



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 8 June 2005 — No. 164

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

QUÉBEC

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

At the request of Mr. President, the Assembly observed a moment of reflection in memory of Mr. Oswald Richard, the father of Mrs. Lorraine Richard, Member for Duplessis.

ROUTINE PROCEEDINGS

Presenting Papers

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

The report on the activities of the Commissariat des incendies de la ville de Québec for 2004.

(Sessional Paper No. 1970-20050608)

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

The 2004 annual activity report of the Direction de l'indemnisation des victimes d'actes criminels.

(Sessional Paper No. 1971-20050608)

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

The annual report of the Société générale de financement for the fiscal year ended 31 December 2004.

(Sessional Paper No. 1972-20050608)

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Presenting Reports from Committees

Mr. Brodeur (Shefford), chairman, tabled the following:

A report from the Committee on Culture, which met on 7 June 2005 for clause-by-clause consideration of the following Bill:

- 101 An Act respecting the Ministère de l'Immigration et des Communautés culturelles

The report contains certain amendments to the bill.

(Sessional Paper No. 1973-20050608)

Presenting Petitions

By leave of the Assembly to set aside Standing Order 63, the abstracts of two petitions respecting the financing of the early childhood centres network were laid upon the Table:

- the first, being the abstract of a petition signed by 500 parents of children attending early childhood centres, by Mr. Hamad (Louis-Hébert);
(Sessional Paper No. 1974-20050608)
- the second, being the abstract of a petition signed by 929 parents of children attending early childhood centres in the riding of Jean-Lesage, by Mr. Mercier (Charlesbourg).
(Sessional Paper No. 1975-20050608)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

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

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

- the Committee on Institutions, to continue its public hearings within the framework of special consultations on Bill 109, Director of Public Prosecutions Act.

Motions Without Notice

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

THAT the National Assembly mark the political contribution of Mr. Lucien Cliche and his commitment to his region of adoption, Abitibi-Témiscamingue.

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 Mrs. Leblanc, Second Vice-President, the Assembly observed a minute of silence.

By leave of the Assembly to set aside Standing Order 185, Mr. Marcoux, Minister of Justice, and Mr. Bédard (Chicoutimi) jointly moved:

THAT the National Assembly mark the 40th anniversary of the Ministère de la Justice and the fundamental role it has played in creating today's Québec.

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, Mr. Tremblay (Lac-Saint-Jean) and Mr. Mulcair, Minister of the Environment, jointly moved:

THAT the National Assembly mark Clean Air 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 Orders 121 and 134, Mr. Morin, Chief Opposition Whip, moved:

THAT the committee membership and the terms of office of the standing committee chairmen and vice-chairmen be extended until 14 June 2005.

The motion was carried.

Accordingly, Mrs. Leblanc, Second Vice-President, informed the Assembly that the sitting of the Committee on the National Assembly scheduled to be held this morning was deferred until a later date.

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

THAT the Committee on Institutions, within the framework of the examination of Bill 103, An Act to amend the Act respecting administrative justice and other legislative provisions, hold special consultations and public hearings on 14 June 2005, in the Legislative Council Chamber, and that for this purpose it hear the following groups:

- President of the Tribunal administratif
- Front commun des personnes assistées sociales du Québec
- Barreau du Québec

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- Regroupement des accidentés de la route du Québec
- France Houle
- Association des groupes d'intervention en défense des droits en santé mentale du Québec
- Conférence des juges administratifs
- Conseil de la justice administrative
- Michel Cyr

A period of 30 minutes shall be allotted for the opening statements, which time period shall be divided as follows: 15 minutes for the members of the parliamentary group forming the Government and 15 minutes for the Members sitting in Opposition;

The presentation by each group shall last no more than 15 minutes and the exchange with the members of the 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 sitting in Opposition;

A period of 30 minutes shall be allotted for the closing statements, which time period shall be divided as follows: 15 minutes for the Members sitting in Opposition and 15 minutes for the members of the parliamentary group forming the Government;

The Minister of Justice 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

Mrs. Lamquin-Éthier, Deputy Government House Leader, convened the following Committees:

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- the Committee on Social Affairs, to give clause-by-clause consideration to Bill 108, An Act to amend the Act respecting parental insurance and other legislative provisions;
- the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 100, Budget Act No. 2 giving effect to the Budget Speech delivered on 30 March 2004 and to certain other budget statements;
- the Committee on Labour and the Economy, to give clause-by-clause consideration to Bill 94, An Act to amend the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs and other legislative provisions;
- the Committee on Planning and the Public Domain, to continue its clause-by-clause consideration of Bill 111, An Act to amend various legislative provisions concerning municipal affairs;
- the Committee on Education, to continue its clause-by-clause consideration of Bill 95, An Act to amend various legislative provisions of a confessional nature in the education field.

Mrs. Lamquin-Éthier, Deputy Government House Leader, withdrew the notice given at the sitting of 7 June 2005, for the Committee on Planning and the Public Domain to hear the interested parties and give clause-by-clause consideration to Private Bill 228, An Act to amend the Act respecting Ville de Chapais.

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

- the Committee on Public Administration shall hold a deliberative meeting to examine the financial commitments of the ministries.
- the Committee on Education shall hold a deliberative meeting to examine the draft final report on universities and to organize its autumn proceedings.

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ORDERS OF THE DAY

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Labour and the Economy on its clause-by-clause consideration of Bill 98, An Act to amend the Building Act and other legislative provisions.

After debate thereon, the report was concurred in.

Passage

Mr. Corbeil, Minister of Natural Resources and Wildlife, moved the passage of Bill 92, An Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions.

After debate thereon, the motion was carried on division and, accordingly, Bill 92 was passed.

Mrs. Gauthier, Minister of Tourism, moved the passage of Bill 97, An Act to amend the Act respecting the Régie des installations olympiques.

After debate thereon, the motion was carried on division and, accordingly, Bill 97 was passed.

At 12.43 o'clock p.m., at the request of Mrs. Lamquin-Éthier, Deputy Government House Leader, Mrs. Leblanc, Second Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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The proceedings resumed at 3.08 o'clock p.m.

Passage

Mr. Bergman, Minister of Revenue, moved the passage of Bill 110, An Act to amend the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons and other legislative provisions.

After debate thereon, the motion was carried and, accordingly, Bill 110 was passed.

Government Motions

The Assembly resumed the debate, which had been adjourned on 2 June 2005, on the amendment motion moved by Mrs. Lemieux, Official Opposition House Leader, 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 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 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:

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- M^c 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, 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 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 moved by Mrs. Lemieux, Official Opposition House Leader, reads as follows:

THAT the motion under discussion be amended by replacing its 2nd and 3rd paragraphs by the following:

- "– the committee shall be composed of 11 members distributed as follows:
 - three from the parliamentary group forming the Government, including the Minister for the Reform of Democratic Institutions,
 - three from the parliamentary group forming the Official Opposition,
 - three independent Members,
 - a chairman from the parliamentary group forming the Government and a vice-chairman from the parliamentary group forming the Official Opposition, both elected by two-thirds of the Members of the National Assembly;
- "– the chairman and vice-chairman do not have the right to vote;
- "– the parliamentary groups and the independent Members shall forward to the President of the Assembly the list of committee members within seven days after this motion has been carried. This list must favour an equal representation of men and women;"

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Mrs. Lamquin-Éthier, Deputy Government House Leader, moved the adjournment of the debate.

The motion was carried.

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 9 June 2005, at 10.00 o'clock a.m.

The motion was carried.

Accordingly, at 6.01 o'clock p.m., Mr. Cusano, First Vice-President, adjourned the Assembly until Thursday, 9 June 2005, at 10.00 o'clock a.m.

ROYAL ASSENT

On Wednesday, 8 June 2005, at 4.02 o'clock p.m., in the Office of the Lieutenant-Governor, in the presence of Mrs. Leblanc, Second Vice-President of the National Assembly, of Mr. Paquet (Laval-des-Rapides), the Delegate 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:

- 92 An Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions
- 96 An Act respecting the Ministère des Services gouvernementaux

MICHEL BISSONNET

President