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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Wednesday, 11 December 1996 — No. 67**

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

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**QUÉBEC**



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The Assembly was called to order at 10.06 o'clock a.m.

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Moment of reflection

## **ROUTINE PROCEEDINGS**

### **Presenting Papers**

Mr. Rioux, Minister of Labour, tabled the following:

The annual report of the Conseil consultatif du travail et de la main-d=oeuvre for the fiscal year ended 31 March 1996.

(Sessional Paper No. 575-961211)

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Mr. Boisclair, Minister of Relations with the Citizens and Immigration, tabled the following:

The annual report of the Conseil des communautés culturelles et de l=immigration du Québec for the fiscal year ended 31 March 1996.

(Sessional Paper No. 576-961211)

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Mr. President tabled the following:

A document entitled "Cinquante ans au coeur de la démocratie: le Directeur général des élections et l'évolution de la législation électorale de 1945 à 1995" (Fifty years in the heart of democracy: the Director General of Elections and the evolution of electoral legislation from 1945 to 1995), as well as a parchment honouring the first titular of the office of Director General of Elections, Mr. François Drouin.

(Sessional Paper No. 577-961211)

### **Presenting Reports from Committees**

Mrs. Bélanger (Mégantic-Compton) tabled the following:

The reports from the Committee on Planning and Infrastructures, which gave clause-by-clause consideration to the following Bills:

On 9 December 1996:

- 59 An Act to amend the Act respecting the conservation and development of wildlife  
— Reported with certain amendments.

(Sessional Paper No. 578-961211)

On 17 and 18 June, 14 November, and 9 and 10 December 1996:

- 30 An Act to amend the Act respecting the Société d'habitation du Québec — Reported  
with certain amendments.

(Sessional Paper No. 579-961211)

### **Presenting Petitions**

The abstracts of three petitions respecting the rent of low-cost housing and the number of

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public housing facilities were laid upon the Table:

- the first, being the abstract of a petition signed by 5165 citizens of Québec, by Mrs. Vermette (Marie-Victorin);  
(Sessional Paper No. 580-961211)
- the second, being the abstract of a petition signed by 2500 citizens of Québec, by Mr. Gaulin (Taschereau);  
(Sessional Paper No. 581-961211)
- the third, being the abstract of a petition signed by 1300 citizens of the riding of Richelieu, by Mr. Dion (Saint-Hyacinthe).  
(Sessional Paper No. 582-961211)

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Mr. Copeman (Notre-Dame-de-Grâce) tabled the following:

The abstract of a petition respecting the exemption, for certain citizens, from the implementation of the drug insurance programme and signed by 200 petitioners from the Montréal region.

(Sessional Paper No. 583-961211)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Williams (Nelligan) withdrew certain words deemed unparliamentary.

### **Deferred Divisions**

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The Assembly took the division, which had been deferred at the sitting of 10 December 1996, on the motion moved by Mr. Trudel, Minister of Municipal Affairs, for the passage in principle of Bill 67, An Act to establish an administrative review procedure for real estate assessment and to amend other legislative provisions.

The motion was carried on the following vote:

(Division No. 84 in Appendix)

Yeas: **63**    Nays: **43**    Abstentions: **0**

Accordingly, Bill 67 was passed in principle.

On motion by Mr. Bélanger, Government House Leader, Bill 67 was referred for clause-by-clause consideration to the Committee on Planning and Infrastructures.

### **Motions Without Notice**

Mr. Brassard, Minister of Transport, moved:

THAT this Assembly mark the work accomplished by the 30,000 volunteers of Operation Nez rouge, for the past thirteen years, throughout Québec and acknowledge that it is thanks to the work of Mr. Jean-Marie De Koninck and his teams that it will have been possible for us to evolve towards a social consensus against driving under the influence of alcohol.

By leave of the Assembly under Standing Order 84, a debate arose thereon.

The debate being concluded, the motion was carried.

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Mr. Boisclair, Minister of Relations with the Citizens and Immigration, moved:

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THAT the National Assembly of Québec pay homage to Mr. André Leclerc, the recipient of the Rights and Freedoms award given yesterday by the Commission des droits de la personne et de la jeunesse, who is Director General and founder of Kéroul, an organization that has promoted, for more than fifteen years, access to tourist attractions for disabled persons.

By leave of the Assembly under Standing Order 84, the motion was carried.  
Mr. Bélanger, Government House Leader, moved:

THAT the Committee on Institutions, within the framework of its special consultations on Bill 65, An Act to institute, under the Code of Civil Procedure, pre-hearing mediation in family law cases and to amend other provisions of the Code, also hear the following group:

- the Association masculine d'entraide pour la famille

The terms and conditions regarding the consultation shall be identical to those stipulated for the other groups.

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

#### **Notices of Proceedings in Committees**

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

- X the Committee on Planning and Infrastructures, to give clause-by-clause consideration to Bill 43, An Act respecting off-highway vehicles, and to Bill 67, An Act to establish an administrative review procedure for real estate assessment and to amend other legislative provisions;
- X the Committee on Institutions, to continue its clause-by-clause consideration of Bill 77, An Act to amend the Police Act and other legislative provisions;
- X the Committee on Labour and the Economy, to continue its clause-by-clause consideration of Bill 78, An Act to amend various legislative provisions relating to the construction industry.

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## ORDERS OF THE DAY

### Government Bills

#### *Report Stage*

The Assembly took into consideration the report from the Committee on Institutions on its clause-by-clause consideration of Bill 130, An Act respecting administrative justice, together with the amendments handed in by Mr. Bégin, Minister of Justice, and by Mr. Mulcair (Chomedey).

Mr. Brouillet, Vice-President, declared these amendments to be receivable, after having corrected the form, pursuant to Standing Order 193, of the amendment handed in by the Minister to the English version of section 17 of the Bill.

Mr. Mulcair (Chomedey) having requested the translation of the amendments handed in by the Minister of Justice pursuant to Standing Order 252, Mr. Brouillet, Vice-President, took the matter under advisement and, for this purpose, at 11.30 o'clock a.m. suspended the proceedings during pleasure.

The proceedings resumed at 12.29 o'clock p.m.

Mr. Brouillet, Vice-President, gave the following directive on the request made by Mr. Mulcair:

### DIRECTIVE FROM THE CHAIR

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Pursuant to section 9 of the *Act respecting the National Assembly*, the Assembly establishes its rules of procedure and it alone has the authority to see that they are observed. This procedure, as stipulated in Standing Orders 179 and 180, is particularly determined by the usages and precedents of the Assembly. According to the usage of the Assembly, the amendments moved at any of the stages of the legislative process are handed in, depending on the choice of the author, either in French or in English; then, immediately their adoption in committee or in the Assembly, they are translated in the other language in order that both the French and English versions of the bill as amended are available before the royal assent, which is the final stage of the legislative process.

And debate arising on the consideration of the report from the Committee on Institutions on its clause-by-clause consideration of Bill 130, An Act respecting administrative justice, together with the amendments handed in by Mr. Bégin, Minister of Justice, and by Mr. Mulcair (Chomedey);

At the request of Mr. Mulcair (Chomedey), in compliance with Standing Order 214, Mr. Bégin, Minister of Justice, tabled the following:

A copy of a letter, dated 20 November 1996, sent to Mr. Paul Bégin, Minister of Justice, from Mr. Georges Wurtele, President of the Association des juges administratifs de la Commission des affaires sociales, regarding Bill 130, An Act respecting administrative justice.

(Sessional Paper No. 584-961211)

By leave of the Assembly to set aside Standing Order 53, Mr. Bégin, Minister of Justice, tabled the following:

A copy of a letter, dated 11 December 1996, he had received from Mr. Raymond L'Italien, Director General of the Union des municipalités du Québec, regarding proposed amendments to Bill 130, An Act respecting administrative justice.

(Sessional Paper No. 585-961211)

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At 1.00 o'clock p.m., Mr. Brouillet, Vice-President, having left the Chair, the proceedings were suspended until 3.00 o'clock p.m.

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The proceedings resumed at 3.14 o'clock p.m.

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*Report Stage*

And debate continuing on the consideration of the report from the Committee on Institutions on its clause-by-clause consideration of Bill 130, An Act respecting administrative justice, together with the amendments handed in by Mr. Bégin, Minister of Justice, and by Mr. Mulcair (Chomedey);

At the end of his speech, Mr. Laporte (Outremont) moved the adjournment of the debate. After debate thereon, the question was put on this motion; a recorded division was thereupon demanded.

The motion was negatived on the following vote:

(Division No. 85 in Appendix)

Yeas: **42**    Nays: **44**    Abstentions: **0**

And debate continuing on the consideration of the report from the Committee on Institutions on its clause-by-clause consideration of Bill 130, An Act respecting administrative justice, together with the amendments handed in by Mr. Bégin, Minister of Justice, and by Mr. Mulcair (Chomedey);

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At the request of Mr. Brouillet, Vice-President, Mr. Bergman (D'Arcy-McGee) withdrew certain words deemed unparliamentary.

On motion by Mrs. Caron, Deputy Government House Leader, the debate was adjourned.

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At 6.00 o'clock p.m., on the motion by Mrs. Caron, Deputy Government House Leader, the Assembly adjourned until Thursday, 12 December 1996, at 10.00 o'clock a.m.

**JEAN-PIERRE CHARBONNEAU**

*President*

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## APPENDIX

### Recorded Divisions

On the motion moved by Mr. Trudel, Minister of Municipal Affairs, for the passage in principle of Bill 67, An Act to establish an administrative review procedure for real estate assessment and to amend other legislative provisions:

(Division No. 84)

#### YEAS - 63

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

#### NAYS - 43

Beaudet	Bergman	Chagnon	Cherry
Bélanger	Bordeleau	Charbonneau	Copeman
(Mégantic-Compton)	Bourbeau	(Bourassa)	Cusano
Benoit	Brodeur	Chenail	Delisle

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Dumont	Houda-Pepin	Loiselle	Sirros
Farrah	Johnson	MacMillan	Thérien
Fournier	Kelley	Marsan	Vaive
Frulla	Lafrenière	Middlemiss	Vallières
Gagnon-Tremblay	Laporte	Mulcair	Williams
Gautrin	Le Hir	Ouimet	
Gauvin	Lefebvre	Paradis	
Gobé	LeSage	Poulin	

**ABSTENTIONS - 0**

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On the motion moved by Mr. Laporte (Outremont) to adjourn the debate on the consideration of the report from the Committee on Institutions relating to Bill 130:

(Division No. 85)

**YEAS - 42**

Beaudet	Chenail	Houda-Pepin	Mulcair
Bélanger	Cherry	Johnson	Ouimet
<i>(Mégantic-Compton)</i>	Copeman	Kelley	Paradis
Benoit	Cusano	Lafrenière	Parent
Bergman	Delisle	Laporte	Poulin
Bissonnet	Farrah	Lefebvre	Thérien
Bordeleau	Fournier	LeSage	Vaive
Bourbeau	Frulla	Loiselle	Vallières
Brodeur	Gagnon-Tremblay	Maciocia	
Chagnon	Gautrin	MacMillan	
Charbonneau	Gauvin	Marsan	
<i>(Bourassa)</i>	Gobé	Middlemiss	

**NAYS - 44**

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Barbeau	Caron	Laurin	Rioux
Baril	Charest	Leduc	Rivard
(Arthabaska)	Côté	Lelièvre	Robert
Baril	Désilets	Létourneau	Saint-André
(Berthier)	Deslières	Morin	Signori
Beaulne	Dion	(Dubuc)	Simard
Beaumier	Doyer	Morin	(La Prairie)
Bégin	Gagnon	(Nicolet-Yamaska)	Trudel
Bertrand	Gaulin	Paquin	Vermette
(Charlevoix)	Jolivet	Paré	
Boucher	Lachance	Payne	
Boulerice	Landry	Pelletier	
Brien	(Bonaventure)	Perreault	
Campeau	Laprise	Perron	

**ABSTENTIONS - 0**