



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 15 June 2005 — No. 169

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

QUÉBEC

The Assembly was called to order at 10.06 o'clock a.m.

At the request of Mr. President, the Assembly observed a moment of reflection in memory of Mr. Kenneth Fraser, former Member for Huntingdon.

ROUTINE PROCEEDINGS

Statements by Ministers

Mr. Corbeil, Minister of Natural Resources and Wildlife, made a statement about the new direction in Québec forest management.

Mrs. Doyer (Matapédia) commented on behalf of the Official Opposition.

Introduction of Bills

Mrs. Jérôme-Forget, Chair of the Conseil du trésor and Minister responsible for Government Administration, moved that leave be granted to introduce the following Bill:

120 An Act to abolish certain public bodies and transfer
 administrative responsibilities

The motion was carried.

Presenting Papers

Mr. Audet, Minister of Finance, tabled the following:

15 June 2005

The annual report of the Société des alcools du Québec for the fiscal year ended 26 March 2005.

(Sessional Paper No. 2020-20050615)

Mrs. Gagnon-Tremblay, Minister of International Relations, tabled the following:

The annual report of the Office franco-québécois pour la jeunesse for the fiscal year ended 31 December 2003.

(Sessional Paper No. 2021-20050615)

Mr. Vallières, Minister of Agriculture, Fisheries and Food, tabled the following:

The annual report and financial statements of the Financière agricole for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2022-20050615)

Mr. Després, Minister of Transport, tabled the following:

The annual management report of the Commission des transports du Québec for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2023-20050615)

The annual management report of the Société de l'assurance automobile du Québec for the fiscal year ended 31 December 2004;

(Sessional Paper No. 2024-20050615)

The 2005 action plan of Contrôle routier Québec.

(Sessional Paper No. 2025-20050615)

15 June 2005

Mr. Reid, Minister of Government Services, tabled the following:

The activity report of the Société immobilière du Québec for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2026-20050615)

Mrs. Courchesne, Minister of Employment and Social Solidarity, tabled the following:

The annual management report of the Régie des rentes du Québec for the fiscal year ended 31 March 2005;

(Sessional Paper No. 2027-20050615)

The 2005-2006 action plan of the Régie des rentes du Québec;

(Sessional Paper No. 2028-20050615)

The 2005 accountability and performance agreement of the Régie des rentes du Québec.

(Sessional Paper No. 2029-20050615)

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

The annual management report of the Commission des normes du travail for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2030-20050615)

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

(Sessional Paper No. 2031-20050615)

Mr. President tabled the following:

The annual report of the Public Protector for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2032-20050615)

Presenting Reports from Committees

Mr. Bouchard (Vachon), vice-chairman, tabled the following:

A report from the Committee on Social Affairs, which met on 27 and 28 April and on 1 and 14 June 2005 for clause-by-clause consideration of the following Bill:

38 An Act respecting the Health and Welfare Commissioner

The report contains certain amendments to the bill.

(Sessional Paper No. 2033-20050615)

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

The report from the Committee on Planning and the Public Domain, which, on 14 June 2005, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

220 An Act respecting Ville de Thetford Mines

The report contains certain amendments to the Bill.

(Sessional Paper No. 2034-20050615)

The report was concurred in.

The report from the Committee on Planning and the Public Domain, which, on 14 June 2005, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

225 An Act to amend the Act to incorporate the town of Lake St. Joseph

The report does not contain any amendments to the Bill.

(Sessional Paper No. 2035-20050615)

The report was concurred in.

The report from the Committee on Planning and the Public Domain, which, on 14 June 2005, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

227 An Act respecting Ville de Magog

The report does not contain any amendments to the Bill.

(Sessional Paper No. 2036-20050615)

The report was concurred in.

The report from the Committee on Planning and the Public Domain, which, on 14 June 2005, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

230 An Act respecting Ville de Gaspé

The report contains certain amendments to the Bill.

(Sessional Paper No. 2037-20050615)

The report was concurred in.

The report from the Committee on Planning and the Public Domain, which, on 14 June 2005, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

232 An Act to amend various loan by-laws issued by Ville de Montréal

The report contains certain amendments to the Bill.

(Sessional Paper No. 2038-20050615)

The report was concurred in.

The report from the Committee on Planning and the Public Domain, which, on 14 June 2005, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

224 An Act respecting Ville de Saint-Jean-sur-Richelieu

The report contains one amendment to the Bill.

(Sessional Paper No. 2039-20050615)

The report was concurred in.

Mr. Chagnon (Westmount–Saint-Louis), chairman, tabled the following:

A report from the Committee on Education, which, on 23, 24, 25 and 30 September 2003, on 28 and 30 September 2004, on 12 October 2004, and on 1, 2, 3, 8 and 9 February 2005, heard the head officers of universities, in application of the *Act respecting educational institutions at the university level*. The Committee also held 12 deliberative meetings. This report contains recommendations.

(Sessional Paper No. 2040-20050615)

Mr. President tabled the following:

The report from the Committee on the National Assembly, which, on 14 June 2005, selected the members of the standing committees and renewed the list of temporary chairmen.

(Sessional Paper No. 2041-20050615)

Mr. Cusano, First Vice-President, moved that these modifications to the membership of the standing committees be adopted.

The motion was carried.

Presenting Petitions

Mr. St-André (L'Assomption) tabled the following:

The abstract of a petition respecting educational services for students experiencing problems, and signed by 28 citizens from the riding of L'Assomption;

(Sessional Paper No. 2042-20050615)

15 June 2005

The abstract of a petition respecting the Lanaudière Midget Football League, and signed by Mrs. Lyne Ouellet, citizen of Repentigny.

(Sessional Paper No. 2043-20050615)

Mr. Bourdeau (Berthier) tabled the following:

The abstract of a petition respecting the treatment and living conditions of persons suffering from Alzheimer's disease in private and public nursing homes, and signed by 117 citizens of Québec.

(Sessional Paper No. 2044-20050615)

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

The abstract of a petition concerning the rights of adopting parents, and signed by 3500 citizens of Québec.

(Sessional Paper No. 2045-20050615)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Deferred Divisions

The Assembly took the division, which had been deferred at the sitting of 14 June 2005, on the amendment motion moved by Mr. Pelletier, Minister for the Reform of Democratic Institutions, to the motion concerning the establishment of a select committee to examine the draft bill replacing the *Election Act*, tabled on 15 December 2004.

This motion reads as follows:

THAT the motion by the Minister responsible for the Reform of Democratic Institutions be amended by replacing:

- in the second paragraph, the number "13" by the word "nine", the word "eight" by the word "five" and the word "four" by the word "three";
- and, in the 22nd paragraph, the word "twelve" by the word "eight" and the words "six women and six men" by the words "four women and four men".

The amendment motion was carried on the following vote:

(Division No. **186** in Appendix)

Yeas: **68** Nays: **42** Abstentions: **0**

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Charest, Premier, Mr. Bourdeau (Berthier), and Mr. Dumont (Rivière-du-Loup) jointly moved:

THAT the National Assembly congratulate the finalists and award winners of the third edition of the Prix Reconnaissance of the Forum des jeunes de la fonction publique québécoise.

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

The debate being concluded, the motion was carried.

Mr. Bordeleau (Acadie) moved:

THAT the National Assembly mark the performance of the Canadian team that took part in the 38th WorldSkills Competition in Finland and, more particularly, the three Quebecers who won medals on this occasion, namely: Mrs. Caroline Faucher, Chaudière-Appalaches, Graphic Design Technology, gold medal; Mrs. Catherine Guillet, Montérégie, Confectioner/Pastry Cook, silver medal; and Mrs. Katy Desroches, Montérégie, Beauty Therapy, bronze medal.

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 Committees:

- the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 102, An Act respecting the funding of certain pension plans;
- the Committee on Transportation and the Environment, to hear the interested parties and give clause-by-clause consideration to Private Bill 229, An Act respecting Pipeline Saint-Laurent;
- the Committee on Institutions, to give clause-by-clause consideration to Bill 103, An Act to amend the Act respecting administrative justice and other legislative provisions.

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

- the Standing Committees shall meet for the purpose of electing their chairmen and vice-chairmen.

15 June 2005

ORDERS OF THE DAY

Government Motions

The Assembly resumed the debate, which had been adjourned on 14 June 2005, on the motion by 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, as amended.

This motion reads as follows:

THAT

- a select committee be established for the purpose of examining the draft bill replacing the *Election Act*, tabled on 15 December 2004;

regarding the membership and the operation of the committee,

- the committee shall be composed of nine members distributed as follows:
 - five from the parliamentary group forming the Government, including the committee chairman and the Minister for the Reform of Democratic Institutions,
 - three from the parliamentary group forming the Official Opposition, including the committee vice-chairman,
 - one independent Member;
- the parliamentary groups and the independent Members shall forward to the President of the Assembly the list of committee members, including the name of the chairman and of the vice-chairman, within seven days after this motion has been carried;
- the committee shall begin its proceedings no later than two weeks after this motion has been carried;

- the committee shall hold public or deliberative hearings in compliance with the procedure stipulated in Standing Order 148, notwithstanding that it is a matter referred to it by the Assembly;
- the committee may table interim reports in the Assembly;
- the interim reports and the committee's final report may contain observations, conclusions and recommendations;
- the committee will not be restricted to one clear day, after having examined the draft bill, to determine in a deliberative meeting the observations, conclusions and recommendations it intends to table in the Assembly;
- the rules of procedure relating to the standing committees shall apply to the committee insofar as they are compatible with the provisions of this motion;

regarding the consultations held by the committee,

- the committee shall hear in special consultations:
 - M^e Marcel Blanchet, Chief Electoral Officer and Chairman of the Commission de la représentation électorale;
 - experts on electoral matters who shall be chosen by the committee;
 - representatives of the political parties authorized under the *Election Act*;
- the committee shall also hold a general consultation;
- the committee, within the framework of the general consultation, shall discuss the following matters:
 - the relevance of reviewing the voting process;
 - the principle of equality of votes;
 - regional representation;
 - the voting process proposed in the draft bill;

- the pertinence of holding a referendum on the reform of the voting process;
 - the measures encouraging fair representation of women, young people, ethno cultural minorities and Native persons in the National Assembly;
 - the holding of elections at fixed dates;
 - the election day;
 - the permanent electoral list and its revision;
 - the electoral map and its revision;
 - electronic voting;
 - any other matter relating to the draft bill or to the *Election Act*;
- the committee shall produce an information package for the purpose of facilitating citizen participation;
 - the committee shall set aside time periods to hear citizens who will have indicated their desire to be heard by the committee, despite their not having submitted a brief thereto;
 - the committee may meet outside of the National Assembly buildings and of Québec City;
 - the committee may have recourse to videoconferencing within the framework of the hearings;
 - the committee shall hold an online consultation so as to encourage the most extensive population participation possible;

regarding the participation of citizens,

- a citizens' committee on electoral matters shall assist the select committee, in a non-partisan manner and on a consultative basis, in carrying out its mandate, by providing the opinion of electors complementarily to that of the elected officials;

- the citizens' committee participates exclusively in the public hearings held by the select committee, in accordance with the terms and conditions defined thereby;
- the citizens' committee does not take part in the drafting and adoption of the select committee report;
- the members of the citizens' committee will have the right to take part in the public hearings and the right to submit to the select committee, including in writing, their observations, conclusions and recommendations;
- the citizens' committee shall be composed of eight persons registered on the list of electors, namely four women and four men;
- a public call for nominations will be issued by the select committee for the purpose of forming the citizens' committee;
- the selection of the citizens' committee members shall be conducted by a random draw among the eligible and available candidates, while ensuring the best possible representation of the diversity of Québec's population, particularly according to age and regions;
- the persons forming the citizens' committee may receive allowances and be reimbursed for expenses incurred in relation to their participation in the select committee proceedings;

regarding human, technical and financial resources,

- the Secretariat of Committees ensures the support required for the proper conduct of the select committee and of the citizens' committee;

- the select committee disposes of the resources required to carry out its mandate, particularly as regards support to research and publicity, including the distribution of a summary of the information package in all Québec households, so as to encourage citizen participation and to ensure the efficient collaboration of the citizens' committee members.

By leave of the Assembly to set aside Standing Order 209, Mr. Thériault (Masson) again spoke to the motion. Mr. Pelletier, Minister responsible for the Reform of Democratic Institutions, exercised his right of reply.

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

The motion, as amended, was carried on the following vote:

(Division No. **187** in Appendix)

Yeas: **67** Nays: **42** Abstentions: **0**

Private Members' Public Bills

Passage in Principle

Mrs. Leblanc (Beauce-Sud) moved, —That Bill 393, An Act to amend the Act respecting the Fondation Jean-Charles-Bonenfant, do now pass in principle.

After debate thereon, the motion was carried and Bill 393 was accordingly passed in principle.

Mr. Dupuis, Government House Leader, moved that Bill 393 be referred for clause-by-clause consideration to the Committee of the Whole.

The motion was carried.

15 June 2005

Committee of the Whole

Mr. Dupuis, Government House Leader, moved that the Assembly resolve itself into a Committee of the Whole for the clause-by-clause consideration of Bill 393, An Act to amend the Act respecting the Fondation Jean-Charles-Bonenfant.

The motion was carried.

Bill 393 was considered in Committee of the Whole, amended, and thereupon reported.

The report was concurred in.

Passage

By leave of the Assembly to set aside Standing Orders 22 and 230, Mrs. Leblanc (Beauce-Sud) moved the passage of Bill 393, An Act to amend the Act respecting the Fondation Jean-Charles-Bonenfant.

The motion was carried and, accordingly, Bill 393 was passed.

At 12.57 o'clock p.m., Mr. Cusano, First Vice-President, suspended the proceedings until 3.00 o'clock p.m.

15 June 2005

The proceedings resumed at 3.06 o'clock p.m.

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Planning and the Public Domain on its clause-by-clause consideration of Bill 111, An Act to amend various legislative provisions concerning municipal affairs.

After debate thereon, the report was concurred in.

The Assembly took into consideration the report from the Committee on Social Affairs on its clause-by-clause consideration of Bill 112, An Act to amend the Tobacco Act and other legislative provisions, together with the amendment handed in by Mr. Couillard, Minister of Health and Social Services.

The amendment was declared in order.

After debate thereon, the amendment was carried.

The report, as amended, was concurred in.

Passage

Mr. Fournier, Minister of Education, Recreation and Sports, moved the passage of Bill 95, An Act to amend various legislative provisions of a confessional nature in the education field.

After debate thereon, the motion was carried on division and, accordingly, Bill 95 was passed.

15 June 2005

Mr. Fournier, Minister of Education, Recreation and Sports, moved the passage of Bill 106, An Act to amend the Education Act and the Act respecting private education.

After debate thereon, the motion was carried and, accordingly, Bill 106 was passed.

Mrs. Courchesne, Minister of Employment and Social Solidarity, moved the passage of Bill 108, An Act to amend the Act respecting parental insurance and other legislative provisions.

After debate thereon, the motion was carried on division and, accordingly, Bill 108 was passed.

At 5.59 o'clock p.m., Mr. Gendron, Third Vice-President, suspended the proceedings until 8.00 o'clock p.m.

The proceedings resumed at 8.04 o'clock p.m.

Passage

Mrs. Courchesne, Minister of Employment and Social Solidarity, moved the passage of Bill 57, Individual and Family Assistance Act.

A debate arose thereon.

By leave of the Assembly to set aside Standing Order 59, Mr. Bourdeau (Berthier) tabled the following:

15 June 2005

Copy of two e-mail messages, dated 9 April 2005, he had received from Mr. Claude Savoie, resident of Berthierville, concerning the expenses related to his eye problems and certain programmes of the Ministère de l'Emploi et de la Solidarité sociale.

(Sessional Paper No. 2046-20050615)

And debate continuing;

The debate being concluded, the motion was carried on division and, accordingly, Bill 57 was passed.

Mr. Dupuis, Government House Leader, moved the adjournment of the Assembly until Thursday, 16 June 2005, at 10.00 o'clock a.m.

The motion was carried.

Accordingly, at 9.52 o'clock p.m., Mr. Cusano, First Vice-President, adjourned the Assembly until Thursday, 16 June 2005, at 10.00 o'clock a.m.

MICHEL BISSONNET

President

15 June 2005

APPENDIX

Recorded Divisions

On the amendment motion moved by Mr. Pelletier, Minister for the Reform of Democratic Institutions, to the motion concerning the establishment of a select committee to examine the draft bill replacing the *Election Act*, tabled on 15 December 2004:

(Division No. 186)

YEAS – 68

Auclair	Couillard	Kelley	Paquet
Audet	Courchesne	Lafrenière	Paquin
Bachand	Delisle	Lamquin-Éthier	Pelletier
Beauchamp	Descoteaux	L'Écuyer	Perreault
Bergman	Després	Légaré	Picard
Bernard	Dubuc	Legault	Reid
Bernier	Dumont	[Chambly]	Rioux
Blackburn	Dupuis	Lessard	Roy
Bordeleau	Fournier	Loiselle	Soucy
Boulet	Gabias	MacMillan	Théberge
Chagnon	Gagnon-Tremblay	Marcoux	Thériault
Charest	Gauthier	Marsan	[Anjou]
[Matane]	Gautrin	Mercier	Tomassi
Charest	Grondin	Moreau	Vallières
[Sherbrooke]	Hamad	Morin	Vien
Charlebois	Hamel	[Montmagny-L'Islet]	Whissell
Chenail	Houda-Pepin	Mulcair	
Cholette	James	Normandeau	
Corbeil	Jérôme-Forget	Ouimet	

NAYS - 42

Arseneau	Côté	Legendre	Robert
Beaudoin	Cousineau	Léger	Simard
Bertrand	Deslières	Lelièvre	St-André
Bouchard	Dion	Lemieux	Thériault
[Vachon]	Dionne-Marsolais	Létourneau	[Masson]
Boucher	Doyer	Maltais	Tremblay
Bourdeau	Dufour	Marois	Turp
Caron	Girard	Morin	Valois
Champagne	Harel	[Nicolet-Yamaska]	Vermette
Charbonneau	Jutras	Pagé	
Charest	Lefebvre	Papineau	
[Rimouski]	Legault	Pinard	
	[Rousseau]	Richard	

15 June 2005

On the motion by Mr. Pelletier, Minister responsible for the Reform of Democratic Institutions, as amended:

(Division No. 187)

YEAS – 67

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

NAYS – 42

Arseneau	Côté	Legendre	Robert
Beaudoin	Cousineau	Léger	Simard
Bédard	Deslières	Lelièvre	St-André
Bertrand	Dion	Lemieux	Thériault
Bouchard	Dionne-Marsolais	Létourneau	<i>[Masson]</i>
<i>[Vachon]</i>	Doyer	Maltais	Tremblay
Bourdeau	Dufour	Marois	Turp
Caron	Girard	Morin	Valois
Champagne	Harel	<i>[Nicolet-Yamaska]</i>	Vermette
Charbonneau	Jutras	Pagé	
Charest	Lefebvre	Papineau	
<i>[Rimouski]</i>	Legault	Pinard	
	<i>[Rousseau]</i>	Richard	