



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 225

(Private)

An Act respecting the Société du complexe portuaire de Sorel-Tracy

Introduction

**Introduced by
Mr. Sylvain Rochon
Member for Richelieu**

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Bill 225

(Private)

AN ACT RESPECTING THE SOCIÉTÉ DU COMPLEXE PORTUAIRE DE SOREL-TRACY

AS Ville de Sorel-Tracy wishes to benefit from the Gouvernement du Québec's Maritime Strategy by establishing a legal person under the name "Société du complexe portuaire de Sorel-Tracy" (the Société), mandated to build, improve, maintain and administer movable and immovable property used to operate the area constituting the Sorel-Tracy port complex;

AS Ville de Sorel-Tracy wants to stimulate local, regional and provincial economic activity by creating the Société, in the interests and for the welfare of its citizens and the regional population as a whole;

AS, despite the Municipal Aid Prohibition Act (chapter I-15), it is in the interests of Ville de Sorel-Tracy that it be allowed to grant assistance or subsidies to the Société for the construction, establishment or operation of marine- or land-based infrastructures and facilities;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ESTABLISHMENT AND ORGANIZATION

- 1.** A legal person is established under the name "Société du complexe portuaire de Sorel-Tracy" (the Société).
- 2.** The Société's head office is located in the territory of Ville de Sorel-Tracy at the place determined by the board of directors.
- 3.** The Société is administered by a board of directors composed of seven members: the mayor and the director general of Ville de Sorel-Tracy, the industrial commissioner, the Société's executive director, two directors and one terminal operator representative. The mayor acts as chair of the board.
- 4.** The Ville de Sorel-Tracy municipal council appoints the Société's board members by resolution.
- 5.** On expiry of their term, board members remain in office until replaced or reappointed.

6. The quorum at board meetings is the majority of the members.

CHAPTER II

FUNCTIONS AND POWERS

7. The Société's purpose is

(1) to build, improve, maintain and administer movable and immovable property used to operate the area constituting the Sorel-Tracy port complex; and

(2) to promote the port complex's industrial development.

The Société's activities fall within the context of the Québec government's Maritime Strategy and are designed to stimulate local, regional and provincial economic activity.

8. The Société has the following powers:

(1) to acquire facilities and specialized technical equipment to meet the needs specific to a port facility and, to that end, enter into contracts by mutual agreement, through public calls for tenders or by invitation;

(2) to lease, sublease, lend or trade all or part of the movable and immovable property so acquired, allow all or part of such property to be operated by a third party, or grant a contract or subcontract with regard to all or part of such property;

(3) to enter into agreements or participate in joint projects with any person or body; and

(4) to enter into agreements, in accordance with the applicable legislative provisions, with governments other than the Québec government, departments or bodies of such governments, international organizations or bodies of such organizations.

CHAPTER III

GOVERNMENT GUARANTEES

9. The Government may determine the conditions of any subsidy it grants the Société for full or partial payment of the principal and interest of any Société loan or other obligation.

10. The Government may, on the conditions it determines, guarantee payment of the principal and interest of any Société loan or other obligation.

CHAPTER IV

SOCIÉTÉ LAND

11. The land referred to in Schedule I is administered and controlled exclusively by the Société.

CHAPTER V

REGULATORY POWERS

12. The Société may adopt by-laws for its internal management.

CHAPTER VI

VILLE DE SOREL-TRACY'S POWERS

13. Ville de Sorel-Tracy may, alone or in partnership with the Société and terminal operator, build, own and operate any building or facility used for the port complex on the land described in Schedule I.

Ville de Sorel-Tracy may entrust a person with the operation of all or part of its port facilities or entrust this power to the Société.

Unless otherwise specified, Ville de Sorel-Tracy continues to own the land described in Schedule I but may allow any person to occupy it, by emphyteusis or otherwise.

14. To enable the Société to operate the port complex and its constituent lands, Ville de Sorel-Tracy may grant the Société assistance or subsidies for the construction, establishment or operation of marine- or land-based infrastructures and facilities, despite the Municipal Aid Prohibition Act (chapter I-15).

CHAPTER VII

OPERATING FEES

15. The operator appointed by Ville de Sorel-Tracy under section 13 must remit operating fees to the latter based on the tonnage handled.

CHAPTER VIII

FINAL PROVISION

16. This Act comes into force on *(insert the date of assent to this Act)*.

SCHEDULE I
(Sections 11 and 13)

An immovable known and designated as comprising the following lots:

- (1) lot 3 467 994 of the cadastre of Québec, registration division of Richelieu;
 - (2) lot 3 467 995 of the cadastre of Québec, registration division of Richelieu;
 - (3) lot 3 585 417 of the cadastre of Québec, registration division of Richelieu;
 - (4) lot 3 585 420 of the cadastre of Québec, registration division of Richelieu;
 - (5) lot 3 621 841 of the cadastre of Québec, registration division of Richelieu;
 - (6) lot 4 784 170 of the cadastre of Québec, registration division of Richelieu;
 - (7) lot 5 405 221 of the cadastre of Québec, registration division of Richelieu;
 - (8) lot 4 912 065 of the cadastre of Québec, registration division of Richelieu;
- and
- (9) lot 4 912 066 of the cadastre of Québec, registration division of Richelieu.

