



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 8 March 2005 — No. 123

**President of the National Assembly:
Mr. Michel Bissonnet**

QUÉBEC

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

Moment of reflection

At the invitation of Mr. President, the Assembly observed a minute of silence in memory of Mr. Pierre Lorrain, former Member for Saint-Jean and President of the National Assembly from December 1985 to November 1989, who passed away on 24 December 2004.

Mr. President tabled the following:

A letter, dated 23 February 2005, he had received from Mr. Jean Charest, Premier, informing him of the appointment of Mr. Norman MacMillan, the Member for Papineau, as Chief Government Whip, effective 18 February 2005.

(Sessional Paper No. 1577-20050308)

A letter, dated 23 February 2005, he had received from Mr. Jean Charest, Premier, informing him of the appointment of Mrs. Lucie Charebois, the Member for Soulanges, as Deputy Government Whip, effective 23 February 2005.

(Sessional Paper No. 1578-20050308)

A letter, dated 23 February 2005, he had received from Mr. Jean Charest, Premier, informing him of the appointment of Mr. David Whissell, the Member for Argenteuil, as Caucus Chairman of the Liberal Party, effective 18 February 2005.

(Sessional Paper No. 1579-20050308)

A letter, dated 1 March 2005, he had received from Mr. Jean Charest, Premier, informing him of the appointment of Mr. Bernard Brodeur, the Member for Shefford, as member of the Subcommittee on Parliamentary Reform.

(Sessional Paper No. 1580-20050308)

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Mr. President then tabled the following:

A letter, dated 8 March 2005, he had received from Mr. Jean Charest, Premier, informing him of the following modifications to the composition of the Office of the National Assembly: Mrs. France Hamel, the Member for La Peltrie, and Mrs. Sarah Perreault, the Member for Chauveau, are named permanent members; and Mrs. Lucie Charlebois, the Member for Soulanges, Mr. Jean-Pierre Paquin, the Member for Saint-Jean, and Mr. Daniel Bernard, the Member for Rouyn-Noranda-Témiscamingue, are named substitute members.

(Sessional Paper No. 1581-20050308)

Mr. Cusano, First Vice-President, moved that these modifications to the composition of the Office of the National Assembly be adopted.

The motion was carried.

ROUTINE PROCEEDINGS

Presenting Papers

Mr. Marcoux, Minister of Justice, tabled the following:

The Government's answer to the report from the committee on the remuneration of judges of the Court of Québec and of municipal courts tabled on 28 October 2004.

(Sessional Paper No. 1582-20050308)

Mr. Bergman, Minister of Revenue, tabled the following:

The report on the administration of the *Act to amend the Act to facilitate the payment of support*.

(Sessional Paper No. 1583-20050308)

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Mr. President tabled the following:

A letter, dated 25 February 2005, he had received from Mrs. Lise Thériault, Minister of Immigration and Cultural Communities, informing him of her resignation as vice-chairman of the Committee on Institutions, effective 18 February 2005.

(Sessional Paper No. 1584-20050308)

A letter, dated 28 February 2005, he had received from Mr. Geoffrey Kelley, Minister for Aboriginal Affairs, informing him of his resignation as chairman of the Committee on Education, effective 18 February 2005.

(Sessional Paper No. 1585-20050308)

A letter, dated 2 March 2005, he had received from Mr. Alain Paquet, the Member for Laval-des-Rapides, informing him of his resignation as chairman of the Committee on Public Finance, effective 8 March 2005.

(Sessional Paper No. 1586-20050308)

A letter, dated 31 January 2005, he had received from Mr. Guy Bourassa, informing him of his resignation as commissioner of the Commission de la représentation électorale, effective 31 January 2005.

(Sessional Paper No. 1587-20050308)

The activity and management report of the Commission des droits de la personne et des droits de la jeunesse, for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1588-20050308)

The new seating plan of the National Assembly, dated 8 March 2005.

(Sessional Paper No. 1589-20050308)

Presenting Reports from Committees

Mr. Bertrand (Charlevoix), vice-chairman, tabled the following:

A report from the Committee on Public Finance, which met on 2 and 3 February 2005 for clause-by-clause consideration of the following Bill:

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- 70 An Act giving effect to the Budget Speech delivered on 30 March 2004 to introduce family support measures and giving effect to certain other budget statements.

The report contains certain amendments to the bill.

(Sessional Paper No. 1590-20050308)

A report from the Committee on Public Finance, which met on 10 February 2005 for clause-by-clause consideration of the following Bill:

- 77 An Act to again amend the Act respecting the Ministère du Revenu.

The report contains certain amendments to the bill.

(Sessional Paper No. 1591-20050308)

Mr. Ouimet (Marquette), chairman, tabled the following:

A report from the Committee on Planning and the Public Domain, which, on 25 January 2005, examined the financial statements, the activity report and the development plan of the Commission de la capitale nationale du Québec. The Committee also held deliberative meetings on 18 November 2004 and on 25 January 2005.

(Sessional Paper No. 1592-20050308)

Mr. Simard (Richelieu), vice-chairman, tabled the following:

A report from the select committee on the site of the future Centre hospitalier de l'Université de Montréal, which, on 28 February and on 1, 2 and 3 March 2005, held public hearings within the framework of special consultations with regard to choosing the site of the future Centre hospitalier de l'Université de Montréal.

(Sessional Paper No. 1593-20050308)

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Presenting Petitions

Mrs. Leblanc (Beauce-Sud) tabled the following:

The abstract of a petition respecting the extension of the derogatory clause for moral instruction and Catholic and Protestant religious education in public schools, and signed by 2399 citizens of Québec.

(Sessional Paper No. 1594-20050308)

By leave of the Assembly to set aside Standing Order 63, Mrs. Leblanc (Beauce-Sud) then tabled the following:

The abstract of a petition respecting the moose hunting management plan, and signed by 505 citizens of Québec.

(Sessional Paper No. 1595-20050308)

The abstract of a petition respecting the moose hunting management plan, and signed by 954 citizens of Québec.

(Sessional Paper No. 1596-20050308)

The abstract of a petition respecting the prohibited use of tobacco in elementary and high school schoolyards, and signed by 556 citizens of Québec.

(Sessional Paper No. 1597-20050308)

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

The abstract of a petition respecting the authorization to operate a Société des alcools du Québec agency, and signed by 873 residents of Joly.

(Sessional Paper No. 1598-20050308)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

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By leave of the Assembly to set aside Standing Order 53, the Assembly immediately took Notices of Proceedings in Committees.

Notices of Proceedings in Committees

By leave of the Assembly to set aside Standing Order 145, Mr. Dupuis, Government House Leader, convened the following Committees:

- the Committee on Social Affairs, to continue its public hearings within the framework of a general consultation on Bill 83, An Act to amend the Act respecting health services and social services and other legislative provisions;
- the Committee on Labour and the Economy, to continue its public hearings within the framework of special consultations with reference to the document entitled "The Energy Sector in Québec – Context, Issues and Questions".

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mrs. Th  berge, Minister of Families, Seniors and the Status of Women, Mrs. Caron (Terrebonne) and Mrs. Roy (Lotbini  re) jointly moved:

THAT the National Assembly of Qu  bec mark
International Women's Day 2005.

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

The debate being concluded, the motion was carried.

By leave of the Assembly to set aside Standing Order 53, the Assembly immediately took Notices of Proceedings in Committees.

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Notices of Proceedings in Committees

By leave of the Assembly to set aside Standing Order 145, Mr. Gendron, Third Vice-President, gave the following notice:

- the Committee on Public Administration will hear the Secretary of the Conseil du trésor concerning the report on the implementation of the *Public Administration Act* and the state of the situation regarding agencies and independent service units; this Committee will also hold deliberative meetings to further discuss these hearings and to prepare the Assembly debates on the two reports tabled by the Committee in December 2004.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Audet, Minister of Finance, Mr. Landry, Leader of the Official Opposition, and Mr. Dumont (Rivière-du-Loup) jointly moved:

THAT the National Assembly reaffirm the existence of the fiscal imbalance and reiterate its demand to the Federal Government to the effect that this fiscal imbalance and the inequity of the new equalization calculation be recognized and corrected.

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

The debate being concluded, the motion was carried.

Pursuant to Standing Order 129, Mr. MacMillan, Chief Government Whip, moved:

THAT the Member for Westmount–Saint-Louis be named a permanent member of the Committee on Public Finance, in replacement of the Member for Iberville;

THAT the Member for Acadie be named a permanent member of the Committee on Public Administration, in replacement of the Member for Montmorency;

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THAT the Member for Brome-Missisquoi be named a permanent member of the Committee on Agriculture, Fisheries and Food, in replacement of the Member for Iberville;

THAT the Member for Chambly be named a permanent member of the Committee on Social Affairs, in replacement of the Member for Soulanges;

THAT the Member for Gatineau be named a permanent member of the Committee on Transportation and the Environment, in replacement of the Member for Trois-Rivières

THAT the Member for Groulx be named a permanent member of the Committee on Labour and the Economy, in replacement of the Member for Rouyn-Noranda-Témiscamingue;

THAT the Member for Hull be named a permanent member of the Committee on Institutions, in replacement of the Member for Marguerite-D'Youville;

THAT the Member for Iberville be named a permanent member of the Committee on Public Administration;

THAT the Member for Iberville be named a permanent member of the Committee on Labour and the Economy, in replacement of the Member for Saint-Jean;

THAT the Member for La Prairie be named a permanent member of the Committee on Planning and the Public Domain, in replacement of the Member for Montmagny-L'Islet;

THAT the Member for La Peltrie be named a permanent member of the Committee on Public Administration, in replacement of the Member for Matane;

THAT the Member for La Pinière be named a permanent member of the Committee on Planning and the Public Domain, in replacement of the Member for Roberval;

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THAT the Member for Louis-Hébert be named a permanent member of the Committee on Public Finance, in replacement of the Member for Hull;

THAT the Member for Marguerite-D'Youville be named a permanent member of the Committee on Public Finance;

THAT the Member for Maskinongé be named a permanent member of the Committee on Social Affairs, in replacement of the Member for Robert-Baldwin;

THAT the Member for Matane be named a permanent member of the Committee on Institutions, in replacement of the Member for Acadie;

THAT the Member for Montmagny-L'Islet be named a permanent member of the Committee on Labour and the Economy, in replacement of the Member for LaFontaine;

THAT the Member for Outremont be named a permanent member of the Committee on Culture, in replacement of the Member for La Peltrie;

THAT the Member for Montmorency be named a permanent member of the Committee on Institutions, in replacement of the Member for Argenteuil;

THAT the Member for Robert-Baldwin be named a permanent member of the Committee on Institutions;

THAT the Member for Roberval be named a permanent member of the Committee on Institutions, in replacement of the Member for Shefford;

THAT the Member for Rouyn-Noranda-Témiscamingue be named a permanent member of the Committee on Agriculture, Fisheries and Food, in replacement of the Member for Soulanges;

THAT the Member for Saint-Jean be named a permanent member of the Committee on Public Administration;

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THAT the Member for Saint-Jean be named a permanent member of the Committee on Social Affairs, in replacement of the Member for Vimont;

THAT the Member for Trois-Rivières be named a permanent member of the Committee on Public Finance, in replacement of the Member for Saint-Jean;

THAT the Member for Vimont be named a permanent member of the Committee on Planning and the Public Domain;

THAT the Member for Westmount–Saint-Louis be named a permanent member of the Committee on Education;

THAT these modifications be effective immediately.

The motion was carried.

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved:

THAT the name of Mr. Jacques P. Dupuis replace that of Mr. Jacques Chagnon as sponsor of the following Bills:

Bill 88 Private Security Act;
Bill 80 An Act to amend the Police Act;

THAT the name of Mrs. Nathalie Normandeau replace that of Mr. Jean-Marc Fournier as sponsor of the following Bills:

Bill 62 Municipal Powers Act;
Bill 76 An Act to repeal the Act respecting the Commission municipale and to amend various legislative provisions;

THAT the name of Mr. Yvon Marcoux replace that of Mr. Jacques P. Dupuis as sponsor of the following Bills:

Bill 2 An Act respecting the reciprocal issue and enforcement of support orders;

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- Bill 4 An Act to amend the Act respecting administrative justice;
- Bill 35 An Act to amend the Act respecting administrative justice and other legislative provisions;

THAT the name of Mr. Pierre Reid replace that of Mrs. Monique Jérôme-Forget as sponsor of the following Bill:

- Bill 85 An Act respecting the Centre de services administratifs;

THAT the name of Mrs. Michelle Courchesne replace that of Mr. Claude Béchar d as sponsor of the following Bill:

- Bill 57 Individual and Family Assistance Act;

THAT the name of Mr. Claude Béchar d replace that of Mr. Michel Audet as sponsor of the following Bill:

- Bill 68 An Act to repeal the Act respecting the Société de développement de la Zone de commerce international de Montréal à Mirabel;

THAT the name of Mrs. Dominique Vien replace that of Mr. Laurent Lessard as sponsor of the following Private Bill:

- Bill 220 An Act respecting Ville de Thetford Mines;

THAT the title of the sponsor of Bill 71, An Act to amend the Forest Act and other legislative provisions applicable to forest management activities, be replaced by "Minister of Natural Resources and Wildlife";

THAT the title of the sponsor of Bill 62, Municipal Powers Act, and of Bill 76, An Act to repeal the Act respecting the Commission municipale and to amend various legislative provisions, be replaced by "Minister of Municipal Affairs and Regions";

THAT the title of the sponsor of Bill 85, An Act respecting the Centre de services administratifs, be replaced by "Minister of Government Services";

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THAT the title of the sponsor of Bill 57, Individual and Family Assistance Act, be replaced by "Minister of Employment and Social Solidarity";

THAT the title of the sponsor of Bill 68, An Act to repeal the Act respecting the Société de développement de la Zone de commerce international de Montréal à Mirabel, be replaced by "Minister of Economic Development, Innovation and Export Trade".

The motion was carried.

Following an agreement reached between the House leaders and the independent Members, Mrs. Lamquin-Éthier, Deputy Government House Leader, moved:

THAT, pursuant to Standing Order 178, a select committee be appointed, whose terms of reference will be to hold special consultations as regards choices for the site of the future Centre hospitalier de l'Université de Montréal, on 28 February, 1, 2 and 3 March 2005, in the Legislative Council Room, and that, for this purpose, it hear the following individuals and groups:

Monday, 28 February 2005

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| 1.00 p.m. to 1.20 p.m. | Opening statements by the group forming the Government |
| 1.20 p.m. to 1.40 p.m. | Opening statements by the group forming the Official Opposition |
| 1.40 p.m. to 1.45 p.m. | Opening statements by the independent Member |
| 1.45 p.m. to 3.45 p.m. | Representative(s) of the Université de Montréal |
| 3.45 p.m. to 5.45 p.m. | Representative(s) of the Centre hospitalier de l'Université de Montréal |

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The presentation by each group shall last no more than 60 minutes and the exchange with the members of the select committee shall last no more than 60 minutes, which time shall be shared equally among the members of the parliamentary group forming the Government and the members of the parliamentary group forming the Official Opposition, and a period of 5 minutes will be set aside for the independent Member;

Tuesday, 1 March 2005

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| 2.00 p.m. to 3.30 p.m. | Messrs. Armand Couture and Guy St-Pierre |
| 3.30 p.m. to 5.00 p.m. | Messrs. Daniel Johnson and Marcel Villeneuve |
| 5.00 p.m. to 6.30 p.m. | Representative(s) of SNC-Lavalin |

The presentation by each group shall last no more than 30 minutes and the exchange with the members of the select committee shall last no more than 60 minutes, which time shall be shared equally among the members of the parliamentary group forming the Government and the members of the parliamentary group forming the Official Opposition, and a period of 5 minutes will be set aside for the independent Member;

Wednesday, 2 March 2005

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| 9.00 a.m. to 10.00 a.m. | Agence de développement de réseaux de services de santé et de services sociaux |
| 10.00 a.m. to 11.00 a.m. | City of Montreal |
| 11.00 a.m. to 11.45 a.m. | District of Mont-Royal |
| 11.45 a.m. to 12.30 p.m. | District of Ville-Marie |
| 2.00 p.m. to 3.00 p.m. | Users committee of the Centre hospitalier de l'Université de Montréal |

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|------------------------|--|
| 3.00 p.m. to 4.00 p.m. | Department heads of the Centre hospitalier de l'Université de Montréal |
| 4.00 p.m. to 5.00 p.m. | Université de Montréal researchers |
| 5.00 p.m. to 6.00 p.m. | Conseil des médecins, dentistes et pharmaciens du Centre hospitalier de l'Université de Montréal |

Thursday, 3 March 2005

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| 9.00 a.m. to 10.00 a.m. | Collège des médecins (Mr. Yves Lamontagne) |
| 10.00 a.m. to 11.00 a.m. | Ordre des infirmières (Mrs. Gyslaine Desrosiers) |
| 11.00 a.m. to 12.00 p.m. | Canadian Pacific |
| 12.00 p.m. to 1.00 p.m. | Agence métropolitaine de transport |

The presentation by each group shall last no more than 20 minutes and the exchange with the members of the select committee shall last no more than 40 minutes, which time shall be shared equally among the members of the parliamentary group forming the Government and the members of the parliamentary group forming the Official Opposition, and a period of 5 minutes will be set aside for the independent Member, excepting for:

District of Mont-Royal
District of Ville-Marie

Whose respective presentations shall last no more than 15 minutes and the exchange with the members of the select committee shall last no more than 30 minutes, which time shall be shared equally among the members of the parliamentary group forming the Government and the members of the parliamentary group forming the Official Opposition, and a period of 5 minutes will be set aside for the independent Member;

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THAT this select committee be composed of the following 17 Members, 10 of whom are from the parliamentary group forming the Government, including the Minister of Health and Social Services as well as the Minister for Online Government, 6 from the parliamentary group forming the Official Opposition and 1 independent Member:

Members from the parliamentary group forming the Government:

Mrs. Michèle Lamquin-Éthier (Crémazie)
Mrs. Diane Legault (Chambly) – chairman
Mr. Alain Paquet (Laval-des-Rapides)
Mrs. Francine Gaudet (Maskinongé)
Mrs. Yolande James (Nelligan)
Mrs. Charlotte L'Écuyer (Pontiac)
Mr. Pierre Marsan (Robert-Baldwin)
Mr. Karl Blackburn (Roberval)

Members from the parliamentary group forming the Official Opposition:

Mr. Stéphane Bédard (Chicoutimi)
Mr. Nicolas Girard (Gouin)
Mrs. Louise Harel (Hochelaga-Maisonneuve)
Mr. Daniel Turp (Mercier)
Mr. Sylvain Simard (Richelieu) – vice-chairman
Mrs. Pauline Marois (Taillon)

Independent Member:

Mrs. Sylvie Roy (Lotbinière)

THAT this motion be retroactively effective from 28 February 2005.

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

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Notices of Proceedings in Committees

Mrs. Leblanc, Second Vice-President, gave the following notices:

- the Committee on Institutions will meet to elect its vice-chairman;
- the Committee on Public Finance will meet to elect its chairman;
- the Committee on Education will meet to elect its chairman;
- the Committee on Public Administration will meet to hear the persons representing the Secrétariat à l'action communautaire autonome du Québec concerning their financial commitments and to organize its proceedings.

Information on the Proceedings of the Assembly

Mrs. Leblanc, Second Vice-President, informed the Assembly that on Wednesday, 9 March 2005, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mrs. Marois (Taillon). This motion reads as follows:

THAT the National Assembly demand that the new Minister of Education immediately correct the decision to transform \$103 million in student bursaries into loans.

ORDERS OF THE DAY

Debates on Reports from Committees

The Assembly took into consideration the report from the Committee on Public Finance, which, on 27 January 2004, held special consultations within the framework of the order of surveillance of the Commission administrative des régimes de retraite et d'assurances. This report, which was tabled on 16 December 2004, contains recommendations.

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Following a meeting with the House leaders, Mrs. Leblanc, Second Vice-President, announced the allocation of speaking time for the proceedings with respect to this limited debate: ten minutes shall be set aside for the independent Members; the two parliamentary groups shall share equally the rest of the period allotted for this debate; within this framework, any time not used by a parliamentary group will be added to that of the other group, while any time not used by the independent Members may be redistributed equally among the two parliamentary groups, and individual speeches will not be limited.

And debate arising;

The debate expired and, pursuant to Standing Order 95, no question was put.

At 5.32 o'clock p.m., at the request of Mrs. Lamquin-Éthier, Deputy Government House Leader, Mrs. Leblanc, Second Vice-President, suspended the proceedings until 6.00 o'clock p.m.

Debates Upon Adjournment

At 6.00 o'clock p.m., the Assembly held three debates upon adjournment:

- the first, on a question by Mr. Legault (Rousseau) to Mr. Audet, Minister of Finance, about the fiscal imbalance;
- the second, on a question by Mr. Simard (Richelieu) to Mrs. Jérôme-Forget, Chair of the Conseil du trésor, about the \$500 million in cutbacks imposed on the various ministries by the Conseil du trésor;
- the third, on a question by Mrs. Papineau (Prévost) to Mr. Fournier, Minister of Education, Recreation and Sports, about the financing of Jewish schools.

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At 6.38 o'clock p.m., Mrs. Leblanc, Second Vice-President, adjourned the Assembly until Wednesday, 9 March 2005, at 10.00 o'clock a.m.

ROYAL ASSENT

On Friday, 17 December 2004, at 11.44 o'clock a.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Vallières (Richmond), Chief Government Whip and Delegate of the Premier, and of Mrs. Giguère, Director of the Secretariat of the Assembly and Delegate of the Secretary General, the Honourable Lise Thibault, Lieutenant-Governor of Québec, was pleased to assent to the following Bills:

- 55 An Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions
- 56 An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions
- 60 An Act respecting the Société de financement des infrastructures locales du Québec and amending the Highway Safety Code
- 61 An Act respecting the Agence des partenariats public-privé du Québec
- 63 An Act respecting Services Québec
- 64 An Act to amend the Election Act
- 67 An Act to amend the Act respecting financial assistance for education expenses
- 72 An Act to amend the Securities Act and other legislative provisions
- 73 An Act to amend the Education Act and the Act respecting private education
- 74 An Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions
- 75 An Act respecting the exercise of certain municipal powers in certain urban agglomerations

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- 78 An Act to amend the Act respecting the Caisse de dépôt et placement du Québec
- 81 An Act to repeal the Act respecting the establishment of a steel complex by Sidbec and the Act respecting the Société du parc industriel et portuaire Québec-Sud
- 84 An Act to amend the Courts of Justice Act
- 90 An Act to amend the Act respecting off-highway vehicles
- 208 An Act respecting Ville de Murdochville
- 210 An Act respecting Compagnie de cimetières catholiques des Bois-Francs
- 215 An Act respecting Ville de La Tuque
- 216 An Act respecting Desjardins Trust Inc. and Desjardins Specialized Financial Services Management Inc.
- 217 An Act respecting Industrial-Alliance Trust Company
- 218 An Act respecting Laurentian Trust of Canada Inc.
- 219 An Act respecting the Association des policiers provinciaux du Québec
- 221 An Act respecting Ville de Sherbrooke
- 222 An Act respecting the « Institut universitaire de gériatrie de Sherbrooke et sa version Sherbrooke Geriatric University Institute »
- 223 An Act respecting Ville de Baie-Comeau

MICHEL BISSONNET

President