



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 121
(1997, chapter 22)

**An Act to amend the Act respecting the Conseil
permanent de la jeunesse and other legislative
provisions**

**Introduced 8 May 1997
Passage in principle 30 May 1997
Passage 5 June 1997
Assented to 5 June 1997**

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EXPLANATORY NOTES

This bill amends the Act respecting the Conseil permanent de la jeunesse mainly as regards the procedure by which the members of the council are elected. Thus, the electoral body is abolished and a new election procedure is introduced.

The bill also abolishes one of the current two positions of vice-president of the Conseil permanent de la jeunesse.

In addition, the Act respecting the Conseil permanent de la jeunesse, the Act respecting the Conseil des aînés and the Act respecting the Conseil des relations interculturelles are amended to provide that each council must, when advising the Minister, give proper consideration to issues relating to solidarity between generations, openness to pluralism, and closer intercultural relations. The bill also provides that the election or appointment of the members of each council must reflect the composition of Québec society.

The bill also includes a transitional provision.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting the Conseil permanent de la jeunesse (R.S.Q., chapter C-59.01);
- Act respecting the Conseil des aînés (R.S.Q., chapter C-57.01);
- Act respecting the Conseil des relations interculturelles (R.S.Q., chapter C-57.2).

Bill 121

AN ACT TO AMEND THE ACT RESPECTING THE CONSEIL PERMANENT DE LA JEUNESSE AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

- 1.** Section 2 of the Act respecting the Conseil permanent de la jeunesse (R.S.Q., chapter C-59.01) is amended by replacing the words “by the persons forming the body of electors provided for in Division II, in accordance with that division” in the first, second and third lines by the words “in accordance with Division II”.
- 2.** Section 4 of the said Act is amended by replacing the words “two vice-presidents” in the second line by the words “a vice-president”.
- 3.** Section 7 of the said Act is amended by replacing the word “vice-presidents” in the first line of the second paragraph by the word “vice-president”.
- 4.** Section 8 of the said Act is amended by replacing the words “the Minister may appoint one of the vice-presidents to” in the first and second lines by the words “the vice-president shall”.
- 5.** Section 9 of the said Act is amended by replacing the word “vice-presidents” in the first line of the first paragraph by the word “vice-president”.
- 6.** Section 10 of the said Act is amended by replacing the word “vice-presidents” in the second line by the word “vice-president”.
- 7.** Section 11 of the said Act is amended by replacing the word “vice-presidents” in the first and second lines of the first paragraph by the word “vice-president”.
- 8.** Section 17 of the said Act is repealed.
- 9.** Section 18 of the said Act is amended by replacing the words “membership in the body of electors” in the third line by the words “election to the council”.
- 10.** Section 19 of the said Act is amended

(1) by striking out the words “prescribed by regulation” in the second line of the first paragraph;

(2) by adding, at the end, the following paragraph:

“The nomination period shall begin within three months of the expiry of the term of office of the members of the council, on the date determined by ministerial order, and shall end eight weeks after that date.”

11. Sections 20 to 22 of the said Act are replaced by the following sections:

“20. The Minister shall draw up a list of 40 candidates, selected from among the qualified candidates. The candidates proposed must reflect the composition of Québec society.

“21. The Minister shall send the list to the council not later than 30 days after the end of the nomination period.

“22. Within 30 days of the sending of the list of the candidates proposed by the Minister, the council shall elect the 15 new members of the council, in accordance with the election procedure set out in Division II.1, and shall send the Minister a list of the members elected.

“22.1. If the council fails to elect the new members within the prescribed time, the Government shall appoint the new members from the list of candidates proposed by the Minister.”

12. Section 23 of the said Act is repealed.

13. Section 24 of the said Act is amended

(1) by striking out paragraphs 1 and 3;

(2) by replacing the words “sitting of the body of electors” in the second line of paragraph 4 by the words “special sitting of the council called pursuant to section 24.1”.

14. The said Act is amended by inserting, after section 24, the following division:

“DIVISION II.1

“ELECTION PROCEDURE

“24.1. On receiving the list of candidates proposed by the Minister, the secretary of the council shall, at the request of the president, call the members of the council to a special sitting.

“24.2. A notice shall be sent to every member of the council at least eight days before the sitting. The notice must include the agenda for the sitting, a list of the organizations supporting each candidate and a document presenting each candidate.

The secretary shall also send a copy of the notice to the Minister.

“24.3. The sitting shall be divided into two main parts, one for the presentation of each candidate’s file, and the other for the election of the 15 new members.

“24.4. The new members shall be elected by secret ballot.

“24.5. The members of the council shall make their selection by entering on their ballot paper, which shall contain the surnames and first names of the candidates in alphabetical order, 40 votes ranking the candidates from first to fortieth.

“24.6. The president shall reject every ballot paper

- (1) that was not supplied by him;
- (2) that indicates more than one vote for a single candidate;
- (3) that includes two identical votes;
- (4) that includes fewer or more than forty votes;
- (5) that does not clearly indicate 40 different votes.

“24.7. Once the ballot has been completed, the president shall collate the votes received by each candidate by assigning 40 points for a vote ranking a candidate first, 39 points for a vote ranking a candidate second, 38 points for a vote ranking a candidate third, and so on down to 1 point for a vote ranking a candidate fortieth.

The 15 candidates having received the greatest number of points shall be declared elected by the president as the new members of the council.

“24.8. If it is not possible to declare 15 members elected because two or more candidates have received the same number of points and there are more eligible candidates than there are positions, the president shall hold a second ballot for the candidates concerned.

Should an equal number of points be obtained following the second ballot, the president shall, by a random draw, determine which of the members concerned are elected.

“24.9. The list of the newly elected members shall be sent to the Minister, together with the minutes of the sitting.”

15. Section 25 of the said Act is amended by adding, at the end, the words “, in particular in connection with solidarity between generations, openness to pluralism, and closer intercultural relations.”

16. Section 3 of the Act respecting the Conseil des aînés (R.S.Q., chapter C-57.01), amended by section 38 of chapter 21 of the statutes of 1996, is again amended

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

“3. The voting members of the council shall be chosen for their concern for the elderly and so as to reflect the composition of Québec society. They shall be appointed by the Government, on the recommendation of the Minister responsible for the administration of this Act, following consultation with the most representative bodies involved, for the whole of Québec, in the protection of the rights or the promotion of the interests of the elderly.”;

(2) by replacing the words “associate secretary general of the Executive Council” in the third line of the second paragraph by the words “associate deputy minister at the Ministère de la Sécurité du revenu”.

17. Section 13 of the said Act is amended by adding, at the end, the words “, in particular in connection with solidarity between generations, openness to pluralism, and closer intercultural relations.”

18. Section 3 of the Act respecting the Conseil des relations interculturelles (R.S.Q., chapter C-57.2) is amended by replacing the second, third and fourth paragraphs by the following paragraph :

“The members of the Conseil shall be chosen for their interest in intercultural relations and so as to reflect the composition of Québec society.”

19. Section 13 of the said Act, amended by section 43 of chapter 21 of the statutes of 1996, is again amended by adding, at the end, the words “, in particular in connection with solidarity between generations, openness to pluralism, and closer intercultural relations.”

20. For 1997, the three-month period allotted for the application of the last paragraph of section 19 of the Act respecting the Conseil permanent de la jeunesse, enacted by section 10 of this Act, shall begin to run on 5 June 1997.

21. This Act comes into force on 5 June 1997.