



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 19 October 2004 — No. 91

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

QUÉBEC

The Assembly was called to order at 2.07 o'clock p.m.

Moment of reflection

Mr. President tabled the following:

A letter, dated 17 August 2004, he had received from Mr. André Boisclair, informing him of his resignation as Member for Gouin and as Official Opposition House Leader, effective on that date.

(Sessional Paper No. 1097-20041019)

A letter, dated 18 August 2004, he had received from Mr. Landry, Leader of the Official Opposition, informing him of the appointment of Mrs. Diane Lemieux, Member for Bourget, as Official Opposition House Leader, effective on that date.

(Sessional Paper No. 1098-20041019)

A letter, dated 14 September 2004, he had received from Mr. Landry, Leader of the Official Opposition, informing him of the appointment of Mr. Jacques Côté, Member for Dubuc, as Deputy Opposition Whip, effective 9 September 2004.

(Sessional Paper No. 1099-20041019)

Mr. President then read an excerpt of a letter, dated 28 September 2004, which the Secretary General of the National Assembly had received from the Chief Electoral Officer of Québec, regarding the by-elections held on 20 September 2004 in the Electoral Divisions of Gouin, Laurier-Dorion, Nelligan and Vanier.

Mr. President then tabled the following:

The aforementioned letter accompanied by a notice proclaiming Mr. Nicolas Girard the candidate returned in the Electoral Division of Gouin, Mrs. Elsie Lefebvre the candidate returned in the Electoral Division of Laurier-Dorion, Mrs. Yolande James the candidate returned in the Electoral Division of Nelligan, and Mr. Sylvain Légaré the candidate returned in the Electoral Division of Vanier.

(Sessional Paper No. 1100-20041019)

19 October 2004

At the invitation of Mr. President, Mr. Landry, Leader of the Official Opposition, welcomed the new Member for Gouin, Mr. Girard, and the new Member for Laurier-Dorion, Mrs. Lefebvre.

At the invitation of Mr. President, Mr. Charest, Premier, welcomed the new Member for Nelligan, Mrs. James.

Mr. Girard (Gouin), Mrs. Lefebvre (Laurier-Dorion) and Mrs. James (Nelligan) each took the floor.

Mr. Charest, Premier, Mr. Landry, Leader of the Official Opposition, and Mr. Dumont (Rivière-du-Loup) made a few comments.

By leave of the Assembly to set aside Standing Order 59, Mr. Dumont (Rivière-du-Loup) tabled the following:

Copy of a letter, dated 19 October 2004, addressed to the Members of the National Assembly by Mr. Légaré, the Member for Vanier, explaining the reasons for his absence at the ceremony to welcome the Members who were elected in the by-elections held on 20 September 2004.

(Sessional Paper No. 1101-20041019)

Mr. President then invited the Assembly to elect a First Vice-President.

Mr. Charest, Premier, moved:

THAT Mr. William Cusano, Member for the Electoral Division of Viau, be elected First Vice-President of the National Assembly.

Mr. President proclaimed Mr. Cusano (Viau) elected as First Vice-President of the Assembly, pursuant to Standing Order 9.2.

Mr. Charest, Premier, Mr. Landry, Leader of the Official Opposition, and Mr. Dumont (Rivière-du-Loup) each took the floor.

Mr. President then welcomed the First Vice-President.

19 October 2004

ROUTINE PROCEEDINGS

Presenting Papers

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

The annual management report of the Conseil des aînés for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1102-20041019)

The orders-in-council concerning the implementation of a health services and social services organization integrated into the Local Health and Social Services Network Development Agencies territory of the following regions:

Saguenay—Lac-Saint-Jean;

(Sessional Paper No. 1103-20041019)

Gaspésie—Îles-de-la-Madeleine;

(Sessional Paper No. 1104-20041019)

Abitibi-Témiscamingue;

(Sessional Paper No. 1105-20041019)

Laurentides;

(Sessional Paper No. 1106-20041019)

Estrie;

(Sessional Paper No. 1107-20041019)

Montréal;

(Sessional Paper No. 1108-20041019)

Chaudières-Appalaches;

(Sessional Paper No. 1109-20041019)

Montréal;

(Sessional Paper No. 1110-20041019)

Capitale nationale;

(Sessional Paper No. 1111-20041019)

Outaouais;

(Sessional Paper No. 1112-20041019)

Mauricie et Centre-du-Québec;

(Sessional Paper No. 1113-20041019)

Laval;

(Sessional Paper No. 1114-20041019)

Côte-Nord;	(Sessional Paper No. 1115-20041019)
Lanaudière.	(Sessional Paper No. 1116-20041019)

The annual reports, for the fiscal year ended 31 March 2004, with regard to the implementation of the complaints examination procedure of the following Local Health and Social Services Network Development Agencies:

Saguenay—Lac-Saint-Jean;	(Sessional Paper No. 1117-20041019)
Laurentides;	(Sessional Paper No. 1118-20041019)
Lanaudière;	(Sessional Paper No. 1119-20041019)
Mauricie et Centre-du-Québec;	(Sessional Paper No.1120-20041019)
Outaouais;	(Sessional Paper No. 1121-20041019)
Côte-Nord;	(Sessional Paper No. 1122-20041019)
Laval.	(Sessional Paper No. 1123-20041019)

The annual reports, for the fiscal year ended 31 March 2004, of the following Local Health and Social Services Network Development Agencies:

Abitibi-Témiscamingue;	(Sessional Paper No. 1124-20041019)
Saguenay—Lac-Saint-Jean;	(Sessional Paper No. 1125-20041019)
Laurentides;	(Sessional Paper No. 1126-20041019)
Lanaudière;	(Sessional Paper No. 1127-20041019)
Mauricie—Centre-du-Québec;	(Sessional Paper No. 1128-20041019)
Etrie;	(Sessional Paper No. 1129-20041019)

19 October 2004

Côte-Nord;

(Sessional Paper No. 1130-20041019)

Laval.

(Sessional Paper No. 1131-20041019)

Mr. Dupuis, Government House Leader, moved:

THAT, pursuant to section 392 of the *Act respecting health services and social services*, the 2003-2004 annual reports of the Abitibi-Témiscamingue, Saguenay—Lac-Saint-Jean, Laurentides, Lanaudière, Mauricie—Centre-du-Québec, Estrie, Côte-Nord and Laval Local Health and Social Services Network Development Agencies be referred to the Committee on Social Affairs for consideration;

The Minister of Health and Social Services shall be a member of the said Committee during its proceedings with respect to this order of reference.

This motion was carried.

Mr. Dupuis, Minister of Justice, tabled the following:

The annual report of the Commission des services juridiques for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1132-20041019)

The annual management report of the Société québécoise d'information juridique for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1133-20041019)

The annual reports, for the fiscal year ended 31 March 2004, of the following professional orders:

Barreau du Québec;

(Sessional Paper No. 1134-20041019)

Ordre des chimistes du Québec;

(Sessional Paper No. 1135-20041019)

19 October 2004

Chambre des huissiers de justice du Québec;
(Sessional Paper No. 1136-20041019)
Ordre des hygiénistes dentaires du Québec;
(Sessional Paper No. 1137-20041019)
Ordre des infirmières et infirmiers auxiliaires du Québec;
(Sessional Paper No. 1138-20041019)
Chambre des notaires du Québec;
(Sessional Paper No. 1139-20041019)
Ordre des optométristes du Québec;
(Sessional Paper No. 1140-20041019)
Ordre des pharmaciens du Québec;
(Sessional Paper No. 1141-20041019)
Ordre des technologues en radiologie du Québec;
(Sessional Paper No. 1142-20041019)
Ordre des traducteurs, terminologues et interprètes agréés du Québec;
(Sessional Paper No. 1143-20041019)

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

The annual report of the Musée d'art contemporain de Montréal for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1144-20041019)

The annual management report of the Régie du cinéma for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1145-20041019)

The annual report of the Musée national des beaux-arts du Québec for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1146-20041019)

A notice of classification from the Commission des biens culturels du Québec, concerning the church of Saint-André and five of its works of art.

(Sessional Paper No. 1147-20041019)

The annual report of the Musée de la civilisation for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1148-20041019)

19 October 2004

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

The 2004-2005 action plan of Forêt Québec.

(Sessional Paper No. 1149-20041019)

The annual report of the Fondation de la faune du Québec for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1150-20041019)

Mr. President tabled the following:

The report of the Chief Electoral Officer of Québec on the implementation of section 90.5 of the *Act respecting elections and referendums in municipalities*, within the framework of the municipal referendums of 20 June 2004.

(Sessional Paper No. 1151-20041019)

The report of the Chief Electoral Officer of Québec concerning the official results of the by-elections held on 20 September 2004 in the Electoral Districts of Gouin, Laurier-Dorion, Nelligan and Vanier.

(Sessional Paper No. 1152-20041019)

The report of the Chief Electoral Officer of Québec concerning the implementation of section 490 of the *Election Act* during the by-elections held on 20 September 2004 in the Electoral Districts of Gouin, Laurier-Dorion, Nelligan and Vanier.

(Sessional Paper No. 1153-20041019)

The annual management report of the Chief Electoral Officer of Québec for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1154-20041019)

The annual management report of the Commission de la représentation électorale for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1155-20041019)

The report from the auditors who examined the expenses and appropriations authorized to the Auditor General of Québec for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1156-20041019)

19 October 2004

A letter, dated 15 September 2004, he had received from Mrs. Diane Boissinot, informing him of her resignation as interim chairman of the Commission d'accès à l'information, beginning on 24 September 2004.

(Sessional Paper No. 1157-20041019)

A letter, dated 17 September 2004, he had received from Mr. Gilles R. Tremblay, informing him of his resignation as member and chairman of the Commission de la fonction publique, beginning on 4 October 2004.

(Sessional Paper No. 1158-20041019)

Copy of a letter, dated 14 September 2004, he had addressed to Mr. Michel Poirier, concerning his appointment as interim chairman of the Commission de la fonction publique, beginning no later than 18 December 2004.

(Sessional Paper No. 1159-20041019)

The 1999-2004 report on the implementation of the *Act respecting the Conseil des aînés*.

(Sessional Paper No. 1160-20041019)

A letter, dated 19 October 2004, he had received from Mrs. Lemieux, Member for Bourget and Official Opposition House Leader, informing him of her resignation as chairman of the Committee on Labour and the Economy, beginning on this date.

(Sessional Paper No. 1161-20041019)

The following Decisions from the Office of the National Assembly, dated 17 June 2004:

Decision 1217 concerning the regulation to amend the regulation respecting financial management (Règlement modifiant le Règlement sur la gestion financière et administrative).

(Sessional Paper No. 1162-20041019)

Decision 1218 concerning the regulation to amend the regulation respecting the administrative organization plan of the National Assembly (Règlement modifiant le Règlement sur le plan d'organisation administrative de l'Assemblée nationale).

(Sessional Paper No. 1163-20041019)

Decision 1219 concerning the regulation respecting the promotion of the associate director of the Library (Règlement concernant la promotion du directeur associé à la Bibliothèque).

(Sessional Paper No. 1164-20041019)

19 October 2004

Decision 1220 concerning the regulation respecting the promotion of the director of material resources and restaurants (Règlement concernant la promotion du directeur des ressources matérielles et des restaurants).

(Sessional Paper No. 1165-20041019)

Decision 1221 concerning the regulation respecting the promotion of the director of the documentary studies services (Règlement concernant la promotion du directeur du Service des études documentaires).

(Sessional Paper No. 1166-20041019)

Decision 1222 concerning the regulation respecting the promotion of the director of the translation services (Règlement concernant la promotion de la directrice du Service de la traduction).

(Sessional Paper No. 1167-20041019)

Copy of the notice of motion by Mrs. Marois (Taillon) which will be placed on the *Order Paper and Notices* of Wednesday, 20 October 2004, under Business Standing in the Name of Members in Opposition.

(Sessional Paper No. 1168-20041019)

Presenting Reports from Committees

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

A report from the Committee on Institutions, which met on 21 September 2004 for clause-by-clause consideration of the following Bill:

- 46 An Act to amend the Act respecting Attorney General's prosecutors and the Labour Code.

The report contains certain amendments to the bill.

(Sessional Paper No. 1169-20041019)

A report from the Committee on Institutions, which met on 21 September 2004 for clause-by-clause consideration of the following Bill:

- 59 An Act to amend the Civil Code as regards marriage.

19 October 2004

The report contains an amendment to the bill.

(Sessional Paper No. 1170-20041019)

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

A report from the Committee on Public Finance, which, on 8, 9, 16, 22 and 28 September 2004, held special consultations and public hearings on Bill 195, An Act to amend the Supplemental Pension Plans Act. The Committee also held a deliberative meeting on 8 September 2004.

(Sessional Paper No. 1171-20041019)

A report from the Committee on Public Finance, which met on 28 September 2004 for clause-by-clause consideration of the following Bill:

- 45 An Act giving effect to the Budget Speech delivered on 12 June 2003 and to certain other budget statements.

The report contains certain amendments to the bill.

(Sessional Paper No. 1172-20041019)

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

A report from the Committee on Social Affairs, which, on 8 September 2004, heard the Nunavik Regional Health and Social Services Board within the framework of the examination of its 2002-2003 annual report.

(Sessional Paper No. 1173-20041019)

A report from the Committee on Social Affairs, which, on 8 September 2004, heard the Bas-Saint-Laurent Local Health and Social Services Network Development Agency within the framework of the examination of its 2002-2003 annual report.

(Sessional Paper No. 1174-20041019)

19 October 2004

A report from the Committee on Social Affairs, which, on 8 September 2004, heard the Outaouais Local Health and Social Services Network Development Agency within the framework of the examination of its 2002-2003 annual report.

(Sessional Paper No. 1175-20041019)

A report from the Committee on Social Affairs, which, on 14 September 2004, heard the Chaudière-Appalaches Local Health and Social Services Network Development Agency within the framework of the examination of its 2002-2003 annual report.

(Sessional Paper No. 1176-20041019)

A report from the Committee on Social Affairs, which, on 14 September 2004, heard the Estrie Local Health and Social Services Network Development Agency within the framework of the examination of its 2002-2003 annual report.

(Sessional Paper No. 1177-20041019)

A report from the Committee on Social Affairs, which, on 14 September 2004, heard the Mauricie et Centre-du-Québec Local Health and Social Services Network Development Agency within the framework of the examination of its 2002-2003 annual report.

(Sessional Paper No. 1178-20041019)

A report from the Committee on Social Affairs, which, on 21, 22, 23, 28 and 30 September 2004, held public hearings within the framework of a general consultation on Bill 56, An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions.

(Sessional Paper No. 1179-20041019)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Order 59, Mrs. Harel (Hochelaga-Maisonneuve) tabled the following:

Copy of a letter, dated 23 July 2003, addressed to Dr. Robert Perron by Mr. Yves Lamontagne, chairman of the Collège des médecins du Québec, concerning trade relations between groups of pharmacists and groups of medical doctors.

(Sessional Paper No. 1180-20041019)

19 October 2004

At 4.24 o'clock p.m., Mr. President suspended the proceedings of the Assembly to allow for the holding of an official ceremony to mark the royal proclamation designating 28 July of every year as A Day of Commemoration of the Great Upheaval.

The proceedings resumed at 5.36 o'clock p.m.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Charest, Premier, Mr. Landry, Leader of the Official Opposition, and Mr. Dumont (Rivière-du-Loup) jointly moved:

WHEREAS, on 13 June 2002 and on 10 December 2003, the National Assembly of Québec carried two motions supporting the Acadians and the steps they took in approaching the British Crown with regard to the Great Upheaval, which took place from 1755 to 1763;

WHEREAS, on 10 December 2003, the Governor General of Canada published a royal proclamation designating 28 July as A Day of Commemoration of the Great Upheaval;

WHEREAS, in 2004, Acadia is celebrating the 400th anniversary of its founding;

WHEREAS, in 2005, Acadia will commemorate the 250th anniversary of the Great Upheaval;

WHEREAS the Government of Québec intends to work towards strengthening the links between Québec and the Francophones of the Americas, particularly the Acadians, for the purpose of reinforcing the French fact;

19 October 2004

THAT, on the occasion of the 400th anniversary of the founding of Acadia and of the 250th anniversary of the Great Upheaval, the National Assembly of Québec join the Acadians in these commemorations that bespeak the vitality of the French fact in Canada as well as the undeniable courage and tenacity of those who have ensured its continuity.

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

Mr. Vallières, Chief Government Whip, moved:

THAT, pursuant to Standing Order 129, the Member for Pontiac be named a member of the Standing Committee on Transportation and the Environment, thus replacing the Member for Gatineau.

THAT this modification be effective immediately.

The motion was carried.

Mr. Vallières, Chief Government Whip, moved:

THAT, pursuant to Standing Order 129, the Member for Nelligan be named a member of the Standing Committee on Social Affairs, thus replacing the Member for Pontiac.

THAT this modification be effective immediately.

The motion was carried.

Notices of Proceedings in Committees

Mr. President gave the following notice:

19 October 2004

- the Committee on Public Administration shall hold a deliberative meeting to prepare the hearing with the Deputy Minister of Education concerning help to students experiencing problems; the Committee shall then hear the Deputy Minister of Education; finally, it shall hold a deliberative meeting to make observations with respect to this hearing.

Information on the Proceedings of the Assembly

Mr. President informed the Assembly that on Wednesday, 20 October 2004, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mrs. Marois (Taillon). This motion reads as follows:

THAT the National Assembly demand from the Liberal Government that any increase in equalization payments it may receive at the federal-provincial meeting of 26 October 2004 be primarily invested in the education sector.

Mr. President informed the Assembly that he had received three requests for debates upon adjournment:

- the first, on a question by Mrs. Marois (Taillon) to Mr. Reid, Minister of Education, about the increase in student debt;
- the second, on a question by Mrs. Harel (Hochelaga-Maisonneuve) to Mr. Couillard, Minister of Health and Social Services, about the benefits granted to physicians by pharmaceutical companies;
- the third, on a question by Mrs. Dionne-Marsolais (Rosemont) to Mr. Hamad, Minister of Natural Resources, Wildlife and Parks, about the examination of the wind energy potential.

By leave of the Assembly to set aside Standing Order 308, these debates were deferred until the end of the sitting on Wednesday, 20 October 2004.

19 October 2004

ORDERS OF THE DAY

Mr. Dupuis, Government House Leader, moved the adjournment of the Assembly until Wednesday, 20 October 2004, at 10.00 o'clock a.m..

The motion was carried.

Accordingly, at 5.49 o'clock p.m., Mr. President adjourned the Assembly until Wednesday, 20 October 2004, at 10.00 o'clock a.m.

ROYAL ASSENT

On Wednesday, 23 June 2004, at 2.02 o'clock p.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Bissonnet, President of the National Assembly, of Mr. Morin (Montmagny-L'Islet), the Delegate of the Premier, and of Mrs. Giguère, Director of the Secretariat of the Assembly and Delegate of the Secretary General, the Honourable Lise Thibault, Lieutenant-Governor of Québec, was pleased to assent to the following Private Bills:

- 206 An Act respecting Village de Kingsbury;
- 207 An Act respecting Ville de Blainville;
- 209 An Act respecting Ville de La Pocatière;
- 211 An Act respecting Ville de New Richmond;

19 October 2004

- 212 An Act respecting Ville de Brownsburg-Chatham, Ville de Lachute and
Municipalité de Wentworth-Nord;
- 213 An Act respecting the Municipalité régionale de comté d'Arthabaska;
- 214 An Act respecting Municipalité régionale de comté de Lac-Saint-Jean-
Est.

MICHEL BISSONNET

President