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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Friday, 10 June 2005 — No. 166**

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

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**QUÉBEC**

The Assembly was called to order at 10.07 o'clock a.m.

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Moment of reflection

Mr. President informed the Assembly that he had received, within the prescribed time, a request for an urgent debate from Mr. Bédard, Deputy Opposition House Leader. This request is in relation to the Supreme Court of Canada decision which concludes that the Québec statutes regarding private health insurance go against the provisions of the Québec Charter of Human Rights and Freedoms.

He then tabled the following:

The letter, dated 10 June 2005, he had received from Mr. Bédard, Deputy Opposition House Leader, concerning the request for an urgent debate.  
(Sessional Paper No. 1987-20050610)

Mr. President rendered the following ruling:

#### RULING FROM THE CHAIR

The request for an urgent debate is receivable. The request concerns a specific matter, of special importance and which falls within the jurisdiction of the Assembly. Notwithstanding the fact that when the Assembly has extended hours of meeting priority must be given to the legislative business of Government, there will be no upcoming opportunity to discuss the matter, since all other procedures that would have permitted holding such a debate are inapplicable during this period.

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## ROUTINE PROCEEDINGS

### Presenting Papers

Mr. Fournier, Minister of Education, Recreation and Sports, tabled the following:

The financial statements of the Fondation universitaire de l'École des hautes études commerciales de Montréal, for the fiscal year ended 31 May 2004;  
(Sessional Paper No. 1988-20050610)

The financial statements of the Concordia University Foundation, for the fiscal year ended 31 May 2004;  
(Sessional Paper No. 1989-20050610)

The financial statements of the Fondation universitaire de l'Université de Montréal, for the fiscal year ended 31 May 2004;  
(Sessional Paper No. 1990-20050610)

The financial statements of the Fondation universitaire de l'Université du Québec for the fiscal year ended 31 May 2004;  
(Sessional Paper No. 1991-20050610)

A letter, dated 1 June 2005, concerning information regarding the activities of the Fondation universitaire de l'Université du Québec à Montréal.  
(Sessional Paper No. 1992-20050610)

### Presenting Petitions

Mr. Rioux (Iberville) 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 124 citizens of Québec.  
(Sessional Paper No. 1993-20050610)

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By leave of the Assembly to set aside Standing Order 63, Mr. Brodeur (Shefford) 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 689 citizens from the Granby region.

(Sessional Paper No. 1994-20050610)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Côté (Dubuc) 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**

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

- the Committee on Social Affairs, to continue its clause-by-clause consideration of Bill 57, Individual and Family Assistance Act;
- the Committee on Labour and the Economy, to continue its clause-by-clause consideration of Bill 99, An Act to amend the Act respecting the leasing of part of the water power of the Shipshaw River;
- the Committee on Education, to give clause-by-clause consideration to Bill 106, An Act to amend the Education Act and the Act respecting private education.

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**Motions Without Notice**

By leave of the Assembly to set aside Standing Order 185, Mrs. Normandeau, Minister of Municipal Affairs and Regions, and Mr. Legendre (Blainville) jointly moved:

THAT the National Assembly mark Municipalities Week, which was held from 5 to 11 June 2005 and whose theme was "À la santé de ma municipalité", and that it congratulate the 14 award winners, citizens, municipal employees and non-profit organizations, who will receive the Mérite municipal this Friday, 10 June. For the fifteenth year, the Mérite municipal pays tribute to the individuals and organizations having carried out exemplary work in the service of their community.

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. Dupuis, Government House Leader, moved:

THAT the National Assembly meet next Monday, 13 June 2005, at 10.00 o'clock a.m.

The motion was carried.

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## ORDERS OF THE DAY

### Urgent Debates

Before the urgent debate began on the Supreme Court of Canada decision, Mrs. Leblanc, Second Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this debate: 10 minutes shall be set aside for the independent Members; the two parliamentary groups will share equally the rest of the time 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 parliamentary groups, it having been agreed that this apportionment may not be carried out before the time allotted to both parliamentary groups has entirely expired; and individual addresses shall not be limited.

A debate arose thereon.

The debate expired and, pursuant to Standing Order 92, no question was put.

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At 1.00 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 3.05 o'clock p.m.

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### Government Bills

#### *Passage*

Mr. Lessard, Minister of Labour, moved the passage of Bill 98, An Act to amend the Building Act and other legislative provisions.

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After debate thereon, the motion was carried and, accordingly, Bill 98 was passed.

*Report Stage*

The Assembly took into consideration the report from the Committee on Public Finance on 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.

After debate thereon, the report was concurred in.

*Passage*

Mr. Marcoux, Minister of Justice, moved the passage of Bill 2, An Act respecting the reciprocal issue and enforcement of support orders.

After debate thereon, the motion was carried and, accordingly, Bill 2 was passed.

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Mr. Marcoux, Minister of Justice, moved the passage of Bill 104, An Act to amend the Code of Civil Procedure and other legislative provisions.

After debate thereon, the motion was carried and, accordingly, Bill 104 was passed.

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Mrs. Thériault, Minister of Immigration and Cultural Communities, moved the passage of Bill 101, An Act respecting the Ministère de l'Immigration et des Communautés culturelles.

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

*Report Stage*

The Assembly took into consideration the report from the Committee on Education on its clause-by-clause consideration of Bill 95, An Act to amend various legislative provisions of a confessional nature in the education field.

After debate thereon, the report was concurred in.

**Government Motions**

The Assembly resumed the debate, which had been adjourned on 9 June 2005, on the amendment motion moved by Mr. Pinard (Saint-Maurice) 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>e</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, 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 by Mr. Pinard (Saint-Maurice) reads as follows:

THAT the motion under discussion be amended:

first, by replacing the 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup> paragraphs by the following paragraphs:

- "– a citizens' committee on electoral matters shall assist the select committee, in a non-partisan manner, in carrying out its mandate, by providing the opinion of electors complementarily to that of the elected officials;
- the citizens' committee participates in the proceedings and hearings held by the committee;
- the citizens' committee takes part in the drafting of the select committee report and may include its observations, conclusions and recommendations therein;"

and, second, by replacing the 24<sup>th</sup> paragraph by the following paragraph:

- "– the selection of the citizens' committee members shall be conducted by a random draw among the eligible candidates, while ensuring the best possible representation of the diversity of Québec's population, particularly according to age and regions;"

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Mr. Dupuis, Government House Leader, moved the adjournment of the debate.

The motion was carried.

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Mr. Dupuis, Government House Leader, moved the adjournment of the Assembly until Monday, 13 June 2005, at 10.00 o'clock a.m.

The motion was carried.

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Accordingly, at 5.56 o'clock p.m., Mrs. Leblanc, Second Vice-President, adjourned the Assembly until Monday, 13 June 2005, at 10.00 o'clock a.m.

**MICHEL BISSONNET**

*President*