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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Wednesday, 9 November 2005 — No. 181**

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

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**QUÉBEC**

The Assembly was called to order at 10.03 o'clock a.m.

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**ORDERS OF THE DAY**

**Business Standing in the Name of Members in Opposition**

Mr. Charbonneau (Borduas) moved:

THAT the National Assembly deplore that over 40,000 Quebecers are still waiting for surgery beyond medically acceptable delays.

Following a meeting with the House leaders, Mr. Gendron, Third Vice-President, announced that he had apportioned the speaking time for the proceedings with respect to this motion as follows: ten minutes shall be allotted for a reply by its mover and ten 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 may be added to that of the other group, while any time not used by the independent Members will be redistributed equally amongst the parliamentary groups, it having been agreed that this apportionment may not be carried out before the time allotted to both parliamentary groups has entirely expired; and individual addresses shall not be limited.

And debate arising on the motion moved by Mr. Charbonneau (Borduas);

At the request of Mr. Gendron, Third Vice-President, Mr. Charbonneau (Borduas) withdrew certain words deemed unparliamentary.

At the end of her address, Mrs. Roy (Lotbinière) moved:

THAT the motion by the Member for Borduas be amended as follows: by adding, after the word "deplore" the word "today", and by adding, after the word "waiting" the words ", just as in 2002,".

The motion, as amended, would read as follows:

THAT the National Assembly deplore today that over 40,000 Quebecers are still waiting, just as in 2002, for surgery beyond medically acceptable delays.

The debate continued on the main motion by Mr. Charbonneau (Borduas) and on the amendment by Mrs. Roy (Lotbinière), subject to the receivability of the latter, which Mr. Gendron, Third Vice-President, took under advisement.

Mr. Gendron, Third Vice-President, rendered his decision on the receivability of the amendment motion.

#### **RULING FROM THE CHAIR**

The amendment motion is receivable as it does not repudiate, set aside or alter the nature of the principle of the main motion. It does however extend its scope, which complies with the criteria established in jurisprudence. Moreover, it is not for the Chair to determine the merits of the question nor to question the relevance, truth or accuracy of the facts adduced, as regards both the main motion and the amendment motion.

The debate continued on the main motion by Mr. Charbonneau (Borduas) and on the amendment by Mrs. Roy (Lotbinière).

The debate being concluded, the question was put on the amendment motion.

The motion was negatived.

The question was put on the motion by Mr. Charbonneau (Borduas); a recorded division was thereupon demanded.

At the request of Mr. Moreau, Deputy Government House Leader, the division was deferred until Routine Proceedings on the present sitting day.

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At 12.01 o'clock p.m., Mr. Gendron, Third Vice-President, suspended the proceedings until 2.00 o'clock p.m.

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The proceedings resumed at 2.06 o'clock p.m.

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Moment of reflection

## **ROUTINE PROCEEDINGS**

### **Introduction of Bills**

Mr. President communicated to the Assembly and then laid upon the Table the report from the Law Clerk on the following Private Bill:

236 An Act respecting Municipalité régionale de comté de  
Témiscouata

The report states that the notice was drafted and published in accordance with the Rules for the Conduct of Proceedings Respecting Private Bills.

(Sessional Paper No. 2309-20051109)

Mr. Morin (Montmagny-L'Islet) then moved that leave be granted to introduce Private Bill 236, An Act respecting Municipalité régionale de comté de Témiscouata.

This motion was carried.

Mr. Dupuis, Government House Leader, moved that Private Bill 236 be referred for consultations and clause-by-clause consideration to the Committee on Planning and the Public Domain and that the Minister of Municipal Affairs and Regions be a member during its deliberations in respect of the said Bill.

This motion was carried.

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

128     An Act to amend the Act respecting roads

The motion was carried.

129     An Act to amend the Act respecting owners and operators of heavy vehicles and other legislative provisions

The motion was carried.

### **Presenting Papers**

Mr. Couillard, Minister of Health and Social Services, tabled the following:

An opinion by the Commission d'accès à l'information with regard to a draft agreement on the communication of information from the college information bank between the Ministère de l'Éducation, du Loisir et du Sport and the Ministère de la Santé et des Services sociaux.

(Sessional Paper No. 2310-20051109)

He then tabled the reports, for the fiscal year ended 31 March 2005, on the implementation of the complaints examination procedure of the following Local Health and Social Services Network Development Agencies:

—        Lanaudière;

(Sessional Paper No. 2311-20051109)

—        Gaspésie—Îles-de-la-Madeleine;

(Sessional Paper No. 2312-20051109)

—        Laurentides.

(Sessional Paper No. 2313-20051109)

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Finally, he tabled the annual management reports, for the fiscal year ended 31 March 2005, of the following Local Health and Social Services Network Development Agencies:

- Montréal;  
(Sessional Paper No. 2314-20051109)
- Chaudière-Appalaches;  
(Sessional Paper No. 2315-20051109)
- Nunavik;  
(Sessional Paper No. 2316-20051109)
- Estrie;  
(Sessional Paper No. 2317-20051109)
- Gaspésie—Îles-de-la-Madeleine.  
(Sessional Paper No. 2318-20051109)

Mr. Dupuis, Government House Leader, moved:

THAT, pursuant to section 392 of the *Act respecting health services and social services*, the 2004-2005 annual management reports of the Montréal, Chaudière-Appalaches, Nunavik, Estrie and Gaspésie—Îles-de-la-Madeleine Local Health and Social Services Network Development Agencies be referred to the Committee on Social Affairs for consideration;

THAT the Minister of Health and Social Services be a member of the said Committee during its proceedings with respect to this order of reference.

The motion was carried.

### **Presenting Reports from Committees**

Mr. Copeman (Notre-Dame-de-Grâce), chairman, tabled the following:

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A report from the Committee on Social Affairs, which met on 13, 14 and 15 September, on 11, 12, 13, 19, 20, 25 and 27 October as well as on 1, 2 and 3 November 2005, for clause-by-clause consideration of the following Bill:

- 83     An Act to amend the Act respecting health services and social services and other legislative provisions

The report contains certain amendments to the bill.

(Sessional Paper No. 2319-20051109)

### **Presenting Petitions**

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

The abstract of a petition respecting an increase in motorcyclists' insurance fees, and signed by 51 citizens of Québec.

(Sessional Paper No. 2320-20051109)

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

The abstract of a petition respecting the management of home day care spaces, and signed by 62 citizens of the Laurentides region.

(Sessional Paper No. 2321-20051109)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mrs. Harel, Leader of the Official Opposition, tabled the following:

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A document, dated 1 September 1997, entitled "Lois contenant une disposition dérogatoire à la Charte québécoise des droits et libertés de la personne postérieure à 1975 et à la Charte canadienne des droits et libertés postérieure à 1985".

(Sessional Paper No. 2322-20051109)

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

At the request of Mr. President, Mrs. Normandeau, Minister of Municipal Affairs and Regions, withdrew certain words deemed unparliamentary.

### **Deferred Divisions**

The Assembly took the division, which had been deferred during Business Standing in the Name of Members in Opposition, on the motion moved by Mr. Charbonneau (Borduas).

This motion reads as follows:

THAT the National Assembly deplore that over 40,000 Quebecers are still waiting for surgery beyond medically acceptable delays.

The motion was negatived on the following vote:

(Division No. **194** in Appendix)

Yeas: **38**    Nays: **60**    Abstentions: **0**

### **Motions Without Notice**

Mr. Charest, Premier, moved a motion concerning the *Charter of Human Rights and Freedoms*; this motion could not be debated for want of unanimous consent.



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Mr. Corbeil, Minister of Natural Resources and Wildlife, moved:

THAT the National Assembly pay homage to Messrs. Fernand Vachon and Nicolas Rochette, the wildlife protection officers who were killed in the performance of their duties, as well as to the pilot accompanying them, Mr. Yves Giguère.

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

The debate being concluded, the motion was carried.

At the invitation of Mr. Cusano, First Vice-President, the Assembly then observed a minute of silence.

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Mrs. Jérôme-Forget, Chair of the Conseil du trésor and Minister responsible for Government Administration, moved:

THAT the Assembly congratulate the award winners of the 20<sup>th</sup> edition of the Québec Public Administration Awards of Excellence, as well as the recipient of the Hommage award, Mr. André Trudeau.

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**

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

- the Committee on Labour and the Economy, to give clause-by-clause consideration to Bill 119, An Act respecting the Ministère du Tourisme.

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Mr. Cusano, First Vice-President, gave the following notices:

- the Committee on Culture shall continue its public hearings within the framework of the general consultation on Québec's religious heritage;
- the Select Committee on the Election Act shall hold special consultations on the draft bill on the Election Act;
- the Committee on Transportation and the Environment shall hold a deliberative meeting for the purpose of discussing the possibility of carrying out an order of initiative concerning the environment in Northern Québec.

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**ORDERS OF THE DAY**

Mr. Dupuis, Government House Leader, moved the adjournment of the proceedings until Thursday, 10 November 2005, at 10.00 o'clock a.m.

The motion was carried.

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Consequently, at 3.37 o'clock p.m., Mr. Cusano, First Vice-President, adjourned the Assembly until Thursday, 10 November 2005, at 10.00 o'clock a.m.

**MICHEL BISSONNET**

*President*

APPENDIX

Recorded Divisions

On the motion moved by Mr. Charbonneau (Borduas) during Business Standing in the Name of Members in Opposition, concerning Quebecers who are waiting for surgery:

(Division No. 194)

YEAS - 38

Arseneau	Charest	Légaré	Pinard
Beaudoin	<i>[Rimouski]</i>	Legault	Richard
Bédard	Côté	<i>[Rousseau]</i>	Robert
Bertrand	Cousineau	Lelièvre	Roy
Bouchard	Dionne-Marsolais	Lemieux	Simard
<i>[Vachon]</i>	Doyer	Létourneau	Thériault
Boucher	Dufour	Maltais	<i>[Masson]</i>
Bourdeau	Grondin	Morin	Tremblay
Caron	Harel	<i>[Nicolet-Yamaska]</i>	Valois
Champagne	Jutras	Pagé	Vermette
Charbonneau	Lefebvre	Picard	

NAYS - 60

Auclair	Chenail	Gautrin	Mulcair
Audet	Cholette	Hamel	Normandeau
Bachand	Copeman	Houda-Pepin	Ouimet
Beauchamp	Corbeil	James	Paquet
Béchar	Couillard	Jérôme-Forget	Paquin
Bergman	Courchesne	Kelley	Paradis
Bernier	Delisle	Lafrenière	Pelletier
Blackburn	Descoteaux	L'Écuyer	Perreault
Bordeleau	Després	Lessard	Reid
Boulet	Dubuc	Loiselle	Rioux
Chagnon	Dupuis	MacMillan	Soucy
Charest	Fournier	Marsan	Théberge
<i>[Sherbrooke]</i>	Gabias	Mercier	Thériault
Charest	Gagnon-Tremblay	Moreau	<i>[Anjou]</i>
<i>[Matane]</i>	Gaudet	Morin	Tomassi
Charlebois	Gauthier	<i>[Montmagny-L'Islet]</i>	Whissell