



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 17 December 1997 — No. 150

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

QUÉBEC

The Assembly was called to order at 10.04 o'clock a.m.

Moment of reflection

ROUTINE PROCEEDINGS

Mr. President communicated to the Assembly and tabled the following:

The document entitled "Réforme parlementaire B Thème 5: Présence des témoins en commission parlementaire" (The Parliamentary Reform B Theme 5: The presence of witnesses in parliamentary committee).

(Sessional Paper No. 1388-971217)

Introduction of Bills

Mrs. Beaudoin, Minister of Culture and Communications, moved that leave be granted to introduce the following Bill:

403 An Act to establish the Grande bibliothèque du Québec.

The motion was carried.

Presenting Papers

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

The annual report of the Ministère des Finances for the fiscal year ended 31 March 1997.
(Sessional Paper No. 1389-971217)

Mr. Perreault, Minister of State for Greater Montréal, tabled the following:

The annual report of the Société du Palais des congrès de Montréal for the fiscal year ended 31 March 1997.
(Sessional Paper No. 1390-971217)

Mr. Léonard, Minister for Administration and the Public Service, Chairman of the Conseil du Trésor, tabled the following:

The annual report of the Conseil du Trésor for the fiscal year ended 31 March 1997.
(Sessional Paper No. 1391-971217)

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

X the Ordre des infirmières et infirmiers du Québec;
(Sessional Paper No. 1392-971217)

X the Ordre des technologues professionnels du Québec.
(Sessional Paper No. 1393-971217)

Mr. Julien, Minister of Agriculture, Fisheries and Food, tabled the following:

The annual report of the Régie des marchés agricoles et alimentaires du Québec for the fiscal year ended 31 March 1997.

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(Sessional Paper No. 1394-971217)

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 1997.

(Sessional Paper No. 1395-971217)

Mrs. Dionne-Marsolais, Minister for Revenue, tabled the following:

The annual report of the Ministère du Revenu for the fiscal year ended 31 March 1997.

(Sessional Paper No. 1396-971217)

The agreement on the transmission of information concerning persons receiving benefits and who are eligible for the unified housing allocation programme.

(Sessional Paper No. 1397-971217)

Mr. President tabled the following mission report:

The report, presented by Mr. Jean-Pierre Charbonneau, President of the National Assembly, on the annual meeting of the Eastern Regional Conference of the Council of State Governments (ERC/CSG), which was held in Portland, Maine, from 27 to 30 July 1997.

(Sessional Paper No. 1398-971217)

Presenting Reports from Committees

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

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A report from the Committee on Planning and the Public Domain, which met on 15 December 1997 for clause-by-clause consideration of the following Bill:

183 An Act respecting the budget of Ville de Montréal – Reported without amendment.
(Sessional Paper No. 1399-971217)

Mr. Lachance (Bellechasse) tabled the following:

A report from the Committee on Transportation and the Environment, which met on 16 December 1997 for clause-by-clause consideration of the following Bill:

179 An Act to again amend the Act respecting the conservation and development of wildlife – Reported with an amendment.
(Sessional Paper No. 1400-971217)

Presenting Petitions

Mr. Fournier (Châteauguay) tabled the following:

The abstract of a petition respecting the taxation of income from tips and signed by 2990 waitresses and waiters working in Québec.

(Sessional Paper No. 1401-971217)

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

The abstract of a petition respecting the reopening of the west office (Côte-des-Neiges) of the Régie du logement and signed by 369 citizens and persons in charge of community groups in the riding of Outremont.

(Sessional Paper No. 1402-971217)

Oral Questions and Answers

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The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Order 59, Mr. Ouimet (Marquette) tabled the following:

The orientation paper, submitted to the Comité national des programmes d'études professionnelles et techniques on 5 December 1997, and the letter of presentation of the said document, signed by Mr. Guy Demers, director of vocational and technical training at the Ministère de l'Éducation.

(Sessional Paper No. 1403-971217)

Deferred Divisions

The Assembly took the division, which had been deferred during Motions Without Notice at the sitting of 16 December 1997, on the motion moved by Mr. Fournier (Châteauguay). This motion reads as follows:

THAT the Québec National Assembly salute the combined efforts made by the National Assembly, the House of Commons and the Canadian Senate, which led to the adoption of a resolution to amend the Constitution, thus enabling the establishment of linguistic school boards.

The motion was carried on the following vote:

(Division No. 183 in Appendix)

Yeas: **116** Nays: **0** Abstentions: **0**

Motions Without Notice

Mr. Copeman (Notre-Dame-de-Grâce) moved a motion concerning the service enabling disabled persons to live at home; this motion could not be debated for want of unanimous consent.

Mr. Bergman (D'Arcy-McGee) moved a motion concerning the respect of the rules stipulated in the Charter of the French Language; this motion could not be debated for want of unanimous consent.

Notices of Proceedings in Committees

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

- X the Committee on Planning and the Public Domain, to hear the interested parties and give clause-by-clause consideration to the following Private Bills: Bill 256, An Act respecting Ville de Blainville; Bill 261, An Act respecting Ville de Shawinigan; Bill 226, An Act respecting Ville de Varennes; and Bill 260, An Act respecting Ville d=Otterburn Park, and to give clause-by-clause consideration to the following Bills: Bill 198, An Act respecting Municipalité régionale de comté de Maria-Chapdelaine, and Bill 197, An Act respecting the Agence de développement du Centre de villégiature de Mont-Tremblant, as well as to continue its clause-by-clause consideration of Bill 171, An Act respecting the Ministère des Régions;
- X the Committee on Institutions, to hear the interested parties and give clause-by-clause consideration to Private Bill 224, An Act respecting the adoption of Rémi Julien;
- X the Committee on Education, to hear the interested parties and give clause-by-clause consideration to Private Bill 248, An Act to amend the Act respecting the Fédération des commissions scolaires du Québec;
- X the Committee on Public Finance, to hear the interested parties and give clause-by-clause consideration to Private Bill 259, An Act respecting the Fondation du Centre hospitalier de l=Université de Montréal.

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ORDERS OF THE DAY

Government Bills

Passage

Mr. Trudel, Minister of Municipal Affairs, moved the passage of Bill 175, An Act to again amend various legislative provisions concerning municipal affairs.

After debate thereon, 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.

Mr. Trudel, Minister of Municipal Affairs, moved the passage of Bill 160, An Act to amend the Act respecting safety in sports and other legislative provisions.

After debate thereon, the motion was carried and, accordingly, Bill 160 was passed.

Mr. Rochon, Minister of Health and Social Services, moved the passage of Bill 39, An Act respecting the protection of persons whose mental state presents a danger to themselves or to

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others (*modified title*).

And debate arising;

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 3.02 o'clock p.m.

Passage

And debate continuing on the motion by Mr. Rochon, Minister of Health and Social Services, for the passage of Bill 39, An Act respecting the protection of persons whose mental state presents a danger to themselves or to others (*modified title*);

The debate being concluded, the motion was carried and, accordingly, Bill 39 was passed.

Report Stage

The Assembly took into consideration the report from the Committee on Social Affairs on its clause-by-clause consideration 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.

And debate arising;

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

This motion was carried on division.

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Passage in Principle

Mr. Jolivet, Minister for Electoral and Parliamentary Reform, informed the Assembly that Her Excellency the Lieutenant-Governor recommended to its consideration Bill 185, An Act respecting the election of the first commissioners of the new school boards and amending various legislative provisions, and then moved —That this Bill do now pass in principle.

And debate arising;

At 6.00 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 8.00 o'clock p.m.

Passage in Principle

And debate continuing on the motion by Mr. Jolivet, Minister for Electoral and Parliamentary Reform, —That Bill 185, An Act respecting the election of the first commissioners of the new school boards and amending various legislative provisions, do now pass in principle;

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

After debate thereon, the question was put on this motion; a recorded division was thereupon

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demanded.

The motion was carried on the following vote:

(Division No. 184 in Appendix)

Yeas: **48** Nays: **27** Abstentions: **0**

Accordingly, the debate was adjourned.

Mr. Paradis, Official Opposition House Leader, raised the question of the regularity of the motion to adjourn the debate moved by Mr. Jolivet, Government House Leader, and, accordingly, on the vote that followed.

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 Government House Leader had already spoken to the motion for the passage in principle of Bill 185; consequently, he should have been prevented from moving a motion to adjourn this debate. Considering that the vote on the motion has taken place, the irregularity of this motion can no longer be raised. Indeed, the motion having been carried, it becomes an order or a resolution as stipulated in Standing Order 186 and can be revoked only by a motion without notice moved by a Minister.

Report Stage

Resuming the debate on the report from the Committee on Social Affairs on its clause-by-clause consideration 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;

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At 12.00 o'clock a.m., the debate was adjourned. Mr. Brouillet, Vice-President, adjourned the Assembly until Thursday, 18 December 1997, at 10.00 o'clock a.m.

ROYAL ASSENT

On Wednesday, 17 December 1997, at 8.36 o'clock a.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Bertrand (Charlevoix), the Delegate of the President of the National Assembly, of Mrs. Doyer (Matapédia), the Delegate of the Prime Minister, and of Mr. Bédard, Director of the Secretariat of the Assembly, the Honourable Louis Lebel, Administrator of Québec, was pleased to assent to the following Bills:

- 149 An Act to reform the Québec Pension Plan and to amend various legislative provisions;
- 400 An Act respecting various legislative provisions relating to training in the construction industry.

JEAN-PIERRE CHARBONNEAU

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President

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APPENDIX

Recorded Divisions

On the Motion Without Notice moved by Mr. Fournier (Châteauguay) at the sitting of 16 December 1997, regarding the constitutional amendment enabling the establishment of linguistic school boards:

(Division No. 183)

YEAS - 116

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

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Ouimet	Papineau	Paquin	Paradis
Paré	Poulin	Signori	Vaive
Payne	Rioux	Simard	Vallières
Pelletier	Rivard	(<i>Richelieu</i>)	Vermette
Perreault	Robert	Sirros	Williams
Pinard	Rochon	Trudel	

NAYS - 0

ABSTENTIONS - 0

On the motion by Mr. Jolivet, Government House Leader, to adjourn the debate on the passage in principle of Bill 185:

(Division No. 184)

YEAS - 48

Barbeau	Charest	Jutras	Paré
Baril	Chevrette	Lachance	Payne
(<i>Arthabaska</i>)	Cliche	Landry	Pelletier
Baril	Côté	(<i>Bonaventure</i>)	Rioux
(<i>Berthier</i>)	Désilets	Laprise	Robert
Beaumier	Dion	Leduc	Saint-André
Bégin	Doyer	Léger	Signori
Bertrand	Duguay	Lelièvre	Trudel
(<i>Charlevoix</i>)	Facal	Malavoy	Vermette
Blais	Gagnon	Morin	
Boucher	Garon	(<i>Dubuc</i>)	
Boulerice	Gaulin	Morin	
Campeau	Gendron	(<i>Nicolet-Yamaska</i>)	
Caron	Jolivet	Papineau	
Carrier-Perreault	Julien	Paquin	

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NAYS - 27

Béchar	Chenail	Gauvin	Maciocia
Benoit	Copeman	Gobé	MacMillan
Bergman	Cusano	Houda-Pepin	Middlemiss
Bordeleau	Delisle	Kelley	Paradis
Brodeur	Dumont	Lafrenière	Poulin
Chagnon	Farrah	Leblanc	Sirros
Chalifoux	Gautrin	Lefebvre	

ABSTENTIONS - 0