



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 18 November 2004 — No. 105

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

QUÉBEC

The Assembly was called to order at 10.08 o'clock a.m.

ORDERS OF THE DAY

Government Bills

Passage in Principle

The Assembly resumed the debate, which had been adjourned at the sitting of 17 November 2004, on the motion by Mrs. Jérôme-Forget, Minister responsible for Government Administration, Chair of the Conseil du trésor, —That Bill 61, An Act respecting the Agence des partenariats public-privé du Québec, do now pass in principle.

At the end of her address, Mrs. Lemieux (Bourget) 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 six months hence".

Having suspended the proceedings to meet with the House Leaders, Mrs. Leblanc, Second Vice-President, announced the allocation of speaking time for the limited debate on this hoist motion: ten minutes shall be set aside for the independent Members; the two parliamentary groups shall share equally the rest of the time allotted for this debate; any time not used by a parliamentary group may be added to that of the other group, while any time not used by the independent Members shall be redistributed equally amongst the parliamentary groups; within this framework, individual addresses shall not be limited.

The Assembly entered upon the debate on the hoist motion moved by Mrs. Lemieux (Bourget).

18 November 2004

At 11.58 o'clock a.m., Mrs. Leblanc, Second Vice-President, suspended the proceedings until 2.00 o'clock p.m.

The proceedings resumed at 2.11 o'clock p.m.

Moment of reflection

ROUTINE PROCEEDINGS

Presenting Papers

Mr. Béchard, Minister of Employment, Social Solidarity and Family Welfare, tabled the following:

The annual management report of the Conseil de la famille et de l'enfance for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1402-20041118)

An agreement to amend the management agreement concerning the Centre de recouvrement of the Ministère de l'Emploi, de la Solidarité sociale et de la Famille.

(Sessional Paper No. 1403-20041118)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

18 November 2004

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Couillard, Minister of Health and Social Services, Mrs. Charest (Rimouski), Mr. Dumont (Rivière-du-Loup), Mr. Grondin (Beauce-Nord), Mr. Légaré (Vanier), Mr. Picard (Chutes-de-la-Chaudière) and Mrs. Roy (Lotbinière) jointly moved:

THAT the National Assembly mark Schizophrenia Awareness Day.

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

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

At the request of Mr. Dupuis, Government House Leader, the division was deferred until Routine Proceedings on the next sitting day.

Mr. Béchard, Minister of Employment, Social Solidarity and Family Welfare, moved:

THAT the National Assembly mark Universal Children's Day and that, on the occasion of the 15th anniversary of the adoption of the Convention on the Rights of the Child, it reiterate its support of the principles set forth in this declaration and reaffirm the importance of implementing measures to ensure the protection, development and growth of our children.

By leave of the Assembly under Standing Order 84, the motion was carried.

Mr. Marsan (Robert-Baldwin) moved:

THAT the National Assembly mark Chronic Obstructive Pulmonary Disease Awareness Day.

18 November 2004

By leave of the Assembly under Standing Order 84, the motion was carried.

Mrs. Marois (Taillon) moved:

THAT the National Assembly mark International Philosophy Day by reaffirming the importance of philosophical reflection and the teaching thereof, particularly in Québec's college network.

By leave of the Assembly under Standing Order 84, the motion was carried.

Pursuant to Standing Order 129, Mr. Morin, Chief Opposition Whip, moved the following motion:

THAT the Member for Joliette, Mr. Jonathan Valois, be named a member of the Standing Committee on Institutions, thus replacing the Member for Ungava, and that this modification be effective immediately.

As the question was put on this motion, a recorded division was thereupon demanded by the Member for Chutes-de-la-Chaudière. The Government House Leader raised a point of order to the effect that one independent Member alone cannot demand a recorded division.

At 3.21 o'clock p.m., Mr. Cusano, First Vice-President, suspended the proceedings to take the matter under advisement.

18 November 2004

The proceedings resumed at 3.49 o'clock p.m.

Mr. Cusano, First Vice-President, rendered the following ruling:

RULING FROM THE CHAIR

Standing Order 220 provides that voting shall be by a show of hands unless five Members demand a recorded division. It is customary, however, to take for granted that when the House Leader or the Deputy House Leader of a parliamentary group asks for a recorded division, it was demanded by at least five Members. With regard to the independent Members, the President of the National Assembly has, since the resumption of proceedings in October, always accepted the requests for recorded divisions made by the Member for Chutes-de-la-Chaudière upon verifying that at least five independent Members were present in the Assembly. In the case in point, the Chair intends to apply the same practice.

Immediately after the Chair gave its ruling, the Official Opposition House Leader raised a point of order in relation to the fact that the Chair had already declared the motions carried. She maintained that, in a similar situation that took place at the previous sitting, the Chair had refused to retake the vote on a motion whose result had already been announced.

At 3.56 o'clock p.m., Mr. Cusano, First Vice-President, suspended the proceedings to take the matter under advisement.

The proceedings resumed at 4.46 o'clock p.m.

Mr. Cusano, First Vice-President, rendered the following ruling:

RULING FROM THE CHAIR

These are two different situations since yesterday, no request for a recorded division was made when the question was put on the subamendment motion moved by the Member for Masson. A vote by a show of hands had been held and the motion had been negatived.

18 November 2004

Today, a recorded division was formally requested by the Member for Chutes-de-la-Chaudière before the result of the vote had been announced. The Chair made an honest mistake by refusing to give its assent to the request made by the Member for Chutes-de-la-Chaudière and could not proclaim the result of this vote without having permitted that the recorded division be held. Consequently, it considers that it is its duty to not interfere with the right of the independent Members and recognizes the request for a recorded division that had been made in accordance with the Standing Orders.

By leave of the Assembly, the first motion by Mr. Morin, Chief Opposition Whip, was carried.

Pursuant to Standing Order 129, Mr. Morin, Chief Opposition Whip, moved the following motion:

THAT the Member for Rimouski, Mrs. Solange Charest, be named a member of the Standing Committee on Social Affairs, thus replacing the Member for Joliette, and that this modification be effective immediately.

The question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **123** in Appendix)

Yeas: **82** Nays: **0** Abstentions: **0**

Pursuant to Standing Order 129, Mr. Morin, Chief Opposition Whip, moved the following motion:

THAT the Member for Laurier-Dorion, Mrs. Elsie Lefebvre, be named a member of the Standing Committee on Social Affairs, thus replacing the Member for Duplessis, and that this modification be effective immediately.

18 November 2004

The question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **124** in Appendix)

Yeas: **84** Nays: **0** Abstentions: **0**

Pursuant to Standing Order 129, Mr. Morin, Chief Opposition Whip, moved the following motion:

THAT the Member for Gouin, Mr. Nicolas Girard, be named a member of the Standing Committee on Social Affairs, thus replacing the Member for Borduas, and that this modification be effective immediately.

The question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **125** in Appendix)

Yeas: **84** Nays: **0** Abstentions: **0**

Pursuant to Standing Order 129, Mr. Morin, Chief Opposition Whip, moved the following motion:

THAT the Member for Taschereau, Mrs. Agnès Maltais, be named a member of the Standing Committee on Public Administration, thus replacing the Member for Berthier, and that this modification be effective immediately.

18 November 2004

The question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **126** in Appendix)

Yeas: **84** Nays: **0** Abstentions: **0**

Notices of Proceedings in Committees

Mr. Cusano, First 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

Passage in Principle

The Assembly continued the debate on the hoist motion moved by Mrs. Lemieux (Bourget) during the debate on the passage in principle of Bill Bill 61, An Act respecting the Agence des partenariats public-privé du Québec.

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

18 November 2004

The hoist motion was negated on the following vote:

(Division No. **127** in Appendix)

Yeas: **29** Nays: **52** Abstentions: **0**

Debates Upon Adjournment

The Assembly held a debate upon adjournment between Mrs. Doyer (Matapédia) and Mr. Hamad, Minister of Natural Resources, Wildlife and Parks, about the policy on the expanded and safe use of chrysotile.

At 6.20 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Tuesday, 23 November 2004, at 10.00 o'clock a.m.

MICHEL BISSONNET

President

18 November 2004

APPENDIX

Recorded Divisions

On the motion by Mr. Morin, Chief Opposition Whip, to appoint the Member for Rimouski, Mrs. Solange Charest, as a member of the Standing Committee on Social Affairs:

(Division No. 123)

YEAS – 82

Auclair	Côté	Jérôme-Forget	Paquet
Bachand	Couillard	Jutras	Paradis
Beaudoin	Delisle	Lamquin-Éthier	Perreault
Bédard	Descoteaux	Lefebvre	Picard
Bergman	Deslières	Légaré	Pinard
Bernard	Després	Legault	Reid
Bernier	Doyer	<i>[Chambly]</i>	Richard
Blackburn	Dubuc	Legendre	Rioux
Bordeleau	Dufour	Léger	Robert
Bouchard	Dumont	Lelièvre	Roy
<i>[Vachon]</i>	Dupuis	Lemieux	Simard
Bourdeau	Fournier	Lessard	Soucy
Brodeur	Gabias	Maltais	Thériault
Chagnon	Gagnon-Tremblay	Marcoux	<i>[Masson]</i>
Champagne	Gaudet	Marois	Tomassi
Charest	Gauthier	Marsan	Vallières
<i>[Matane]</i>	Gautrin	Mercier	Valois
Charest	Girard	Morin	Vermette
<i>[Rimouski]</i>	Grondin	<i>[Nicolet-Yamaska]</i>	Vien
Charlebois	Hamad	Morin	Whissell
Chenail	Hamel	<i>[Montmagny-L'Islet]</i>	
Cholette	Houda-Pepin	Mulcair	
Corbeil	James	Ouimet	

18 November 2004

On the motion by Mr. Morin, Chief Opposition Whip, to appoint the Member for Laurier-Dorion, Mrs. Elsie Lefebvre, as a member of the Standing Committee on Social Affairs:

(Division No. 124)

YEAS – 84

Auclair	Corbeil	James	Mulcair
Bachand	Côté	Jérôme-Forget	Ouimet
Beaudoin	Couillard	Jutras	Paquet
Bédard	Delisle	Lamquin-Éthier	Paradis
Bergman	Descoteaux	Lefebvre	Perreault
Bernard	Deslières	Légaré	Picard
Bernier	Després	Legault	Pinard
Blackburn	Doyer	<i>[Chambly]</i>	Reid
Bordeleau	Dubuc	Legault	Richard
Bouchard	Dufour	<i>[Rousseau]</i>	Rioux
<i>[Vachon]</i>	Dumont	Legendre	Robert
Bourdeau	Dupuis	Léger	Roy
Brodeur	Fournier	Lelièvre	Simard
Chagnon	Gabias	Lemieux	Soucy
Champagne	Gagnon-Tremblay	Lessard	Thériault
Charest	Gaudet	Maltais	<i>[Masson]</i>
<i>[Rimouski]</i>	Gauthier	Marcoux	Tomassi
Charest	Gautrin	Marois	Vallières
<i>[Matane]</i>	Girard	Marsan	Valois
Charlebois	Grondin	Mercier	Vermette
Chenail	Hamad	Morin	Vien
Cholette	Hamel	<i>[Nicolet-Yamaska]</i>	Whissell
Copeman	Houda-Pepin	Morin	
		<i>[Montmagny-L'Islet]</i>	

18 November 2004

On the motion by Mr. Morin, Chief Opposition Whip, to appoint the Member for Gouin, Mr. Nicolas Girard, as a member of the Standing Committee on Social Affairs:

(Division No. 125)

YEAS – 84

Auclair	Corbeil	James	Mulcair
Bachand	Côté	Jérôme-Forget	Ouimet
Beaudoin	Couillard	Jutras	Paquet
Bédard	Delisle	Lamquin-Éthier	Paradis
Bergman	Descoteaux	Lefebvre	Perreault
Bernard	Deslières	Légaré	Picard
Bernier	Després	Legault	Pinard
Blackburn	Doyer	<i>[Chambly]</i>	Reid
Bordeleau	Dubuc	Legault	Richard
Bouchard	Dufour	<i>[Rousseau]</i>	Rioux
<i>[Vachon]</i>	Dumont	Legendre	Robert
Bourdeau	Dupuis	Léger	Roy
Brodeur	Fournier	Lelièvre	Simard
Chagnon	Gabias	Lemieux	Soucy
Champagne	Gagnon-Tremblay	Lessard	Thériault
Charest	Gaudet	Maltais	<i>[Masson]</i>
<i>[Rimouski]</i>	Gauthier	Marcoux	Tomassi
Charest	Gautrin	Marois	Vallières
<i>[Matane]</i>	Girard	Marsan	Valois
Charlebois	Grondin	Mercier	Vermette
Chenail	Hamad	Morin	Vien
Cholette	Hamel	<i>[Nicolet-Yamaska]</i>	Whissell
Copeman	Houda-Pepin	Morin	
		<i>[Montmagny-L'Islet]</i>	

18 November 2004

On the motion by Mr. Morin, Chief Opposition Whip, to appoint the Member for Taschereau, Mrs. Agnès Maltais, as a member of the Standing Committee on Public Administration:

(Division No. 126)

YEAS – 84

Auclair	Corbeil	James	Mulcair
Bachand	Côté	Jérôme-Forget	Ouimet
Beaudoin	Couillard	Jutras	Paquet
Bédard	Delisle	Lamquin-Éthier	Paradis
Bergman	Descoteaux	Lefebvre	Perreault
Bernard	Deslières	Légaré	Picard
Bernier	Després	Legault	Pinard
Blackburn	Doyer	<i>[Chambly]</i>	Reid
Bordeleau	Dubuc	Legault	Richard
Bouchard	Dufour	<i>[Rousseau]</i>	Rioux
<i>[Vachon]</i>	Dumont	Legendre	Robert
Bourdeau	Dupuis	Léger	Roy
Brodeur	Fournier	Lelièvre	Simard
Chagnon	Gabias	Lemieux	Soucy
Champagne	Gagnon-Tremblay	Lessard	Thériault
Charest	Gaudet	Maltais	<i>[Masson]</i>
<i>[Rimouski]</i>	Gauthier	Marcoux	Tomassi
Charest	Gautrin	Marois	Vallières
<i>[Matane]</i>	Girard	Marsan	Valois
Charlebois	Grondin	Mercier	Vermette
Chenail	Hamad	Morin	Vien
Cholette	Hamel	<i>[Nicolet-Yamaska]</i>	Whissell
Copeman	Houda-Pepin	Morin	
		<i>[Montmagny-L'Islet]</i>	

18 November 2004

On the hoist motion moved by Mrs. Lemieux (Bourget) during the debate on the passage in principle of Bill 61, An Act respecting the Agence des partenariats public-privé du Québec:

(Division No. 127)

YEAS – 29

Beaudoin	Côté	Legendre	Richard
Bédard	Deslières	Léger	Robert
Bertrand	Doyer	Lelièvre	Simard
Bouchard	Dufour	Lemieux	Thériault
<i>[Vachon]</i>	Girard	Maltais	<i>[Masson]</i>
Bourdeau	Jutras	Marois	Valois
Champagne	Lefebvre	Morin	Vermette
Charest	Legault	<i>[Nicolet-Yamaska]</i>	
<i>[Rimouski]</i>	<i>[Rousseau]</i>	Pinard	

NAYS – 52

Auclair	Cholette	Hamad	Ouimet
Bachand	Copeman	Hamel	Paquet
Bergman	Couillard	Houda-Pepin	Paradis
Bernard	Delisle	James	Perreault
Bernier	Descoteaux	Jérôme-Forget	Picard
Blackburn	Després	Lamquin-Éthier	Reid
Bordeleau	Dubuc	L'Écuyer	Rioux
Boulet	Dumont	Legault	Roy
Brodeur	Dupuis	<i>[Chambly]</i>	Soucy
Chagnon	Gabias	Lessard	Tomassi
Charest	Gagnon-Tremblay	Marsan	Vallières
<i>[Matane]</i>	Gaudet	Mercier	Vien
Charlebois	Gauthier	Morin	Whissell
Chenail	Gautrin	<i>[Montmagny-L'Islet]</i>	