Regulation to amend the Regulation respecting forest management plans and reports [*]

Forest Act
(R.S.Q., c. F-4.1, s. 172, 1st par., subpar. 7)

1. The Regulation respecting forest management plans and reports is amended in section 12 by replacing "This part also contains, by forest management sector, the result of the evaluations referred to in section 170 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), namely:" in paragraph 1 by "This part also contains the result of the evaluations referred to in section 170 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), as amended by section 56 of the Act to amend the Forest Act and other legislative provisions and to enact certain special provisions applicable to forest management activities prior to 1 April 2008 (2003, c. 16; 2005, c. 3 s. 6), namely:" and "- an evaluation of the volume of ligneous matter usable but not harvested and left on the management sector by the agreement holder, once all sylvicultural treatments and other forest management activities have been carried out in that sector." by "- an evaluation of the volume of ligneous matter left on the harvest sites of the common area; the volume includes the trees or parts of trees, by species or group of species, that should have been harvested in carrying out the sylvicultural treatments under the forest management permit in the fiscal year to which the report applies.".

2. Section 16.1 is amended by replacing "31 March 2004" by "31 March 2007".

3. Section 16.2 is amended by replacing "31 August 2006" by "31 August 2009" and "1 April 2005" by "1 April 2008".

4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

6893

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[*] The Regulation respecting forest management plans and reports, made by Order in Council 418-89 dated 22 March 1989 (1989, *G.O.* 2, 1553), was last amended by the regulation made by Order in Council 192-2002 dated 28 February 2002 (2002, *G.O.* 2, 1575). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

Gouvernement du Québec

O.C. 574-2005, 15 June 2005

Education Act
(R.S.Q., c. I-13.3)

School tax
— Computation of the maximum yield for the 2005-2006 school year

Regulation respecting computation of the maximum yield of the school tax for the 2005-2006 school year

WHEREAS, under subparagraphs 1, 2 and 3 of the first paragraph of section 455.1 of the Education Act (R.S.Q., c. I-13.3), the Government shall, by regulation, determine the rules for establishing the allowable number of students for computing the maximum yield of the school tax that the school board and the Comité de gestion de la taxe scolaire de l'île de Montréal may levy and the rates of increase of the amounts per student and of the base amount referred to in section 308 of the Education Act;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed thereby warrants it;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed thereby warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established by the Regulation justifies the absence of prior publication and such coming into force;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education, Recreation and Sports:

THAT the Regulation respecting computation of the maximum yield of the school tax for the 2005-2006 school year, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting computation of the maximum yield of the school tax for the 2005-2006 school year

Education Act
(R.S.Q., c. I-13.3, s. 455.1, 1st par., subpars. 1, 2 and 3)

1. For the computation of the maximum yield of the school tax for the 2005-2006 school year, provided for in section 308 of the Education Act (R.S.Q., c. I-13.3), the allowable number of students must be determined by

(1) calculating the number of four-year-old preschool students who may be taken into account, by multiplying by 1.00 the number of such students legally enrolled for a minimum of 144 half days on 30 September 2004 in the schools under the jurisdiction of the school board;

(2) calculating the number of five-year-old preschool students who may be taken into account, by multiplying by 1.80 the number of such students legally enrolled for a minimum of 180 days on 30 September 2004 in the schools under the jurisdiction of the school board, except students referred to in paragraphs 7 and 8;

(3) calculating the number of elementary school students who may be taken into account, by multiplying by 1.55 the number of such full-time students legally enrolled on 30 September 2004 in the schools under the jurisdiction of the school board, except students referred to in paragraphs 7 and 9;

(4) calculating the number of secondary school students who may be taken into account, by multiplying by 2.40 the number of such full-time students legally enrolled on 30 September 2004 in the schools under the jurisdiction of the school board, except students referred to in paragraphs 7 and 10;

(5) calculating the number of students admitted to a program of study leading to a secondary school vocational diploma, attestation of vocational specialization or attestation of vocational studies, who may be taken into account pursuant to paragraph 1 of section 4, by

(a) multiplying by 3.40 the number of full-time students admitted to a program of study leading to a secondary school vocational diploma, except students referred to in subparagraph *b*, or to an attestation of vocational specialization, legally enrolled during the 2003-2004 school year in the vocational training centres under the jurisdiction of the school board and recognized by the Minister of Education, Recreation and Sports for the purposes of the budgetary rules for the 2003-2004 school year;

(b) multiplying by 3.40 the number of full-time students admitted to a program of study leading to an attestation of vocational studies or admitted, following Secondary III, to a program of study leading to a secondary school vocational diploma, legally enrolled on 30 September 2003 in the vocational training centres under the jurisdiction of the school board and recognized by the Minister for the purposes of the budgetary rules for the 2003-2004 school year;

(c) multiplying by 3.40 the number of students corresponding to the difference between the number of new places, in terms of the enrolment capacity of an educational institution, allotted by the Minister for one or more vocational programs of study and the number of full-time students admitted to such program or programs of study during the 2003-2004 school year in the vocational training centres under the jurisdiction of the school board and recognized by the Minister for the purposes of the budgetary rules for the 2003-2004 school year; and

(d) adding the products obtained under subparagraphs *a*, *b* and *c*;

(6) calculating the number of students admitted to adult education services who may be taken into account, in accordance with the Schedule to this Regulation, by multiplying by 2.20 the number of full-time students;

(7) calculating the number of handicapped five-year-old preschool, elementary school and secondary school students who may be taken into account, by multiplying by 6.40 the number of such full-time students legally enrolled on 30 September 2004 in the schools under the jurisdiction of the school board and recognized by the Minister for the purposes of the budgetary rules for the 2004-2005 school year;

(8) calculating the number of five-year-old preschool students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 2.25 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 2004 in the schools under the jurisdiction of the school board;

(9) calculating the number of elementary school students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 2.40 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 2004 in the schools under the jurisdiction of the school board;

(10) calculating the number of secondary school students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 3.40 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 2004 in the schools under the jurisdiction of the school board;

(11) calculating the number of preschool and elementary school students enrolled in school day care services who may be taken into account pursuant to paragraph 3 of section 4, by multiplying by 0.05 the number of such students;

(12) calculating the number of students enrolled in the school board's school bussing services who may be taken into account pursuant to paragraph 4 of section 4, by

(a) multiplying by 0.75 the number of students enrolled on 30 September 2004 in a transport service employing vehicles used exclusively to transport such students;

(b) multiplying by 0.40 the number of students enrolled on 30 September 2004 in a transport service employing vehicles that have specific public transit routes and are not reserved exclusively to transport such students; and

(c) adding the products obtained under subparagraphs *a* and *b*; and

(13) adding the numbers obtained under paragraphs 1 to 12.

2. The allowable number of students determined under section 1 must be adjusted by adding the number of students who may be taken into account for the purposes of the reduction in the school population.

The number of students who may be taken into account for the purposes of the reduction in the school population is determined by

(1) calculating the number of students who may be taken into account for the purposes of the reduction in the total number of students by

(a) multiplying by 0.99 the total of the numbers obtained under paragraphs 2 to 4 and 7 to 10 of section 1 or, where applicable, under section 2 of the Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year made by Order in Council 500-2004 dated 26 May 2004; and

(b) subtracting from the product obtained under subparagraph *a,* the sum of the numbers obtained under paragraphs 2 to 4 and 7 to 10 of section 1, as they read before the application of section 3, if applicable;

(2) determining the number of students who may be taken into account for the purposes of the reduction in the number of five-year-old preschool and elementary school students by

(a) calculating the number of five-year-old preschool and elementary school students who may be taken into account under paragraph 7 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year;

(b) calculating the percentage that the total of the numbers obtained under subparagraph *a* and paragraphs 2, 3, 8 and 9 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year is of the total of the numbers obtained under paragraphs 2 to 4 and 7 to 10 of section 1 of that Regulation;

(c) multiplying by the percentage obtained under subparagraph *b* the number of students equal to the adjustment obtained, where applicable, under section 2 of the Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year;

(d) multiplying by 0.99 the total of the numbers obtained under subparagraph *a* and paragraphs 2, 3, 8 and 9 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year to which is added, where applicable, the number obtained under subparagraph *c*;

(e) calculating the number of five-year-old preschool and elementary school students who may be taken into account under paragraph 7 of section 1; and

(f) subtracting from the product obtained under subparagraph *d,* the total of the numbers obtained under subparagraph *e* and paragraphs 2, 3, 8 and 9 of section 1, as they read before the application of section 3, if applicable;

(3) calculating the number of students who may be taken into account for the purposes of the reduction in the number of secondary school students by

(a) calculating the number of secondary school students who may be taken into account under paragraph 7 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year;

(b) calculating the percentage that the total of the numbers obtained under subparagraph *a* and paragraphs 4 and 10 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year is of the total of the numbers obtained under paragraphs 2 to 4 and 7 to 10 of section 1 of that Regulation ;

(c) multiplying by the percentage obtained under subparagraph *b,* the number of students equal to the adjustment obtained, if any, under section 2 of the Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year ;

(d) multiplying by 0.99 the total of the numbers obtained under subparagraph *a* and paragraphs 4 and 10 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year to which is added, where applicable, the number obtained under subparagraph *c* ;

(e) calculating the number of secondary school students who may be taken into account under paragraph 7 of section 1 ; and

(f) subtracting from the product obtained under subparagraph *d*, the total of the numbers obtained under subparagraph *e* and paragraphs 4 and 10 of section 1, as they read before the application of section 3, if applicable ;

(4) subtracting from the sum of numbers obtained under paragraphs 2 and 3, the number obtained under paragraph 1 and multiplying by 0.37 the resulting number ; and

(5) adding the numbers obtained under paragraphs 1 and 4.

In the operations prescribed in this section, when a number is lower than zero, it is deemed to be zero.

3. Where the sum obtained by adding the numbers of full-time students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 exceeds the sum obtained by adding the numbers of full-time students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year by 200 or 2%, and is at least 200 or 2% lower than the sum obtained by adding the numbers of full-time students in the categories referred to in paragraphs 2 to 4 and 7 to 10 of section 1, established according to the Minister's enrolment estimates for the 2005-2006 school year, paragraphs 2 to 4 of section 1 are to be as follows :

"(2) calculating the number of five-year-old preschool students who may be taken into account, by multiplying by 1.80 the number of such full-time students, established according to the Minister's enrolment estimates for the 2005-2006 school year, except students referred to in paragraphs 7 and 8 ;

(3) calculating the number of elementary school students who may be taken into account, by multiplying by 1.55 the number of such full-time students, established according to the Minister's enrolment estimates for the 2005-2006 school year, except students referred to in paragraphs 7 and 9 ;

(4) calculating the number of secondary school students who may be taken into account, by multiplying by 2.40 the number of such full-time students, established according to the Minister's enrolment estimates for the 2005-2006 school year, except students referred to in paragraphs 7 and 10 ;".

4. For the purposes of section 1,

(1) students who may be taken into account by a school board for the purposes of paragraph 5 of section 1 are students who were admitted for the 2003-2004 school year to a vocational training centre under the jurisdiction of the school board to receive educational services in vocational training, in vocational training programs authorized pursuant to section 467 of the Education Act ;

(2) the number of full-time students is obtained by adding the number of students enrolled full-time who participate in the minimum number of hours of activities prescribed by the basic school regulation applicable to them and the number of students enrolled part-time converted into a number of full-time students by

(a) using the following equation to calculate the proportion of full-time attendance per student enrolled part-time :

$$\frac{\text{the student's number of hours of activities per school year}}{\text{the minimum number of hours of activities per school year prescribed by the basic school regulation applicable to the student}} \text{; and}$$

(b) adding, for each of the categories of students referred to in paragraphs 1 to 10 of section 1, the proportions obtained under subparagraph *a* ;

(3) the students who may be taken into account by a school board for the purposes of paragraph 11 of section 1 are

(a) four-year-old preschool students enrolled on 30 September 2004 in the day care services of the school board for a minimum of 2 periods per day, at least 3 days per week; and

(b) five-year-old preschool students and elementary school students enrolled on 30 September 2004 in the day care services of the school board for a minimum of 2 periods per day, at least 3 days per week; and

(4) the students who may be taken into account by a school board for the purposes of paragraph 12 of section 1 are the students for whom the school board provides transportation at the beginning and end of classes each day.

5. For the computation of the maximum yield of the school tax for the 2005-2006 school year, the amount per student is $689.45, or $896.27 if the allowable number of students is less than 1,000, and the base amount is $206,831, namely the amounts established for the 2004-2005 school year increased by 1.23%.

6. The Regulation respecting computation of the maximum yield of the school tax for the 2004-2005 school year, made by Order in Council 500-2004 dated 26 May 2004, is revoked.

7. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE
(s. 1, par. 6)

NUMBER OF STUDENTS EQUIVALENT TO FULL-TIME ADULTS IN GENERAL EDUCATION

Code	School board (Commission scolaire)	Number of full-time students
711 000	des Monts-et-Marées	620.15
712 000	des Phares	475.49
713 000	du Fleuve-et-des-Lacs	375.01
714 000	de Kamouraska–Rivière-du-Loup	354.66
721 000	du Pays-des-Bleuets	543.02
722 000	du Lac-Saint-Jean	650.35
723 000	des Rives-du-Saguenay	1,145.32
724 000	De La Jonquière	548.67
731 000	de Charlevoix	136.45

Code	School board (Commission scolaire)	Number of full-time students
732 000	de la Capitale	2,309.94
733 000	des Découvreurs	688.00
734 000	des Premières-Seigneuries	1,204.62
735 000	de Portneuf	241.89
741 000	du Chemin-du-Roy	717.51
742 000	de l'Énergie	483.27
751 000	des Hauts-Cantons	251.31
752 000	de la Région-de-Sherbrooke	1,092.77
753 000	des Sommets	315.35
761 000	de la Pointe-de-l'Île	2,542.74
762 000	de Montréal	7,412.24
763 000	Marguerite-Bourgeoys	3,260.51
771 000	des Draveurs	1,163.88
772 000	des Portages-de-l'Outaouais	997.99
773 000	au Coeur-des-Vallées	399.89
774 000	des Hauts-Bois-de-l'Outaouais	418.97
781 000	du Lac-Témiscamingue	178.49
782 000	de Rouyn-Noranda	485.38
783 000	Harricana	201.30
784 000	de l'Or-et-des-Bois	463.09
785 000	du Lac-Abitibi	190.72
791 000	de l'Estuaire	339.84
792 000	du Fer	298.29
793 000	de la Moyenne-Côte-Nord	57.44
801 000	de la Baie-James	131.79
811 000	des Îles	79.76
812 000	des Chic-Chocs	352.51
813 000	René-Lévesque	476.44
821 000	de la Côte-du-Sud	315.77
822 000	de L'Amiante	358.42
823 000	de la Beauce-Etchemin	578.96
824 000	des Navigateurs	697.47
831 000	de Laval	1,621.07
841 000	des Affluents	1,028.05
842 000	des Samares	790.71
851 000	de la Seigneurie-des-Mille-Îles	783.26
852 000	de la Rivière-du-Nord	771.45
853 000	des Laurentides	304.37
854 000	Pierre-Neveu	319.31

Code	School board (Commission scolaire)	Number of full-time students
861 000	de Sorel-Tracy	415.35
862 000	de Saint-Hyacinthe	530.47
863 000	des Hautes-Rivières	522.57
864 000	Marie-Victorin	1,533.77
865 000	des Patriotes	623.38
866 000	du Val-des-Cerfs	606.53
867 000	des Grandes-Seigneuries	521.02
868 000	de la Vallée-des-Tisserands	505.56
869 000	des Trois-Lacs	260.99
871 000	de la Riveraine	201.16
872 000	des Bois-Francs	414.62
873 000	des Chênes	392.22
881 000	Central Québec	81.66
882 000	Eastern Shores	110.59
883 000	Eastern Townships	210.29
884 000	Riverside	148.55
885 000	Sir Wilfrid Laurier	268.43
886 000	Western Québec	318.24
887 000	English Montréal	3,274.53
888 000	Lester B. Pearson	1,125.76
889 000	New Frontiers	131.65

6896

Gouvernement du Québec

Agreement

An Act respecting elections and referendums
in municipalities
(R.S.Q., c. E-2.2)

AGREEMENT CONCERNING NEW METHODS OF
VOTING USING "PERFAS-MV" BALLOT BOXES

AGREEMENT ENTERED INTO

BETWEEN

The MUNICIPALITY OF VILLAGE DE SAINT-ZOTIQUE, a legal person established in the public interest, having its head office at 1250, rue Principale, Saint-Zotique, Province de Québec, represented by the mayor, Monsieur Robert Hovington, and the secretary-treasurer, Monsieur Pierre Chevrier, under a resolution bearing number 2004-11-457, hereinafter called

THE MUNICIPALITY

AND

Mtre Marcel Blanchet, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (R.S.Q., c. E-3.3), acting in that capacity and having his main office at 3460, rue de La Pérade, Sainte-Foy, Province de Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

the Honourable Jean-Marc Fournier, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, SPORTS AND RECREATION, having his main office at 10, rue Pierre-Olivier-Chauveau, Québec, Province de Québec, hereinafter called

THE MINISTER

WHEREAS the council of the MUNICIPALITY, by its resolution No. 2004-09-352, passed at its meeting of 13 September 2004, expressed the desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of electronic ballot boxes for the general election of 6 November 2005 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) provide the following:

"**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Sports and Recreation and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

659.3. After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Sports and Recreation and the Chief Electoral Officer.";