



NATIONAL ASSEMBLY

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THIRTY-SECOND LEGISLATURE

Bill 95

**An Act respecting the budgets for
research and office expenses of the
municipal political parties in Montréal,
Québec and Laval**

Introduction

**Introduced by
Mr Alain Marcoux
Minister of Municipal Affairs**



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EXPLANATORY NOTES

This bill provides that the cities of Montréal, Québec and Laval are required to provide, each year in their budget, for a credit intended for the payment of sums of money to the municipal political parties and independent councillors, as reimbursement for their research and office expenses.

The bill fixes the minimum amount of the budgetary credit and determines the conditions and rules governing the apportionment of the sums among the various parties and independent councillors.

It provides further that the provisions apply only if there is an authorized party in the city on the date the budget is adopted.

A transitional provision stipulates that the right to be reimbursed for research and office expenses will apply from 1 July 1984, even if the municipal budgets for the fiscal year 1984 provide no credit for that purpose.

ACTS AMENDED BY THIS BILL:

- (1) the Charter of the City of Québec (1929, chapter 95);
- (2) the Charter of the city of Montréal (1959-60, chapter 102);
- (3) the Charter of the City of Laval (1965, 1st session, chapter 89).

Bill 95

An Act respecting the budgets for research and office expenses of the municipal political parties in Montréal, Québec and Laval

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Charter of the City of Québec (1929, chapter 95) is amended by inserting, after section 286*a*, the following sections:

“286*b*. The budget of the city shall include a credit for the payment to the authorized parties and to the councillors who are not members thereof, provided they are entitled thereto under sections 286*c* to 286*e*, of amounts intended for the reimbursement of their research and office expenses.

The credit shall be equal to or greater than one-fifteenth of one per cent of the aggregate of the other credits provided for in the budget.

For the purposes of this section and sections 286*c* to 286*f*, the words “authorized parties” have the same meaning as in the Act respecting elections in certain municipalities (R.S.Q., chapter E-2.1).

“286*c*. The amounts referred to in section 286*b* shall be apportioned as follows:

(1) fifty-one per cent of the amounts is intended for the authorized party having the greatest number of councillors;

(2) ten per cent of the amounts is intended for the authorized party having the second greatest number of councillors, provided the candidates of that party to the office of councillor received at least ten per cent of the votes and at least one of such candidates has been elected at the last general election;

(3) five per cent of the amounts is intended for every other authorized party, provided the candidates of that party to the office of councillor received at least ten per cent of the votes and at least one of such candidates has been elected at the last general election;

(4) the balance of the amounts is intended for the authorized parties other than the party referred to in paragraph 1 and to the councillors who are not members of an authorized party, in the proportion represented by the number of seats held by the members of all authorized parties other than the party referred to in paragraph 1 and by the councillors who are not members of an authorized party, in relation to the total number of seats, excluding the seats held by members of the party referred to in paragraph 1; the amounts computed under this paragraph in respect of all the councillors of a party are intended for that party and the amounts computed for a councillor who is not a member of a party are intended for that councillor.

“286d. For the purposes of the apportionment referred to in section 286c for the first full fiscal year following a general election, a councillor is deemed to be a member of the authorized party of which he was a member on the date he is declared elected.

For the purposes of the apportionment for any other fiscal year, the councillor is deemed to be a member of the party of which he was a member on 1 January of that year.

“286e. Up to the amount of the sums intended for it, any authorized party or any councillor who is not a member of such a party is entitled to be reimbursed by the city for the expenses made or incurred by it or him for research and office expenses, on the filing of accounts.

In the case of an authorized party, the accounts must be approved by the Leader of the party or, if the Leader is not a member of the council, by such member as he may have authorized in writing for that purpose.

The council may determine the time for filing accounts, the minimum content required and the other terms and conditions for payment of the sums.

“286f. Sections 286b to 286e apply only if an authorized party exists in the city on the date of adoption of the budget.”

2. Article 661.1 of the Charter of the city of Montréal (1959-60, chapter 102), enacted by section 9 of chapter 59 of the statutes of 1983, is replaced by the following articles:

“661.1 The budget of the city shall include a credit for the payment to the authorized parties and to the councillors who are not members

thereof, provided they are entitled thereto under articles 661.2 to 661.4, of amounts intended for the reimbursement of research and office expenses.

The credit shall be equal to or greater than one-thirtieth of one per cent of the aggregate of the other credits provided for in the budget.

For the purposes of this article and of articles 661.2 to 661.5, the words "authorized parties" have the same meaning as in the Act respecting elections in certain municipalities (R.S.Q., chapter E-2.1).

"661.2 The amounts referred to in article 661.1 shall be apportioned as follows:

(1) fifty-one per cent of the amounts is intended for the authorized party having the greatest number of councillors;

(2) ten per cent of the amounts is intended for the authorized party having the second greatest number of councillors, provided the candidates of that party to the office of councillor received at least ten per cent of the votes and at least one of such candidates has been elected at the last general election;

(3) five per cent of the amounts is intended for every other authorized party, provided the candidates of that party to the office of councillor received at least ten per cent of the votes and at least one of such candidates has been elected at the last general election;

(4) the balance of the amounts is intended for the authorized parties other than the party referred to in paragraph 1 and to the councillors who are not members of an authorized party, in the proportion represented by the number of seats held by the members of all authorized parties other than the party referred to in paragraph 1 and by the councillors who are not members of an authorized party, in relation to the total number of seats, excluding the seats held by members of the party referred to in paragraph 1; the amounts computed under this paragraph in respect of all the councillors of a party are intended for that party and the amounts computed for a councillor who is not a member of a party are intended for that councillor.

"661.3 For the purposes of the apportionment referred to in article 661.2 for the first full fiscal year following a general election, a councillor is deemed to be a member of the authorized party of which he was a member on the date he is declared elected.

For the purposes of the apportionment for any other fiscal year, the councillor is deemed to be a member of the party of which he was a member on 1 January of that year.

"661.4 Up to the amount of the sums intended for it, any authorized party or any councillor who is not a member of such party

is entitled to be reimbursed by the city for the expenses made or incurred by it or him for research and office expenses, on the filing of accounts.

In the case of an authorized party, the accounts shall be approved by the Leader of the party or, if the Leader is not a member of the council, by such member as he may have authorized in writing for that purpose.

The council may determine the time for filing accounts, the minimum content required and the other terms and conditions for payment of the sums.

“661.5 Articles 661.1 to 661.4 apply only if an authorized party exists in the city on the date of adoption of the budget.”

3. The Charter of the City of Laval (1965, 1st session, chapter 89) is amended by inserting, after section 28, the following section:

“28a. The Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city by inserting, after section 474.4, the following sections:

“474.5 The budget of the city shall include a credit for the payment to the authorized parties and to the councillors who are not members thereof, provided they are entitled thereto under sections 474.6 to 474.8, of amounts intended for the reimbursement of research and office expenses.

The credit shall be equal to or greater than one-fifteenth of one per cent of the aggregate of the other credits provided for in the budget.

For the purposes of this section and of sections 474.6 to 474.9, the words “authorized parties” have the same meaning as in the Act respecting elections in certain municipalities (R.S.Q., chapter E-2.1).

“474.6 The amounts referred to in section 474.5 shall be apportioned as follows:

(1) fifty-one per cent of the amounts is intended for the authorized party having the greatest number of councillors;

(2) ten per cent of the amounts is intended for the authorized party having the second greatest number of councillors, provided the candidates of that party to the office of councillor received at least ten per cent of the votes and at least one of such candidates has been elected at the last general election;

(3) five per cent of the amounts is intended for every other authorized party, provided the candidates of that party to the office of councillor received at least ten per cent of the votes and at least one of such candidates has been elected at the last general election;

(4) the balance of the amounts is intended for the authorized parties other than the party referred to in paragraph 1 and to the councillors who are not members of an authorized party, in the proportion represented by the number of seats held by the members of all authorized parties other than the party referred to in paragraph 1 and by the councillors who are not members of an authorized party, in relation to the total number of seats, excluding the seats held by the members of the party referred to in paragraph 1; the amounts computed under this paragraph in respect of all the councillors of a party are intended for that party and the amounts computed for a councillor who is not a member of a party are intended for that councillor.

“474.7 For the purposes of the apportionment referred to in section 474.6 for the first full fiscal year following a general election, a councillor is deemed to be a member of the authorized party of which he was a member on the date he is declared elected.

For the purposes of the apportionment for any other fiscal year, the councillor is deemed to be a member of the party of which he was a member on 1 January of that year.

“474.8 Up to the amount of the sums intended, any authorized party or any councillor who is not a member of such a party is entitled to be reimbursed by the city for the expenses made or incurred by it or him for research and office expenses, on the filing of accounts.

In the case of an authorized party, the accounts must be approved by the Leader of the party or, if the Leader is not a member of the council, by such member as he may have authorized in writing for that purpose.

The council may determine the time for filing accounts, the minimum content required and the other terms and conditions for payment of the sums.

“474.9 Sections 474.5 to 474.8 apply only if an authorized party exists in the city on the date of adoption of the budget.”

4. This Act has effect from 1 July 1984.

For the purposes of the fiscal year 1984:

(1) the sums required for the application of the provisions added to this Act are taken out of the general fund of the city referred to in such provisions;

(2) the minimum total amount of the sums destined to be paid under such provisions is equal to one-half the minimum amount of the budgetary credit provided for by such provisions;

(3) the city council shall fix, not later than on 1 September 1984, the total amount of the sums destined to be paid, failing which the council is deemed to have fixed an amount equal to the minimum amount computed in accordance with paragraph 2;

(4) for the purposes of the apportionment of the sums, a councillor is deemed to be a member of the authorized party of which he was a member on 1 July 1984.

5. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

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