



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 7 December 2004 — No. 115

**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

Introduction of Bills

Mr. President communicated to the Assembly and then laid upon the Table the report from the Law Clerk on the following Private Bill:

222 An Act respecting the « Institut universitaire de gériatrie de Sherbrooke et sa version Sherbrooke Geriatric University Institute ».

The report states that the notice was drafted and published in accordance with the Rules for the Conduct of Proceedings Respecting Private Bills.

(Sessional Paper No. 1464-20041207)

Mr. Vallières (Richmond) then moved that leave be granted to introduce Private Bill 222, An Act respecting the « Institut universitaire de gériatrie de Sherbrooke et sa version Sherbrooke Geriatric University Institute ».

This motion was carried.

Mr. Dupuis, Government House Leader, moved that Private Bill 222 be referred for consultations and clause-by-clause consideration to the Committee on Social Affairs and that the Minister of Health and Social Services be a member during its deliberations in respect of the said Bill.

This motion was carried.

Mr. President communicated to the Assembly and then laid upon the Table the report from the Law Clerk on the following Private Bill:

223 An Act respecting Ville de Baie-Comeau.

The report states that the notice was drafted and published in accordance with the Rules for the Conduct of Proceedings Respecting Private Bills.

(Sessional Paper No. 1465-20041207)

Mr. Dufour (René-Lévesque) then moved that leave be granted to introduce Private Bill 223, An Act respecting Ville de Baie-Comeau.

This motion was carried.

Mr. Dupuis, Government House Leader, moved that Private Bill 223 be referred for consultations and clause-by-clause consideration to the Committee on Planning and the Public Domain and that the Minister of Municipal Affairs, Sports and Recreation, be a member during its deliberations in respect of the said Bill.

This motion was carried.

Presenting Papers

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

A notice of classification from the Commission des biens culturels concerning Perreault bridge in Notre-Dame-des-Pins.

(Sessional Paper No. 1466-20041207)

Mrs. Gauthier, Minister of Agriculture, Fisheries and Food, tabled the following:

The annual management report of the Commission de protection du territoire agricole du Québec for the fiscal year ended 31 March 2004, as well as a companion document to the report.

(Sessional Paper No. 1467-20041207)

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

The annual report of the Corporation des maîtres électriciens du Québec for the fiscal year ended 31 July 2004.

(Sessional Paper No. 1468-20041207)

Mr. Corbeil, Minister for Forests, Wildlife and Parks, tabled the following:

The five opinions from the members of the advisory committee concerning the Parc national du Mont-Orford.

(Sessional Paper No. 1469-20041207)

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 26 November as well as on 1 and 2 December 2004 for clause-by-clause consideration of the following Bill:

- 56 An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions.

The report contains certain amendments to the bill.

(Sessional Paper No. 1470-20041207)

Presenting Petitions

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

The abstract of a petition respecting the establishment of a radiotherapy centre at the Hôtel-Dieu in Saint-Jérôme, and signed by 38,776 citizens of the Laurentides region.

(Sessional Paper No. 1471-20041207)

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Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

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

Copy of a letter, dated 4 November 2004, addressed to Mrs. Charlotte Poirier, responsible for access to information at the Ministère des Relations avec les citoyens et de l'Immigration, by Mrs. Stéphanie Gareau, political advisor at the office of the Chief Opposition Whip, concerning a request for information regarding francization courses for immigrants.

(Sessional Paper No. 1472-20041207)

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

An excerpt from the Registry of Lobbyists concerning information relating to Magna Entertainment Corp.

(Sessional Paper No. 1473-20041207)

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mrs. Roy (Lotbinière), Mr. Couillard, Minister of Health and Social Services, and Mrs. Harel (Hochelaga-Maisonneuve) jointly moved:

THAT the National Assembly mark the holding, in the National Capital, of the first International Francophone Conference on Fetal Alcohol Syndrome, next 9 and 10 December.

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

The debate being concluded, the motion was carried.

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

THAT, within the framework of the 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 Public Finance hear the Auditor General of Québec, on 7 December 2004, after Routine Proceedings, for a period of 60 minutes distributed as follows:

The presentation shall last no more than 20 minutes and the exchange with the members of the Committee shall last no more than 40 minutes, which time shall be shared equally among the members of the parliamentary group forming the Government and the Members sitting in Opposition;

That, upon the conclusion of this hearing, the Committee shall undertake the clause-by-clause consideration of this same bill until 1.00 o'clock p.m., from 3.00 o'clock p.m. to 6.00 o'clock p.m. and from 8.00 o'clock p.m. to 12.00 o'clock a.m. in the Legislative Council Room

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:

- the Committee on Public Finance, to hear the Auditor General on Bill 78, An Act to amend the Act respecting the Caisse de dépôt et placement du Québec, and to give clause-by-clause consideration thereto;
- the Committee on Education, to continue its public hearings within the framework of special consultations on Bill 73, An Act to amend the Education Act and the Act respecting private education;
- the Committee on Institutions, to hold public hearings within the framework of special consultations on Bill 80, An Act to amend the Police Act, and to give clause-by-clause consideration thereto.

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

- the Committee on Labour and the Economy shall examine 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*.

ORDERS OF THE DAY

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Transportation and the Environment on its clause-by-clause consideration of Bill 44, An Act to amend the Act respecting the Ministère de l'Environnement, the Environment Quality Act and other legislative provisions, together with the amendments handed in by Mr. Mulcair, Minister of the Environment.

The amendments were declared in order.

After debate thereon, the amendments were carried.

The report, as amended, was concurred in.

Passage in Principle

Mrs. Jérôme-Forget, Minister responsible for Government Administration, Chair of the Conseil du trésor, moved, —That Bill 74, An Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions, do now pass in principle.

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After debate thereon, the motion was carried and Bill 74 was accordingly passed in principle.

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved that Bill 74 be referred for clause-by-clause consideration to the Committee on Public Finance.

The motion was carried.

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 6 December 2004, on the motion by Mr. Béchard, Minister of Employment, Social Solidarity and Family Welfare, —That Bill 57, Individual and Family Assistance Act, do now pass in principle.

At 12.59 o'clock p.m., Mr. Cusano, First Vice-President, suspended the proceedings until 3.00 o'clock p.m.

The proceedings resumed at 3.11 o'clock p.m.

And debate continuing on the motion by Mr. Béchard, Minister of Employment, Social Solidarity and Family Welfare, —That Bill 57, Individual and Family Assistance Act, do now pass in principle;

At the end of his address, Mr. Bédard (Chicoutimi) moved the following motion to divide the said Bill:

THAT, pursuant to Standing Order 241, Bill 57, Individual and Family Assistance Act, be divided into two Bills, the first of which shall be entitled "An Act respecting income support and fostering social welfare" and shall comprise sections 19 to 35, 38 to 58, 61 to 65, 75 to 119 (2), (3), (5), (6), (7), (9), (10), (12), (13), (14), 120 to 124, 127 to 150, 152 to 159, 162 to 164, 166 to 168, 170 to 181 and 183 to 185, and the second which shall be entitled "An Act to foster the labour market entry of welfare recipients" and shall comprise sections 1 to 18, 36, 37, 59, 60, 66 to 74, 119 (1), (4), (8), (11), 125, 126, 151, 160, 161, 165, 169 and 182, 184 and 185.

At 5.14 o'clock p.m., after having heard arguments from both sides regarding the receivability of this motion, Mr. Gendron, Third Vice-President, took the matter under advisement.

At 5.41 o'clock p.m., after a suspension of the proceedings, Mr. Gendron, Third Vice-President, rendered the following ruling:

RULING FROM THE CHAIR

The motion to divide is not receivable. The Standing Orders stipulate that any bill containing two or more distinct principles may be proposed to be divided. However, in order to be receivable, a motion to divide must result in bills that are coherent, complete and that can stand alone. In the case in point, the two bills stemming from the motion to divide would not meet these criteria, since certain sections of the second bill resulting from the division refer to the first bill resulting therefrom and vice versa. These considerations are sufficient to declare that the motion to divide is not receivable. It is for this reason that the Chair is not required to determine whether the bill contains more than one principle.

And debate continuing on the motion by Mr. Béchar, Minister of Employment, Social Solidarity and Family Welfare, —That Bill 57, Individual and Family Assistance Act, do now pass in principle;

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

The proceedings resumed at 8.05 o'clock p.m.

Passage in Principle

And debate continuing on the motion by Mr. Béchar, Minister of Employment, Social Solidarity and Family Welfare, —That Bill 57, Individual and Family Assistance Act, do now pass in principle;

At the end of his address, Mr. Charbonneau (Borduas) moved the following motion to divide the said Bill:

THAT, pursuant to Standing Order 241, Bill 57, Individual and Family Assistance Act, be divided into two Bills, the first of which shall be entitled "An Act respecting income support and fostering social welfare" and shall comprise sections 14, 16 and 17, 19 to 65, 75 to 124, 126 to 168, 170 to 181 and 183 to 185, and the second which shall be entitled "An Act to foster the labour market entry of welfare recipients" and shall comprise sections 1 to 18, 25, 29, 33 to 37, 59 to 76, 96 to 108, 110, 119, 125, 142, 144, 148 to 150, 169, 179 and 182 to 185.

At 8.54 o'clock p.m., after having heard arguments from both sides regarding the receivability of this motion, Mr. Cusano, First Vice-President, took the matter under advisement.

At 9.34 o'clock p.m., after a suspension of the proceedings, Mr. Cusano, First Vice-President, rendered the following ruling:

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RULING FROM THE CHAIR

The motion to divide is not receivable on the same grounds as those stated in the ruling rendered previously. In order to be receivable, a motion to divide must result in bills that are coherent, complete and that can stand alone. Hence, the two bills stemming from the motion to divide would not meet these criteria, since certain sections that appear in one bill refer to elements contained in only one of the two bills.

And debate continuing on the motion by Mr. Béchard, Minister of Employment, Social Solidarity and Family Welfare, –That Bill 57, Individual and Family Assistance Act, do now pass in principle;

The debate being concluded, the question was put on this motion; a recorded division was thereupon demanded.

At the request of Mrs. Lamquin-Éthier, Deputy Government House Leader, the division was deferred until Routine Proceedings on the next sitting day.

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved the adjournment of the Assembly until Wednesday, 8 December 2004, at 10.00 o'clock a.m.

The motion was carried.

Accordingly, at 9.39 o'clock p.m., Mr. Cusano, First Vice-President, adjourned the Assembly until Wednesday, 8 December 2004, at 10.00 o'clock a.m.

MICHEL BISSONNET

President