



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 13 November 1997 — No. 133

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

QUÉBEC

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

ORDERS OF THE DAY

Government Bills

Passage in Principle

Mrs. Dionne-Marsolais, Minister for Revenue, moved, —That Bill 164, An Act to amend the Act to facilitate the payment of support, do now pass in principle.

After debate thereon, the motion was carried and Bill 164 was accordingly passed in principle.

On motion by Mr. Boulerice, Deputy Government House Leader, Bill 164 was referred for clause-by-clause consideration to the Committee on Public Finance.

Mrs. Dionne-Marsolais, Minister for Revenue, moved, —That Bill 165, An Act to amend the Taxation Act, the Act respecting the Ministère du Revenu, the Act to facilitate the payment of

support and the Act respecting the Québec Pension Plan, do now pass in principle.

After debate thereon, the motion was carried on division and Bill 165 was accordingly passed in principle.

On motion by Mr. Boulerice, Deputy Government House Leader, Bill 165 was referred for clause-by-clause consideration to the Committee on Public Finance.

Resuming the debate on the motion by Mr. Brassard, Minister of Transport, —That Bill 159, An Act to amend the Act respecting the Ministère des Transports in order to establish the rolling stock management fund, do now pass in principle;

On motion by Mr. Boulerice, Deputy Government House Leader, the debate was adjourned.

At 11.56 o'clock a.m., Mr. President, having left the Chair, the proceedings were suspended until 2.00 o'clock p.m.

The proceedings resumed at 2.03 o'clock p.m.

Moment of reflection

ROUTINE PROCEEDINGS

Mr. President gave the following directive regarding a question raised by Mr. Boisclair, Minister of Relations with the Citizens and Immigration, on Thursday, 6 November 1997, in which he asked whether the privilege of freedom of speech allows a Member, when giving his

13 November 1997

address in the Assembly, to disclose personal information, in any form X during a speech or when quoting, tabling or displaying a document.

DIRECTIVE FROM THE CHAIR

The privilege of freedom of speech is at once the least disputed and the most fundamental of a Member=s rights, whether in the Assembly or in Committee. This constitutional privilege encompasses not only a Member=s address, but also any other act that he may accomplish in the performance of his parliamentary duties, including the tabling of documents. Though important, this privilege is limited by the rules for parliamentary debates.

There exists no rule of parliamentary procedure that specifically provides for the respect of the right to privacy. The respect of the right to privacy is indeed a fundamental right protected by the *Charter of Human Rights and Freedoms* and by various other statutes. However, these statutes cannot have precedence over the constitutional right of freedom of speech. In any case, the President does not have the authority to interpret statutes, save and excepting those containing rules of parliamentary procedure.

Although from a legal point of view Members are granted considerable immunity in the performance of their parliamentary duties, the President formally requests that all Members, when tabling a document or accomplishing an act within the framework of parliamentary debates, consider the fundamental rights of individuals.

Introduction of Bills

Mr. Landry, Minister of State for the Economy and Finance, moved that leave be granted to introduce the following Bills:

169 An Act to amend the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons.

The motion was carried.

13 November 1997

167 An Act to amend the Savings and Credit Unions Act.

The motion was carried.

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

180 An Act to amend the Education Act and various legislative provisions.

The motion was carried.

Mr. Chevrette, Minister responsible for Regional Development, moved that leave be granted to introduce the following Bill:

171 An Act respecting the Ministère des Régions.

The motion was carried.

Mr. Rochon, Minister of Health and Social Services, moved that leave be granted to introduce the following Bills:

154 An Act to amend the Public Health Protection Act.

The motion was carried.

176 An Act to amend the Act respecting the Ministère de la Santé et des Services sociaux and the Act respecting the Régie de l'assurance-maladie du Québec.

The motion was carried.

13 November 1997

Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, moved that leave be granted to introduce the following Bill:

178 An Act to abolish certain bodies.

The motion was carried.

Mr. Trudel, Minister of Municipal Affairs, moved that leave be granted to introduce the following Bill:

175 An Act to again amend various legislative provisions concerning municipal affairs

The question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. 162 in Appendix)

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

Mr. Bélanger, Minister of Public Security, moved that leave be granted to introduce the following Bill:

177 An Act to amend the Act respecting the determination of the causes and circumstances of death.

The motion was carried.

Mr. Rioux, Minister of Labour, moved that leave be granted to introduce the following Bill:

172 An Act to again amend the Act respecting labour standards.

13 November 1997

The motion was carried.

Mr. Jolivet, Government House Leader, on behalf of Mrs. Papineau (Prévost), moved that leave be granted to introduce the following Bill:

197 An Act respecting the Agence de développement du Centre de villégiature de Mont-Tremblant.

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:

256 An Act respecting Ville de Blainville X This Bill may be introduced in the Assembly and it may receive final passage before the twenty-first day of December 1997.

(Sessional Paper No. 1244-971113)

Mrs. Signori (Blainville) then moved that leave be granted to introduce Private Bill 256, An Act respecting Ville de Blainville.

This motion was carried.

On motion by Mr. Jolivet, Government House Leader, Private Bill 256 was referred for consultations and clause-by-clause consideration to the Committee on Planning and the Public Domain, of which the Minister of Municipal Affairs shall be a member during its deliberations in respect of the said Bill.

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

260 An Act respecting Ville d=Otterburn Park X This Bill may be introduced in the

13 November 1997

Assembly and it may receive final passage before the twenty-first day of December 1997.

(Sessional Paper No. 1245-971113)

Mr. Paquin (Saint-Jean) then moved that leave be granted to introduce Private Bill 260, An Act respecting Ville d=Otterburn Park.

This motion was carried.

On motion by Mr. Jolivet, Government House Leader, Private Bill 260 was referred for consultations and clause-by-clause consideration to the Committee on Planning and the Public Domain, of which the Minister of Municipal Affairs shall be a member during its deliberations in respect of the said Bill.

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

262 An Act respecting Ville de Montréal-Est X This Bill may be introduced in the Assembly but it may not receive final passage before the twenty-first day of December 1997 without unanimous consent to set aside section 35 of the Rules for the Conduct of Proceedings Respecting Private Bills.

(Sessional Paper No. 1246-971113)

Mrs. Léger (Pointe-aux-Trembles) then moved that leave be granted to introduce Private Bill 262, An Act respecting Ville de Montréal-Est.

This motion was carried.

On motion by Mr. Jolivet, Government House Leader, Private Bill 262 was referred for consultations and clause-by-clause consideration to the Committee on Planning and the Public Domain, of which the Minister of Municipal Affairs shall be a member during its deliberations in respect of the said Bill.

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

13 November 1997

264 An Act respecting Municipalité de Saint-Lin X This Bill may be introduced in the Assembly but it may not receive final passage before the twenty-first day of December 1997 without unanimous consent to set aside section 35 of the Rules for the Conduct of Proceedings Respecting Private Bills.
(Sessional Paper No. 1247-971113)

Mr. Brien (Rousseau) then moved that leave be granted to introduce Private Bill 264, An Act respecting Municipalité de Saint-Lin.
This motion was carried.

On motion by Mr. Jolivet, Government House Leader, Private Bill 264 was referred for consultations and clause-by-clause consideration to the Committee on Planning and the Public Domain, of which the Minister of Municipal Affairs shall be a member during its deliberations in respect of the said Bill.

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

259 An Act respecting the Fondation du Centre hospitalier de l'Université de Montréal X This Bill may be introduced in the Assembly and it may receive final passage before the twenty-first day of December 1997.
(Sessional Paper No. 1248-971113)

Mr. Chagnon (Westmount–Saint-Louis) then moved that leave be granted to introduce Private Bill 259, An Act respecting the Fondation du Centre hospitalier de l'Université de Montréal.

This motion was carried.

On motion by Mr. Boulerice, Deputy Government House Leader, Private Bill 259 was referred for consultations and clause-by-clause consideration to the Committee on Public Finance, of which the Minister of Finance shall be a member during its deliberations in respect of the said Bill.

Presenting Papers

13 November 1997

Mr. Landry, Minister of State for the Economy and Finance, tabled the following:

The report on the implementation of the *Savings and Credit Unions Act*, November 1997.
(Sessional Paper No. 1249-971113)

The annual report of the Inspector General of Financial Institutions for the fiscal year ended 31 March 1997.
(Sessional Paper No. 1250-971113)

Mr. Chevrette, Minister of State for Natural Resources, tabled the following:

The annual report of the Société des établissements de plein air du Québec for the fiscal year ended 31 May 1997.
(Sessional Paper No. 1251-971113)

Mr. Bégin, Minister of the Environment and Wildlife, tabled the following:

The annual report of the Bureau d'audiences publiques sur l'environnement for the fiscal year ended 31 March 1997.
(Sessional Paper No. 1252-971113)

Presenting Petitions

Mr. President gave the following directive in answer to a question raised by Mr. Ouimet (Marquette) on 11 November 1997:

DIRECTIVE FROM THE CHAIR

A petition must first be lodged with the office of the Secretary General in order that a Member may present it to the Assembly. Furthermore, a photocopy of a motion may not be presented to the Assembly by a Member.

13 November 1997

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By leave of the Assembly to set aside Standing Order 63, the abstracts of two petitions respecting the reform of the *Education Act* were laid upon the Table:

- the first, being the abstract of a petition signed by 576 members of the Syndicat des enseignantes et enseignants de Le Royer, by Mrs. Léger (Pointe-aux-Trembles);
(Sessional Paper No. 1253-971113)
- the second, being the abstract of a petition signed by 212 teachers from the riding of Marquette, by Mr. Ouimet (Marquette).
(Sessional Paper No. 1254-971113)

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By leave of the Assembly to set aside Standing Orders 62 and 63, Mr. Paquin (Saint-Jean) tabled the following:

The abstract of a petition respecting the social welfare reform and signed by 243 citizens from the riding of Saint-Jean.

(Sessional Paper No. 1255-971113)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Motions Without Notice

Mr. Paquin (Saint-Jean) moved:

13 November 1997

THAT the Québec National Assembly request that the Federal Government act quickly to find a solution, for humanitarian reasons, regarding the case of the retired Singer employees= pension fund, since the average age of these people is eighty-two, and that it appeal to the compassion of the Canadian Minister of Human Resources.

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

Notices of Proceedings in Committees

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

- X the Committee on Culture, to continue its special consultations on the report from the committee on the establishment of a very large library entitled "Une grande bibliothèque pour le Québec" (A large library for Québec);
- X the Committee on Public Finance, to give clause-by-clause consideration to Bill 164, An Act to amend the Act to facilitate the payment of support.

Mr. President gave the following notice:

- X the Committee on Public Administration shall examine the financial commitments of the Ministère de l'Environnement et de la Faune contained in the lists for the months of January 1996 to March 1997, and those of the Ministère des Relations avec les citoyens et de l'Immigration contained in the lists for the months of January 1995 to March 1997.

Information on the Proceedings of the Assembly

13 November 1997

Mr. President informed the Assembly that on Friday, 21 November 1997, Mr. Dumont (Rivière-du-Loup) would question Mr. Jolivet, Minister for Electoral and Parliamentary Reform, during an interpellation on "electoral reform in Québec".

ORDERS OF THE DAY

Government Bills

Passage in Principle

Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, moved, —That Bill 162, An Act to amend various legislative provisions concerning retirement, do now pass in principle.

After debate thereon, the motion was carried and Bill 162 was accordingly passed in principle.

On motion by Mr. Jolivet, Government House Leader, Bill 162 was referred for clause-by-clause consideration to the Committee on Public Finance.

Resuming the debate on the motion by Mr. Brassard, Minister of Transport, —That Bill 159, An Act to amend the Act respecting the Ministère des Transports in order to establish the rolling stock management fund, do now pass in principle;

13 November 1997

At 5.58 o'clock p.m., the debate on the motion by Mr. Brassard was adjourned. Mr. Brouillet, Vice-President, adjourned the Assembly until Tuesday, 18 November 1997, at 10.00 o'clock a.m.

JEAN-PIERRE CHARBONNEAU

President

13 November 1997

APPENDIX

Recorded Divisions

On the motion by Mr. Trudel, Minister of Municipal Affairs, to introduce Bill 175, An Act to again amend various legislative provisions concerning municipal affairs:

(Division No. 162)

YEAS - 60

Barbeau	Brassard	Gendron	Marois
Baril	Brien	Harel	Ménard
(<i>Arthabaska</i>)	Caron	Jolivet	Morin
Baril	Carrier-Perreault	Julien	(<i>Dubuc</i>)
(<i>Berthier</i>)	Charest	Jutras	Morin
Beaudoin	Chevrette	Lachance	(<i>Nicolet-Yamaska</i>)
Beaumier	Cliche	Landry	Paquin
Bégin	Côté	(<i>Bonaventure</i>)	Paré
Bélanger	Désilets	Landry	Payne
(<i>Anjou</i>)	Deslières	(<i>Verchères</i>)	Rioux
Bertrand	Dion	Laprise	Rivard
(<i>Charlevoix</i>)	Dionne-Marsolais	Laurin	Robert
Bertrand	Duguay	Léger	Rochon
(<i>Portneuf</i>)	Facal	Lelièvre	Saint-André
Blais	Filion	Léonard	Signori
Boisclair	Gagnon	Létourneau	Trudel
Boucher	Gaulin	Malavoy	Vermette
Boulerice			

NAYS - 33

Bélanger	Chalifoux	Farrah	Gobé
(<i>Mégantic-Compton</i>)	Copeman	Fournier	Houda-Pepin
Benoit	Cusano	Frulla	Kelley
Bordeleau	Delisle	Gagnon-Tremblay	Lamquin-Éthier
Brodeur	Dumont	Gautrin	Laporte

13 November 1997

Leblanc
Lefebvre
Loiselle
Maciocia

MacMillan
Middlemiss
Ouimet
Paradis

Parent
Poulin
Sirros
Vaive

Vallières
Williams

ABSTENTIONS - 0