



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 4 December 1997 — No. 143

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

QUÉBEC

The Assembly was called to order at 10.02 o'clock a.m.

Moment of reflection

ROUTINE PROCEEDINGS

Statements by Ministers

Mr. Brassard, Minister for Canadian Intergovernmental Affairs, made a statement about the Québec Government's position regarding Canadian intergovernmental relations.

Introduction of Bills

Mr. Jolivet, Minister for Electoral and Parliamentary Reform, moved that leave be granted to introduce the following Bill:

185 An Act respecting the election of the first commissioners of the new school boards and amending various legislative provisions.

The motion was carried.

Presenting Papers

Mr. Brassard, Minister for Canadian Intergovernmental Affairs, tabled the following:

A document on the Québec Government's guidelines regarding Canadian intergovernmental relations.

(Sessional Paper No. 1334-971204)

Mr. Rochon, Minister of Health and Social Services, tabled the following:

The annual report of the Commission de la capitale nationale du Québec for the fiscal year ended 31 March 1997.

(Sessional Paper No. 1335-971204)

The annual report of the Nunavik Regional Board of Health and Social Services for the fiscal year ended 31 March 1997.

(Sessional Paper No. 1336-971204)

Mr. Jolivet, Government House Leader, moved:

THAT, pursuant to section 392 of the *Act respecting health services and social services*, the 1996-97 annual report of the Nunavik Regional Board of Health and Social Services be referred to the Committee on Social Affairs for consideration;

The Minister of Health and Social Services shall be a member of the said Committee during its proceedings with respect to this order of reference.

This motion was carried.

Presenting Reports from Committees

Mr. Sirros (Laurier-Dorion) tabled the following:

A report from the Committee on Labour and the Economy, which met on 22 October, on 4, 6, 13, 20 and 25 November and on 2 December 1997 for clause-by-clause consideration of the following Bill:

149 An Act to reform the Québec Pension Plan and to amend various legislative provisions – Reported with certain amendments.
(Sessional Paper No. 1337-971204)

Presenting Petitions

The abstracts of three petitions respecting the reform of financial assistance to students and the maintaining of the tuition fees freeze were laid upon the Table:

- the first, being the abstract of a petition signed by 10,953 citizens of Québec, by Mr. Garon (Lévis);
(Sessional Paper No. 1338-971204)
- the second, being the abstract of a petition signed by 7350 citizens of Québec, by Mr. Gautrin (Verdun);
(Sessional Paper No. 1339-971204)
- the third, being the abstract of a petition signed by 11,115 students from various regions of Québec, by Mr. Dumont (Rivière-du-Loup).
(Sessional Paper No. 1340-971204)

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

The abstract of a petition respecting the division of the municipality of Clifton-Partie-Est and signed by 283 citizens from the municipalities of St-Malo, Clifton-Est and St-Isidore d=Auckland.
(Sessional Paper No. 1341-971204)

And, by leave of the Assembly to set aside Standing Order 59, Mrs. Bélanger tabled the documents corroborating this procedure.
(Sessional Paper No. 1342-971204)

By leave of the Assembly to set aside Standing Order 64, Mr. Dumont (Rivière-du-Loup)

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tabled the following:

The abstract of a petition regarding prison sentences respecting the victims of sexual assault and signed by 13,131 citizens of Québec.

(Sessional Paper No. 1343-971204)

By leave of the Assembly to set aside Standing Order 63, Mr. Maciocia (Viger) tabled the following:

The abstract of a petition respecting the maintaining of private reception centres and signed by 191 citizens from the riding of Viger.

(Sessional Paper No. 1344-971204)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Deferred Divisions

First, the Assembly took the division, which had been deferred during Motions Without Notice at the sitting of 3 December 1997, on the motion moved by Mr. Simard, Minister of International Relations. This motion reads as follows:

THAT the Québec National Assembly, on behalf of all Québeckers, join all of the people throughout the world who wish to see anti-personnel mines banned and destroyed, and concur in the humanitarian objectives which underlie the Convention on the Prohibition of the Use, Stockpiling, and Transfer of Anti-personnel Mines and on Their Destruction, which will be signed this week, in Ottawa;

THAT the National Assembly ask the Government of Québec to examine the means at its disposal, within the framework of its jurisdiction, to support the Federal Government and contribute to meeting the challenge of implementing the Convention, particularly with respect to helping victims and refugees, and assisting in the economic reconstruction of the areas affected by this terrible tragedy.

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The motion was carried on the following vote:

(Division No. 171 in Appendix)

Yeas: **106** Nays: **0** Abstentions: **0**

The Assembly then took the division, which had been deferred during Motions Without Notice at the sitting of 3 December 1997, on the motion moved by Mr. Marsan (Robert-Baldwin). By leave of the Assembly, Mr. President put the question on the new version of the motion, which reads as follows:

THAT the National Assembly reaffirm the right of all citizens to speak freely, without threat, within the framework of our society=s democratic debates; that this Assembly condemn any appeal for or incitement to violence, any form of violence already having been committed, and that this Assembly ask the Government of Québec to take the appropriate measures in order to assure the citizens thus threatened that their democratic rights will be protected.

The motion was carried on the following vote:

(Division No. 172 in Appendix)

Yeas: **106** Nays: **0** Abstentions: **0**

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The Assembly took the division, which had been deferred during Motions Without Notice at the sitting of 3 December 1997, on the motion moved by Mr. Rochon, Minister of Health and Social Services. This motion reads as follows:

THAT the National Assembly mark Québec Week of the Disabled, which is being held from 1 to 7 December and whose theme is "L=accès: c=est l=autonomie.. tout le monde y gagne" (Access means self-sufficiency... it=s in everyone=s interest).

The motion was carried on the following vote:

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(Division No. 173 in Appendix)

Yeas: **106** Nays: **0** Abstentions: **0**

Finally, the Assembly took the division, which had been deferred at the sitting of 3 December 1997, on the motion moved by Mrs. Marois, Minister of Education, for the passage in principle of Bill 170, An Act to amend the Act respecting financial assistance for students.

The motion was carried on the following vote:

(Division No. 174 in Appendix)

Yeas: **60** Nays: **44** Abstentions: **0**

Accordingly, Bill 170 was passed in principle.

On motion by Mr. Jolivet, Government House Leader, Bill 170 was referred for clause-by-clause consideration to the Committee on Education.

Motions Without Notice

Mr. Jolivet, Government House Leader, moved:

THAT the National Assembly mark the eightieth anniversary of the Le Parlementaire restaurant and pay tribute to the professional teams of cooks, waiters and waitresses who, throughout the years, have contributed to the distinction of our Assembly=s restaurant.

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

Mr. B  chard (Kamouraska-T  miscouata) moved:

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THAT the National Assembly ask the Federal Government and the National Energy Board to refrain from making any irreversible decisions that could jeopardize the trans-Maritimes pipeline project without first having analyzed, examined and compared the economic, social and environmental consequences that could ensue in the best interests of Québec and Eastern Canada.

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

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

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

Notices of Proceedings in Committees

Mr. Boulerice, Deputy Government House Leader, convened the following Committees:

- X the Committee on Education, to hold special consultations on Bill 180, An Act to amend the Education Act and various legislative provisions;
- X the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 161, An Act to again amend the Taxation Act, the Act respecting the Québec Sales Tax and other legislative provisions, and to give clause-by-clause consideration to Bill 178, An Act to abolish certain bodies;
- X the Committee on Planning and the Public Domain, to continue its clause-by-clause consideration of Bill 175, An Act to again amend various legislative provisions concerning municipal affairs.

ORDERS OF THE DAY

Government Bills

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Passage

Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, moved the passage of Bill 162, An Act to amend various legislative provisions concerning retirement.

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

At 12.16 o'clock p.m., by leave of the Assembly to set aside Standing Order 21, Mr. Brouillet, Vice-President, suspended the proceedings until 3.00 o'clock p.m.

The proceedings resumed at 3.03 o'clock p.m.

Passage in Principle

Mr. Landry, Minister of Finance, moved, —That Bill 167, An Act to amend the Savings and Credit Unions Act, do now pass in principle.

After debate thereon, the motion was carried on division and Bill 167 was accordingly passed in principle.

On motion by Mr. Brassard, Deputy Government House Leader, Bill 167 was referred for clause-by-clause consideration to the Committee on Public Finance.

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Mr. Landry, Minister of Finance, moved, —That Bill 169, An Act to amend the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons, do now pass in principle.

After debate thereon, the motion was carried and Bill 169 was accordingly passed in principle.

On motion by Mr. Brassard, Deputy Government House Leader, Bill 169 was referred for clause-by-clause consideration to the Committee on Public Finance.

Mr. Landry, Minister of Finance, moved, —That Bill 168, An Act to amend the Act respecting the Caisse de dépôt et placement du Québec, do now pass in principle.

And debate arising:

At 5.52 o'clock p.m., Mr. Brouillet, Vice-President, having left the Chair, the proceedings were suspended until 8.00 o'clock p.m.

The proceedings resumed at 8.33 o'clock p.m.

Passage in Principle

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And debate continuing on the motion by Mr. Landry, Minister of Finance, —That Bill 168, An Act to amend the Act respecting the Caisse de dépôt et placement du Québec, do now pass in principle;

At the end of his address, Mr. Benoit (Orford) moved the following motion to divide the said Bill:

THAT, pursuant to Standing Order 241, Bill 168 be divided into two Bills, the first of which shall be entitled "An Act to amend the Act respecting the Caisse de dépôt et placement du Québec" and shall comprise sections 1, 2, 6, 7, 10, 11, 13 and 15, and the second of which shall be entitled "An Act to simplify certain restrictions of the Act respecting the Caisse de dépôt et placement du Québec" and shall comprise sections 3, 4, 5, 8, 9, 12, 14 and 15.

Mr. Pinard, Vice-President, heard arguments from both sides regarding the receivability of this motion before taking this matter under advisement.

After a suspension of the proceedings, Mr. Pinard, Vice-President, gave the following ruling:

RULING FROM THE CHAIR

The motion by the Member for Orford to divide Bill 168 is out of order on the grounds that the two bills resulting from the division would not contain two distinct principles and, consequently, would not constitute two coherent bills.

And debate continuing on the motion by Mr. Landry, Minister of Finance, for the passage in principle of Bill 168, An Act to amend the Act respecting the Caisse de dépôt et placement du Québec;

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

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

Report Stage

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The Assembly took into consideration the report from the Committee on Public Finance on its clause-by-clause consideration of Bill 164, An Act to amend the Act to facilitate the payment of support.

After debate thereon, the report was concurred in.

The Assembly took into consideration the report from the Committee on Public Finance on its clause-by-clause consideration of 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.

Mr. Jolivet, Government House Leader, moved the adjournment of the debate.

This motion was carried on division.

Passage

Mr. Rioux, Minister of Labour, moved the passage of Bill 172, An Act to again amend the Act respecting labour standards.

After debate thereon, the motion was carried and, accordingly, Bill 172 was passed.

Report Stage

Resuming the debate on the consideration of the report from the Committee on Public Finance on its clause-by-clause consideration of 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;

At 12.00 o'clock a.m., the debate was adjourned. Mr. Brouillet, Vice-President, adjourned the Assembly until Friday, 5 December 1997, at 10.00 o'clock a.m.

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JEAN-PIERRE CHARBONNEAU

President

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APPENDIX

Recorded Divisions

On the Motion Without Notice moved by Mr. Simard, Minister of International Relations, at the sitting of 3 December 1997, regarding anti-personnel mines:

(Division No. 171)

YEAS - 106

Barbeau	Brouillet	Gagnon-Tremblay	Maciocia
Baril	Campeau	Gaulin	Malavoy
(<i>Arthabaska</i>)	Caron	Gautrin	Marois
Baril	Carrier-Perreault	Gauvin	Marsan
(<i>Berthier</i>)	Chagnon	Gendron	Middlemiss
Beaudet	Chalifoux	Houda-Pepin	Morin
Beaudoin	Charest	Johnson	(<i>Nicolet-Yamaska</i>)
Beaulne	Chenail	Jolivet	Mulcair
Beaumier	Cherry	Julien	Ouimet
Béchar	Chevrette	Jutras	Papineau
Bégin	Cliche	Kelley	Paquin
Bélanger	Copeman	Lachance	Paradis
(<i>Mégantic-Compton</i>)	Côté	Lafrenière	Parent
Benoit	Cusano	Lamquin-Éthier	Payne
Bergman	Delisle	Landry	Pelletier
Bertrand	Désilets	(<i>Bonaventure</i>)	Perreault
(<i>Charlevoix</i>)	Deslières	Landry	Pinard
Bissonnet	Dion	(<i>Verchères</i>)	Poulin
Blais	Dionne-Marsolais	Laporte	Robert
Boisclair	Doyer	Laprise	Rochon
Bordeleau	Duguay	Laurin	Saint-André
Bouchard	Dumont	Leblanc	Signori
Boucher	Facal	Leduc	Simard
Boulerice	Farrah	Lefebvre	(<i>Richelieu</i>)
Bourbeau	Filion	Léger	Sirros
Brassard	Fournier	Lelièvre	Trudel
Brien	Frulla	Léonard	Vaive
Brodeur	Gagnon	Létourneau	Vallières

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Vermette
Williams

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NAYS - 0

ABSTENTIONS - 0

On the Motion Without Notice moved by Mr. Marsan (Robert-Baldwin) at the sitting of 3 December 1997, regarding the protection of citizens= democratic rights:

(Division No. 172)

(Identical to Division No. 171)

On the Motion Without Notice moved by Mr. Rochon, Minister of Health and Social Services, at the sitting of 3 December 1997, on Québec Week of the Disabled:

(Division No. 173)

(Identical to Division No. 171)

On the motion by Mrs. Marois, Minister of Education, for the passage in principle of Bill 170, An Act to amend the Act respecting financial assistance for students:

(Division No. 174)

YEAS - 60

Barbeau	Beaudoin	<i>(Charlevoix)</i>	Boulerice
Baril	Beaulne	Blais	Brassard
<i>(Arthabaska)</i>	Beaumier	Boisclair	Brien
Baril	Bégin	Bouchard	Campeau
<i>(Berthier)</i>	Bertrand	Boucher	Caron

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Carrier-Perreault	Charest	Chevrette	Cliche
Côté	Jolivet	Léger	Pelletier
Désilets	Julien	Lelièvre	Perreault
Deslières	Jutras	Léonard	Robert
Dion	Lachance	Létourneau	Rochon
Dionne-Marsolais	Landry	Malavoy	Saint-André
Doyer	<i>(Bonaventure)</i>	Marois	Signori
Duguay	Landry	Morin	Simard
Facal	<i>(Verchères)</i>	<i>(Nicolet-Yamaska)</i>	<i>(Richelieu)</i>
Gagnon	Laprise	Papineau	Trudel
Gaulin	Laurin	Paquin	Vermette
Gendron	Leduc	Payne	

NAYS - 44

Beaudet	Chenail	Gauvin	Mulcair
Béchar	Cherry	Houda-Pepin	Ouimet
Bélanger	Copeman	Johnson	Paradis
<i>(Mégantic-Compton)</i>	Cusano	Kelley	Parent
Benoit	Delisle	Lafrenière	Poulin
Bergman	Dumont	Lamquin-Éthier	Sirros
Bissonnet	Farrah	Laporte	Vaive
Bordeleau	Filion	Leblanc	Vallières
Bourbeau	Fournier	Lefebvre	Williams
Brodeur	Frulla	Maciocia	
Chagnon	Gagnon-Tremblay	Marsan	
Chalifoux	Gautrin	Middlemiss	

ABSTENTIONS - 0