

Date: Thursday, 3 June 1999 – No. 40
Heure: Ten o'clock
Président: Mr. Jean-Pierre Charbonneau

The Assembly was called to order at 10.03 o'clock a.m.

Moment of reflection

ROUTINE PROCEEDINGS

Introduction of Bills

Mr. President communicated to the Assembly and then laid upon the Table the report from the Law Clerk on the following Private Bill:

215 An Act respecting the pension plan of certain employees of the Centre hospitalier de l'Université Laval X This Bill may be introduced in the Assembly and it may receive final passage before the twenty-third day of June 1999, except as Standing Order 22 may otherwise provide.
(Sessional Paper No. 363-19990603)

Mr. Bertrand (Portneuf) then moved that leave be granted to introduce Private Bill 215, An Act respecting the pension plan of certain employees of the Centre hospitalier de l'Université Laval.

This motion was carried.

On motion by Mr. Brassard, Government House Leader, Private Bill 215 was referred for consultations and clause-by-clause consideration to the Committee on Public Finance, of which the Minister of State for Administration and the Public Service, Chairman of the Conseil du Trésor, shall be a member during its deliberations in respect of the said Bill.

Commentaire : Présentation de projets de loi :

titre - macro : *prepro+
texte - publics, fusion : *pre-pro+
privés, fusion : *pre-pro.pri+

Commentaire : Dépôts de documents (autres que questions écrites et crédits) :

Titre : macro *depdoc+
Pour chaque document :
. titre ou description du document
. *(versions française et anglaise)+, si dans les deux langues
. autorité législative, le cas échéant (sauf rapports annuels)
. numéro du dépôt : macro alt + d (numéro du document + trait d'union + date [exemple : 7-941130])

Questions écrites :

Le document *question+ contient les résumés des questions déjà inscrites au Feuilleton.

Utiliser les fusions *que-ecr.1+ à *que-ecr.6+ pour le dépôt de une jusqu'à six réponses aux questions d'un seul député.

Crédits budgétaires :

Crédits annuels, fusion : *dep-doc.cre+.
Crédits supplémentaires, fusion : *dep-doc.sup+.

Commentaire : Dépôts de rapports de commissions :

titre - macro *deprap+
texte - projets de loi publics : fusion *dep-rap.pub+
projets de loi privés : fusion *dep-rap.pri+
engagements financiers : fusion *dep-rap.eng+

Commentaire : Dépôts de pétitions :

titre - macro : *deppet+
texte - de une à six pétitions sur un même sujet - fusions : *dep-pet.1+ à *dep-pet.6+
Le document *extrait+ contient les résumés des pétitions déjà déposées.

Presenting Reports from Committees

Mr. Vallières (Richmond), chairman, tabled the following:

The reports from the Committee on Planning and the Public Domain, which met on 1 June 1999 for clause-by-clause consideration of the following Bills:

- 4 An Act respecting Immobilière SHQ – Reported with certain amendments.
(Sessional Paper No. 364-19990603)

 - 59 An Act to amend the Act respecting the Ministère des Affaires municipales and other legislative provisions – Reported with certain amendments.
(Sessional Paper No. 365-19990603)
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Mr. Maciocia (Viger), vice-chairman, tabled the following:

A report from the Committee on Agriculture, Fisheries and Food, which met on 1 June 1999 for clause-by-clause consideration of the following Bill:

- 48 An Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs – Reported with certain amendments, including one to its title.
(Sessional Paper No. 366-19990603)
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Mr. Cusano (Viau), vice-chairman, tabled the following:

The reports from the Committee on Culture, which met on 1 June 1999 for clause-by-clause consideration of the following Bills:

- 45 An Act to amend certain legislative provisions respecting the Public Curator – Reported without amendment.
(Sessional Paper No. 367-19990603)

- 49 An Act respecting the flag and emblems of Québec – Reported with an amendment.
(Sessional Paper No. 368-19990603)

Oral Questions and Answers

Commentaire : Interventions portant sur une violation ... :
titre : macro *intvio+

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Order 53, Mr. Landry, Deputy Prime Minister and Minister of Revenue, tabled the following:

A press release from the Commission d'accès à l'information, dated 22 April 1999, and Page 1 of a report from the Commission, dated 27 April 1999, concerning the disclosure of personal information by the Ministère du Revenu within the framework of the support payment evaluation program.

(Sessional Paper No. 369-19990603)

At the request of Mr. President, Mr. Paradis, Official Opposition House Leader, withdrew certain words deemed unparliamentary.

By leave of the Assembly to set aside Standing Order 59, Mr. Paradis, Official Opposition House Leader, tabled the following:

The analysis of Mr. Yves Ouellette, Professor Emeritus of the Faculty of Law of the Université de Montréal, which was sent on 2 June 1999 to Mr. Jean-Philippe Marois, researcher for the Liberal party, concerning the alleged disclosure of the tax privilege by the Ministère du Revenu.

(Sessional Paper No. 370-19990603)

At the end of Oral Questions and Answers, by leave of the Assembly to set aside Standing Order 80 with regard to the period set aside for the communication of notice to the President, Mr. Landry, Minister of Finance, answered a question he had taken as notice on 28 May 1999.

Commentaire : Si dépôt d'un document :
par un ministre, dérogation à RAN 53 (utiliser la macro *con53+);
par un député, dérogation à RAN 59 (utiliser la macro *con59+).
Macro pour *Dépôt n° ?+ : *alt + d+.

Motions Without Notice

Mr. Brassard, Government House Leader, moved:

THAT the Committee on Education hold a general consultation and public

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hearings on the place of religion in schools, beginning on 21 September 1999;

THAT this general consultation use as its reference the Proulx Report "Laïcité et religions, perspective nouvelle pour l'école québécoise";

THAT all briefs be submitted to the Secrétariat des commissions by 13 September 1999;

The Minister of State for Education and Youth shall be a member of the said Committee during its proceedings with respect to this order of reference;

The Committee on Education shall hear the working group on the place of religion in schools, on 9 June 1999, from 3.00 o'clock p.m. to 6.00 o'clock p.m.;

THAT a period of one hour be set aside for the presentation of the working group.

By leave of the Assembly under Standing Order 84, the motion was carried.

Notices of Proceedings in Committees

Mr. Brassard, Government House Leader, convened the following Committees:

- X the Committee on Institutions, to continue its clause-by-clause consideration of Bill 1, An Act respecting the obligation to identify oneself before voting;
- X the Committee on Labour and the Economy, to continue its clause-by-clause consideration of Bill 39, An Act respecting the Société nationale du cheval de course;
- X the Committee on Planning and the Public Domain, to give clause-by-clause consideration to Bill 46, An Act to amend the Act respecting municipal taxation and the Act respecting municipal debts and loans, and to Bill 23, An Act to amend the Act respecting the Communauté urbaine de Montréal;
- X the Committee on Transportation and the Environment, to give clause-by-clause consideration to Bill 61, An Act respecting the Société de la faune et des parcs du Québec;

Commentaire : Votes reportés :

Nommer l'affaire sur laquelle porte le vote ainsi que le député qui la propose ;

Indiquer la date à laquelle le vote a été reporté.

Les listes des pour et des contre doivent être présentées dans l'annexe du Procès-verbal.

L'emploi du logiciel pour la transcription des votes par appel nominal est expliqué dans le document *modele.fan+.

And, for 10 June 1999:

- X the Committee on Planning and the Public Domain, to hear the interested parties and give clause-by-clause consideration to the following Private Bills: Bill 214, An Act respecting Ville de Saint-Hubert; Bill 216, An Act respecting Ville de Saint-Laurent; Bill 210, An Act to amend the charter of the city of Québec; and Bill 200, An Act respecting Municipalité régionale de comté du Bas-Richelieu;

ORDERS OF THE DAY

Government Bills

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

THAT owing to the urgency of the situation and in order to pass Bill 63, An Act respecting certain contracts entered into by the Ministère du Revenu, the following Standing Orders be suspended until the aforementioned Bill shall have been passed:

19 (second paragraph), 20 and 22, 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 210, 212, 213, 215, 216, 220, 222, 230, 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;

Immediately the present motion is carried, the Assembly shall be granted leave to continue its consideration of Bill 63, An Act respecting certain contracts entered into by the Ministère du Revenu;

The debate on the passage in principle of Bill 63, An Act respecting certain contracts entered into by the Ministère du Revenu, shall last not more than sixty minutes, which period shall be allotted as follows: twenty-five minutes to the

parliamentary group forming the Government, twenty-five minutes to the parliamentary group forming the Official Opposition, five minutes to the independent Member and five 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 63, An Act respecting certain contracts entered into by the Ministère du Revenu, in Committee of the Whole shall last not more than one hour 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 the Bill shall last not more than sixty minutes, which period shall be allotted as follows: twenty-five minutes to the

parliamentary group forming the Government, twenty-five minutes to the parliamentary group forming the Official Opposition, five minutes to the independent Member 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 the Bill, 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 Member 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 may move the adjournment of the debate at any time during 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 may 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 may move the withdrawal of a motion at any time during 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;

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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;

The Assembly shall have leave to meet each day, beginning at 10.00 o'clock a.m., until it decides to adjourn its proceedings;

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 63, An Act respecting certain contracts entered into by the Ministère du Revenu, shall have been passed.

At 11.31 o'clock a.m., Mr. President suspended the proceedings for 45 minutes to allow the Members to examine the motion.

The proceedings resumed at 12.21 o'clock p.m.

Mr. Paradis, Official Opposition House Leader, raised three arguments against the receivability of the motion. Firstly, he maintained that there was no urgency to pass Bill 63, since there are twenty sitting days remaining before the summer adjournment. Secondly, he maintained that the Minister of Revenue had not yet spoken on the passage in principle of Bill 63. Finally, he maintained that the motion should have taken into account the bills being considered in committee, since the object of the motion is particularly to suspend certain Standing Orders relating to committees.

At 12.35 o'clock p.m., after having heard comments from both sides, Mr. Brouillet, Vice-President, took the matter under advisement and suspended the proceedings until

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3.00 o'clock p.m.

The proceedings resumed at 3.20 o'clock p.m.

Mr. Brouillet, Vice-President, rendered the following decision on the receivability of the motion to suspend certain rules of procedure moved by Mr. Brassard, Government House Leader:

RULING FROM THE CHAIR

The motion to suspend certain rules of procedure moved by the Government House Leader is receivable. Firstly, it is not for the Chair to rule on the urgency of presenting a motion to suspend rules and such motion may be moved at any time of the parliamentary calendar. Secondly, a motion to suspend rules may be moved at any stage of the consideration of a bill. Finally, the motion to suspend rules being a procedural exception, it must, as such, be interpreted restrictively. In this case, the suspension of the Standing Orders relating to committees applies solely to the consideration of Bill 63 and, for this reason, could not apply to the other bills being considered in parliamentary committee.

Following the decision rendered by Mr. Brouillet, Vice-President, Mr. Paradis, Official Opposition House Leader, raised a new argument against the receivability of the motion, namely whether Standing Order 154 should not also have been suspended. After having taken the question under advisement, Mr. Brouillet, Vice-President, rendered the following decision:

RULING FROM THE CHAIR

If the Government House Leader had moved the suspension of Standing Order 154, he would have been obliged to introduce a multitude of rules in view of the consideration of Bill 63 in Committee of the Whole. The object of a motion to suspend rules is not generally to rewrite the Standing Orders, but to suspend certain provisions and, if need be, replace them by others. And that is not contrary to Standing Order 154. This Standing Order begins with the words "Except as otherwise provided". If the motion to suspend rules is carried, it shall become a special order of the Assembly and shall be inconsistent within the meaning of Standing Order 154.

At 5.58 o'clock p.m., Mr. Brouillet, Vice-President, having left the Chair, the proceedings

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were suspended until 8.00 o'clock p.m.
The proceedings resumed at 8.01 o'clock p.m.

Following a meeting with the House leaders, Mr. Pinard, Vice-President, announced the allocation of speaking time for the proceedings with respect to this limited debate on the motion to suspend certain rules of procedure moved by Mr. Brassard, Government House Leader: five minutes shall be set aside for the independent Member; 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 or by the independent Member may be redistributed, and individual addresses shall not otherwise be limited.

And debate arising on the motion by Mr. Brassard, Government House Leader;

Mr. Pinard, Vice-President, rendered the following decision on the request made by Mr. Mulcair, Deputy Opposition House Leader, asking that, pursuant to Standing Order 214, the Minister of Revenue table a document that he had allegedly quoted:

RULING FROM THE CHAIR

It is difficult for the Chair to render a decision on this matter given that the said documents are not at its disposal. Only the Minister may indicate to the Chair if he had quoted all of the legal opinion or only the part of the document containing its conclusions. If the Minister did indeed quote a part of the opinion, he is under the obligation to table it, pursuant to Standing Order 214, unless he is of the opinion that it would be injurious to the public interest to do so. If he quoted a document containing strictly the conclusions, he is under the obligation to table only the said document, subject to what is in the public interest, of which he is the sole judge.

At 11.59 o'clock p.m., Mr. President adjourned the Assembly until Friday, 4 June 1999, at 10.00 o'clock a.m.

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ROYAL ASSENT

On Thursday, 3 June 1999, at 4.06 o'clock p.m., in his office at the Québec Justice Building, in the presence of Mr. Bédard, Director of the Secretariat of the Assembly, the Honourable Louis Lebel, Administrator of Québec, was pleased to assent to the following Bill:

201 An Act to amend the Act respecting the Fédération des commissions scolaires du Québec.

JEAN-PIERRE CHARBONNEAU

President