



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 11 December 1997 — No. 147

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

Introduction of Bills

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

187 An Act to again amend the Securities Act.

The motion was carried.

188 An Act respecting the distribution of financial products and services.

The motion was carried.

Presenting Papers

Mr. Ménard, Minister of Justice, tabled the annual reports, for the fiscal year ended 31 March 1997, of the following professional corporations:

X the Ordre des agronomes du Québec;
(Sessional Paper No. 1358-971211)

X the Collège des médecins du Québec;
(Sessional Paper No. 1359-971211)

X the Ordre professionnel des travailleurs sociaux du Québec.
(Sessional Paper No. 1360-971211)

Mr. Cliche, Minister for Tourism, tabled the following:

The annual report of the Société du Centre des congrès de Québec for the fiscal year ended 31 March 1997.
(Sessional Paper No. 1361-971211)

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

Answer to a written question by Mr. Marsan (Robert-Baldwin) concerning surplus and deficit amounts for various institutions, entities and funds – Question No. 36, *Order Paper and Notices* of 19 June 1997.
(Sessional Paper No. 1362-971211)

Presenting Petitions

By leave of the Assembly to set aside Standing Orders 63 and 64, Mr. Benoit (Orford) tabled the following:

The abstract of a petition respecting the defensive driving code set up by the Société de l'assurance automobile du Québec and signed by 4567 petitioners concerned by the death of Clifford Fisher.
(Sessional Paper No. 1363-971211)

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By leave of the Assembly to set aside Standing Orders 63 and 64, Mr. Boucher (Johnson) tabled the following:

The abstract of a petition requesting amendments to the *Act respecting the Société de l'assurance automobile du Québec* and signed by 7020 petitioners, members of the Comité Clifford Fisher.

(Sessional Paper No. 1364-971211)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Order 59, Mrs. Loiselle (Saint-Henri—Sainte-Anne) tabled the following:

Copy of a facsimile transmission slip, sent by the Direction de la perception automatique des pensions alimentaires, Montréal office, of the Ministère du Revenu.

(Sessional Paper No. 1365-971211)

Deferred Divisions

The Assembly took the division, which had been deferred during Motions Without Notice at the sitting of 10 December 1997, on the motion moved by Mr. Boisclair, Minister of Relations with the Citizens and Immigration. This motion reads as follows:

THAT the Québec National Assembly mark the 50th anniversary of the Universal Declaration of Human Rights and the 11th anniversary of the Declaration by the Government of Québec on Ethnic and Race Relations.

The motion was carried on the following vote:

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(Division No. 180 in Appendix)

Yeas: **105** Nays: **0** Abstentions: **0**

Motions Without Notice

Mrs. Beaudoin, Minister of Culture and Communications, moved:

THAT the Québec National Assembly congratulate historian Denis Vaugeois, recipient of the Samuel-de-Champlain award given by the France-Canada Institute, for his work and more specifically for his book entitled "La fin des alliances franco-indiennes" (The end of the Franco-Native alliance).

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

Mr. Gaulin (Taschereau) moved:

THAT the Québec National Assembly mark the 160th anniversary of the arrival of the Brothers of Christian Schools as well as the 125th anniversary of the arrival of the Institute of the Brothers of the Sacred Heart on Québec territory and that it mark, on the same occasion, the excellent work accomplished by these teachers for the benefit of education in Québec.

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

The debate being concluded, the motion was carried.

Notices of Proceedings in Committees

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

- 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, and to give clause-by-clause consideration to Bill 183, An Act respecting the budget of Ville de Montréal;
- X the Committee on Public Finance, to give clause-by-clause consideration to the following Bills, in the order given: Bill 168, An Act to amend the Act respecting the Caisse de dépôt et placement du Québec, and Bill 169, An Act to amend the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons;
- X the Committee on Education, to continue its clause-by-clause consideration of Bill 166, An Act to amend the General and Vocational Colleges Act and other legislative provisions, and to give clause-by-clause consideration to Bill 180, An Act to amend the Education Act and various legislative provisions.

ORDERS OF THE DAY

Government Bills

Passage

Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, moved the passage of Bill 178, An Act to abolish certain bodies.

And debate arising;

By leave of the Assembly to set aside Standing Order 59, Mr. Marsan (Robert-Baldwin) tabled the following:

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A copy of a letter, dated 16 June 1997, sent to Mr. Joseph Facal, Member for Fabre and parliamentary assistant to the Prime Minister, from the Coalition des syndicats de la fonction publique, regarding the working group on the government agencies review.

(Sessional Paper No. 1366-971211)

And debate continuing;

The debate being concluded, the motion was carried and, accordingly, Bill 178 was passed.

Passage in Principle

Resuming the debate on the motion by Mr. Rochon, Minister of Health and Social Services, —That Bill 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, do now pass in principle;

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.

The proceedings resumed at 3.05 o'clock p.m.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 188, Mr. Jolivet, Government House Leader, moved:

THAT the Committee on Institutions hold special consultations on Bill 185, An Act respecting the election of the first commissioners of the new school boards and amending various legislative provisions, on Monday, 15 December 1997, and, for this purpose, hear the following groups:

- from 3.00 o'clock p.m. to 4.00 o'clock p.m., the Fédération des commissions scolaires;
- from 4.00 o'clock p.m. to 5.00 o'clock p.m., the Association des commissions scolaires;
- from 5.00 o'clock p.m. to 6.00 o'clock p.m., the Association des directeurs généraux des commissions scolaires catholiques;

The presentation by each group shall not last more than twenty minutes and its exchange with the members of the Committee shall not last more than forty minutes, which time shall be shared equally among the members of the parliamentary group forming the Government and the Members sitting in Opposition;

The Minister for Electoral and Parliamentary Reform shall be a member of the said Committee during its proceedings with respect to this order of reference.

The motion was carried.

Government Bills

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Passage in Principle

And debate continuing on the motion by Mr. Rochon, Minister of Health and Social Services, —That Bill 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, do now pass in principle;

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

THAT, pursuant to Standing Order 241, Bill 176 be divided into two Bills, the first of which shall be entitled "An Act to amend the Act respecting the Ministère de la Santé et des Services sociaux" and shall comprise sections 1 and 3, and the second of which shall be entitled "An Act respecting the Régie de l'assurance-maladie du Québec" and shall comprise sections 2 and 3.

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, rendered the following decision regarding the receivability of this motion:

RULING FROM THE CHAIR

The motion to divide is in order since each part of the divided bill can be considered separately and constitutes more than one modality. Furthermore, the bills ensuing from a division would constitute coherent bills in and of themselves. When the Chair must rule on the receivability of a motion to divide, it is not required to determine the legislator's intent; it need only read the text without interpreting it.

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At 5.45 o'clock p.m., by leave of the Assembly, Mr. Pinard, Vice-President, suspended the proceedings until 8.00 o'clock p.m.

The proceedings resumed at 8.07 o'clock p.m.

Passage in Principle

Following a meeting with the House Leaders, Mr. Pinard, Vice-President, announced the allocation of speaking time for the limited debate on this motion to divide: ten minutes shall be set aside for the independent Members; the two parliamentary groups shall equally share the rest of the time allotted for this debate; any time not used by a parliamentary group or by the independent Members may be redistributed, and individual addresses shall not otherwise be limited.

The Assembly entered upon the debate on the motion to divide moved by Mr. Mulcair.

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. 181 in Appendix)

Yeas: **27** Nays: **54** Abstentions: **0**

And debate continuing on the motion by Mr. Rochon, Minister of Health and Social Services, for the passage in principle of Bill 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;

At the end of his speech, Mr. Gauthrin (Verdun) moved the adjournment of the debate,

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pursuant to Standing Order 100.

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. 182 in Appendix)

Yeas: **13** Nays: **48** Abstentions: **0**

And debate continuing on the motion by Mr. Rochon, Minister of Health and Social Services, for the passage in principle of Bill 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;

At 12.00 o'clock a.m., the debate was adjourned. Mr. Brouillet, Vice-President, adjourned the Assembly until Friday, 12 December 1997, at 10.00 o'clock a.m.

JEAN-PIERRE CHARBONNEAU

President

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APPENDIX

Recorded Divisions

On the Motion Without Notice moved by Mr. Boisclair, Minister of Relations with the Citizens and Immigration, regarding the Universal Declaration of Human Rights and the Declaration by the Government of Québec on Ethnic and Race Relations:

(Division No. 180)

YEAS - 105

Barbeau	Brien	Farrah	Laprise
Baril	Brodeur	Filion	Laurin
(Arthabaska)	Brouillet	Fournier	Leblanc
Baril	Campeau	Frulla	Leduc
(Berthier)	Caron	Gagnon	Lefebvre
Beaudet	Carrier-Perreault	Gagnon-Tremblay	Léger
Beaudoin	Chagnon	Garon	Lelièvre
Beaulne	Chalifoux	Gaulin	Léonard
Beaumier	Charest	Gautrin	LeSage
Béchar	Chenail	Gauvin	Loiselle
Bélanger	Cherry	Gendron	Maciocia
(Anjou)	Ciaccia	Gobé	Marois
Bélanger	Cliche	Johnson	Marsan
(Mégantic-Compton)	Copeman	Jolivet	Ménard
Benoit	Côté	Julien	Morin
Bergman	Cusano	Jutras	(Dubuc)
Bertrand	Delisle	Kelley	Morin
(Portneuf)	Désilets	Lachance	(Nicolet-Yamaska)
Bissonnet	Deslières	Lafrenière	Mulcair
Blais	Dion	Lamquin-Éthier	Ouimet
Boisclair	Dionne-Marsolais	Landry	Papineau
Bordeleau	Doyer	(Bonaventure)	Paquin
Boucher	Duguay	Landry	Paradis
Boulerice	Dumont	(Verchères)	Parent
Bourbeau	Facal	Laporte	Payne

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Pelletier	Perreault	Poulin	Rioux
Rivard	Saint-André	Trudel	Williams
Robert	Signori	Vallières	
Rochon	Sirros	Vermette	

NAYS - 0

ABSTENTIONS - 0

On the motion by Mr. Mulcair (Chomedey) to divide Bill 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:

(Division No. 181)

YEAS - 27

Béchar	Chagnon	Gagnon-Tremblay	Lefebvre
Bélanger	Chalifoux	Gautrin	LeSage
(<i>Mégantic-Compton</i>)	Cusano	Gauvin	Maciocia
Bergman	Delisle	Gobé	Mulcair
Bissonnet	Farrah	Lamquin-Éthier	Paradis
Bordeleau	Fournier	Laporte	Sirros
Bourbeau	Frulla	Leblanc	Williams

NAYS - 54

Barbeau	Bélanger	Carrier-Perreault	Doyer
Baril	(<i>Anjou</i>)	Charest	Duguay
(<i>Arthabaska</i>)	Bertrand	Chevrette	Facal
Baril	(<i>Charlevoix</i>)	Cliche	Gagnon
(<i>Berthier</i>)	Blais	Côté	Gaulin
Beaudoin	Boulerice	Désilets	Gendron
Beaulne	Campeau	Deslières	Jolivet
Beaumier	Caron	Dion	Julien

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Jutras	Lelièvre	Paquin	Signori
Landry	Léonard	Payne	Trudel
(<i>Bonaventure</i>)	Malavoy	Pelletier	Vermette
Landry	Ménard	Perreault	
(<i>Verchères</i>)	Morin	Rioux	
Laprise	(<i>Dubuc</i>)	Rivard	
Laurin	Morin	Robert	
Leduc	(<i>Nicolet-Yamaska</i>)	Rochon	
Léger	Papineau	Saint-André	

ABSTENTIONS - 0

On the motion by Mr. Gautrin (Verdun) to adjourn the debate on the passage in principle of Bill 176:

(Division No. 182)

YEAS - 13

Bélanger	Delisle	Gobé	Maciocia
(<i>Mégantic-Compton</i>)	Farrah	Laporte	Paradis
Bourbeau	Frulla	Leblanc	
Chalifoux	Gautrin	Lefebvre	

NAYS - 48

Barbeau	Campeau	Doyer	Landry
Baril	Caron	Duguay	(<i>Bonaventure</i>)
(<i>Arthabaska</i>)	Carrier-Perreault	Facal	Landry
Baril	Charest	Gagnon	(<i>Verchères</i>)
(<i>Berthier</i>)	Cliche	Gaulin	Laprise
Beaumier	Côté	Gendron	Laurin
Bertrand	Désilets	Jolivet	Leduc
(<i>Charlevoix</i>)	Deslières	Julien	Léger
Boulerice	Dion	Jutras	Lelièvre
Léonard	Malavoy	Ménard	Morin

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(Dubuc)

Morin

(Nicolet-Yamaska)

Papineau

Paquin

Payne

Pelletier

Perreault

Rioux

Robert

Rochon

Saint-André

Signori

Trudel

Vermette

ABSTENTIONS - 0