



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 32
(2007, chapter 38)

An Act to promote the maintenance and renewal of public infrastructures

Introduced 30 October 2007
Passed in principle 11 December 2007
Passed 18 December 2007
Assented to 21 December 2007

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EXPLANATORY NOTES

The purpose of this bill is to ensure that state investments in public infrastructures are transparent and made in accordance with best management practices, and that they are properly apportioned between infrastructure maintenance and infrastructure development. To that end, the bill provides that a capital budget is to be tabled each year in the National Assembly. The budget is to specify the amounts allocated to maintaining and developing public infrastructures and to eliminating the maintenance deficit within 15 years. The bill also provides for a rendering of accounts with respect to the use of the budget.

Bill 32

AN ACT TO PROMOTE THE MAINTENANCE AND RENEWAL OF PUBLIC INFRASTRUCTURES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

OBJECT

1. The purpose of this Act is to ensure that state investments in public infrastructures are transparent and made in accordance with best management practices, and that they are properly apportioned between infrastructure maintenance and infrastructure development.

CHAPTER II

INVESTING IN THE MAINTENANCE AND DEVELOPMENT OF PUBLIC INFRASTRUCTURES AND IN THE ELIMINATION OF THE MAINTENANCE DEFICIT

2. Not later than 1 December each fiscal year, the Conseil du trésor must submit to the Government a draft multi-year capital budget for public infrastructures.

3. “Infrastructure” means an immovable, a civil engineering work and any other equipment determined by the Government.

An infrastructure is considered to be a public infrastructure if the Government contributes financially, directly or indirectly, to building, acquiring, maintaining or improving it.

4. The capital budget must specify the amounts allocated to each of the following objectives:

(1) maintaining existing public infrastructures in keeping with the standards recognized for each type of infrastructure and identified by the Conseil du trésor;

(2) eliminating within 15 years the maintenance deficit determined on 1 April 2008; and

(3) building new public infrastructures, or improving or replacing existing public infrastructures.

If the part of the capital budget for a year that is allocated under subparagraph 2 of the first paragraph does not reach 6% of the maintenance deficit determined on 1 April 2008, the difference must be redistributed among the capital budgets for the following three years.

5. A body that receives a financial contribution for a public infrastructure from the Government must provide, at the request of the chair of the Conseil du trésor or of the Minister responsible for the body, the information the chair considers necessary to prepare the capital budget and a yearly report detailing how the allocated amounts have been used, in particular with respect to the objectives listed in section 4.

6. The capital budget and the yearly report on how it has been used are tabled in the National Assembly by the chair of the Conseil du trésor.

The documents may be examined by the appropriate committee of the National Assembly.

7. The Government may make rules on how to allocate unused amounts in the capital budget to subsequent budgets.

CHAPTER III

MISCELLANEOUS PROVISIONS

8. The Minister who chairs the Conseil du trésor is responsible for the administration of this Act.

9. The provisions of this Act come into force on the date or dates to be set by the Government.