



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Votes and Proceedings

of the Assembly

Friday, 13 December 1996 — No. 69

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

QUÉBEC

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

Moment of reflection

ROUTINE PROCEEDINGS

Introduction of Bills

Mrs. Marois, Minister of Education, moved that leave be granted to introduce the following Bill:

- 87 An Act respecting conditions governing the use of immovables of the Protestant School Board of Greater Montreal by the Commission des écoles catholiques de Montréal.

The motion was carried.

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

- 250 An Act respecting Municipalité régionale de comté de Charlevoix-Est and Municipalité de la rivière Malbaie X This Bill may be introduced in the

Assembly but it may not receive final passage before the twenty-first day of December 1996.

(Sessional Paper No. 596-961213)

Mr. Bertrand (Charlevoix) then moved that leave be granted to introduce Private Bill 250, An Act respecting Municipalité régionale de comté de Charlevoix-Est and Municipalité de la rivière Malbaie.

This motion was carried.

On motion by Mr. Bélanger, Government House Leader, Private Bill 250 was referred for consultations and clause-by-clause consideration to the Committee on Planning and Infrastructures, of which the Minister of Municipal Affairs shall be a member during its deliberations in respect of the said Bill.

Presenting Papers

Mrs. Marois, Minister of Education, tabled the following:

The annual report of the Université du Québec and of its constituent universities for the fiscal year ended 31 May 1996.

(Sessional Paper No. 597-961213)

Mr. Brassard, Minister of Transport, tabled the following:

The annual report of the Ministère des Transports for the fiscal year ended 31 March 1996.

(Sessional Paper No. 598-961213)

Mr. Bélanger, Government House Leader, tabled the following:

13 December 1996

Answer to a written question by Mr. Fournier (Châteauguay) regarding the floods that occurred in January of 1996 in the Châteauguay region — Question No. 15, *Order Paper and Notices* of 11 December 1996.

(Sessional Paper No. 599-961213)

Presenting Reports from Committees

Mr. Chagnon (Westmount—Saint-Louis) tabled the following:

A report from the Committee on the Budget and Administration, which, on 12 December 1996, held special consultations on Bill 69, An Act to amend the Savings and Credit Unions Act.

(Sessional Paper No. 600-961213)

A report from the Committee on the Budget and Administration, which met on 26 and 27 November and on 10 and 12 December 1996 for clause-by-clause consideration of the following Bill:

- 3 An Act respecting the elimination of the deficit and a balanced budget — Reported with certain amendments.

(Sessional Paper No. 601-961213)

Mr. Laprise (Roberval), on behalf of Mr. Beaulne (Marguerite-D'Youville), tabled the following:

A report from the Committee on Labour and the Economy, which met on 5 December 1996 for clause-by-clause consideration of the following Bill:

- 74 An Act to amend the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety — Reported with certain amendments.

(Sessional Paper No. 602-961213)

Presenting Petitions

13 December 1996

Mr. Marsan (Robert-Baldwin) tabled the following:

The abstract of a petition respecting the cutbacks in the health sector and signed by 414 workers in the health and social services sector of the West Island of Montréal.

(Sessional Paper No. 603-961213)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Deferred Divisions

The Assembly took the divisions, which had been deferred at the sitting of 12 December 1996, on the report of the Committee on Institutions regarding Bill 130, An Act respecting administrative justice, and on the amendments moved by Mr. Bégin, Minister of Justice, and by Mr. Mulcair (Chomedey).

First, the question was put on the amendments by Mr. Bégin, Minister of Justice, to sections 1, 4, 5, 6, 6.1, 7, 92, 100, 109, 110, 113, 121, 121.4, 126.1, 130.1, 153.1 to 153.6, 187.1 and to appendices I to V of the French version of the Bill, as well as to sections 17, 20, 21, 22, 24, 26, 28, 33, 34, 49, 56, 70, 81, 103, 117, 118, 120, 136, 137, 141, 144, 146, 148, 149, 152, 166 and 181 of the English version of the Bill; a recorded division was thereupon demanded.

These amendments were carried on the following vote:

(Division No. 88 in Appendix)

Yeas: **57** Nays: **33** Abstentions: **0**

The question was then put on the amendment by Mr. Mulcair (Chomedey) to section 39 of the Bill.

13 December 1996

This amendment was carried.

The question was put on the amendments by Mr. Mulcair (Chomedey) to sections 52, 64 (French and English versions), 116 and 153 of the Bill; a recorded division was thereupon demanded.

These amendments were negatived on the following vote:

(Division No. 89 in Appendix)

Yeas: **33** Nays: **58** Abstentions: **0**

The question was then put on the sections and appendices, as amended; a recorded division was thereupon demanded.

These sections and appendices, as amended, were carried on the following vote:

(Division No. 90 in Appendix)

Yeas: **58** Nays: **33** Abstentions: **0**

The question was put on the sections that the Committee on Institutions had not disposed of, as well as the title and headings of the Bill; a recorded division was thereupon demanded.

These sections and headings and the title of the Bill were carried on the following vote:

(Division No. 91 in Appendix)

Yeas: **58** Nays: **33** Abstentions: **0**

13 December 1996

The question was put on the motion to renumber Bill 130 which was moved by Mr. Bégin, Minister of Justice.

This motion to renumber the Bill was carried.

Finally, the question was put on the report from the Committee on Institutions relating to Bill 130, as amended; a recorded division was thereupon demanded.

This report, as amended, was carried on the following vote:

(Division No. 92 in Appendix)

Yeas: **58** Nays: **33** Abstentions: **0**

The Assembly then took the division, which had been deferred at the sitting of 12 December 1996, on the hoist motion moved by Mr. Benoit (Orford) regarding the passage in principle of Bill 40, An Act to amend the Charter of the French language.

The motion was negatived on the following vote:

(Division No. 93 in Appendix)

Yeas: **33** Nays: **60** Abstentions: **0**

Notices of Proceedings in Committees

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

- X the Committee on Planning and Infrastructures, to hold special consultations on Bill 67,
 An Act to establish an administrative review procedure for real estate assessment

13 December 1996

and to amend other legislative provisions;

- X the Committee on the Budget and Administration, to give clause-by-clause consideration to Bill 128, An Act to amend the Act respecting the conditions of employment in the public sector and the municipal sector;
- X the Committee on Labour and the Economy, to continue its clause-by-clause consideration of Bill 50, An Act respecting the Régie de l'énergie;
- X the Committee on Social Affairs, to give clause-by-clause consideration to Bill 41, An Act to amend the Act respecting health services and social services as regards liability insurance contracts concluded in favour of certain institutions.

Information on the Proceedings of the Assembly

By leave of the Assembly to set aside Standing Order 53, Mr. Bélanger, Government House Leader, on behalf of Mrs. Marois, Minister of Education, tabled the following:

A copy of a report, dated 9 December 1996, sent to Mrs. Marois, Minister of Education, by Mr. Thomas J. Boudreau, regarding the need for student-places for francophone elementary school students of the Commission des écoles catholiques de Montréal in the Côte-des-Neiges district.

(Sessional Paper No. 604-961213)

ORDERS OF THE DAY

Government Bills

Passage

13 December 1996

Mr. Bégin, Minister of Justice, moved the passage of Bill 130, An Act respecting administrative justice.

And debate arising;

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

The proceedings resumed at 3.10 o'clock p.m.

Passage

And debate continuing on the motion by Mr. Bégin, Minister of Justice, for the passage of Bill 130, An Act respecting administrative justice;

At 5.59 o'clock p.m., Mr. Pinard, Vice-President, having left the Chair, the proceedings were suspended until 8.00 o'clock p.m.

The proceedings resumed at 8.02 o'clock p.m.

13 December 1996

Passage

And debate continuing on the motion by Mr. Bégin, Minister of Justice, for the passage of Bill 130, An Act respecting administrative justice;

At the end of his speech, Mr. Lefebvre, Deputy Opposition House Leader, 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 negated on the following vote:

(Division No. 94 in Appendix)

Yeas: **11** Nays: **30** Abstentions: **0**

And debate continuing on the motion by Mr. Bégin, Minister of Justice, for the passage of Bill 130, An Act respecting administrative justice;

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

At the request of Mr. Brassard, Deputy Government House Leader, the division was deferred until Routine Proceedings on the next sitting day.

Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, moved the passage of Bill 73, An Act respecting the Commission administrative des

13 December 1996

régimes de retraite et d'assurances and amending various legislative provisions as regards pension plans.

And debate arising;

During the debate, Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, moved that Bill 73 be referred to a Committee of the Whole for the consideration of an amendment that he specified.

This motion having been carried, Bill 73 was accordingly referred to a Committee of the Whole.

The said amendment to section 28 was considered and then carried in Committee of the Whole.

Bill 73, as amended, was reported to the Assembly, which concurred in the Committee's report.

And debate continuing on the motion for the passage of Bill 73;

The debate being concluded, the motion was carried and, accordingly, Bill 73 was passed.

Passage in Principle

Mr. Trudel, Minister of Municipal Affairs, moved, —That Bill 82, An Act to defer the general election of 1996 in Ville de La Baie, do now pass in principle.

After debate thereon, the motion was carried and Bill 82 was accordingly passed in principle.

On motion by Mr. Brassard, Deputy Government House Leader, Bill 82 was referred for clause-by-clause consideration to the Committee on Planning and Infrastructures.

13 December 1996

—————

Mr. Trudel, Minister of Municipal Affairs, moved, —That Bill 83, An Act to amend the Cities and Towns Act, the Municipal Code of Québec and other legislative provisions, do now pass in principle.

After debate thereon, the motion was carried and Bill 83 was accordingly passed in principle.

On motion by Mr. Brassard, Deputy Government House Leader, Bill 83 was referred for clause-by-clause consideration to the Committee on Planning and Infrastructures.

Passage

Mr. Trudel, Minister of Municipal Affairs, moved the passage of Bill 72, An Act to amend the constituent Acts of the urban communities and other legislative provisions.

And debate arising;

During the debate, Mr. Trudel, Minister of Municipal Affairs, moved that Bill 72 be referred to a Committee of the Whole for the consideration of amendments that he specified.

This motion having been carried, Bill 72 was accordingly referred to a Committee of the Whole.

—————

The amendments handed in by Mr. Trudel to sections 34.1, 101.1, 102.1 and 103.1 of Bill 72 were considered and then carried in Committee of the Whole.

—————

Bill 72, as amended, was reported to the Assembly, which concurred in the Committee's report.

And debate continuing on the motion for the passage of Bill 72;

The debate being concluded, the motion was carried and, accordingly, Bill 72 was passed.

13 December 1996

At 11.46 o'clock p.m., on the motion by Mr. Brassard, Deputy Government House Leader, the Assembly adjourned until Monday, 16 December 1996, at 10.00 o'clock a.m.

JEAN-PIERRE CHARBONNEAU

President

13 December 1996

APPENDIX

Recorded Divisions

On the amendments to Bill 130, An Act respecting administrative justice, handed in by Mr. Bégin, Minister of Justice, pursuant to Standing Order 252:

(Division No. 88)

YEAS - 57

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

NAYS - 33

Beaudet	Charbonneau	Fournier	Lefebvre
Bélanger	(<i>Bourassa</i>)	Frulla	LeSage
(<i>Mégantic-Compton</i>)	Chenail	Gagnon-Tremblay	Loiselle
Benoit	Cherry	Gautrin	Maciocia
Bergman	Copeman	Gauvin	Marsan
Bordeleau	Cusano	Gobé	Mulcair
Chagnon	Delisle	Houda-Pepin	Ouimet

13 December 1996

Paradis
Parent

Poulin
Thérien

Vaive
Vallières

Williams

ABSTENTIONS - 0

On the amendments to sections 52, 64, 116 and 153 of Bill 130, handed in by Mr. Mulcair (Chomedey) pursuant to Standing Order 252:

(Division No. 89)

YEAS - 33

Beaudet
Bélanger
(*Mégantic-Compton*)
Benoit
Bergman
Bordeleau
Chagnon
Charbonneau
(*Bourassa*)

Chenail
Cherry
Copeman
Cusano
Delisle
Fournier
Frulla
Gagnon-Tremblay
Gautrin

Gauvin
Gobé
Houda-Pepin
Lefebvre
LeSage
Loiselle
Maciocia
Marsan
Mulcair

Ouimet
Paradis
Parent
Poulin
Thérien
Vaive
Vallières
Williams

NAYS - 58

Barbeau
Baril
(*Arthabaska*)
Baril
(*Berthier*)
Beaudoin
Beaumier
Bégin
Bélanger
(*Anjou*)

Bertrand
(*Charlevoix*)
Bertrand
(*Portneuf*)
Blais
Boisclair
Boucher
Boulerice
Brassard
Brien

Campeau
Caron
Charest
Chevrette
Cliche
Côté
Désilets
Deslières
Dion
Doyer

Facal
Gagnon
Gaulin
Gendron
Harel
Jolivet
Julien
Lachance
Landry
(*Verchères*)

Laprise

Laurin

Leduc

Lelièvre

13 December 1996

Léonard	Ménard	Pelletier	Signori
Malavoy	Morin	Perreault	Simard
Marois	(<i>Dubuc</i>)	Perron	(<i>La Prairie</i>)
	Morin	Rioux	Simard
	(<i>Nicolet-Yamaska</i>)	Rivard	(<i>Richelieu</i>)
	Paquin	Robert	Trudel
	Paré	Rochon	Vermette

ABSTENTIONS - 0

On the sections and appendices, as amended, of Bill 130:

(Division No. 90)

YEAS - 58

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

NAYS - 33

13 December 1996

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

ABSTENTIONS - 0

On the sections that the Committee on Institutions had not disposed of, as well as the title and headings of Bill 130:

(Division No. 91)

(*Identical to Division No. 90*)

On the report from the Committee on Institutions relating to Bill 130, as amended:

(Division No. 92)

(*Identical to Division No. 90*)

On the hoist motion moved by Mr. Benoit (Orford) with regard to the passage in principle of

13 December 1996

Bill 40, An Act to amend the Charter of the French language:

(Division No. 93)

YEAS - 33

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

NAYS - 60

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

ABSTENTIONS - 0

On the motion moved by Mr. Lefebvre, Deputy Opposition House Leader, for the adjournment of the debate on the passage of Bill 130, An Act respecting administrative

13 December 1996

justice:

(Division No. 94)

YEAS - 11

Beaudet
Bergman
Bissonnet

Cusano
Delisle
Gautrin

Gauvin
Gobé
Laporte

Lefebvre
Paradis

NAYS - 30

Barbeau
Baril
(*Arthabaska*)
Beaulne
Bégin
Bertrand
(*Charlevoix*)
Bertrand
(*Portneuf*)

Boisclair
Boulerice
Brassard
Brien
Campeau
Charest
Cliche
Côté
Désilets

Deslières
Dion
Facal
Gendron
Harel
Jolivet
Lachance
Léonard
Malavoy

Paquin
Paré
Rivard
Rochon
Saint-André
Trudel

ABSTENTIONS - 0