



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 2 June 2005 — No. 160

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

QUÉBEC

The Assembly was called to order at 10.05 o'clock a.m.

Moment of reflection

ROUTINE PROCEEDINGS

Presenting Papers

Mr. President tabled the following:

The texts of three legislative acts examined by the members of the 9th Pupils' Parliament on 13 May 2005: Legislative Act No. 1, An Act to establish a "sport school" programme in all elementary schools for second and third cycle students; Legislative Act No. 2, An Act obliging elementary schools to require that all elementary students wear a uniform; Legislative Act No. 3, An Act obliging public elementary schools to develop naturalized schoolyards.

(Sessional Paper No. 1939-20050602)

Presenting Reports from Committees

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

A report from the Committee on Social Affairs, which, on 30 and 31 May and on 1 June 2005, held public hearings within the framework of special consultations on the following Bill:

112 An Act to amend the Tobacco Act and other legislative provisions
(Sessional Paper No. 1940-20050602)

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

A report from the Committee on Institutions, which, on 16, 17 and 18 March 2004 and on 21 and 22 April 2004, held public hearings within the framework of special consultations on Bill 2, An Act respecting the reciprocal issue and enforcement of support orders, and examined this Bill clause-by-clause:

The report contains certain amendments to the Bill.

(Sessional Paper No. 1941-20050602)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Arseneau (Îles-de-la-Madeleine) 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 Committees:

- the Committee on Education, to continue its public hearings within the framework of special consultations on Bill 95, An Act to amend various legislative provisions of a confessional nature in the education field;
- the Committee on Social Affairs, to hold public hearings within the framework of special consultations on Bill 108, An Act to amend the Act respecting parental insurance and other legislative provisions.

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Motions Without Notice

Mrs. Delisle, Minister for Youth Protection and Rehabilitation, moved:

THAT the National Assembly mark Québec Week of the Disabled, which is being held from 1 to 7 June 2005.

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

The debate being concluded, the motion was carried.

Mr. Després, Minister of Transport, moved:

THAT the National Assembly of Québec mark National Transport Week, which is being held this year from 2 to 11 June.

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 give clause-by-clause consideration to Bill 110, An Act to amend the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons and other legislative provisions;
 - the Committee on Labour and the Economy, to continue its public hearings within the framework of special consultations on Bill 94, An Act to amend the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs and other legislative provisions.
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Mrs. Leblanc, Second Vice-President, gave the following notice:

- the Committee on Culture shall hold a deliberative meeting for the purpose of organizing its proceedings.

ORDERS OF THE DAY

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Public Finance on its clause-by-clause consideration of Bill 96, An Act respecting the Ministère des Services gouvernementaux.

After debate thereon, the report was concurred in.

Passage in Principle

Mr. Bergman, Minister of Revenue, moved, —That Bill 100, Budget Act No. 2 giving effect to the Budget Speech delivered on 30 March 2004 and to certain other budget statements, do now pass in principle.

After debate thereon, the motion was carried and Bill 100 was accordingly passed in principle.

Mr. Dupuis, Government House Leader, moved that Bill 100 be referred for clause-by-clause consideration to the Committee on Public Finance.

The motion was carried.

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Mrs. Thériault, Minister of Immigration and Cultural Communities, moved, —That Bill 101, An Act respecting the Ministère de l'Immigration et des Communautés culturelles, do now pass in principle.

After debate thereon, the motion was carried and Bill 101 was accordingly passed in principle.

Mr. Dupuis, Government House Leader, moved that Bill 101 be referred for clause-by-clause consideration to the Committee on Culture.

The motion was carried.

At 12.17 o'clock p.m., at the request of Mr. Dupuis, Government House Leader, Mrs. Leblanc, Second Vice-President, suspended the proceedings until 3.00 o'clock p.m.

The proceedings resumed at 3.05 o'clock p.m.

Passage in Principle

Mrs. Normandeau, Minister of Municipal Affairs and Regions, moved, —That Bill 111, An Act to amend various legislative provisions concerning municipal affairs, do now pass in principle.

After debate thereon, the motion was carried and Bill 111 was accordingly passed in principle.

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved that Bill 111 be referred for clause-by-clause consideration to the Committee on Planning and the Public Domain.

The motion was carried.

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Mr. Fournier, Minister of Education, Recreation and Sports, moved, –That Bill 95, An Act to amend various legislative provisions of a confessional nature in the education field, do now pass in principle.

After debate thereon, the motion was carried and Bill 95 was accordingly passed in principle.

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved that Bill 95 be referred for clause-by-clause consideration to the Committee on Education.

The motion was carried.

Mr. Fournier, Minister of Education, Recreation and Sports, moved, –That Bill 106, An Act to amend the Education Act and the Act respecting private education, do now pass in principle.

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

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved that Bill 106 be referred for clause-by-clause consideration to the Committee on Education.

The motion was carried.

Government Motions

The Assembly resumed the debate, which had been adjourned on 1 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. 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 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^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;
 - 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.

At the end of her address, Mrs. Lemieux, Official Opposition House Leader, moved:

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;

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"— 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;".

At 5.58 o'clock p.m., Mr. Gendron, Third Vice-President, suspended the proceedings until 8.00 o'clock p.m.

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

Mr. Gendron, Third Vice-President, heard comments from both sides on the receivability of the amendment motion moved by Mrs. Lemieux, Official Opposition House Leader.

At 8.17 o'clock p.m., Mr. Gendron, Third Vice-President, took the matter under advisement and suspended the proceedings for a few minutes.

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The proceedings resumed at 8.37 o'clock p.m.

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

RULING FROM THE CHAIR

The amendment motion is receivable. It aims to modify the terms and conditions of the main motion without going against its principle.

The Assembly entered upon the debate on the amendment motion moved by Mrs. Lemieux, Official Opposition House Leader.

The debate was adjourned in the name of Mr. Paquet (Laval-des-Rapides).

At 11.59 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Friday, 3 June 2005, at 10.00 o'clock a.m.

MICHEL BISSONNET

President