



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 18 October 2005 — No. 171

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

QUÉBEC

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

At the request of Mr. President, the Assembly observed a moment of reflection in memory of Mr. Richard B. Holden, Member for Westmount from 1989 to 1994.

Mr. President tabled the following:

A letter, dated 14 September 2005, he had received from Mr. André Boulerice, informing him of his resignation as Member for Sainte-Marie–Saint-Jacques, effective on this date.

(Sessional Paper No. 2110-20051018)

ROUTINE PROCEEDINGS

Presenting Papers

Mr. Dupuis, Minister of Public Security, tabled the following:

The annual management report of the Ministère de la Sécurité publique for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2111-20051018)

The annual management report of the Sûreté du Québec for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2112-20051018)

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

The annual report of the Institut national de la santé publique du Québec for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2113-20051018)

The annual management report of the Conseil du médicament for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2114-20051018)

The annual management report of the Régie de l'assurance maladie du Québec for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2115-20051018)

The annual management report of the Conseil de la santé et du bien-être for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2116-20051018)

The annual management report of the Agence d'évaluation des technologies et des modes d'intervention en santé for the fiscal year ended 31 March 2004;

(Sessional Paper No. 2117-20051018)

The annual management report of Urgences-santé for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2118-20051018)

Mr. Béchard, Minister of Economic Development, Innovation and Export Trade, tabled the following:

The annual report of the Société du parc industriel et portuaire de Bécancour for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2119-20051018)

The annual management report of the Société Innovatech Québec et Chaudière-Appalaches for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2120-20051018)

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Mr. Corbeil, Minister of Natural Resources and Wildlife, tabled the following:

The annual management report of the Ministère des Ressources naturelles et de la Faune for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2121-20051018)

An amendment to the Agreement between the Government of Québec and the Micmac Nation of Gespeg, concerning the pursuit of hunting activities for dietary, ritual or social purposes;

(Sessional Paper No. 2122-20051018)

An amendment to the Agreement between the Government of Québec and the Odanak and Wölinak band councils, concerning the pursuit of hunting and trapping activities for dietary, ritual or social purposes;

(Sessional Paper No. 2123-20051018)

Order-in-Council No. 375-2005 concerning the coming into effect of Complementary Agreement No. 18 to the James Bay and Northern Québec Agreement.

(Sessional Paper No. 2124-20051018)

Mr. Lessard, Minister of Labour, tabled the following:

The activity report of the Commissaire de l'industrie de la construction for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2125-20051018)

The annual management report of the Commission des lésions professionnelles for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2126-20051018)

The annual management report of the Conseil consultatif du travail et de la main-d'oeuvre for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2127-20051018)

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Mr. President tabled the following:

An exchange of correspondence with Mr. Ralph Goodale, Canadian Minister of Finance, concerning the motion on the fiscal imbalance carried unanimously by the Members of the National Assembly on 8 March 2005;

(Sessional Paper No. 2128-20051018)

A letter, dated 26 July 2005, he had received from Mr. Joe Fontana, Canadian Minister of Labour and Housing, concerning the motion on collectively laid-off older workers carried unanimously by the Members of the National Assembly on 16 June 2005;

(Sessional Paper No. 2129-20051018)

A letter, dated 21 September 2005, he had received from Mrs. Diane Lemieux, Official Opposition House Leader, informing him of the appointment of Mr. Claude Pinard, the Member for Saint-Maurice, as member of the Subcommittee on Parliamentary Reform in replacement of Mrs. Louise Harel, Leader of the Official Opposition;

(Sessional Paper No. 2130-20051018)

The annual management report of the Chief Electoral Officer of Québec for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2131-20051018)

The annual management report of the Commission de la représentation électorale du Québec for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2132-20051018)

The report of the Chief Electoral Officer of Québec on the implementation of section 30.8 of the *Act respecting school elections*, within the framework of the by-elections held on 18 September 2005 in District No. 9 of the Portneuf School Board and on 25 September 2005 in District No. 10 of the Lac-Saint-Jean School Board;

(Sessional Paper No. 2133-20051018)

The report from the Conseil du trésor to the National Assembly on the casual employment in the public service that is excluded from certain provisions of the *Public Service Act* in pursuance of the directive from the Conseil concerning these jobs, the motives having justified these measures as well as two opinions of the Commission de la fonction publique regarding this directive, pursuant to section 84 of the *Public Service Act*.

(Sessional Paper No. 2134-20051018)

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Mr. President tabled the following Decisions from the Office of the National Assembly, dated 16 June 2005:

- Decision 1272 concerning the regulation to amend the regulation respecting the remuneration and conditions of employment of the staff of Members holding parliamentary functions at the National Assembly and respecting payment for professional services (Règlement modifiant le Règlement sur la rémunération et les conditions de travail du personnel des cabinets de l'Assemblée nationale et sur le paiement des services professionnels);
(Sessional Paper No. 2135-20051018)

- Decision 1273 concerning the regulation to amend the regulation respecting the amounts granted to the Member who is the leader of another opposition party represented at the National Assembly (Règlement modifiant le Règlement sur les sommes accordées au député qui est chef d'un autre parti d'opposition représenté à l'Assemblée nationale);
(Sessional Paper No. 2136-20051018)

- Decision 1274 concerning the regulation respecting financial resources granted to the select committee on the *Election Act* (Règlement sur les ressources financières attribuées à la commission spéciale sur la *Loi électorale*).
(Sessional Paper No. 2137-20051018)

Finally, he tabled the following:

The new seating plan of the National Assembly, dated 18 October 2005;
(Sessional Paper No. 2138-20051018)

Copy of the notice of motion by Mr. Legault (Rousseau) which will be placed on the *Order Paper and Notices* of Wednesday, 19 October 2005, under Business Standing in the Name of Members in Opposition.
(Sessional Paper No. 2139-20051018)

Presenting Reports from Committees

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

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A report from the Committee on Institutions, which, on 17 February, 17 March, and on 13 and 15 September 2005, held public hearings within the framework of a general consultation on the following Bill:

88 Private Security Act

(Sessional Paper No. 2140-20051018)

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

A report from the Committee on Social Affairs, which, on 20 and 21 April, on 3, 4, 5 and 11 May, on 23, 24, 25 and 30 August as well as on 1 September 2005, held a general consultation and public hearings on the document entitled “Pharmaceutical Policy”;

(Sessional Paper No. 2141-20050616)

A report from the Committee on Social Affairs, which, on 28 September 2005, selected the Members who will take part in the proceedings of the nominating committee for the purpose of proposing to the Minister of Health and Social Services a list of persons it considers qualified for appointment as Health and Welfare Commissioner, pursuant to section 4 of the *Act respecting the Health and Welfare Commissioner*.

(Sessional Paper No. 2142-20050616)

Presenting Petitions

By leave of the Assembly to set aside Standing Order 63, Mrs. Hamel (La Peltrie) tabled the following:

The abstract of a petition respecting an increase in motorcyclists’ insurance fees, and signed by 66 citizens of Québec.

(Sessional Paper No. 2143-20051018)

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Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At 3.04 o'clock p.m., at the request of Mrs. Lemieux, Official Opposition House Leader, Mr. President suspended the proceedings for a few minutes.

The proceedings resumed at 3.14 o'clock p.m.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Charest, Premier, Mrs. Harel, Leader of the Official Opposition, and Mr. Légaré (Vanier) jointly moved:

THAT the National Assembly mark the adoption of the Draft Convention on the Protection of the Diversity of Cultural Contents and Artistic Expressions by UNESCO's Committee IV last 17 October within the framework of UNESCO's 33rd General Conference.

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

The debate being concluded, the motion was carried.

Mrs. James (Nelligan) moved a motion concerning Mrs. Michaëlle Jean; this motion could not be debated for want of unanimous consent.

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Mrs. Lemieux (Bourget) moved a motion concerning Mrs. Michaëlle Jean; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 185, Mrs. Courchesne, Minister of Employment and Social Solidarity, Mr. Bouchard (Vachon) and Mrs. Roy (Lotbinière) jointly moved:

THAT the Québec National Assembly mark International Day for the Eradication of Poverty, which was held on 17 October, by again expressing its will to fight poverty and by inviting the population and all economic, social and political players to join forces against poverty and social exclusion in Québec.

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 185, Mrs. Théberge, Minister of Families, Seniors and the Status of Women, Mrs. Champagne (Champlain) and Mrs. Roy (Lotbinière) jointly moved:

THAT the National Assembly mark International Seniors Day, which was held on 1 October 2005, that on this occasion it reiterate the need to demonstrate solidarity, mutual assistance and humanity towards seniors and that it reaffirm its will to support their full participation in Québec's development.

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

The debate being concluded, the motion was carried.

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By leave of the Assembly to set aside Standing Order 185, Mrs. Papineau (Prévost), Mr. Copeman (Notre-Dame-de-Grâce) and Mr. Légaré (Vanier) jointly moved:

THAT the National Assembly mark the death of Mr. Simon Wiesenthal and express its deepest condolences to his loved ones.

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

The debate being concluded, the motion was carried.

Mr. Dupuis, Government House Leader, moved:

THAT the National Assembly ratify the mandate of the Committee on Agriculture, Fisheries and Food, within the framework of the consideration of Bill 113, An Act to amend the Act respecting reserved designations, to hold a general consultation and public hearings beginning on 27 September 2005;

THAT all briefs be submitted to the Secretariat of Committees by 2 September 2005;

The Minister of Agriculture, Fisheries and Food, shall be a member of the said Committee during its proceedings with respect to this order of reference.

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

Notices of Proceedings in Committees

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

- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 109, Director of Public Prosecutions Act.

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

- the Committee on Public Administration shall hold a deliberative meeting to prepare the hearing with the Director General of the Sûreté du Québec on his latest annual management report;
- the Committee on Labour and the Economy shall hold a deliberative meeting to prepare the examination of the evaluation report of the Bureau d'évaluation médicale prior to hearing this agency's representatives; the Committee shall subsequently hold a public hearing to examine the aforementioned report, pursuant to section 68 of the *Act to establish the Commission des lésions professionnelles*.

Information on the Proceedings of the Assembly

Mrs. Leblanc, Second Vice-President, informed the Assembly that on Wednesday, 19 October 2005, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mr. Legault (Rousseau). This motion reads as follows:

THAT the Liberal Government stop adding to the tax burden of Québec families by increases in tariffs and contributions, such as the rise in electricity rates and in those of day care services and the increase in prescription drug insurance premiums.

ORDERS OF THE DAY

Debates on Reports from Committees

The Assembly took into consideration the report from the Committee on Planning and the Public Domain, which examined the orientation, activities and management of the Société d'habitation du Québec. This report 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 otherwise be limited.

And debate arising;

Debates Upon Adjournment

At 6.00 o'clock p.m., the Assembly held a first debate upon adjournment, on a question by Mr. Simard (Richelieu) to Mrs. Jérôme-Forget, Chair of the Conseil du trésor and Minister responsible for Government Administration, concerning the public sector negotiations.

The Assembly then held a second debate, on a question by Mrs. Doyer (Matapédia) to Mr. Corbeil, Minister of Natural Resources and Wildlife, about financial assistance granted within the framework of regional action plans.

During her address, by leave of the Assembly to set aside Standing Orders 53 and 59, Mrs. Doyer (Matapédia) tabled the following:

Two tables, prepared by the forest products industry development division of the Ministère des Ressources naturelles et de la Faune, concerning employment in relation to plant closures in this sector.

(Sessional Paper No. 2144-20051018)

Finally, the Assembly held a third debate, on a question by Mr. Valois (Joliette) to Mr. Pelletier, Minister responsible for Canadian Intergovernmental Affairs, Francophones within Canada, the Agreement on Internal Trade, the Reform of Democratic Institutions and Access to Information, about the Federal Government and Québec's fields of jurisdiction.

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At 6.41 o'clock p.m., Mrs. Leblanc, Second Vice-President, adjourned the Assembly until Wednesday, 19 October 2005, at 10.00 o'clock a.m.

ROYAL ASSENT

On Friday, 17 June 2005, at 9.06 o'clock a.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Bissonnet, President of the National Assembly, of Mr. Lessard, Minister of Labour, and Mr. Bernard (Rouyn-Noranda-Témiscamingue), Delegates of the Premier, and of Mrs. Giguère, Director of the Secretariat of the Assembly, Delegate of the Secretary General, the Honourable Lise Thibault, Lieutenant-Governor of Québec, was pleased to assent to the following Bills:

- 2 An Act respecting the reciprocal issue and enforcement of support orders
- 38 An Act respecting the Health and Welfare Commissioner
- 57 Individual and Family Assistance Act
- 94 An Act to amend the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs and other legislative provisions
- 95 An Act to amend various legislative provisions of a confessional nature in the education field
- 97 An Act to amend the Act respecting the Régie des installations olympiques
- 98 An Act to amend the Building Act and other legislative provisions
- 100 Budget Act No. 2 giving effect to the Budget Speech delivered on 30 March 2004 and to certain other budget statements
- 101 An Act respecting the Ministère de l'Immigration et des Communautés culturelles
- 102 An Act respecting the funding of certain pension plans
- 103 An Act to amend the Act respecting administrative justice and other legislative provisions
- 104 An Act to amend the Code of Civil Procedure and other legislative provisions
- 105 An Act to amend the Code of Penal Procedure and the Courts of Justice Act

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- 106 An Act to amend the Education Act and the Act respecting private education
- 108 An Act to amend the Act respecting parental insurance and other legislative provisions
- 110 An Act to amend the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons and other legislative provisions
- 111 An Act to amend various legislative provisions concerning municipal affairs
- 112 An Act to amend the Tobacco Act and other legislative provisions
- 115 An Act to amend the Act respecting the Cree Regional Authority
- 220 An Act respecting Ville de Thetford Mines
- 224 An Act respecting Ville de Saint-Jean-sur-Richelieu
- 225 An Act to amend the Act to incorporate the town of Lake St. Joseph
- 227 An Act respecting Ville de Magog
- 229 An Act respecting Pipeline Saint-Laurent
- 230 An Act respecting Ville de Gaspé
- 232 An Act to amend various loan by-laws issued by Ville de Montréal
- 393 An Act to amend the Act respecting the Fondation Jean-Charles-Bonenfant

MICHEL BISSONNET

President