

NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

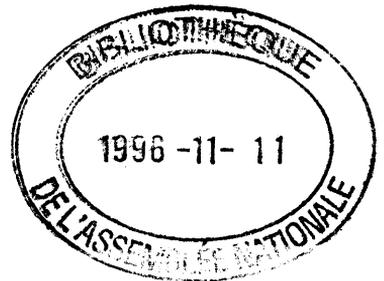
Bill 242

(Private)

An Act respecting *Municipalité régionale de comté du Domaine-du-Roy*

Introduction

**Introduced by
Mr Benoît Laprise
Member for Roberval**



Québec Official Publisher
1996



Bill 242

(Private)

AN ACT RESPECTING MUNICIPALITÉ RÉGIONALE DE COMTÉ DU DOMAINE-DU-ROY

WHEREAS it is necessary to grant certain powers to Municipalité régionale de comté du Domaine-du-Roy;

Whereas it is expedient to authorize Municipalité régionale de comté du Domaine-du-Roy to form a general partnership with the Société des établissements de plein air du Québec;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Municipalité régionale de comté du Domaine-du-Roy, hereinafter referred to as the “regional county municipality”, is authorized to form, with the Société des établissements de plein air du Québec, hereinafter referred to as the “Société”, a general partnership on an equal share basis whose object is to manage, operate and develop the Village de Val-Jalbert tourist attraction.

To that end, the partnership may hold the movable and immovable property which constitutes Village de Val-Jalbert or is necessary for its operation.

2. The regional county municipality may acquire half the movable and immovable property constituting Village de Val-Jalbert in order to contribute the property to the partnership. The Société shall contribute the remaining half of the property to the partnership.

3. The affairs of the partnership shall be managed by a board composed of nine directors, one of whom shall be appointed by the Société, another by the regional county municipality and the remaining seven, jointly by the Société and the regional county municipality.

4. The general partnership contract shall contain

- (1) a detailed description of the object of the partnership;
- (2) the obligations of the partners, including their required financial contribution;
- (3) the obligations of the partners in the event of total or partial non-performance of the partnership contract; and
- (4) the term of the contract, the mode of dissolution of the partnership or the mode of renewal of the contract.

5. The regional county municipality may invest in the partnership, draw on partnership profits, share in partnership losses and, with the authorization of

the Minister of Municipal Affairs, raise loans and hypothecate partnership property or otherwise offer partnership property as security for the loans.

6. Notwithstanding the Municipal Aid Prohibition Act (R.S.Q., chapter I-15), the regional county municipality may grant assistance and subsidies to the partnership.

7. Articles 935 and 936 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) do not apply to the partnership contract to be entered into by the parties.

8. Every by-law made by the partnership and every unanimous agreement between the partners requires the approval of the Minister of Municipal Affairs.

9. Every general meeting of the partnership and every meeting of its board of directors and of the executive committee of the board, if any, shall be held in Québec.

10. The voluntary winding-up or dissolution of the partnership requires the authorization of the Minister of Municipal Affairs.

11. Expenses incurred by the regional county municipality in respect of the partnership and financed otherwise than by a loan by-law or by a subsidy granted for that purpose shall not exceed, in any fiscal year, the amount fixed annually by by-law by the regional county municipality.

12. The market value of property or services contributed by the regional county municipality as payment of its share in the partnership constitutes an expense for the purposes of section 11.

13. Any person who, during his term of office as a member of the board of directors of the partnership, has a direct or indirect interest in a contract with the partnership is disqualified from holding that office.

14. An action for declaration of disqualification may be brought, in respect of a disqualification under section 13, in accordance with sections 308 to 312 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2).

15. A director of the partnership shall abstain from taking part in any deliberation or decision of the board of directors that would cause his personal interest to conflict with his directorial duties.

16. Any person having a direct or indirect interest in a contract with the partnership is disqualified from holding an office as an officer or employee of the regional county municipality other than as an employee within the meaning of the Labour Code (R.S.Q., chapter C-27).

17. The partnership shall take out and maintain liability insurance covering its directors, officers and other representatives.

18. The regional county municipality may guarantee the loans of the partnership.

The guarantee given to security holders may secure not only repayment of the principal of and payment of the interest on the securities, but also payment of related expenses, outlays and commitments.

19. A guarantee given by the regional county municipality under section 18 is considered to be an expense for the purposes of section 11 and the amount of the expense is the value of the principal of the debt security at the time the commitment is made by the regional county municipality.

20. The partnership shall furnish to the Minister of Municipal Affairs any information he requires on the activities of the partnership.

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