



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 71

(2001, chapter 71)

An Act to amend the Act respecting the remuneration of elected municipal officers

Introduced 11 December 2001
Passage in principle 11 December 2001
Passage 19 December 2001
Assented to 20 December 2001

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EXPLANATORY NOTES

The purpose of this bill is to introduce into the Act respecting the remuneration of elected municipal officers certain amendments to the rules governing the payment of severance allowances and transition allowances to elected municipal officers whose term on the council of their municipality terminates as a result of an amalgamation or total annexation.

The bill provides that elected municipal officers eligible under a compensation program whose term has ended prematurely and who have not been elected to the council of the new municipality are deemed, for the purposes of the payment of severance and transition allowances, to be council members of their former municipality until the period covered by the compensation program has expired.

Under the bill, elected municipal officers of the former municipalities who become council members of the new municipality may not receive the severance or transition allowances payable to them upon their ceasing to be council members of the former municipality, until their term as council members of the new municipality has ended.

Lastly, the bill provides that a transition allowance so deferred may be added to any other transitional allowance decided by the new municipality only up to a maximum amount applicable to both periods taken as a whole and prescribed by law.

Bill 71

AN ACT TO AMEND THE ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001) is amended by inserting the following sections after section 31.1 :

“31.2. For the purposes of sections 31.3 to 31.6,

(1) “former municipality” means the local municipality which, immediately before the coming into force of an amalgamation or total annexation, had jurisdiction over an amalgamated or annexed territory ;

(2) “new municipality” means the local municipality resulting from the amalgamation or that effected the annexation.

“31.3. For the purposes of sections 30.1 and 31, a person eligible under the compensation program provided for in section 233 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, chapter 56) or a similar compensation program established by an order referred to in section 125.27 of the Act respecting municipal territorial organization (chapter O-9) is deemed to cease to be a member of the council of the former municipality only at the end of the period covered by the program.

“31.4. A person who was a member of the council of the former municipality and who becomes a member of the council of the new municipality may not receive an allowance mentioned in section 30.1 or 31, in respect of any period of time during which the person was a member of the council of the former municipality, until the person ceases to be a member of the council of the new municipality.

Subject to section 31.5, the amount of the allowance provided for in section 31, the payment of which is deferred under the first paragraph, shall be established, in respect of any period of time during which the person was a member of the council of the former municipality, on the basis of the remuneration received from the former municipality.

“31.5. A person to whom the first paragraph of section 31.4 applies who ceases to be a member of the council of the new municipality and who is entitled to receive an allowance mentioned in section 31 in respect of the period of time during which the person was a member of the council of the new municipality, may also receive all or part of the allowance payable under section 31 in respect of the period of time during which the person was a member of the council of the former municipality, up to the maximum amount of the allowance prescribed by section 31 in respect of the remuneration the person received from the new municipality.

Where the maximum amount provided for in the first paragraph is less than the amount of the allowance the person would have been entitled to receive in respect of any period of time during which the person was a member of the council of the former municipality, the person may elect instead to receive the amount of that allowance.”

2. This Act comes into force on 20 December 2001.