



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 20 October 1998 — No. 199

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

QUÉBEC

The Assembly was called to order at 2.06 o'clock p.m.

Moment of reflection

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

A letter, dated 23 September 1998, he had received from Mr. Lucien Bouchard, Prime Minister, concerning the appointment of Mr. Brassard, the Member for Lac-Saint-Jean, as Government House Leader. The appointment came into effect on the same day.

(Sessional Paper No. 1844-981020)

The letter of resignation from the Member for the Electoral Division of Marguerite-Bourgeoys, Mrs. Liza Frulla, effective 1 August 1998.

(Sessional Paper No. 1845-981020)

ROUTINE PROCEEDINGS

Introduction of Bills

For want of unanimous consent to set aside Standing Order 232, Mr. Julien, Minister of Agriculture, Fisheries and Food, was not granted leave to introduce Bill 455, An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance.

Presenting Papers

Mr. President communicated to the Assembly an extract from a letter that the Secretary General of the National Assembly had received from the Chief Electoral Officer of Québec, on 21 July 1998, regarding the decisions made within the framework of the school elections and then tabled the following:

The aforementioned letter and the Report of the Chief Electoral Officer on the implementation of section 14.1 of the *Act respecting the election of the first commissioners of the new school boards and amending various legislative provisions*.

(Sessional Paper No. 1846-981020)

Mr. President then communicated to the Assembly an extract from a letter that the Secretary General of the National Assembly had received from the Chief Electoral Officer of Québec, on 13 October 1998, regarding the official results of the school elections and tabled the following:

The aforementioned letter and the Report of the official results of the elections held on 14 June 1998.

(Sessional Paper No. 1847-981020)

Finally, Mr. President tabled the following:

The new seating plan of the National Assembly, dated 20 October 1998.

(Sessional Paper No. 1848-981020)

Copy of the notice of motion, by Mr. Gauthier (Verdun), to be placed on the Order Paper and Notices of Wednesday, 21 October 1998, under Business Standing in the Name of Members in Opposition.

(Sessional Paper No. 1849-981020)

Presenting Reports from Committees

Mr. President tabled the following:

A report from the Committee on the National Assembly, which, on 17 and 18 August and on 17 September 1998, discussed the parliamentary reform proposals and proceeded to the replacement of a member of the Committee on Culture.

(Sessional Paper No. 1850-981020)

Mr. Pinard, Vice-President, moved:

20 October 1998

THAT the National Assembly concur in the replacement of a member of the Committee on Culture, on 17 September 1998, carried out by the Committee on the National Assembly.

The motion was carried.

Mr. Landry (Bonaventure) tabled the following reports from the Committee on Institutions:

- X which, on 25 and 27 August 1998, held public hearings within the framework of special consultations on Bill 443, An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters;

(Sessional Paper No. 1851-981020)

- X and which, on 14 October 1998, gave clause-by-clause consideration to the following Bill:

443 An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters — Reported with certain amendments.

(Sessional Paper No. 1852-981020)

Mr. Chagnon (Westmount—Saint-Louis) tabled the following:

A report from the Committee on Public Administration, which, on 8, 17, 22 and 29 September and on 6 October 1998, examined the financial commitments of the Ministère de la Sécurité publique, of the Ministère de l'Environnement et de la Faune, of Tourisme Québec and of the Ministère du Revenu, contained in the lists for the months of April 1997 to March 1998; of the Secrétariat aux affaires autochtones for the months of April 1996 to March 1998; of the Ministère des Ressources naturelles, forests and administration sectors, for the months of January 1996 to March 1998, and of the energy sector, for the months of April 1997 to March 1998.

(Sessional Paper No. 1853-981020)

Presenting Petitions

20 October 1998

By leave of the Assembly to set aside Standing Order 63, Mrs. Blackburn (Chicoutimi) tabled the following:

The abstract of a petition respecting a four-lane divided highway in the Parc des Laurentides (Highways 175 and 169) and signed by 101,253 citizens from the riding of Chicoutimi.

(Sessional Paper No. 1854-981020)

By leave of the Assembly to set aside Standing Order 63, the abstracts of two petitions respecting the decrease in the gasoline tax on the territory situated between La Pocatière and St-Simon were laid upon the Table:

- the first, being the abstract of a petition signed by 5643 citizens from the ridings of Rivière-du-Loup and Kamouraska-Témiscouata, by Mr. Dumont (Rivière-du-Loup);
- the second, being the abstract of a petition signed by 4217 citizens of Kamouraska, Témiscouata, Rivière-du-Loup and Les Basques, by Mr. Béchard (Kamouraska-Témiscouata).

(Sessional Paper No. 1855-981020)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Paradis, Official Opposition House Leader, withdrew certain words deemed unparliamentary.

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

Copy of a letter, dated 4 September 1998, sent to the Minister of Regions, Mr. Guy Chevette, from Mrs. Nancy Neamtan, president of the Chantier économie sociale, regarding the amounts allocated to social economics within the framework of the management agreements of the Centres locaux de développement (CLD).

(Sessional Paper No. 1856-981020)

20 October 1998

At the request of Mr. President, Mr. Paradis, Official Opposition House Leader, withdrew certain words deemed unparliamentary.

Motions Without Notice

Mr. Dumont (Rivière-du-Loup) moved:

THAT the National Assembly mark the performance and vitality of the Metropolitan Québec Chamber of Commerce and Industry, which earned it the 1998 Chamber of Commerce Trophy at the Québec Chamber of Commerce convention held in Rivière-du-Loup, as well as the merit of the other recipients.

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

Notices of Proceedings in Committees

Mr. Brassard, Government House Leader, convened the following Committee:

- X the Committee on Institutions, to continue its clause-by-clause consideration of Bill 450, An Act to amend the Election Act, the Referendum Act and other legislative provisions.

Mr. President gave the following notices:

- X by leave of the Assembly to set aside Standing Order 143, the Committee on Public Administration shall examine the financial commitments of the Ministère de la Santé et des Services sociaux contained in the lists for the months of February 1996 to March 1998;

20 October 1998

- X the Committee on Public Administration shall hold a deliberative meeting for the purpose of preparing the hearing of the Deputy Minister of Employment and Solidarity with regard to the management of the employability development and employment integration measures, pursuant to the *Act respecting the accountability of deputy ministers and chief executive officers of public bodies*.

Information on the Proceedings of the Assembly

Mr. President informed the Assembly that on Wednesday, 21 October 1998, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mr. Gauthrin (Verdun). This motion reads as follows:

THAT the National Assembly request that the Premier give priority to investing in the health system, as promised last 4 June.

At 3.12 o'clock p.m., Mr. President suspended the proceedings.

The proceedings resumed at 3.47 o'clock p.m.

ORDERS OF THE DAY

Government Bills

Pursuant to Standing Orders 182 and 183, Mr. Brassard, Government House Leader, moved:

THAT owing to the urgency of the situation and in order to permit the introduction and passage of Bill 455, An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance, and the passage of the

following Bills:

- Bill 450, An Act to amend the Election Act, the Referendum Act and other legislative provisions;
- Bill 443, An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters;

The following Standing Orders be suspended until the aforementioned Bills shall have been passed:

19 (second paragraph), 20 to 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 53, immediately the present motion is carried, the Standing Committee on Institutions shall conclude its proceedings with respect to the clause-by-clause consideration of Bill 450, An Act to amend the Election Act, the Referendum Act and other legislative provisions, and table its report in the Assembly;

Notwithstanding the provisions of Standing Order 53, a Minister shall be permitted to introduce Bill 455, An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance, during Orders of the Day;

Subsequently, the debate on the passage in principle of Bill 455, An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance, 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 455, An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance, 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;

Any Member shall be permitted to hand in to the office of the Secretary

20 October 1998

General, no later than one hour and thirty minutes after the report from the Standing Committee on Institutions respecting Bill 450, An Act

to amend the Election Act, the Referendum Act and other legislative provisions, is tabled, a copy of such amendments as he wishes to propose thereto;

Any Member shall be permitted to hand in to the office of the Secretary General, no later than thirty minutes after the present motion is carried, a copy of such amendments to Bill 443, An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters, as he wishes to propose;

The debate on the consideration of a report from the Standing Committee on Institutions and on the amendments already handed in or handed in in compliance with the present motion shall last not more than ten minutes, immediately the present motion is carried, which period shall be allotted as follows: three minutes to the parliamentary group forming the Government, three minutes to the parliamentary group forming the Official Opposition, two minutes to the independent Members, and two minutes shall be allotted for a reply by the Minister presenting the Bill;

At the conclusion of the debate on the consideration of the Standing Committee on Institutions report, the questions for adoption of the amendments already handed in or handed in in compliance with the present motion shall be put successively, in the order indicated by the President, and recorded divisions may not be demanded; the sections of the Bill as amended, the sections of the Bill that the Standing Committee shall not have disposed of, the title and other headings of the Bill and the Committee report, amended or not, shall then be voted on, and recorded divisions may not be demanded;

The debate on the final passage of a Bill 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 shall be allotted for a reply by the Minister presenting the Bill; voting on the passage of a 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 a Bill 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 question shall be put forthwith on the amendments, without debate and without recorded division, as well as on the amendments the Minister presenting the Bill may not have been able to move during clause-by-clause consideration; after which the Chairman of the Committee of the Whole 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 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 455, An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization

20 October 1998

insurance, Bill 450, An Act to amend the Election Act, the Referendum Act and other legislative provisions, and Bill 443, An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters, shall have been passed.

Pursuant to Standing Order 184, Bill 455, An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance, was distributed to the Members.

At 4.04 o'clock p.m., by leave of the Assembly, Mr. Brouillet, Vice-President, suspended the proceedings to allow the Members to examine the motion.

The proceedings resumed at 4.20 o'clock p.m.

After having heard comments from both sides, Mr. Brouillet, Vice-President, rendered the following decision on the receivability of the motion to suspend certain rules of procedure moved by Mr. Brassard, Government House Leader:

RULING FROM THE CHAIR

The motion to suspend certain rules of procedure is receivable. The regulatory provisions carried by unanimous consent of the Assembly do not confer on the President the power to rule on the expediency of such motion. With regard to this matter, the President's role is to determine whether the motion meets the procedural requirements set forth in the Standing Orders. In this case, the motion to suspend rules complies with the conditions laid down in the rules of procedure.

Following a meeting with the House leaders, Mr. Brouillet, Vice-President, announced the allocation of speaking time for the proceedings with respect to the limited debate on the motion to suspend certain rules of procedure: fifteen minutes shall be set aside for 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

20 October 1998

shall be added to that of the other group while any time not used by the independent Members may be redistributed amongst the parliamentary groups, and individual addresses shall not otherwise be limited.

And debate arising on the motion moved by Mr. Brassard, 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. 225 in Appendix)

Yeas: **54** Nays: **37** Abstentions: **0**

With the consent of the Assembly to set aside the motion to suspend certain rules of procedure, the Committee on Institutions was granted leave to continue its clause-by-clause consideration of Bill 450, An Act to amend the Election Act, the Referendum Act and other legislative provisions, until 6.00 o'clock p.m.

Introduction of Bills

Mr. Julien, Minister of Agriculture, Fisheries and Food, moved that leave be granted to introduce the following Bill:

455 An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance.

The motion was carried.

At 5.33 o'clock p.m., Mr. Pinard, Vice-President, suspended the proceedings for thirty minutes.

The proceedings resumed at 6.09 o'clock p.m.

20 October 1998

Report Stage

The Assembly took into consideration the report from the Committee on Institutions on its clause-by-clause consideration of Bill 443, An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters.

The report was concurred in.

Passage

Mr. Ménard, Minister of Justice, moved the passage of Bill 443, An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters.

After debate thereon, the motion was carried and, accordingly, Bill 443 was passed.

By leave to set aside the motion to suspend certain rules of procedure previously carried, the Assembly agreed that at the sitting of Wednesday, 21 October 1998, Routine Proceedings would be taken at 2.00 o'clock p.m.

At 6.28 o'clock p.m., on motion by Mr. Brassard, Government House Leader, the Assembly adjourned until Wednesday, 21 October 1998, at 10.00 o'clock a.m.

ROYAL ASSENT

20 October 1998

On Saturday, 20 June 1998, at 12.10 o'clock p.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Duchesne, Secretary General of the National Assembly, and of Mr. Bédard, Director of the Secretariat of the Assembly, the Honourable Lise Thibault, Lieutenant-Governor of Québec, was pleased to assent to the following Bills:

- 115 An Act to amend the Roads Act and other legislative provisions;
- 186 An Act respecting income support, employment assistance and social solidarity;
- 188 An Act respecting the distribution of financial products and services;
- 206 An Act respecting Municipalité de Chertsey and Municipalité de Saint-Calixte;
- 221 An Act respecting TD Trust and Central Guaranty Trust Company;
- 234 An Act respecting Ville de Granby;
- 247 An Act respecting The Bank of Nova Scotia Trust Company, Montreal Trust Company of Canada and Montreal Trust Company;
- 262 An Act respecting Ville de Montréal-Est;
- 265 An Act respecting Ville de Laterrière;
- 266 An Act respecting Ville de Verdun;
- 267 An Act respecting Ville de Saint-Laurent;
- 268 An Act respecting Pavillon du Parc Inc.;
- 270 An Act respecting The Bank of Nova Scotia Trust Company and National Trust Company;
- 272 An Act respecting Municipalité de Saint-Jean-des-Piles;
- 275 An Act respecting certain immovables of the cadastre of the parish of Saint-Louis-de-Terrebonne (*modified title*);
- 276 An Act to authorize Loeb Inc. to continue under Part IA of the Companies Act;
- 277 An Act respecting Municipalité régionale de comté de Bellechasse and

Municipalité régionale de comté des Etchemins;

278 An Act respecting university education programs provided by the Prêtres de Saint-Sulpice de Montréal (*modified title*);

279 An Act respecting Ville de Val-d'Or;

394 An Act respecting the pension plan of certain employees of the Commission des écoles catholiques de Québec;

395 An Act to amend the Act respecting the pension plan of the non-teaching staff of the Commission des écoles catholiques de Montréal;

403 An Act to establish the Grande bibliothèque du Québec;

404 An Act to amend the Act respecting health services and social services and amending various legislative provisions;

430 An Act respecting owners and operators of heavy vehicles;

438 An Act respecting Héma-Québec and the haemovigilance committee;

439 An Act respecting the Institut national de santé publique du Québec;

440 An Act to amend the Act respecting municipal taxation;

441 An Act respecting the Institut de la statistique du Québec;

442 An Act respecting the combination of certain state enterprises;

445 An Act to amend various legislative provisions relating to building and the construction industry;

20 October 1998

447 An Act respecting certain facilities of Ville de Montréal;

448 An Act to amend the Act respecting the marketing of agricultural, food and fish products as regards the marketing of wild fur.

JEAN-PIERRE CHARBONNEAU

President

20 October 1998

APPENDIX

Recorded Divisions

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

(Division No. 225)

YEAS - 54

Barbeau	Cliche	Lachance	Papineau
Baril	Côté	Landry	Paquin
(Arthabaska)	Désilets	(Bonaventure)	Paré
Beaulne	Deslières	Laprise	Payne
Beaumier	Dion	Laurin	Pelletier
Bertrand	Dionne-Marsolais	Leduc	Perreault
(Charlevoix)	Doyer	Léger	Rivard
Boucher	Duguay	Lelièvre	Robert
Boulerice	Facal	Létourneau	Rochon
Brassard	Gagnon	Malavoy	Saint-André
Brien	Gendron	Ménard	Signori
Caron	Jolivet	Morin	Simard
Carrier-Perreault	Julien	(Dubuc)	Trudel
Charest	Jutras	Morin	Vermette
Chevrette	Kieffer	(Nicolet-Yamaska)	

NAYS - 37

Bélanger	Chagnon	Dumont	Houda-Pepin
(Mégantic-Compton)	Chalifoux	Farrah	Kelley
Benoit	Chenail	Filion	Lafrenière
Bergman	Cherry	Fournier	Lamquin-Éthier
Bissonnet	Ciaccia	Gagnon-Tremblay	Lefebvre
Bordeleau	Copeman	Gautrin	Loiselle
Brodeur	Delisle	Gauvin	Maciocia

20 October 1998

MacMillan
Marsan
Middlemiss

Mulcair
Ouimet
Paradis

Poulin
Sirros
Vaive

Whissell

ABSTENTIONS - 0