

ASSEMBLÉE NATIONALE DU QUÉBEC

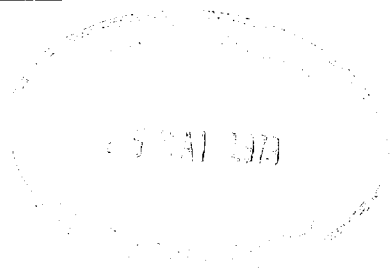
Bill 32

**An Act to amend the Act respecting certain
municipalities of the Outaouais and Haut-Saguenay**

First reading
Second reading
Third reading

M. GUY TARDIF

Ministre des affaires municipales



EXPLANATORY NOTE

This bill amends the Act respecting certain municipalities of the Outaouais and Haut-Saguenay in order to suppress the obligation of the cities of Jonquière and Chicoutimi to poll the electors of their territories before the last Sunday of May 1979 on the advisability of amalgamating the two cities to form the city of Saguenay. This bill gives the Conseil métropolitain du Haut-Saguenay the power to decide whether or not the poll is to be held and on what date.

Sec. 1. The proposed amendment to section 12 of the act is designed to suppress the obligation imposed on the cities of Jonquière and Chicoutimi to hold a referendum on their amalgamation on the last Sunday of May 1979, and to confer on the Conseil métropolitain du Haut-Saguenay the charge of deciding whether the referendum is to take place or not, and on what date.

Sec. 2. The proposed amendments to section 12c of the act are for concordance with the amendment proposed in section 1 of the bill. They are aimed at adapting the delays presently provided in the act for the revision of the electoral list to the purposes of the referendum.

Bill 32

An Act to amend the Act respecting certain municipalities of the Outaouais and Haut-Saguenay

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1. Section 12 of the Act respecting certain municipalities of the Outaouais and Haut-Saguenay (1974, chapter 88), replaced by section 2 of chapter 81 of the statutes of 1977, is again replaced by the following section:

“12. The Conseil métropolitain du Haut-Saguenay established pursuant to section 17 may order that the cities of Jonquière and Chicoutimi, on such date as it may fix, shall each poll the electors in the territories under their respective jurisdictions on the advisability of amalgamating the two municipalities.”

2. Section 12c of the said act, enacted by section 2 of chapter 81 of the statutes of 1977, is amended:

(a) by replacing the first paragraph by the following paragraph:

“12c. Between the thirtieth and the twenty-second day preceding the day fixed for the polling, the electoral list used at the last general election must be revised. Such revision shall be made by following, *mutatis mutandis*, the provisions of the Cities and Towns Act (Revised Statutes, 1964, chapter 193) applicable to the revision of the electoral list, to the extent that this act does not derogate therefrom.”;

(b) by replacing the third paragraph by the following paragraph:

“For the purposes of the first two paragraphs, the expression “the 1st of September of the year in which the election is held”,

Sec. 3. *The proposed amendment to section 12 d of the act is for concordance with the amendment proposed in section 1 of the bill. It is aimed at adapting the delay presently provided in the act between the amalgamation order and the incorporation of the city of Saguenay.*

Furthermore, this section suppresses a technical difficulty regarding the nature of the document by which the Ministre des affaires municipales may order an amalgamation.

Sec. 4. *The amendment proposed to section 15 of the act is for concordance with the amendment proposed in section 1 of the bill. It is aimed at adapting the delay presently provided by the act between the final date for presentation of a draft agreement concerning the conditions of amalgamation, on the one hand, and the date of incorporation, on the other.*

Sec. 5. *The proposed amendments to section 17 of the act are for concordance with the amendment proposed in section 1 of the bill.*

wherever it occurs in section 128a of the Cities and Towns Act, is replaced by the expression "the fifty-sixth day preceding the date fixed for the polling".

3. Section 12d of the said act, enacted by section 2 of chapter 81 of the statutes of 1977, is replaced by the following section:

"12d. Within the three months following the holding of the poll, the Ministre des affaires municipales may order the amalgamation of the municipalities mentioned in section 12. That order shall be published in the *Gazette officielle du Québec*. In that case, the inhabitants and ratepayers of the territories of such two municipalities shall, from 1 January of the second year following the year during which the order is published, form a city corporation called the "Ville de Saguenay". In the opposite case, sections 13 to 16 are inoperative."

4. Section 15 of the said act, amended by section 3 of chapter 81 of the statutes of 1977, is again amended by replacing the first paragraph by the following paragraph:

"15. The municipalities mentioned in section 12 shall, before 1 July preceding the date of amalgamation contemplated in section 12d, present to the Ministre des affaires municipales a draft agreement including the elements prescribed in subsection 2 of section 5 of the Act to promote the regroupment of municipalities (1971, chapter 53)."

5. Section 17 of the said act, amended by section 4 of chapter 81 of the statutes of 1977, is again amended:

(a) by replacing the fifth paragraph of subsection 1 by the following paragraph:

"Subject to the amalgamation order provided for in section 12d, such council shall be composed, from the day the city of Saguenay is incorporated under that section, of the mayor and six councillors of that city, of the mayor and two councillors of the city of La Baie and of two members of the council and the warden of the county municipality of Chicoutimi.";

(b) by replacing subsection 6 by the following subsection:

"(6) The quorum of the council consists of the majority of its members. Any decision of the council is made by a majority of the members present. Until the incorporation of the city of Saguenay under section 12d, that majority must include the mayor of the city of Jonquière and the mayor of the city of Chicoutimi."

6. This act has effect from 22 April 1979.

7. This act comes into force on the day of its sanction.