



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 19

**An Act to establish a temporary electoral
representation regime and to suspend
certain provisions of the Election Act**

Introduction

**Introduced by
Mr. Pierre Moreau
Minister responsible for the Reform of Democratic
Institutions and Access to Information**

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EXPLANATORY NOTES

This bill suspends the electoral division delimitation process provided for in the Election Act and replaces it temporarily by a process which from the outset preserves 15 electoral divisions situated in the Chaudière-Appalaches, Bas-Saint-Laurent and Gaspésie regions and creates three new electoral divisions in the Montérégie, Laval and Laurentides-Lanaudière regions, bringing the total to 128 electoral divisions.

The Commission de la représentation established under the Election Act is given the mandate to change the boundaries of certain electoral divisions of Québec as it sees fit.

The entire temporary delimitation process must be finalized by 15 December 2011.

LEGISLATION REPEALED BY THIS BILL:

– Act to suspend the electoral division delimitation process (2010, chapter 26).

Bill 19

AN ACT TO ESTABLISH A TEMPORARY ELECTORAL REPRESENTATION REGIME AND TO SUSPEND CERTAIN PROVISIONS OF THE ELECTION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Québec is divided into 128 electoral divisions, including the following 15 electoral divisions as delimited in the Notice of the establishment of the list of electoral divisions published in the *Gazette officielle du Québec* (2001, G.O. 2, 6327a) in accordance with sections 29 and 30 of the Election Act (R.S.Q., chapter E-3.3):

- Beauce-Nord
- Beauce-Sud
- Bellechasse
- Bonaventure
- Chutes-de-la-Chaudière
- Frontenac
- Gaspé
- Kamouraska-Témiscouata
- Lévis
- Lotbinière
- Matane
- Matapédia
- Montmagny-L'Islet
- Rimouski
- Rivière-du-Loup.

2. The 128 electoral divisions also include the following three new electoral divisions as delimited by the Commission de la représentation, established under the Election Act, in the August 2009 version of the document entitled Proposition révisée de délimitation (Second rapport), tabled before the Committee on Institutions on 16 March 2010:

—Lignery

—Repentigny

—Sainte-Rose.

3. The 128 electoral divisions include the electoral division of Îles-de-la-Madeleine described in Schedule I to the Election Act.

4. The 109 other electoral divisions are as delimited by the Commission de la représentation in the document referred to in section 2.

Despite the first paragraph, the Commission may, within two months after the coming into force of this Act, make the changes it considers appropriate to the boundaries of the electoral divisions adjacent to the electoral divisions listed in section 1.

5. The Commission takes the necessary steps to ensure the widest possible dissemination of the changes made to the boundaries of the electoral divisions referred to in the second paragraph of section 4.

6. In the month after changes under the second paragraph of section 4 are made public, the Commission hears representations by the Members of the National Assembly representing the electoral divisions whose boundaries have been changed and by interested individuals and organizations from those electoral divisions.

The Commission must, after giving notice, hold public hearings in those electoral divisions.

7. After considering the representations made by the Members of the National Assembly, individuals and organizations from the electoral divisions concerned, the Commission submits a report setting out the boundaries of the 128 electoral divisions to the President or the Secretary General of the National Assembly, who tables it before the Assembly.

Within five days after the report is tabled, it is the subject of a debate lasting up to five hours and held during the same sitting or two consecutive sittings of the National Assembly; if the Assembly is not sitting, the debate takes place in the Committee on the National Assembly, subject to the same time limits, within 10 days after the tabling of the report, and all Members may take part in the debate on the report.

No motion, except a motion of adjournment, may be presented during the debate.

8. Not later than the tenth day following the debate, the Commission establishes the boundaries of the electoral divisions.

The Commission publishes the list of the electoral divisions in the *Gazette officielle du Québec*, stating the name and boundaries of each; it may also mention what local municipalities and what unorganized territories and Indian reserves, if any, are comprised in each electoral division.

9. Publication of the list of electoral divisions in the *Gazette officielle du Québec* is absolute proof of the existence and content of the list, and every person is required to take cognizance of it.

The Commission must nonetheless take the necessary steps to ensure the widest possible dissemination among the public of the boundaries of the electoral divisions, and particularly of the changes made in relation to the previous boundaries.

10. After the list of electoral divisions is published in the *Gazette officielle du Québec*, the Commission causes a map of the divisions to be printed.

11. The list of electoral divisions published in the *Gazette officielle du Québec* comes into force on the dissolution of the National Assembly, unless dissolution occurs before the expiry of three months after the list is published.

12. Upon the publication in the *Gazette officielle du Québec* of the list of electoral divisions, the Chief Electoral Officer assigns one of the divisions to each returning officer in office and appoints a returning officer to each unassigned division, if any.

Appointments made under this section are effective until new returning officers are appointed in accordance with section 503 of the Election Act.

TRANSITIONAL AND FINAL PROVISIONS

13. From (*insert the date of coming into force of this Act*) and until the date of an order instituting a general election terminating the 39th Legislature, sections 14 to 33 and the first paragraph of section 532 of the Election Act are suspended.

14. The Commission de la représentation is responsible for establishing the boundaries of the electoral divisions of Québec in accordance with the provisions of this Act.

15. The entire electoral division delimitation process provided for in this Act must be finalized not later than 15 December 2011.

16. Sections 1 to 15 of this Act cease to have effect on the date of the order instituting a general election terminating the 39th Legislature.

However, for the purposes of that general election, Québec is divided into 128 electoral divisions in accordance with this Act.

17. Despite section 16, the boundaries of an electoral division for which an order instituting a by-election is issued during the 40th Legislature are those determined in accordance with this Act.

18. Despite section 16, if an order instituting a general election is issued during the 40th Legislature but before the expiry of the three-month period provided for in section 32 of the Election Act, the boundaries of the electoral divisions are those determined in accordance with this Act.

19. Despite section 19 of the Election Act, the Commission establishes new electoral division boundaries after the first general election following the delimitation carried out in accordance with this Act.

20. The Act to suspend the electoral division delimitation process (2010, chapter 26) is repealed.

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

