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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Tuesday, 14 June 2005 — No. 168**

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

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**QUÉBEC**

The Assembly was called to order at 10.04 o'clock a.m.

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Moment of reflection

### **ROUTINE PROCEEDINGS**

#### **Introduction of Bills**

Mrs. Gauthier, Minister of Tourism, moved that leave be granted to introduce the following Bill:

119     An Act respecting the Ministère du Tourisme

The motion was carried.

#### **Presenting Papers**

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

The activity report of Financement-Québec for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2000-20050614)

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

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

(Sessional Paper No. 2001-20050614)

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The annual report of the Corporation d'hébergement du Québec for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2002-20050614)

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Mr. Marcoux, Minister of Justice, tabled the annual reports, for the fiscal year ended 31 March 2004, of the following professional orders:

— Ordre des acupuncteurs du Québec;  
(Sessional Paper No. 2003-20050614)

— Ordre des audioprothésistes du Québec;  
(Sessional Paper No. 2004-20050614)

— Ordre professionnel des travailleurs sociaux du Québec.  
(Sessional Paper No. 2005-20050614)

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Mrs. Beauchamp, Minister of Culture and Communications, tabled the following:

The annual management report of the Commission des biens culturels du Québec for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2006-20050614)

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Mrs. Théberge, Minister of Families, Seniors and the Status of Women, tabled the following:

The 2004-2005 report on the situation and needs of families and children of the Conseil de la famille et de l'enfance.

(Sessional Paper No. 2007-20050614)

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

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The annual management report of the Commission de la construction du Québec for the fiscal year ended 31 December 2004.

(Sessional Paper No. 2008-20050614)

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Mr. President tabled the following:

The annual report on the activities of the Lobbyists Commissioner of Québec for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2009-20050614)

The annual report of the Commission de la fonction publique, for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2010-20050614)

The report from the Auditor General of Québec on the administrative expenses of the Commission de la fonction publique, for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2011-20050614)

The report from the auditors who examined the financial statements of the Auditor General of Québec for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2012-20050614)

The activity report of the National Assembly for the fiscal year ended 31 March 2005.

(Sessional Paper No. 2013-20050614)

### **Presenting Reports from Committees**

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

A report from the Committee on Social Affairs, which met on 13 June 2005 for clause-by-clause consideration of the following Bill:

112 An Act to amend the Tobacco Act and other legislative provisions

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The report contains certain amendments to the bill.

(Sessional Paper No. 2014-20050614)

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

A report from the Committee on Planning and the Public Domain, which met on 7, 8, 9 and 13 June 2005 for clause-by-clause consideration of the following Bill:

111 An Act to amend various legislative provisions concerning municipal affairs

The report contains certain amendments to the bill.

(Sessional Paper No. 2015-20050614)

A report from the Committee on Planning and the Public Domain, which, on 26 January 2005, examined the orientation, activities and management of the Société d'habitation du Québec. The Committee also held deliberative meetings concerning this mandate on 18 November 2004 and on 26 January, 13 April and 24 May 2005. This report contains recommendations.

(Sessional Paper No. 2016-20050614)

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Mr. Mercier (Charlesbourg), member, tabled the following:

A report from the Committee on Culture, which, on 4 May 2005, held special consultations within the framework of the order of initiative on the diversity of cultural expressions. The Committee also held deliberative meetings concerning this mandate on 26 August, 23 November and 13 December 2004 and on 22 March, 7 April, 26 April and 2 June 2005. This report contains observations.

(Sessional Paper No. 2017-20050614)

### **Presenting Petitions**

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

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The abstract of a petition respecting financial assistance to the recipients of loans and bursaries at Bois-de-Boulogne college, and signed by 147 students of this college.

(Sessional Paper No. 2018-20050614)

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

The abstract of a petition respecting hemodynamics services at Cité de la Santé Hospital in Laval, and signed by 3500 citizens of Québec.

(Sessional Paper No. 2019-20050614)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Bouchard (Vachon) withdrew certain words deemed unparliamentary.

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 Committee:

- the Committee on Institutions, to hold public hearings within the framework of special consultations on Bill 103, An Act to amend the Act respecting administrative justice and other legislative provisions.

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**Motions Without Notice**

Mr. Arseneau (Îles-de-la-Madeleine) moved:

THAT the National Assembly express its sincerest condolences to the family, girlfriend and friends of Mr. Jocelyn Massé, who died under tragic circumstances in Honduras.

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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Mr. Couillard, Minister of Health and Social Services, moved:

THAT the National Assembly mark World Blood Donor Day.

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. Maltais (Taschereau), Mr. Després, Minister of Transport, and Mr. Légaré (Vanier) jointly moved:

THAT the National Assembly mark the 10<sup>th</sup> anniversary of the Commission de la capitale nationale du Québec and pay tribute to the excellence and exemplarity of its work.

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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Mr. Bernier (Montmorency) moved:

THAT the National Assembly mark the presence of poet Marcel Grenon and congratulate him on the publication of his book entitled "L'Envol des mots" which was given to the Members.

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 Committees:

- the Committee on Social Affairs, to continue its clause-by-clause consideration of Bill 38, An Act respecting the Health and Welfare Commissioner;
- the Committee on Public Finance, to give clause-by-clause consideration to Bill 102, An Act respecting the funding of certain pension plans;
- the Committee on Planning and the Public Domain, to hear the interested parties and give clause-by-clause consideration to the following Private Bills: Bill 220, An Act respecting Ville de Thetford Mines; Bill 224, An Act respecting Ville de Saint-Jean-sur-Richelieu; Bill 225, An Act to amend the Act to incorporate the town of Lake St. Joseph; Bill 227, An Act respecting Ville de Magog; Bill 230, An Act respecting Ville de Gaspé; and Bill 232, An Act to amend various loan by-laws issued by Ville de Montréal.

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

- the Committee on the National Assembly shall meet to establish the membership of the standing committees and to renew the list of temporary chairmen;

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- the Committee on Public Administration shall hold a deliberative meeting to concur in the Committee's preliminary accountability report and to prepare the autumn schedule;
- the Committee on Institutions shall hold a deliberative meeting to hear the Public Protector concerning her annual report.

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## **ORDERS OF THE DAY**

### **Government Bills**

#### *Passage*

Mr. Corbeil, Minister of Natural Resources and Wildlife, moved the passage of Bill 94, An Act to amend the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs and other legislative provisions.

After debate thereon, the motion was carried and, accordingly, Bill 94 was passed.

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By leave of the Assembly to set aside Standing Order 22, Mr. Kelley, Minister for Native Affairs, moved the passage of Bill 115, An Act to amend the Act respecting the Cree Regional Authority.

After debate thereon, the motion was carried and, accordingly, Bill 115 was passed.

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At 12.57 o'clock p.m., Mrs. Leblanc, Second Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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The proceedings resumed at 3.10 o'clock p.m.

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### *Report Stage*

The Assembly took into consideration the report from the Committee on Education on its clause-by-clause consideration of Bill 106, An Act to amend the Education Act and the Act respecting private education.

After debate thereon, the report was concurred in.

### **Government Motions**

The Assembly resumed the debate, which had been adjourned on 13 June 2005, on the amendment motion moved by Mr. Bourdeau (Berthier) within the framework of the debate 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.

The motion by Mr. Pelletier, Minister responsible for the Reform of Democratic Institutions, reads as follows:

THAT

- a select committee be established for the purpose of examining 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 13 members distributed as follows:
  - eight from the parliamentary group forming the Government, including the committee chairman and the Minister for the Reform of Democratic Institutions,

- four 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<sup>c</sup> 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;
    - 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, ethnocultural 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 citizens' committee may submit to the select committee its observations, conclusions and recommendations;
- the citizens' committee shall be composed of twelve persons registered on the list of electors, namely six women and six 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, so as to encourage citizen participation and to ensure the efficient collaboration of the citizens' committee members.

And the amendment motion by Mr. Bourdeau (Berthier) reads as follows:

THAT the motion under discussion be amended by adding, to the 27<sup>th</sup> paragraph, after the word "publicity," the following:

"including the distribution of the information package in all Québec households,".

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

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved the adjournment of the debate on the amendment moved by Mr. Bourdeau (Berthier).

The motion was carried.

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At 5.55 o'clock p.m., at the request of Mrs. Lamquin-Éthier, Deputy Government House Leader, Mr. Cusano, First Vice-President, suspended the proceedings until 8.00 o'clock p.m.

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The proceedings resumed at 8.07 o'clock p.m.

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## **Government Bills**

### *Report Stage*

The Assembly took into consideration the report from the Committee on Social Affairs on its clause-by-clause consideration of Bill 108, An Act to amend the Act respecting parental insurance and other legislative provisions, together with the amendments handed in by Mrs. Courchesne, Minister of Employment and Social Solidarity.

The amendments were declared in order, the Chair having made corrections in their form.

After debate thereon, the amendments were carried.

The report, as amended, was concurred in.

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The Assembly took into consideration the report from the Committee on Social Affairs on its clause-by-clause consideration of Bill 57, Individual and Family Assistance Act, together with the amendments handed in by Mrs. Courchesne, Minister of Employment and Social Solidarity.

The amendments were declared in order.

After debate thereon, the amendments were carried on division.

The report, as amended, was concurred in on division.

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## Government Motions

The Assembly resumed the debate, which had been adjourned earlier in today's sitting, on the amendment motion moved by Mr. Bourdeau (Berthier) within the framework of the debate 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, concerning the establishment of a select committee for the purpose of examining the draft bill replacing the *Election Act*, tabled on 15 December 2004.

By leave of the Assembly to set aside Standing Order 209, Mr. Thériault (Masson) moved:

THAT the amendment under discussion be subamended  
by adding, after the word "distribution", the words "of a  
summary".

The question was put on this motion; a recorded division was thereupon demanded.

The subamendment motion was carried on the following vote:

(Division No. **184** in Appendix)

Yeas: **86**    Nays: **0**    Abstentions: **0**

The question was then put on the amendment motion by Mr. Bourdeau (Berthier), as subamended; a recorded division was thereupon demanded.

The amendment motion, as subamended, was carried on the following vote:

(Division No. **185** in Appendix)

Yeas: **86**    Nays: **0**    Abstentions: **0**

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By leave of the Assembly to set aside Standing Order 209, Mr. Thériault (Masson) moved:

THAT the motion under discussion be amended by adding, in the 12<sup>th</sup> paragraph, after the words "the principle of equality of votes", the words " regional representation".

After debate thereon, the amendment motion was carried.

The debate continued on the motion moved by Mr. Pelletier, Minister responsible for the Reform of Democratic Institutions, as amended.

By leave of the Assembly to set aside Standing Order 209, Mr. Pelletier, Minister responsible for the Reform of Democratic Institutions, moved:

THAT the motion by the Minister responsible for the Reform of Democratic Institutions be amended by replacing the 21<sup>st</sup> paragraph by the following: "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 amendment motion was carried.

By leave of the Assembly to set aside Standing Order 209, he then moved:

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 22<sup>nd</sup> paragraph, the word "twelve" by the word "eight" and the words "six women and six men" by the words "four women and four men".

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The question was put on this motion; a recorded division was thereupon demanded.

At the request of Mr. Dupuis, Government House Leader, the division was deferred until Routine Proceedings on the next sitting day.

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Mr. Dupuis, Government House Leader, moved the adjournment of the Assembly until Wednesday, 15 June 2005, at 10.00 o'clock a.m.

The motion was carried.

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Accordingly, at 11.05 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Wednesday, 15 June 2005, at 10.00 o'clock a.m.

**MICHEL BISSONNET**

*President*

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## APPENDIX

### Recorded Divisions

On the subamendment motion moved by Mr. Thériault (Masson) to the amendment motion by Mr. Bourdeau (Berthier), within the framework of the debate on the motion by Mr. Pelletier, Minister responsible for the Reform of Democratic Institutions:

(Division No. 184)

### YEAS – 86

Arseneau	Corbeil	L'Écuyer	Papineau
Auclair	Côté	Lefebvre	Paquin
Audet	Couillard	Legault	Pelletier
Beauchamp	Courchesne	<i>[Chambly]</i>	Perreault
Beaudoin	Cousineau	Legault	Picard
Bergman	Delisle	<i>[Rousseau]</i>	Pinard
Bernard	Descoteaux	Legendre	Reid
Bertrand	Deslières	Léger	Richard
Blackburn	Dion	Lelièvre	Rioux
Bordeleau	Dionne-Marsolais	Lemieux	Robert
Bouchard	Doyer	Lessard	Simard
<i>[Vachon]</i>	Dufour	Loiselle	Soucy
Boucher	Dupuis	MacMillan	St-André
Bourdeau	Gabias	Maltais	Thériault
Caron	Gauthier	Marcoux	<i>[Anjou]</i>
Champagne	Gautrin	Marois	Thériault
Charbonneau	Girard	Mercier	<i>[Masson]</i>
Charest	Hamad	Moreau	Tomassi
<i>[Rimouski]</i>	Hamel	Morin	Tremblay
Charest	Houda-Pepin	<i>[Montmagny-L'Islet]</i>	Turp
<i>[Matane]</i>	James	Morin	Valois
Charlebois	Jérôme-Forget	<i>[Nicolet-Yamaska]</i>	Vermette
Chenail	Jutras	Mulcair	Vien
Cholette	Kelley	Ouimet	

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On the amendment motion by Mr. Bourdeau (Berthier), as subamended:

**(Division No. 185)**

*(Identical to Division No. 184)*