are made if four or more votes are in favour. The same decisions of the audit committee of Ville de Montréal are made if five votes or more are in favour.

"**107.25.** Audit committee members chosen by the mayors of the reconstituted municipalities are authorized to deliberate and vote only on questions relating to matters that concern the related municipalities as a whole.

"**107.26.** When a vote is held on a question relating to matters that concern the related municipalities as a whole, votes are apportioned as follows:

(1) the committee members chosen from among the members of the council of the central municipality have three votes, regardless of how many are present at the time of voting, except in the case of the audit committee of Ville de Montréal, where those members have four votes;

(2) the members chosen by the mayors of the reconstituted municipalities have two votes, regardless of how many are present at the time of voting, except in the case of the audit committee of Ville de Montréal, where those members have three votes;

(3) the independent members have two votes, regardless of how many are present at the time of voting.

Accordingly, if only one of the members mentioned in the first paragraph is present at the time of voting, that member has all the votes assigned to the members of the same class. If more than one of the members of that class are present, they share all the votes equally.

"**107.27.** The audit committee shall establish its operating rules other than those prescribed by law.

A decision made under the first paragraph is deemed to be a matter that concerns the related municipalities as a whole.

"(*e*) *Other provisions*

"**107.28.** The budget of the municipality must include an appropriation of $25,000 to provide for payment of a sum to the audit committee to cover the expenses relating to the performance of the committee's mandate.

The appropriation must be at least 25% of the minimum appropriation that should be paid to the chief auditor under section 107.5 and not more than $150,000.

The second paragraph does not apply if the minimum appropriation that should be paid to the chief auditor under section 107.5 is at least $1,000,000. The audit committee's appropriation is then at least $175,000.

"**107.29.** Every central municipality of an urban agglomeration with a population of less than 100,000 may be made subject, in accordance with section 107.30, to the obligation to establish an audit committee that complies with section 107.18.

Subparagraphs 3 and 4 of the first paragraph of section 107.20 and sections 107.22 to 107.24, 107.26 and 107.27 apply to the municipality subject to the obligation referred to in the first paragraph, with the necessary modifications.

However, the audit committee may include only one member chosen by the mayors of the reconstituted municipalities and one independent member.

The audit referred to in subparagraph 3 of the first paragraph of section 107.20 must be conducted by a person who is not one of those described in section 108.5 or the external auditor of the municipality.

"**107.30.** The decision to make the central municipality subject to the obligation under section 107.29 is made by a resolution adopted, on the mayor's recommendation, by two thirds of the members of the council of each of the related municipalities. When all the related municipalities have adopted such a resolution, the central municipality is subject to the obligation.

The decision to repeal an obligation or to amend its terms is made in the same manner as the decision to make a municipality subject to the obligation."

23. Section 108 of the Act is amended by striking out the second paragraph.

24. Section 116.1 of the Act is amended by adding the following paragraph at the end:

"When making such an appointment, the Minister may, if no remuneration is fixed for the position in question or if the Minister considers the remuneration fixed to be inappropriate, fix remuneration the Minister considers appropriate. The municipality is then required to pay that remuneration."

25. Section 468.36.1 of the Act is replaced by the following section:

"**468.36.1.** The budget and the supplementary budget of a management board referred to in section 48.37 or 48.42 of the Transport Act (chapter T-12) must be transmitted to the Minister of Transport within 30 days of their adoption by not less than two thirds of the municipalities in whose territories the management board has jurisdiction. The Minister may order that the budgets be transmitted by means of a form provided by the Minister for that purpose.

On sufficient proof that it is in fact impossible for the management board to draw up or transmit its budget or supplementary budget within the prescribed time, the Minister may grant any extension of time the Minister fixes."

26. Section 474 of the Act is amended

(1) by adding "and transmitted to the Minister within 60 days of the municipality adopting the budget" at the end of the second paragraph of subsection 2;

(2) by striking out the first two paragraphs of subsection 3;

(3) by striking out the last sentence of the fourth paragraph of subsection 3.

27. Sections 474.0.1 to 474.0.5 of the Act are repealed.

28. Section 474.3.1 of the Act is amended by striking out the second paragraph.

29. The Act is amended by inserting the following after section 510:

"V.1. — *Execution of a judgment rendered in favour of the municipality*

"**510.1.** The execution of a judgment rendered following an action brought under section 509 or any other judgment rendered in the municipality's favour is to proceed in accordance with the rules of Book VIII of the Code of Civil Procedure (chapter C-25.01), subject to the following rules:

(1) the municipality may make an agreement with the debtor to spread the payment of the amount owed in instalments over the period the municipality determines;

(2) the municipality is responsible for the collection of the amount owed and acts as seizing creditor; the municipality prepares the notice of execution and files it with the court office; the notice is valid only for the execution of a judgment rendered in the municipality's favour and does not prevent the filing of a notice of execution for the execution of another judgment;

(3) the municipality proceeds with the seizure of a sum of money or of income in the hands of a third person in the same manner as a bailiff, but entrusts the administration of subsequent steps, including the receipt and distribution of the sum or income, to the clerk of the court seized; the municipality serves the notice of execution on the defendant and the garnishee, but is not required to inform the defendant's creditors or deal with their claims, or to join in a seizure in the hands of a third person already undertaken by a bailiff in another case if the seizure to be made by the municipality is for other sums or income than the sums or income specified in the notice of execution filed by the bailiff;

(4) the municipality is required to hire the services of a bailiff for the seizure of movable or immovable property, to give the bailiff instructions and to amend the notice of execution accordingly; in such a case, if a notice for the execution of a judgment was filed by a bailiff in another case prior to the municipality's request, the bailiff hired by the municipality joins in the seizure already under way.

The municipality is not required to pay an advance to cover execution-related costs."

MUNICIPAL CODE OF QUÉBEC

30. Article 605.1 of the Municipal Code of Québec (chapter C-27.1) is replaced by the following article:

"**605.1.** The budget and the supplementary budget of a management board referred to in section 48.37 or 48.42 of the Transport Act (chapter T-12) must be transmitted to the Minister of Transport within 30 days of their adoption by not less than two thirds of the municipalities in whose territories the management board has jurisdiction. The Minister may order that the budgets be transmitted by means of a form provided by the Minister for that purpose.

On sufficient proof that it is in fact impossible for the management board to draw up or transmit its budget or supplementary budget within the prescribed time, the Minister may grant any extension of time the Minister fixes."

31. Article 954 of the Code is amended

(1) by adding "and transmitted to the Minister within 60 days of the municipality adopting the budget" at the end of the second paragraph of subsection 2;

(2) by striking out the first two paragraphs of subsection 3;

(3) by striking out the last sentence of the fourth paragraph of subsection 3.

32. Article 966 of the Code is amended by striking out the second paragraph.

33. The Code is amended by inserting the following after article 1021:

"**DIVISION IV**

"EXECUTION OF A JUDGMENT RENDERED IN FAVOUR OF THE MUNICIPALITY

"**1021.1.** The execution of a judgment rendered following an action instituted under article 1019 or any other judgment rendered in the municipality's favour is to proceed in accordance with the rules of Book VIII of the Code of Civil Procedure (chapter C-25.01), subject to the following rules:

(1) the municipality may make an agreement with the debtor to spread the payment of the amount owed in instalments over the period the municipality determines;

(2) the municipality is responsible for the collection of the amount owed and acts as seizing creditor; the municipality prepares the notice of execution and files it with the court office; the notice is valid only for the execution of a judgment rendered in the municipality's favour and does not prevent the filing of a notice of execution for the execution of another judgment;

(3) the municipality proceeds with the seizure of a sum of money or of income in the hands of a third person in the same manner as a bailiff, but entrusts the administration of subsequent steps, including the receipt and distribution of the sum or income, to the clerk of the court seized; the municipality serves the notice of execution on the defendant and the garnishee, but is not required to inform the defendant's creditors or deal with their claims, or to join in a seizure in the hands of a third person already undertaken by a bailiff in another case if the seizure to be made by the municipality is for other sums or income than the sums or income specified in the notice of execution filed by the bailiff;

(4) the municipality is required to hire the services of a bailiff for the seizure of movable or immovable property, to give the bailiff instructions and to amend the notice of execution accordingly; in such a case, if a notice for the execution of a judgment was filed by a bailiff in another case prior to the municipality's request, the bailiff hired by the municipality joins in the seizure already under way.

The municipality is not required to pay an advance to cover execution-related costs."

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

34. Section 167 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by striking out the tenth and eleventh paragraphs.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC

35. Section 158 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended by striking out the tenth and eleventh paragraphs.

ACT RESPECTING INTERMUNICIPAL BOARDS OF TRANSPORT IN THE AREA OF MONTRÉAL

36. Section 4 of the Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1) is amended

(1) by striking out the first paragraph;

(2) by inserting "referred to in section 3" after "contract" in the second paragraph.

37. Section 10 of the Act is amended by adding the following paragraph at the end:

"Sections 92.1 to 108.2 of the Act respecting public transit authorities (chapter S-30.01) apply to a board, with the necessary modifications, and the board is deemed to be a public transit authority for the purposes of the regulations made under sections 100 and 103.1 of the Act."

38. Sections 12.1 to 12.3 of the Act are repealed.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

39. Section 61 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by replacing "12" by "the last 12".

40. Section 86 of the Act is replaced by the following section:

"**86.** An election officer may not engage in partisan activity on the days on which the officer is to perform his or her duties."

41. Section 188 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: "It must also be accessible to handicapped persons.";

(2) by adding the following paragraph at the end:

"In addition, if unable to establish a polling station in a place accessible to handicapped persons, the returning officer shall inform the council of that fact at the first sitting after polling day by filing a document stating the reasons for the decision to establish it elsewhere than in such a place and showing that the returning officer had no other options."

42. The heading of Division II of Chapter VII of Title I of the Act is amended by replacing "PARTISAN WORK" by "PARTISAN ACTIVITY".

43. Section 284 of the Act is replaced by the following section:

"**284.** For the sake of maintaining public trust in municipal election proceedings and ensuring respect for the principles of loyalty and political neutrality, an officer or employee of a municipality or of a mandatary body of a municipality referred to in paragraph 1 or 2 of section 307 may engage in partisan activity in connection with an election to an office on the council of the municipality only if the activity is not likely to interfere with the officer's or employee's ability to perform his or her duties loyally and impartially.

Despite the first paragraph, the following persons may not engage in any such activity:

(1) the director general and the assistant director general;

(2) the secretary-treasurer and the deputy secretary-treasurer;

(3) the treasurer and the deputy treasurer;

(4) the clerk and the deputy clerk;

(5) the chief auditor;

(6) the inspector general of Ville de Montréal;

(7) the officer or employee having the highest authority within a mandatary body of a municipality referred to in paragraph 1 or 2 of section 307."

44. Section 285 of the Act is amended by replacing "work" by "activity" in the first paragraph.

45. Section 402 of the Act is amended by replacing "the calendar year" in the first paragraph by "the second calendar year".

46. Section 431 of the Act is replaced by the following section:

"**431.** The total amount of contributions, other than a contribution described in section 499.7, by the same elector for the same fiscal year may not exceed $100 to each of the authorized parties and independent candidates.

During a fiscal year in which a general election or a by-election is held, an elector may also make contributions the total of which may not exceed $100 to each of the authorized parties and independent candidates. In the case of a by-election, such contributions exceeding the maximum prescribed in the first paragraph may however only be paid as of the date on which notice of the vacancy is given up to the 30th day after polling day.

In addition to the contributions described in the first and second paragraphs, a candidate of an authorized party or an authorized independent candidate may, after the nomination papers have been accepted, make contributions for the candidate's own benefit or that of the party for which the candidate is running, the total of which may not exceed $800."

47. Section 436 of the Act is amended

(1) by replacing "$100 or more" in the first paragraph by "more than $50";

(2) by striking out "or a transfer of funds to an account held by the official representative of the authorized party or independent candidate for which or whom the contribution is intended" in the second paragraph.

48. Section 440 of the Act is amended

(1) by adding "and the official representative shall immediately inform the treasurer and the Chief Electoral Officer" at the end of the first paragraph;

(2) by replacing "found or" in the second paragraph by "found, is a legal person or".

49. The Act is amended by inserting the following after section 442:

"§1.1. — *Supplemental public financing*

"**442.1.** Subject to sections 442.2 and 442.3, a municipality with a population of 20,000 or over shall pay each authorized party or independent candidate $2.50 per dollar received as a contribution as of 1 January of the year in which a general election is held until polling day or, for a by-election, during the election period.

For the purposes of the first paragraph, contributions made by a candidate for the candidate's own benefit or that of the party for which the candidate is running are excluded from the computation of the amount of contributions received.

"**442.2.** Subject to section 442.3, the maximum amount to which an authorized independent candidate for the office of mayor or borough mayor is entitled or to which a party is entitled for its candidate for the office of mayor or borough mayor is

(1) $1,000 in the case of a borough having a population of under 20,000 or a municipality or borough having a population of 20,000 or over but under 50,000;

(2) $2,000 in the case of a municipality or borough having a population of 50,000 or over but under 100,000;

(3) $3,000 in the case of a municipality or borough having a population of 100,000 or over but under 200,000;

(4) $3,500 in the case of a municipality or borough having a population of 200,000 or over but under 300,000;

(5) $4,000 in the case of a municipality or borough having a population of 300,000 or over but under 400,000;

(6) $4,500 in the case of a municipality or borough having a population of 400,000 or over but under 500,000;

(7) $5,000 in the case of a municipality or borough having a population of 500,000 or over but under 1,000,000;

(8) $10,000 in other cases.

Subject to section 442.3, the maximum amount to which an authorized independent candidate for the office of councillor is entitled or to which a party is entitled for each of its candidates for the office of councillor is

(1) $500 in the case of a borough having a population of under 20,000 or a municipality or borough having a population of 20,000 or over but under 50,000;

(2) $750 in the case of a municipality or borough having a population of 50,000 or over but under 500,000;

(3) $1,000 in other cases.

"**442.3.** The amount to which a party is entitled may not exceed the amount of the election expenses incurred and paid in accordance with Division V of this chapter for its candidate for the office of mayor or borough mayor and for each of its candidates for the office of councillor and reported in its return of election expenses.

The amount to which an independent candidate is entitled may not exceed the total obtained by adding the amount of the debts arising from the election

expenses incurred and paid by the candidate in accordance with Division V of this chapter and reported in the candidate's return of election expenses and the amount of the candidate's personal contribution attested by a receipt referred to in the second paragraph of section 484.

"**442.4.** The treasurer pays the amounts provided for in sections 442.1 to 442.3 at the same time as the reimbursement of election expenses is made. Sections 477 and 478 apply with the necessary modifications.

"**442.5.** When this subdivision has begun to apply to a municipality, it continues to apply even if its population falls below 20,000.

Except on 1 January of the year in which a general election is held until polling day or, for a by-election, during the election period, the council of the municipality may, however, by a resolution adopted by a two-thirds majority vote of its members, exempt itself from the application of this subdivision."

50. The Act is amended by inserting the following after section 449:

"§3. — *Allowance to authorized parties*

"**449.1.** The budget of a municipality having a population of 20,000 or over must include an appropriation to provide for payment of an allowance as reimbursement for expenses incurred and paid for the day-to-day administration of an authorized party, the propagation of its political program and support for its members' political activities. The allowance may not be used to pay election expenses or repay the principal of or pay the interest on a loan which has been paid into an electoral fund.

The appropriation must be equal to the product obtained by multiplying the following amount by the number of electors whose names are entered on the list of electors prepared for the last general election:

(1) $0.60 in the case of a municipality having a population of 20,000 or over but under 500,000;

(2) $0.85 in the case of a municipality having a population of 500,000 or over.

The appropriation is apportioned among the authorized parties that obtained at least 1% of the votes cast at the last general election.

One quarter of the appropriation is apportioned in proportion to the number of votes validly obtained by the candidate for the office of mayor of each authorized party at the last general election, expressed as a percentage of the total number of votes validly obtained by all the candidates for the office of mayor of all the authorized parties.

Three quarters of the appropriation is apportioned in proportion to the number of votes validly obtained by the candidate for the office of councillor of each authorized party at the last general election, expressed as a percentage of the total number of votes validly obtained by all the candidates for the office of councillor of all the authorized parties. If a candidate for such an office is elected by acclamation, the number of votes deemed validly obtained is equal to the average elector participation rate in each electoral district where a poll was held multiplied by the number of electors whose names are entered on the list of electors in the electoral district in which the candidate was elected, and that number is taken into consideration for the purpose of computing the total number of votes obtained by all the candidates. If all the candidates for the office of councillor of all the authorized parties are elected by acclamation, three quarters of the appropriation is apportioned in proportion to the number of electors whose names are entered on the list of electors of each candidate's electoral district, expressed as a percentage of the total number of electors whose names are entered on the lists of electors of all the candidates' electoral districts.

The amounts provided for in subparagraphs 1 and 2 of the second paragraph are adjusted on 1 January each year according to the change in the average Consumer Price Index for the preceding year, based on the index established for the whole of Québec by Statistics Canada. The second decimal of the amount computed on the basis of the index is rounded off to the higher digit when the third decimal is equal to or greater than 5 and, if not, to the lower digit. The Chief Electoral Officer shall publish the results of the adjustment in the *Gazette officielle du Québec*.

"**449.2.** The allowance is paid by the treasurer to the official representative of the authorized party, at the rate of 1/12 of the allowance per month, on presentation of vouchers the minimum content of which may be determined by the Chief Electoral Officer.

The treasurer shall keep the vouchers for five years after they are received.

"**449.3.** When this subdivision has begun to apply to a municipality, it continues to apply even if its population falls below 20,000.

However, the council of the municipality may, by a resolution adopted by a two-thirds majority vote of its members, exempt itself from the application of this subdivision. The decision takes effect as of 1 January of the year following the year in which it is adopted."

51. The Act is amended by inserting the following after section 474:

"§3.1. — *Advance on supplemental public financing and on the reimbursement of election expenses*

"**474.1.** On receipt of a return in the form prescribed by a directive of the Chief Electoral Officer from an official agent of an authorized party or

independent candidate indicating the amount of the contributions received and of the election expenses for which invoices were received, the treasurer shall pay without delay to the party or candidate entitled to payment of an amount provided for in sections 442.1 to 442.3 an advance equal to 50% of the amount and, if the party or candidate is entitled to a reimbursement under section 475 or 476, an advance equal to 50% of the amount to which the party or candidate would be entitled under that section.

The return may only be filed as of the fifth day following polling day. It must include a statement by the official agent attesting the accuracy of the return.

The advance on the reimbursement of the election expenses of a party is made to its official representative and that of an independent candidate, jointly to the candidate and to the candidate's official representative.

"**474.2.** On receipt of the return of election expenses of the official agent of an authorized party or independent candidate to whom an advance has been paid under section 474.1, the treasurer shall verify whether the amount of the advance exceeds the amount to which the party or candidate is entitled under sections 442.1 to 442.3 and 475 or 476.

If the advance exceeds the amount to which the party or candidate is entitled, the treasurer forwards a claim for the difference between the amounts, by registered or certified mail, to the official representative to which the advance was granted.

The amount of the claim must be paid within 30 days of its receipt by the official representative."

52. Section 475 of the Act is amended

(1) by replacing "70%" by "60%";

(2) by adding the following paragraph at the end:

"When computing the reimbursement, the treasurer shall subtract from the amount of the election expenses reported in the return the amount to which a party is entitled under sections 442.1 to 442.3 for its candidate for the office of mayor or borough mayor and for each of its candidates for the office of councillor."

53. Section 476 of the Act is amended

(1) by replacing "70%" in the first paragraph by "60%";

(2) by inserting the following paragraph after the first paragraph:

"When computing the reimbursement, the treasurer shall subtract from the amount of the election expenses reported in the return the amount to which an independent candidate is entitled under sections 442.1 to 442.3.";

(3) by inserting "amount obtained by adding the amount paid under sections 442.1 to 442.3 and the" after "However, the" in the second paragraph.

54. Section 483 of the Act is amended by adding the following paragraph at the end:

"The official representative of the party shall also keep the invoices, proof of payment and relevant vouchers relating to the preparation of the financial report for five years."

55. Section 498 of the Act is amended by striking out the first sentence of the third paragraph.

56. Section 499.7 of the Act is amended by replacing "$300" and "$700" in the third paragraph by "$200" and "$800", respectively.

57. Section 513.1.1 of the Act is amended by replacing "$300" and "$700" by "$200" and "$800", respectively.

58. Section 594 of the Act is replaced by the following section:

"**594.** The following persons are guilty of an offence:

(1) an election officer who engages in partisan activity on a day on which the officer is to perform his or her duties;

(2) a person who performs duties under Chapter IV of Title II and who engages in partisan activity on a day on which the person is to perform his or her duties;

(3) an officer or employee who engages in partisan activity prohibited by section 284."

59. Section 636 of the Act is replaced by the following section:

"**636.** Every person who uses intimidation, threats or sanctions to incite an officer or employee to commit the offence contemplated in section 594 or to punish the officer or employee for refusing to commit it is guilty of an offence."

60. The Act is amended by inserting the following section after section 645:

"**645.1.** A person found guilty of an offence that is a corrupt electoral practice loses the right to engage in partisan work for a period of five years from the judgment."

61. The Act is consequentially amended as follows:

(1) section 401 is amended by replacing "for political, religious, scientific or charitable purposes or for other" in the second paragraph by "for the";

(2) the heading of Division IV of Chapter XIII of Title I is amended by inserting "FINANCING," after "CONTRIBUTIONS,";

(3) section 474 is amended by replacing "the calendar year" by "the second calendar year";

(4) section 480 is amended

(*a*) by replacing "less than $100" in paragraph 2 by "$50 or less";

(*b*) by replacing "$100 or more" in paragraph 5 by "more than $50";

(5) section 481 is amended by replacing "$100 or more" in subparagraph 3 of the first paragraph by "more than $50";

(6) section 487 is amended by adding "as well as any invoices, proof of payment and relevant vouchers he has in his possession" at the end of the first paragraph;

(7) section 500 is amended by replacing "less than $100" by "$50 or less";

(8) section 509 is amended by replacing "the calendar year" in the first paragraph by "the second calendar year";

(9) section 510 is amended by replacing "the calendar year" in the second paragraph by "the second calendar year";

(10) section 513.1 is amended by replacing the first two occurrences of "$100 or more" and "any amount of $100 or more" in the first paragraph by "more than $50" and "any amount greater than $50", respectively;

(11) section 513.1.2 is amended by replacing "$100 or more" by "more than $50";

(12) section 605 is amended

(*a*) by inserting "474.1 or" after "sections" in paragraph 1;

(*b*) by inserting "the return referred to in section 474.1 or" after "before" in paragraph 2;

(13) section 607 is amended

(*a*) by replacing "political, religious, scientific or charitable purposes or purposes" in paragraph 2 by "those";

(*b*) by striking out "political, religious, scientific or charitable purposes or" in paragraphs 3 and 4;

(14) section 612 is amended

(*a*) by replacing "$100 or more" in paragraph 2 by "more than $50";

(*b*) by striking out "transfer of funds," in paragraph 2;

(*c*) by striking out "or a transfer of funds" in paragraph 2.1;

(*d*) by striking out paragraph 2.2;

(15) section 612.1 is amended by replacing "$100 or more" by "more than $50";

(16) section 614 is amended by inserting ", is a legal person" after "found";

(17) the following section is inserted after section 626:

"**626.0.1.** An official representative who fails to pay a claim made by the treasurer under section 474.2 within the time prescribed is guilty of an offence.";

(18) section 642 is amended by striking out "in transmitting the document contemplated in the section";

(19) section 659 is amended by replacing "less than $100" in the second paragraph by "$50 or less".

ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL POWERS IN CERTAIN URBAN AGGLOMERATIONS

62. Section 9 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) is amended by adding the following paragraph at the end:

"The urban agglomeration of Îles-de-la-Madeleine, because of its unique insular nature, is designated by the name "Communauté maritime des Îles-de-la-Madeleine". In any document, a reference to the Communauté maritime des Îles-de-la-Madeleine is a reference to the urban agglomeration of Îles-de-la-Madeleine."

63. Section 70 of the Act is replaced by the following section:

"**70.** The external auditor of a central municipality must provide an opinion on the breakdown of the mixed expenditures.

The first paragraph does not apply to Ville de Longueuil, Ville de Montréal or Ville de Québec."

TAXATION ACT

64. Section 776 of the Taxation Act (chapter I-3) is amended

(1) by replacing "a party or" in the first paragraph by "an authorized party or";

(2) by inserting "except any contribution made by a candidate of an authorized party, an authorized independent candidate or a candidate to the leadership of an authorized party for the candidate's own benefit or for that of the party for which the candidate is running," after "(chapter E-2.2)," in the first paragraph.

ACT RESPECTING THE SOCIÉTÉ D'HABITATION DU QUÉBEC

65. Section 1 of the Act respecting the Société d'habitation du Québec (chapter S-8) is amended by replacing "under section 57" in paragraph *b* by "under this Act".

66. Section 52 of the Act is amended by replacing "organization constituted under section 57" by "bureau".

67. The Act is amended by inserting the following sections after section 58.1:

"**58.1.1.** The Government may, by order, constitute a regional housing bureau in the territory of any regional county municipality it designates.

Such a bureau succeeds, on the date fixed in the order, to the municipal bureaus existing in the territory of the regional county municipality specified in the order. The municipal bureaus are dissolved on that date. The new bureau is vested with all their rights, property and privileges and is bound by their obligations. Any disposition of property made in favour of a dissolved bureau is deemed to be made to the new bureau succeeding it and all proceedings commenced by or against a dissolved bureau may validly be continued by or against the new bureau succeeding it, without continuance of suit.

Subsections 3 to 6 of section 57 and sections 57.1 and 58 apply to the new bureau, with the necessary modifications.

The transmission of the immovables of the dissolved bureaus to the new bureau resulting from this Act does not require publication in the land register.

The new bureau is the agent of the regional county municipality. The latter is deemed to have affirmed, on the date fixed in the order, its jurisdiction with respect to the management of social housing under article 678.0.2.1 of the Municipal Code of Québec (chapter C-27.1) as regards the municipalities determined by the order.

"**58.1.2.** The Government may, by order, constitute a municipal housing bureau resulting from the amalgamation of existing municipal bureaus.

The second, third and fourth paragraphs of section 58.1.1 apply, with the necessary modifications, to a bureau constituted under the first paragraph.

The new bureau is the agent of each of the municipalities of which the dissolved bureaus were agents.

"**58.1.3.** The Government may, in the order made under section 58.1.1 or 58.1.2, provide any rule it considers useful or necessary for the constitution of the new housing bureau and its succession to any existing municipal housing bureau.

The Government may also, in the order made under section 58.1.1, provide any rule it considers useful or necessary for the transfer, from the local municipalities to the regional county municipality, of jurisdiction with respect to the management of social housing.

Such rules may depart from sections 205 and 205.1 of the Act respecting land use planning and development (chapter A-19.1), as the case may be."

68. Section 58.6 of the Act is amended by inserting the following sentence after the first sentence of the first paragraph: "A bureau that administers 2,000 or fewer dwellings must also, if the Société so requires, establish such committees."

69. Section 61 of the Act is amended by replacing "constituted under section 57 or acting" by "that is its agent or that acts".

70. Section 62 of the Act is amended by striking out "constituted under section 57".

71. Section 68.12 of the Act is replaced by the following:

"**68.12.** Any contribution that, under a provision of a housing program of the Société, an operating agreement entered into pursuant to such a program or any other document pertaining to such a program or operating agreement, must be paid by a body receiving financial assistance to a community housing fund, a social housing fund or the Fonds québécois d'habitation communautaire must, despite that provision, be paid to the Société.

Despite any provision of such a program, agreement or document, the contribution of a body may not be reduced or cancelled unless the body demonstrates, to the satisfaction of the Société, that the financial viability of its project is compromised.

"**68.13.** The Société shall administer and distribute the contributions it receives under section 68.12 in the interest and for the benefit of the bodies with which it is bound by an operating agreement entered into under a housing program referred to in that section and solely for the immovables that are the subject of such an agreement.

The Société may also use those contributions to pay financial assistance under a program referred to in section 68.12.

"§9.—*Major repair or improvement work*

"**68.14.** The Société may require that major repair or improvement work to low-rental housing immovables be carried out within the time limit it determines, by sending a notice to the body in charge of operating them. The body has 15 days after receiving the notice to inform the Société that it undertakes to carry out all the work required within the specified time limit or, if not, to present its observations in writing. If the undertaking required is not received within the specified time limit, the Société may designate a person to manage all or part of the work on behalf and in the name of that body and at the latter's expense. The decision of the Société must contain reasons and be sent with dispatch to the directors of the housing agency.

Subject to the conditions that may be imposed by the Société, the person so designated has all the powers required to manage that work, in particular, the power to grant contracts on behalf and in the name of the body. If the person designated is a bureau, it may exercise those powers elsewhere than in the territory of the municipality whose agent it is. The designated person may, in addition, for the sole purpose of managing the work, act in the name of the body as the lessor of the immovable affected by that work in order to do such things as send the notices required by law, have access to the dwellings, carry out the procedures related to the temporary evacuation of the lessees or institute proceedings before the court.

No proceedings may be brought against the person so designated acting in the exercise of the powers and duties conferred on the person under this section in respect of an act performed in good faith while exercising those powers and duties. No recourse under article 828 of the Code of Civil Procedure (chapter C-25) or extraordinary recourse within the meaning of that Code may be exercised nor any injunction granted against that person to the extent that the person is acting in the exercise of the powers and duties conferred on it under this section. A judge of the Court of Appeal may, on motion, summarily quash any judgment, writ, order or injunction delivered or granted in contravention of this section."

72. Section 92 of the Act is amended by replacing "The" by "Subject to section 68.13, the".

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

73. Section 119 of the Act respecting public transit authorities (chapter S-30.01) is amended by striking out "and to the Minister of Municipal Affairs, Regions and Land Occupancy on the form provided, if any, by the latter" in the first paragraph.

ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

74. Section 24.1 of the Act respecting the remuneration of elected municipal officers (chapter T-11.001) is amended by replacing "or 22" by ", 22, 31.5.2 or 31.5.3".

75. The Act is amended by inserting the following after section 31.5:

"**CHAPTER IV.1**

"REIMBURSEMENT OF COUNCILLORS' RESEARCH AND SUPPORT EXPENSES

"**31.5.1.** Councillors and borough councillors of a municipality with a population of 20,000 or more are entitled to the reimbursement of their research and support expenses in accordance with the rules set out in this chapter.

The research and support expenses eligible for reimbursement are determined by regulation of the Minister of Municipal Affairs, Regions and Land Occupancy.

"**31.5.2.** For the fiscal year 2017, the maximum reimbursement to which a councillor is entitled is

(1) $4,000 for a councillor of a municipality with a population of at least 20,000 but less than 50,000;

(2) $6,000 for a councillor of a municipality with a population of at least 50,000 but less than 100,000;

(3) $8,000 for a councillor of a municipality with a population of at least 100,000 but less than 200,000;

(4) $11,000 for a councillor of a municipality with a population of at least 200,000 but less than 300,000;

(5) $13,000 for a councillor of a municipality with a population of at least 300,000 but less than 400,000;

(6) $15,000 for a councillor of a municipality with a population of at least 400,000 but less than 500,000; and

(7) $17,000 for a councillor of a municipality with a population of 500,000 or more.

However,

(1) the maximum reimbursement to which a councillor is entitled is equal to 65% of the amount provided for in the first paragraph if the councillor is a member of an authorized party that is entitled to the allowance provided for in section 449.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2);

(2) the maximum reimbursement to which a borough councillor is entitled is equal to 50% of the amount provided for in the first paragraph if the borough councillor is not a member of an authorized party or if the borough councillor is a member of an authorized party that is not entitled to the allowance provided for in section 449.1 of the Act respecting elections and referendums in municipalities. If the borough councillor is a member of an authorized party that is entitled to the allowance, the maximum reimbursement to which the borough councillor is entitled is equal to 32.5% of the amount provided for in the first paragraph.

For the purposes of this section, "authorized party" means a party that holds an authorization that is valid in respect of the municipality and granted under the Act respecting elections and referendums in municipalities.

"**31.5.3.** The members of the urban agglomeration council of Ville de Montréal, except the mayor of Ville de Montréal, are entitled to a reimbursement of their research and support expenses in accordance with the regulation made under the second paragraph of section 31.5.1.

For the fiscal year 2017, the maximum reimbursement to which a member of the urban agglomeration council of Ville de Montréal is entitled is $12,000.

However, if such a member is entitled to a reimbursement under section 31.5.2, the maximum reimbursement provided for in the second paragraph is reduced by the maximum reimbursement to which the member is entitled as a councillor of a related municipality. If the result of the subtraction is positive, the result constitutes the maximum reimbursement to which the member is entitled under the first paragraph; if it is negative, the member is not entitled to a reimbursement.

"**31.5.4.** As of the fiscal year 2018, the maximum reimbursements provided for in sections 31.5.2 and 31.5.3 are indexed in accordance with Division VI of Chapter II, with the necessary modifications.

"**31.5.5.** The maximum reimbursement to which a councillor is entitled for a fiscal year in which a general election is held in the municipality is,

(1) for a councillor in office before the election, five sixths of the maximum reimbursement to which the councillor would otherwise have been entitled for the full fiscal year; and

(2) for a councillor in office after the election, one sixth of the maximum reimbursement to which the councillor would otherwise have been entitled for the full fiscal year.

In the case of a by-election, the maximum reimbursement to which the councillor elected in the by-election is entitled is equal to the quotient obtained when the product obtained by multiplying the number of full months between the date on which the councillor's term begins and the end of the current fiscal year and the maximum reimbursement to which the councillor would have been entitled for the full fiscal year is divided by 12.

"**31.5.6.** The maximum reimbursement to which a councillor is entitled for a fiscal year is not affected if, during the fiscal year, a change in the councillor's status modifies the amount to which the councillor is entitled under section 31.5.2. Such a change does not affect the maximum reimbursement to which the councillor is entitled until the following fiscal year.

"**31.5.7.** To be entitled to a reimbursement, the councillor or member of the urban agglomeration council must, in support of the application, present vouchers the minimum content of which is determined by the council.

The Minister may, by regulation, prescribe rules relating to the content of such vouchers.

Not later than 31 March each year, a list of the reimbursements authorized by the municipality in the preceding fiscal year must be tabled before the council or, as the case may be, before the urban agglomeration council of Ville de Montréal. For each reimbursement, the list specifies the information required by the regulation referred to in the second paragraph and the information provided in support of the application.

"**31.5.8.** When this chapter has begun to apply to a municipality, it continues to apply even though its population falls below 20,000.

However, the council of the municipality may, by a resolution adopted by a two-thirds majority vote of its members, end the application of this chapter. Entitlement to the reimbursement of research and support expenses ceases on 31 December of the fiscal year in which the decision is made.

This chapter becomes again applicable when the population of the municipality again reaches 20,000."

TRANSPORT ACT

76. Section 48.19 of the Transport Act (chapter T-12) is amended by striking out the second paragraph.

77. Sections 48.20 to 48.22 of the Act are repealed.

78. Section 48.30 of the Act is amended by striking out "and without calling for tenders".

79. Section 48.39 of the Act is amended by striking out the third paragraph.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

80. For the purposes of the second and third paragraphs of section 255 of the Act respecting municipal taxation (chapter F-2.1), for the purpose of computing the amount payable for the municipal fiscal year 2018 or 2019, the multiplier "80%" specified in those paragraphs is replaced by

(*a*) "82.5%" for the fiscal year 2018; and

(*b*) "84.5%" for the fiscal year 2019.

For the purposes of the fourth paragraph of that section, for the purpose of computing the amount payable for any of the municipal fiscal years 2016 to 2019, the multiplier "25%" specified in that paragraph is replaced by

(*a*) "65%" for the fiscal years 2016 and 2017;

(*b*) "69.5%" for the fiscal year 2018; and

(*c*) "71.5%" for the fiscal year 2019.

81. For the purpose of establishing the standardized property value of a local municipality for any of the municipal fiscal years 2017 to 2020, paragraph 7 of section 261.1 of the Act respecting municipal taxation is to read as follows:

"(7) in the case of immovables referred to in the second, third or fourth paragraph of section 255, that part of their standardized non-taxable values which corresponds to the percentage applicable under that section or, as the case may be, section 80 of the Act to amend various municipal-related legislative provisions concerning such matters as political financing (*insert the year and chapter number of this Act*) for the fiscal year prior to that for which the standardized property value is computed;".

Section 261.3.1 of the Act respecting municipal taxation does not apply for the municipal fiscal years 2016 to 2019.

82. The term of a chief auditor in office on (*insert the date of coming into force of section 9*) ends on the expiry of the seven-year period provided for in section 107.2 of the Cities and Towns Act (chapter C-19) as it read before being amended by section 9, unless the council adopts, before the expiry of that period and by a two-thirds majority vote of its members, a resolution to the contrary.

83. The audit committee referred to in any of sections 107.17 to 107.19 of the Cities and Towns Act, enacted by sections 21 and 22, must be established not later than (*insert the date that is 120 days after the date of assent to this Act*).

The first meeting of the audit committee must be held not later than the 60th day following its establishment. The place, date and time of the meeting are determined by the clerk of the municipality.

84. Sections 26, 31, 34, 35 and 73 have effect for the purposes of the budget of any municipal fiscal year as of the municipal fiscal year 2017.

85. Section 188 of the Act respecting elections and referendums in municipalities (chapter E-2.2), as amended by section 41, has effect for the purposes of any municipal election as of the 2017 municipal general election.

86. In any Act or regulation, a reference to section 474.0.1, 474.0.3 or 474.0.4.1 of the Cities and Towns Act is a reference to the equivalent provision of Chapter IV.1 of the Act respecting the remuneration of elected municipal officers (chapter T-11.001), enacted by section 75.

87. Any contribution referred to in section 68.12 of the Act respecting the Société d'habitation du Québec (chapter S-8), as replaced by section 71, that was paid to the Société before (*insert the date of assent to this Act*) for subsequent remittal to the Fonds québécois d'habitation communautaire need no longer be remitted to the Fonds. It is deemed to have been paid to the Société in accordance with section 68.12.

88. The second paragraph of section 68.12 of the Act respecting the Société d'habitation du Québec, as replaced by section 71, does not apply to a body whose required contribution under a provision of a housing program, an operating agreement entered into pursuant to such a program or any other document pertaining to such a program was reduced or cancelled before (*insert the date of assent to this Act*).

89. No recourse may be exercised or continued against the Société d'habitation du Québec to require it to remit to the Fonds québécois d'habitation communautaire the contributions it holds and that were paid to it under a provision of one of its housing programs, an operating agreement entered into under such a program or any other document pertaining to such a program or operating agreement.

The first paragraph has effect from (*insert the date of introduction of this bill*).

90. This Act comes into force on (*insert the date of assent to this Act*), except sections 27, 45 to 57, 61, 64, 74, 75 and 86, which come into force on 1 January 2017.