



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Votes and Proceedings

of the Assembly

Friday, 21 March 1997 — No. 81

Extraordinary Sitting

President of the National Assembly:
Mr. Jean-Pierre Charbonneau

QUÉBEC

Extraordinary Sitting

The Assembly was called to order at 9.07 o'clock a.m.

Moment of reflection

Mr. President tabled the following:

The letter he had received from Mr. Bouchard, Prime Minister, dated 20 March 1997, requesting that he take the necessary measures for the National Assembly to meet as a matter of urgency beginning at 9.00 o'clock a.m., on Friday, 21 March 1997, in order to introduce and pass a bill to ensure the reduction in manpower costs in the public sector and, as applicable, to act upon the various agreements in principle reached within the framework of the current negotiations.

(Sessional Paper No. 736-970321)

ROUTINE PROCEEDINGS

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Motions Without Notice

Pursuant to Standing Orders 182 and 183, Mr. Bélanger, Government House Leader, moved:

THAT owing to the urgency of the situation and in order to introduce and pass Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose, the following Standing Orders be suspended until the aforementioned Bill shall have been passed:

19 (first paragraph), 20 and 22, 52 (the words "The Routine Proceedings shall be taken at 2.00 o'clock p.m."), 53 (the words "and personal explanations", in the fourth paragraph, as well as the seventh paragraph), 54 (the first, second, third and fifth paragraphs), 71 to 73, 84 (second and third paragraphs), 86 (the words "or at the request of some other Member", in the first paragraph, as well as the second paragraph), 87 (second, third and eighth paragraphs), 88 to 94, 100 and 101, 105 to 108, 110 to 114, 157, 164 and 165, 175 and 176, 177 (the words "and its observations, conclusions, or recommendations to the Assembly, if there be any"), 194 and 195, 205 to 209, 212, 213, 215, 216, 220, 230, 232, 233 (the words "When the appropriate item of the Routine Proceedings is entered upon"), 236 and 237, 239 (second paragraph), 240 and 241, 243, 244 (second paragraph), 245 and 246, 247, 248 (the words "and the bill shall thereupon be set down for final passage on a future sitting day", in the second paragraph), 249 to 251, 252 (first paragraph), 253 (first and third paragraphs), 254, 256 (second and third paragraphs), 257 and 304 to 307;

Notwithstanding the provisions of Standing Order 54, immediately the present motion is carried, the Routine Proceedings shall conclude and the Assembly shall take up the Orders of the Day for the purpose of considering Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose;

Notwithstanding the provisions of Standing Order 53, during Orders of the Day, a Minister shall be permitted to introduce the said Bill;

The debate on the passage in principle of Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose, shall last not more than one hundred and twenty minutes, which period shall be allotted as follows: fifty minutes to the parliamentary group forming the Government, fifty minutes to the

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parliamentary group forming the Official Opposition, ten minutes to the independent Members and ten minutes to the Minister

presenting the Bill for his reply; voting on the passage in principle of the Bill shall be by a show of hands unless five Members demand a recorded division;

Following the passage in principle of the Bill, a Minister or a Deputy Government House Leader may move that the Bill be referred to a Committee of the Whole for clause-by-clause consideration; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

A Minister or a Deputy Government House Leader may move that the Assembly resolve itself into a Committee of the Whole; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

The clause-by-clause consideration of Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose, in Committee of the Whole shall last not more than two hours after the beginning of its proceedings; the questions for adoption of the sections considered and the amendments handed in shall be put forthwith, and recorded divisions may not be demanded thereon;

Upon the expiry of this time limit, the Chairman of the Committee of the Whole shall put the questions forthwith, without debate and without recorded division, on the sections and on the amendments that the Committee has not disposed of, including the amendments the Minister presenting the Bill may not have been able to move during clause-by-clause consideration but which shall be transmitted to the Chairman of the Committee at this time, the title and headings of the Bill and he shall report to the Assembly, without consultation of the Committee nor the Assembly; the question on such report shall be put without recorded division;

A Minister or a Deputy Government House Leader may move, more than once during the same sitting, that the Committee of the Whole report progress to the Assembly and ask leave to sit again; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

The debate on the final passage of Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose, shall last not more than thirty minutes, which period shall be allotted as follows: ten minutes to the parliamentary group forming the Government, ten minutes to the parliamentary group forming the Official

Opposition, five minutes to the independent Members and five minutes to the Minister presenting the Bill for his reply; voting on the passage of the Bill shall be by a show of hands unless five Members demand a recorded division;

A Minister or a Deputy Government House Leader may move at any time during the debate on the passage of Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose, that the Assembly resolve itself into a Committee of the Whole to consider amendments that he indicates; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon; the debate in Committee of the Whole shall be limited to consideration of the proposed amendments; the debate in Committee of the Whole shall last not more than fifteen minutes, which period shall be allotted as follows: five minutes to the parliamentary group forming the Government, five minutes to the parliamentary group forming the Official Opposition, three minutes to the independent Members and two minutes to the Minister presenting the Bill for his reply, at the end of which period the question shall be put forthwith on the amendments, without recorded division; after which the Chairman of the Committee shall report to the Assembly, without consultation of the Committee nor the Assembly; the question on such report shall be put immediately without debate and without recorded division;

A Minister or a Deputy Government House Leader shall be permitted to move the adjournment of the debate at any time of the sitting; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

A Minister or a Deputy Government House Leader shall be permitted to move the adjournment of the sitting at any time; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

A Minister or a Deputy Government House Leader shall be permitted to move the withdrawal of a motion at any time of the sitting; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

In addition to the provisions of this motion, all voting shall be by a show of hands unless a Minister or a Deputy Government House Leader demands a recorded division;

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The Assembly be granted leave to meet each day at 10.00 o'clock a.m. and to continue sitting until it shall decide to adjourn;

Subject to the foregoing, the provisions of the Standing Orders of the Assembly relating to the extended hours of meeting shall apply; and

The rules hereinbefore specified shall remain in force until Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose, shall have been passed.

Mr. Paradis, Official Opposition House Leader, raised a point of order in which he indicated that, contrary to the provisions of Standing Order 184, Bill 104 was not distributed when the motion to suspend certain rules of procedure was moved. He added that the distribution of this Bill should also include the agreements to which the Bill refers as well as the collective agreements that it modifies.

After a suspension of the sitting, Mr. President rendered the following decision on this point of order:

RULING FROM THE CHAIR

Pursuant to Standing Order 184, the Bill must be distributed when the motion to suspend certain rules of procedure is moved, which was not done. Consequently, this motion must be moved once again.

Furthermore, Standing Order 184 requires only the distribution of the Bill itself. Consequently, there is no obligation to also distribute the documents mentioned in the text or in the headings of this Bill; the responsibility of the Chair is limited to ensuring the distribution of the Bill.

In application of the ruling from the Chair, Mr. Bélanger, Government House Leader, once again moved the motion to suspend certain rules of procedure that he had previously made.

Mr. Paradis, Official Opposition House Leader, raised a point of order in which he indicated that, contrary to Standing Order 233, the explanatory notes of Bill 104 contain arguments and recitals.

After a suspension of the sitting, Mr. President rendered the following decision on this point of order:

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RULING FROM THE CHAIR

The words "this bill is part of an effort asked of all Quebecers to help stabilize public finances" do constitute recitals. Consequently, this portion of the explanatory notes of Bill 104 must be withdrawn and explanatory notes that are consistent with the present ruling shall have to be distributed as soon as possible, and, in any event, before the introduction of the Bill.

Mr. Lefebvre, Deputy Opposition House Leader, and Mr. Paradis, Official Opposition House Leader, raised the question of the receivability of the motion to suspend certain rules of procedure moved by Mr. Bélanger, Government House Leader.

After having heard comments from both sides and after having taken the matter under advisement, Mr. President rendered the following decision:

RULING FROM THE CHAIR

The motion to suspend certain rules of procedure moved by the Government House Leader is receivable on the following grounds:

On the one hand, the suspension of Standing Orders 279 et sequentia is not required since the purpose of the motion is not to introduce a new manner of examining the estimates of expenditure, and it is not for the Chair to decide whether Bill 104 has an impact on the estimates of expenditure that were tabled in the National Assembly this week;

On the other hand, the suspension of Standing Order 229 is not required since the new rules stipulated in the motion, in replacement of Standing Orders 243 and 248, can justifiably be concurrent with Standing Order 229.

After meeting with the leaders of the parliamentary groups, Mr. President announced the allocation of speaking time for the proceedings with respect to the limited debate on the causes for which the Assembly has been summoned to an extraordinary sitting and on the motion to suspend certain rules of procedure: Four minutes shall be set aside for each of the independent Members; the two parliamentary groups shall share equally the rest of the time allotted for this debate; within this framework, any time not used by a parliamentary group shall be added to that of the other group, while any time not used by the independent Members may be redistributed amongst the parliamentary groups, and individual addresses shall not otherwise be limited.

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And debate arising on the causes for which the Assembly has been summoned and on the motion by Mr. Bélanger, Government House Leader;

At the request of Mr. Brouillet, Vice-President, Mr. Johnson, Leader of the Official Opposition, withdrew certain words deemed unparliamentary.

The debate being concluded, the question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. 116 in Appendix)

Yeas: **67** Nays: **31** Abstentions: **0**

ORDERS OF THE DAY

Government Bills

Introduction of Bills

In application of the ruling from the Chair, Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, distributed the French and English versions of the explanatory notes of Bill 104.

Mr. Léonard then moved that leave be granted to introduce the following Bill:

104 An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose.

The motion was carried on division.

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Passage in Principle

Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, moved, —That Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose, do now pass in principle.

After debate thereon, the question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. 117 in Appendix)

Yeas: **66** Nays: **29** Abstentions: **0**

Accordingly, Bill 104 was passed in principle.

On motion by Mr. Bélanger, Government House Leader, Bill 104 was referred for clause-by-clause consideration to the Committee of the Whole.

On motion by Mr. Bélanger, Government House Leader, the Assembly then resolved itself into a Committee of the Whole for the clause-by-clause consideration of Bill 104.

Clause-by-Clause Consideration in Committee of the Whole

The Committee of the Whole entered upon the clause-by-clause consideration of Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose.

With the permission of the Chairman of the Committee of the Whole, Mr. Mulcair (Chomedey) tabled the following:

A copy of a letter, dated 6 February 1997, sent to Mr. Lucien Bouchard, Prime Minister, from Mr. Mark G. Peacock, President of the Québec branch of the Canadian Bar Association, regarding the remuneration and status of judges.

(Sessional Paper No. 737-970321)

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With the permission of the Chairman of the Committee of the Whole, Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, tabled the following:

The alternative to the Government proposal of 5 March 1997, submitted on 18 March 1997 to the federal unions representing the teaching personnel of the school board network.

(Sessional Paper No. 738-970321)

The amendments handed in by Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, to sections 2, 5, 12, 20, 29, 31, 31.1, 32, 33, 50.1, 51, 53, 54, 56, 61.1, to Schedules 1, 2, 3 and 4, as well as to the heading of subsection 2 of Division III of Bill 104 were carried on division.

The amendment handed in by Mr. Mulcair (Chomedey) to section 62 of Bill 104 was negatived.

The motion to renumber the Bill was carried on division.

The sections that the Committee of the Whole had not disposed of, the title and headings of the Bill were carried on division.

Finally, Bill 104, as amended, was carried on division by the Committee of the Whole.

Bill 104 was thereupon reported to the Assembly, and the report from the Committee of the Whole was concurred in on division by the Assembly.

Passage

Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, moved the passage of Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose.

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After debate thereon, the question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. 118 in Appendix)

Yeas: **65** Nays: **27** Abstentions: **0**

Accordingly, Bill 104 was passed.

At 11.56 o'clock p.m., Mr. President adjourned the Assembly until Tuesday, 25 March 1997, at 10.00 o'clock a.m.

ROYAL ASSENT

On Saturday, 22 March 1997, at 12.27 o'clock a.m., in the Office of the Lieutenant-Governor, in the presence of the President of the National Assembly, of Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, of Mrs. Barbeau (Vanier) and Mr. Paquin (Saint-Jean), the Delegates of the Prime Minister, and of Mr. Bédard, Director of the Secretariat of the Assembly, the Honourable Lise Thibault, Lieutenant-Governor of Québec, was pleased to assent to the following Bill:

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104 An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose.

JEAN-PIERRE CHARBONNEAU

President

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APPENDIX

Recorded Divisions

On the motion to suspend certain rules of procedure moved by Mr. Bélanger,
Government House Leader:

(Division No. 116)

YEAS - 67

Barbeau	Brien	Jutras	Morin
Baril	Campeau	Kieffer	(Nicolet-Yamaska)
(Arthabaska)	Caron	Lachance	Paquin
Baril	Carrier-Perreault	Landry	Paré
(Berthier)	Charest	(Bonaventure)	Pelletier
Beaudoin	Chevrette	Landry	Perreault
Beaumier	Cliche	(Verchères)	Rioux
Bégin	Côté	Laprise	Rivard
Bélanger	Désilets	Laurin	Robert
(Anjou)	Deslières	Le Hir	Rochon
Bertrand	Dion	Leduc	Saint-André
(Charlevoix)	Dionne-Marsolais	Léger	Signori
Bertrand	Doyer	Lelièvre	Simard
(Portneuf)	Facal	Léonard	(La Prairie)
Blais	Gagnon	Létourneau	Simard
Boisclair	Gaulin	Malavoy	(Richelieu)
Bouchard	Gendron	Marois	Trudel
Boucher	Harel	Ménard	Vermette
Boulerice	Jolivet	Morin	
Brassard	Julien	(Dubuc)	

NAYS - 31

Beaudet	Bergman	Brodeur	Delisle
Bélanger	Bissonnet	Chagnon	Dumont
(Mégantic-Compton)	Bordeleau	Cherry	Farrah
Benoit	Bourbeau	Copeman	Fournier
Gagnon-Tremblay	Gautrin	Gauvin	Gobé

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Johnson	Loiselle	Paradis
Kelley	Marsan	Parent
Laporte	Mulcair	Poulin
Lefebvre	Ouimet	Williams

ABSTENTIONS - 0

On the motion by Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, for the passage in principle of Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose:

(Division No. 117)

YEAS - 66

Barbeau	Boisclair	Dion	Landry
Baril	Bouchard	Dionne-Marsolais	(Verchères)
(Arthabaska)	Boucher	Doyer	Laprise
Baril	Boulerice	Facal	Laurin
(Berthier)	Brassard	Gagnon	Le Hir
Beaudoin	Brien	Gaulin	Leduc
Beaumier	Campeau	Gendron	Léger
Bégin	Caron	Harel	Lelièvre
Bélanger	Carrier-Perreault	Jolivet	Léonard
(Anjou)	Charest	Julien	Létourneau
Bertrand	Chevrette	Jutras	Malavoy
(Charlevoix)	Cliche	Kieffer	Marois
Bertrand	Côté	Lachance	Ménard
(Portneuf)	Désilets	Landry	Morin
Blais	Deslières	(Bonaventure)	(Dubuc)
Morin	(Nicolet-Yamaska)	Paquin	Paré

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Pelletier	Rioux	Signori	Trudel
	Rivard	Simard	Vermette
	Robert	(<i>La Prairie</i>)	
	Rochon	Simard	
	Saint-André	(<i>Richelieu</i>)	

NAYS - 29

Beaudet	Brodeur	Gautrin	Mulcair
Bélanger	Chagnon	Gauvin	Ouimet
(<i>Mégantic-Compton</i>)	Cherry	Gobé	Paradis
Benoit	Delisle	Houda-Pepin	Parent
Bergman	Dumont	Laporte	Poulin
Bissonnet	Farrah	Lefebvre	Williams
Bordeleau	Fournier	Loiselle	
Bourbeau	Gagnon-Tremblay	Marsan	

ABSTENTIONS - 0

On the motion by Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, for the passage of Bill 104, An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose:

(Division No. 118)

YEAS - 65

Barbeau	Beaumier	Bertrand	Boulerice
Baril	Bégin	(<i>Portneuf</i>)	Brien
(<i>Arthabaska</i>)	Bélanger	Blais	Campeau
Baril	(<i>Anjou</i>)	Boisclair	Caron
(<i>Berthier</i>)	Bertrand	Bouchard	Carrier-Perreault
Beaudoin	(<i>Charlevoix</i>)	Boucher	Charest
Chevrette	Cliche	Côté	Désilets

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Deslières	Jolivet	Lelièvre	Perreault
Dion	Julien	Léonard	Rioux
Dionne-Marsolais	Jutras	Létourneau	Rivard
Doyer	Kieffer	Malavoy	Robert
Facal	Lachance	Marois	Rochon
Gagnon	Landry	Ménard	Saint-André
Gaulin	(<i>Bonaventure</i>)	Morin	Signori
Gendron	Landry	(<i>Dubuc</i>)	Simard
Harel	(<i>Verchères</i>)	Morin	(<i>La Prairie</i>)
	Laprise	(<i>Nicolet-Yamaska</i>)	Simard
	Laurin	Paquin	(<i>Richelieu</i>)
	Leduc	Paré	Trudel
	Léger	Pelletier	Vermette

NAYS - 27

Bélanger	Chagnon	Gauvin	Mulcair
(<i>Mégantic-Compton</i>)	Cherry	Gobé	Ouimet
Benoit	Delisle	Houda-Pepin	Paradis
Bergman	Dumont	Laporte	Parent
Bissonnet	Farrah	Lefebvre	Poulin
Bordeleau	Gagnon-Tremblay	Loiselle	Vallières
Bourbeau	Gautrin	Marsan	Williams

ABSTENTIONS - 0