



---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Thursday, 9 December 2004 — No. 117**

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

---

**QUÉBEC**

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

—————  
Moment of reflection

### **ROUTINE PROCEEDINGS**

#### **Introduction of Bills**

Mr. Dumont (Rivière-du-Loup) moved that leave be granted to introduce the following Bill:

191 An Act to provide a fixed date for the election of Members of the National Assembly as of 16 April 2007.

The motion was carried.

#### **Presenting Papers**

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

The draft amendments to Bill 38, An Act respecting the Health and Welfare Commissioner.

(Sessional Paper No. 1483-20041209)

Mr. President tabled the following:

The report from the Director General of Elections of Québec on the implementation of section 30.8 of the *Act respecting school elections*, within the framework of the by-election held on 28 November 2004 in district no. 2 of the Commission scolaire de l'Estuaire.

(Sessional Paper No. 1484-20041209)

### Presenting Reports from Committees

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

A report from the Committee on Institutions, which, on 8 December 2004, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

219 An Act respecting the Association des policiers provinciaux du Québec.

The report contains amendments to the bill.

(Sessional Paper No. 1485-20041209)

The report was concurred in.

---

Mr. Paquet (Laval-des-Rapides), chairman, tabled the following:

The report from the Committee on Public Finance, which, on 8 December 2004, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

216 An Act respecting Desjardins Trust Inc. and Desjardins Specialized Financial Services Management Inc.

The report contains amendments to the bill.

(Sessional Paper No. 1486-20041209)

The report was concurred in.

**9 December 2004**

---

The report from the Committee on Public Finance, which, on 8 December 2004, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

210 An Act respecting Compagnie de cimetières catholiques des Bois-Francs.

The report does not contain any amendments to the bill.  
(Sessional Paper No. 1487-20041209)

The report was concurred in.

---

Mr. Jutras (Drummond), chairman, tabled the following:

A report from the Committee on Labour and the Economy, which, on 7 December 2004, examined the Report on the implementation of the provisions of the *Act respecting labour standards as regards differences in treatment*, pursuant to the second paragraph of section 4 of the *Act to amend the Act respecting labour standards as regards differences in treatment*.  
(Sessional Paper No. 1488-20041209)

---

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

A report from the Committee on Planning and the Public Domain, which, on 8 December 2004, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

208 An Act respecting Ville de Murdochville.

The report contains amendments to the bill.  
(Sessional Paper No. 1489-20041209)

The report was concurred in.

**9 December 2004**

---

A report from the Committee on Public Finance, which, on 8 December 2004, heard the interested parties with respect to the following Private Bill and examined this Bill clause-by-clause:

215 An Act respecting Ville de La Tuque.

The report contains amendments to the bill.

(Sessional Paper No. 1490-20041209)

The report was concurred in.

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

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

Copy of an article written by Mr. Claude Arpin, of *The Gazette* newspaper, dated 20 March 1997, concerning the activities of Option Canada.

(Sessional Paper No. 1491-20041209)

### **Deferred Divisions**

The Assembly took the division, which had been deferred at the sitting of 8 December 2004, on the motion by Mr. Corbeil, Minister for Forests, Wildlife and Parks, on behalf of Mr. Mulcair, Minister of the Environment, for the passage of Bill 44, An Act to amend the Act respecting the Ministère de l'Environnement, the Environment Quality Act and other legislative provisions.

The motion was carried on the following vote:

(Division No. **136** in Appendix)

Yeas: **107**    Nays: **0**    Abstentions: **0**

Accordingly, Bill 44 was passed.

9 December 2004

---

### Notices of Proceedings in Committees

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

- the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 78, An Act to amend the Act respecting the Caisse de dépôt et placement du Québec;
- the Committee on Institutions, to give clause-by-clause consideration to Bill 64, An Act to amend the Election Act;
- the Committee on Planning and the Public Domain, to continue its clause-by-clause consideration of Bill 75, An Act respecting the exercise of certain municipal powers in certain urban agglomerations;
- the Committee on Social Affairs, to give clause-by-clause consideration to Bill 57, Individual and Family Assistance Act.

---

Mr. President gave the following notice:

- the Committee on Agriculture, Fisheries and Food 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 Social Affairs on its clause-by-clause consideration of Bill 56, An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions, together with the amendment handed in by Mr. Couillard, Minister of Health and Social Services, and the amendment handed in by Mrs. Charest (Rimouski).

**9 December 2004**

---

The amendments were declared in order.

After debate thereon, the question was put on the amendment by Mr. Couillard, Minister of Health and Social Services; a recorded division was thereupon demanded.

The amendment handed in by Mrs. Charest (Rimouski) was negatived.

At the request of Mrs. Lamquin-Éthier, Deputy Government House Leader, the divisions on the amendment motion moved by Mr. Couillard, Minister of Health and Social Services, and on the report from the Committee on Social Affairs were deferred until Routine Proceedings on the next sitting day.

*Passage in Principle*

Mr. Couillard, Minister of Health and Social Services, moved, —That Bill 38, An Act respecting the Health and Welfare Commissioner, do now pass in principle.

And debate arising;

At the request of Mrs. Leblanc, Second Vice-President, Mrs. Harel (Hochelaga-Maisonneuve) withdrew certain words deemed unparliamentary.

And debate continuing;

\_\_\_\_\_

At 12.59 o'clock p.m., Mrs. Leblanc, Second Vice-President, suspended the proceedings until 3.00 o'clock p.m.

\_\_\_\_\_

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

\_\_\_\_\_

And debate continuing on the motion by Mr. Couillard, Minister of Health and Social Services, —That Bill 38, An Act respecting the Health and Welfare Commissioner, do now pass in principle;

**9 December 2004**

---

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

The motion was carried.

*Passage in Principle*

Mr. Reid, Minister of Education, moved, —That Bill 67, An Act to amend the Act respecting financial assistance for education expenses, do now pass in principle.

After debate thereon, the motion was carried and Bill 67 was accordingly passed in principle.

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved that Bill 67 be referred for clause-by-clause consideration to the Committee on Education.

The motion was carried.

---

Mr. Bergman, Minister of Revenue, moved, —That Bill 77, An Act to again amend the Act respecting the Ministère du Revenu, do now pass in principle.

After debate thereon, the motion was carried and Bill 77 was accordingly passed in principle.

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved that Bill 77 be referred for clause-by-clause consideration to the Committee on Public Finance.

The motion was carried.

---

Resuming the debate on the motion by Mr. Couillard, Minister of Health and Social Services, —That Bill 38, An Act respecting the Health and Welfare Commissioner, do now pass in principle;

At the request of Mr. Cusano, First Vice-President, Mrs. Marois (Taillon) withdrew certain words deemed unparliamentary.

**9 December 2004**

---

And debate continuing;

At the request of Mr. Cusano, First Vice-President, Mrs. Marois (Taillon) withdrew certain words deemed unparliamentary.

And debate continuing;

\_\_\_\_\_

At 6.00 o'clock p.m., Mr. Cusano, First Vice-President, suspended the proceedings until 8.00 o'clock p.m.

\_\_\_\_\_

The proceedings resumed at 8.06 o'clock p.m.

\_\_\_\_\_

*Passage in Principle*

And debate continuing on the motion by Mr. Couillard, Minister of Health and Social Services, —That Bill 38, An Act respecting the Health and Welfare Commissioner, do now pass in principle;

At the end of his address, Mr. Simard (Richelieu) moved the following hoist motion:

THAT the motion under debate be amended by striking out the word "now" and by adding at the end thereof the words "this day four months hence".

The hoist motion moved by Mr. Simard (Richelieu) was negatived.

By leave of the Assembly to set aside Standing Order 209, Mr. Couillard, Minister of Health and Social Services, moved the adjournment of the debate.

The motion was carried.

**9 December 2004**

---

Mr. Couillard, Minister of Health and Social Services, moved the adjournment of the Assembly until Friday, 10 December 2004, at 10.00 o'clock a.m.

The motion was carried.

---

Accordingly, at 10.08 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Friday, 10 December 2004, at 10.00 o'clock a.m.

**MICHEL BISSONNET**

*President*

9 December 2004

---

APPENDIX

Recorded Divisions

On the motion by Mr. Corbeil, Minister for Forests, Wildlife and Parks, on behalf of Mr. Mulcair, Minister of the Environment, for the passage of Bill 44, An Act to amend the Act respecting the Ministère de l'Environnement, the Environment Quality Act and other legislative provisions:

(Division No. 136)

YEAS - 107

Arseneau	Copeman	Jutras	Ouimet
Auclair	Corbeil	Kelley	Pagé
Audet	Côté	Lafrenière	Paquet
Bachand	Couillard	Lamquin-Éthier	Paquin
Beauchamp	Courchesne	Landry	Paradis
Beaudoin	Cousineau	L'Écuyer	Pelletier
Béchar	Delisle	Lefebvre	Perreault
Bédard	Descoteaux	Légaré	Picard
Bergman	Deslières	Legault	Pinard
Bernard	Després	<i>[Rousseau]</i>	Reid
Bernier	Dion	Legault	Rioux
Bordeleau	Doyer	<i>[Chambly]</i>	Robert
Bouchard	Dubuc	Legendre	Roy
<i>[Vachon]</i>	Dufour	Léger	Séguin
Boucher	Dumont	Lelièvre	Simard
Boulerice	Dupuis	Lemieux	St-André
Boulet	Fournier	Lessard	Théberge
Bourdeau	Gabias	Létourneau	Thériault
Brodeur	Gagnon-Tremblay	Loiselle	<i>[Anjou]</i>
Caron	Gauthier	Marcoux	Thériault
Chagnon	Gautrin	Marois	<i>[Masson]</i>
Charest	Girard	Marsan	Tomassi
<i>[Rimouski]</i>	Grondin	Mercier	Tremblay
Charest	Hamad	Moreau	Turp
<i>[Matane]</i>	Hamel	Morin	Vallières
Charlebois	Harel	<i>[Nicolet-Yamaska]</i>	Valois
Chenail	Houda-Pepin	Morin	Vermette
Cholette	James	<i>[Montmagny-L'Islet]</i>	Vien
Clermont	Jérôme-Forget	Normandeau	Whissell