



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 12 Mars 1998 — No. 155

**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

Pursuant to Standing Orders 182 and 183, Mr. Jolivet, Government House Leader, moved the following motion:

THAT owing to the urgency of the situation and in order to introduce and pass Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector, the following Standing Orders be suspended until the aforementioned Bill shall have been passed:

19 (first paragraph), 20 and 22, 53 (the words "and personal explanations", in the fourth paragraph, as well as the seventh paragraph), 54 (the first, second, third and fifth paragraphs), 71 to 73, 84 (second and third paragraphs), 86 (the words "or at the request of some other Member", in the first paragraph, as well as the second paragraph), 87 (second, third and eighth paragraphs), 88 to 94, 100 and 101, 105 to 108, 110 to 114, 157, 164 and 165, 175 and 176, 177 (the words "and its observations, conclusions, or recommendations to the Assembly, if there be any"), 194 and 195, 205 to 210, 212, 213, 215, 216, 220, 222, 230, 232, 233 (the words "When the appropriate item of the Routine Proceedings is entered upon"), 236 and 237, 239 (second paragraph), 240 and 241, 243, 244 (second paragraph), 245 and

246, 247, 248 (the words "and the bill shall thereupon be set down for final passage on a future sitting day", in the second paragraph), 249 to 251, 252 (first paragraph), 253 (first and third paragraphs), 254, 256 (second and third paragraphs), 257 and 304 to 307;

Notwithstanding the provisions of Standing Order 54, immediately the present motion is carried, the Assembly shall be granted leave to enter upon the consideration of Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector;

Notwithstanding the provisions of Standing Order 53, during Orders of the Day, a Minister shall be granted leave to introduce the said Bill;

The debate on the passage in principle of Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector, shall last not more than sixty minutes, which period shall be allotted as follows: twenty-five minutes to the parliamentary group forming the Government, twenty-five minutes to the parliamentary group forming the Official Opposition, five minutes to the independent Members and five minutes to the Minister presenting the Bill for his reply; voting on the passage in principle of the Bill shall be by a show of hands unless five Members demand a recorded division;

Following the passage in principle of the Bill, a Minister or a Deputy Government House Leader may move that the Bill be referred to a Committee of the Whole for clause-by-clause consideration; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

A Minister or a Deputy Government House Leader may move that the Assembly resolve itself into a Committee of the Whole; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

The clause-by-clause consideration of Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector, in Committee of the Whole shall last not more than one hour after the beginning of its proceedings; the questions for adoption of the sections considered and the amendments handed in shall be put forthwith, and recorded divisions may not be demanded thereon;

Upon the expiry of this time limit, the Chairman of the Committee of the Whole shall put the questions forthwith, without debate and without recorded

division, on the sections and on the amendments that the Committee has not disposed of, including the amendments the Minister presenting the Bill may not have been able to move during clause-by-clause consideration but which shall be transmitted to the Chairman of the Committee at this time, the title and headings of the Bill and he shall report to the Assembly, without consultation of the Committee nor the Assembly; the question on such report shall be put without recorded division;

A Minister or a Deputy Government House Leader may move, more than once during the same sitting, that the Committee of the Whole report progress to the Assembly and ask leave to sit again; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

The debate on the final passage of Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector, shall last not more than thirty minutes, which period shall be allotted as follows: ten minutes to the parliamentary group forming the Government, ten minutes to the parliamentary group forming the Official Opposition, five minutes to the independent Members and five minutes to the Minister presenting the Bill for his reply; voting on the passage of the Bill shall be by a show of hands unless five Members demand a recorded division;

A Minister or a Deputy Government House Leader may move at any time during the debate on the passage of Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector, that the Assembly resolve itself into a Committee of the Whole to consider amendments that he indicates; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon; the debate in Committee of the Whole shall be limited to consideration of the proposed amendments; the debate in Committee of the Whole shall last not more than fifteen minutes, which period shall be allotted as follows: five minutes to the parliamentary group forming the Government, five minutes to the parliamentary group forming the Official Opposition, three minutes to the independent Members and two minutes to the Minister presenting the Bill for his reply, at the end of which period the

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question shall be put forthwith on the amendments, without recorded division; after which the Chairman of the Committee shall report to the Assembly, without consultation of the Committee nor the Assembly; the question on such report shall be put immediately without debate and without recorded division;

A Minister or a Deputy Government House Leader may move the adjournment of the debate at any time during the sitting; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

A Minister or a Deputy Government House Leader may move the adjournment of the sitting at any time; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

A Minister or a Deputy Government House Leader may move the withdrawal of a motion at any time during the sitting; the question on such motion, which requires no notice and may be neither amended nor debated, shall be put forthwith, and a recorded division may not be demanded thereon;

In addition to the provisions of this motion, all voting shall be by a show of hands unless a Minister or a Deputy Government House Leader demands a recorded division;

The Assembly shall have leave to meet each day, beginning at 10.00 o'clock a.m., until it decides to adjourn its proceedings;

Subject to the foregoing, the provisions of the Standing Orders of the Assembly relating to the extended hours of meeting shall apply; and

The rules hereinbefore specified shall remain in force until Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector, shall have been passed.

Pursuant to Standing Order 184, the bill envisaged in this motion was distributed to the Members.

At 10.12 o'clock a.m., by leave of the Assembly, Mr. President suspended the proceedings to allow the Members to examine the motion.

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The proceedings resumed at 10.48 o'clock a.m.

Mr. Fournier, Deputy Opposition House Leader, raised the question of the receivability of this motion.

After having heard comments from both sides and after having taken the matter under advisement, Mr. President rendered the following decision:

RULING FROM THE CHAIR

The motion to suspend certain rules of procedure moved by the Government House Leader is receivable.

Though the Standing Orders stipulate that the President exercises such powers as he may require to protect the rights and privileges of the Assembly and its Members, he does not have the power to rule on the expediency of a motion to suspend rules of procedure. Regarding this matter, the President's role is solely to determine whether the motion is receivable, that is, if it meets the requirements of the procedure contained in the Standing Orders. Be that as it may, a motion to suspend rules of procedure does not constitute a breach of the rights and privileges of the Assembly and its Members since the Assembly unanimously adopted the provisions allowing for motions to suspend rules of procedure. Such motions are therefore not contrary to the Standing Orders.

Regarding the urgency to move a motion to suspend rules of procedure, numerous precedents stipulate that it is not for the President to decide whether the urgency claimed is real or not. This decision is made by the Assembly when the question is put on the motion.

Following a meeting with the House leaders, Mr. President announced the allocation of speaking time for the limited debate on the motion to suspend certain rules of procedure:

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four minutes shall be set aside for each of the independent Members; the two parliamentary groups shall share equally the rest of the time allotted for this debate; within this framework, any time not used by a parliamentary group or by the independent Members may be redistributed, and individual addresses shall not otherwise be limited.

And debate arising on the motion by Mr. Jolivet, Government House Leader;

At 12.00 o'clock p.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

Introduction of Bills

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

410 An Act to amend the Act respecting off-highway vehicles.

The motion was carried.

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

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409 An Act to amend the Act respecting occupational health and safety.

The motion was carried.

Presenting Petitions

Mr. Benoit (Orford) tabled the following:

The abstract of a petition respecting the reorganization of the school board network last June and signed by 1091 electors from the municipalities of Ogden and Stanstead.

(Sessional Paper No. 1480-980312)

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

The abstract of a petition respecting the addition of beds at the Châteauguay rest home and the Champlain-Châteauguay home-care centre and signed by 5038 citizens of Châteauguay.

(Sessional Paper No. 1481-980312)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Deferred Divisions

The Assembly took the division, which had been deferred during Business Standing in the Name of Members in Opposition at the sitting of 11 March 1998, on the motion moved by Mr. Kelley (Jacques-Cartier). This motion reads as follows:

That the National Assembly demand that the Parti Québécois Government formally commit itself not to increase in any way the tax burden of Québec families

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in its next budget.

The motion was negatived on the following vote:

(Division No. 189 in Appendix)

Yeas: **36** Nays: **61** Abstentions: **0**

Notices of Proceedings in Committees

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

- X the Committee on Social Affairs, to continue its public hearings within the framework of special consultations on Bill 404, An Act to amend the Act respecting health services and social services and amending various legislative provisions;
- X the Committee on Labour and the Economy, to hold special consultations on Bill 182, An Act to amend the Mining Act and the Act respecting the lands in the public domain;

And, by leave of the Assembly to set aside Standing Order 143,

- X the Committee on Public Finance, to continue its public hearings within the framework of special consultations on Bill 188, An Act respecting the distribution of financial products and services.

Mr. President gave the following notice:

- X the Committee on Public Administration shall examine the financial commitments of the Conseil du Trésor contained in the lists for the months of August 1996 to March 1997.

Information on the Proceedings of the Assembly

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Mr. President informed the Assembly that on Friday, 20 March 1998, Mr. Copeman (Notre-Dame-de-Grâce) would question Mr. Rochon, Minister of Health and Social Services, during an interpellation on "the situation of the disabled in Québec".

ORDERS OF THE DAY

Government Bills

The Assembly continued the limited debate on the motion to suspend certain rules of procedure moved by Mr. Jolivet, Government House Leader.

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

The motion was carried on the following vote:

(Division No. 190 in Appendix)

Yeas: **59** Nays: **27** Abstentions: **0**

Introduction of Bills

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

414 An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector.

The motion was carried on division.

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Passage in Principle

Mr. Trudel, Minister of Municipal Affairs, moved, —That Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector, do now pass in principle.

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

The motion was carried on the following vote:

(Division No. 191 in Appendix)

Yeas: **60** Nays: **27** Abstentions: **0**

Accordingly, Bill 414 was passed in principle.

Mr. Jolivet, Government House Leader, moved that Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector, be referred for clause-by-clause consideration to the Committee of the Whole.

The motion was carried on division.

Committee of the Whole

Mr. Jolivet, Government House Leader, moved that the Assembly resolve itself into a Committee of the Whole for the clause-by-clause consideration of Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector.

The motion was carried on division.

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Bill 414 was considered in Committee of the Whole, amended, adopted on division and thereupon reported.

The report was concurred in on division.

Passage

Mr. Trudel, Minister of Municipal Affairs, moved the passage of Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector.

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

The motion was carried on the following vote:

(Division No. 192 in Appendix)

Yeas: **54** Nays: **24** Abstentions: **0**

Accordingly, Bill 414 was passed.

At 7.28 o'clock p.m., Mr. Brouillet, Vice-President, adjourned the Assembly until Tuesday, 17 March 1998, at 10.00 o'clock a.m.

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ROYAL ASSENT

On Thursday, 12 March 1998, at 7.45 o'clock p.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Brouillet, Vice-President of the National Assembly, of Mr. Rivard (Limoilou), the Delegate of the Prime Minister, of Mr. Gauvin (Montmagny-L'Islet), the Delegate of the Leader of the Official Opposition, 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:

408 Appropriation Act No. 1, 1998-99;

414 An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector.

JEAN-PIERRE CHARBONNEAU

President

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APPENDIX

Recorded Divisions

On the motion moved by Mr. Kelley (Jacques-Cartier) during Business Standing in the Name of Members in Opposition at the sitting of 11 March 1998:

(Division No. 189)

YEAS - 36

Béchar	Copeman	Houda-Pepin	Middlemiss
Bélanger	Cusano	Kelley	Ouimet
(Mégantic-Compton)	Delisle	Lamquin-Éthier	Parent
Benoit	Dumont	Leblanc	Poulin
Bergman	Filion	Lefebvre	Vaive
Bissonnet	Fournier	LeSage	Vallières
Bordeleau	Frulla	Loiselle	Williams
Chalifoux	Gagnon-Tremblay	Maciocia	
Chenail	Gautrin	MacMillan	
Ciaccia	Gauvin	Marsan	

NAYS - 61

Barbeau	Boulerice	Duguay	Laprise
Baril	Brassard	Facal	Laurin
(Arthabaska)	Brien	Gagnon	Leduc
Baril	Campeau	Gaulin	Léger
(Berthier)	Caron	Gendron	Lelièvre
Beaudoin	Carrier-Perreault	Harel	Léonard
Beaulne	Charest	Jolivet	Létourneau
Beaumier	Chevrette	Julien	Ménard
Bégin	Cliche	Jutras	Morin
Bélanger	Côté	Kieffer	(Nicolet-Yamaska)
(Anjou)	Désilets	Lachance	Papineau
Blais	Deslières	Landry	Paquin
Boisclair	Dion	(Bonaventure)	Paré
Bouchard	Dionne-Marsolais	Landry	Pelletier
Boucher	Doyer	(Verchères)	Perreault

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Rioux
Rivard

Robert
Rochon

Saint-André
Trudel

Vermette

ABSTENTIONS - 0

On the motion to suspend certain rules of procedure moved by Mr. Jolivet, Government House Leader:

(Division No. 190)

YEAS - 59

Barbeau
Baril
(Arthabaska)
Baril
(Berthier)
Beaudoin
Beaulne
Beaumier
Bégin
Bélanger
(Anjou)
Bertrand
(Portneuf)
Blais
Boisclair
Bouchard
Boucher

Boulerice
Brassard
Brien
Campeau
Caron
Charest
Chevrette
Côté
Désilets
Deslières
Dion
Dionne-Marsolais
Doyer
Duguay
Facal
Gagnon
Gaulin

Gendron
Harel
Jolivet
Julien
Jutras
Kieffer
Lachance
Landry
(Bonaventure)
Landry
(Verchères)
Laprise
Leduc
Léger
Lelièvre
Léonard
Létourneau

Ménard
Morin
(Nicolet-Yamaska)
Papineau
Paquin
Paré
Payne
Pelletier
Rivard
Robert
Rochon
Saint-André
Signori
Trudel
Vermette

NAYS - 27

Bécharé
Bélanger
(Mégantic-Compton)
Gautrin

Bergman
Bissonnet
Bordeleau
Gauvin

Chalifoux
Ciaccia
Copeman
Houda-Pepin

Cusano
Delisle
Gagnon-Tremblay
Kelley

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Lamquin-Éthier	Maciocia	Parent
Leblanc	MacMillan	Poulin
LeSage	Marsan	Vaive
Loiselle	Ouimet	Williams

ABSTENTIONS - 0

On the motion by Mr. Trudel, Minister of Municipal Affairs, for the passage in principle of Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector:

(Division No. 191)

YEAS - 60

Barbeau	Bouchard	Facal	Létourneau
Baril	Boucher	Gagnon	Ménard
(Arthabaska)	Boulerice	Gaulin	Morin
Baril	Brassard	Gendron	(Nicolet-Yamaska)
(Berthier)	Brien	Harel	Papineau
Beaudoin	Campeau	Jolivet	Paquin
Beaulne	Caron	Julien	Paré
Beaumier	Carrier-Perreault	Jutras	Payne
Bégin	Charest	Kieffer	Pelletier
Bélanger	Chevrette	Lachance	Rivard
(Anjou)	Côté	Landry	Robert
Bertrand	Désilets	(Bonaventure)	Rochon
(Charlevoix)	Deslières	Laprise	Saint-André
Bertrand	Dion	Leduc	Signori
(Portneuf)	Dionne-Marsolais	Léger	Trudel
Blais	Doyer	Lelièvre	Vermette
Boisclair	Duguay	Léonard	

NAYS - 27

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Béchar	Cusano	Kelley	Marsan
Bergman	Delisle	Lamquin-Éthier	Ouimet
Bissonnet	Frulla	Lefebvre	Parent
Bordeleau	Gagnon-Tremblay	LeSage	Poulin
Chalifoux	Gautrin	Loiselle	Vaive
Ciaccia	Gauvin	Maciocia	Williams
Copeman	Houda-Pepin	MacMillan	

ABSTENTIONS - 0

On the motion by Mr. Trudel, Minister of Municipal Affairs, for the passage of Bill 414, An Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector:

(Division No. 192)

YEAS - 54

Barbeau	Campeau	Kieffer	Pelletier
Baril	Caron	Lachance	Rioux
(Berthier)	Carrier-Perreault	Landry	Rivard
Beaudoin	Charest	(Bonaventure)	Robert
Beaulne	Chevrette	Laprise	Rochon
Bégin	Désilets	Leduc	Saint-André
Bélanger	Deslières	Léger	Signori
(Anjou)	Dion	Lelièvre	Trudel
Bertrand	Dionne-Marsolais	Léonard	Vermette
(Charlevoix)	Doyer	Létourneau	
Bertrand	Duguay	Ménard	
(Portneuf)	Gagnon	Morin	
Blais	Gaulin	(Nicolet-Yamaska)	
Boisclair	Gendron	Papineau	
Boucher	Jolivet	Paquin	
Boulerice	Julien	Paré	
Brien	Jutras	Payne	

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NAYS - 24

Béchar	Copeman	Houda-Pepin	MacMillan
Bergman	Cusano	Kelley	Marsan
Bissonnet	Delisle	Lamquin-Éthier	Ouimet
Bordeleau	Frulla	Lefebvre	Parent
Chalifoux	Gautrin	Loiselle	Vaive
Ciaccia	Gauvin	Maciocia	Williams

ABSTENTIONS - 0