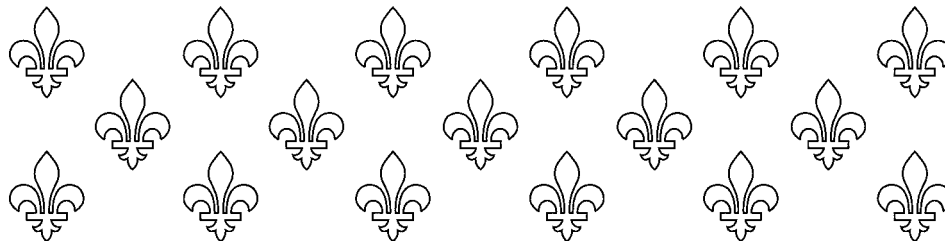


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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Thursday, 27 May 2004 — No. 78**

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

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**QUÉBEC**

The Assembly was called to order at 10.04 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:

214     An Act respecting Municipalité régionale de comté de Lac-Saint-Jean-Est.

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. 913-20040527)

Mr. Tremblay (Lac-Saint-Jean) then moved that leave be granted to introduce Private Bill 214, An Act respecting Municipalité régionale de comté de Lac-Saint-Jean-Est.

This motion was carried.

Mr. Dupuis, Government House Leader, moved that Private Bill 214 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.

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### **Presenting Papers**

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

The annual activity report of the Commission de la santé et de la sécurité du travail for the fiscal year ended 31 December 2003.

(Sessional Paper No. 914-20040527)

### **Presenting Petitions**

By leave of the Assembly to set aside Standing Order 63, Mr. Gabias (Trois-Rivières) tabled the following:

The abstract of a petition respecting energy security, and signed by 1529 students from the riding of Trois-Rivières.

(Sessional Paper No. 915-20040527)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Order 53, Mr. Chagnon, Minister of Public Security, tabled the following:

A press release by the Sûreté du Québec, dated 27 May 2004, in reply to an article published in the *Journal de Montréal*, concerning the activities of the Sûreté du Québec on the Kanesatake territory.

(Sessional Paper No. 916-20040527)

By leave of the Assembly to set aside Standing Order 53, Mr. Charest, Premier, tabled the following:

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Copy of an article written by Mr. Wayne Thibodeau, of *The Guardian* newspaper in Charlottetown, concerning the reaction of Mr. Pat Binns, Premier of Prince Edward Island, to the announcement made by Mr. Paul Martin, Prime Minister of Canada, of a health care reform plan.

(Sessional Paper No. 917-20040527)

By leave of the Assembly to set aside Standing Order 59, Mr. Boisclair, Official Opposition House Leader, tabled the following:

Copy of a document prepared by the Liberal Party of Canada, entitled "Les professionnels de santé et la classe politique font l'éloge du programme de réforme des libéraux".

(Sessional Paper No. 918-20040527)

### **Motions Without Notice**

Mr. Dupuis, Government House Leader, moved:

THAT, within the framework of the consideration of Bill 50, An Act to amend the Courts of Justice Act and other legislative provisions as regards the status of justices of the peace, the Committee on Institutions hold special consultations and public hearings on 28 May 2004, in Louis-Joseph-Papineau Room, and that for this purpose it hear the following group according to the schedule indicated hereafter:

THAT beginning at 3.00 o'clock p.m., the Committee shall hear the opening statements, which shall be distributed as follows: 10 minutes for the parliamentary group forming the Government and 10 minutes for the parliamentary group forming the Official Opposition;

THAT upon the conclusion of these statements, the Committee shall hear the Barreau du Québec;

THAT the group's presentation shall not exceed 20 minutes and the exchange with the members of the Committee shall not exceed 40 minutes, which time shall be shared equally among the members of the parliamentary group forming the Government and the Members sitting in Opposition;

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

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

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The Assembly held the debate, which had been deferred at the sitting of 6 May 2004, on the motion moved by Mr. Couillard, Minister of Health and Social Services, which motion having been carried at this sitting. This motion reads as follows:

THAT the National Assembly mark Mental Health Week.

#### **Notices of Proceedings in Committees**

Mr. Mulcair, Deputy Government House Leader, convened the following Committees:

- the Committee on Institutions, to conclude its hearings within the framework of special consultations with reference to the document entitled "La sécurité privée — partenaire de la sécurité intérieure";
  - the Committee on Transportation and the Environment, to hold special consultations within the framework of the consideration of Bill 48, An Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions.
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Mr. Gendron, Third Vice-President, gave the following notice:

- the Committee on Social Affairs shall hold a deliberative meeting for the purpose of organizing its proceedings and of continuing the discussion on order of initiative proposals.

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## ORDERS OF THE DAY

### Government Bills

#### *Passage in Principle*

Mrs. Courchesne, Minister of Relations with the Citizens and Immigration, moved, —That Bill 53, An Act to amend the Act respecting immigration to Québec, do now pass in principle.

And debate arising;

At the end of her address, Mrs. Papineau (Prévost) 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 five months hence".

Having suspended the proceedings to meet with the House leaders, Mr. Gendron, Third Vice-President, announced the allocation of speaking time for the limited debate on this motion: 10 minutes shall be set aside for the independent Members; the two parliamentary groups shall equally share the rest of the time allotted for this debate; within this framework, any time not used by a parliamentary group shall be added to that of the other group, while any time not used by the independent Members may be redistributed equally amongst the parliamentary groups, and individual addresses shall not be limited.

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At 12.55 o'clock p.m., Mr. Gendron, Third Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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

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*Passage in Principle*

The Assembly entered upon the debate on the hoist motion moved by Mrs. Papineau (Prévost).

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

The motion was negatived on the following vote:

(Division No. 78 in Appendix)

Yeas: **24**    Nays: **56**    Abstentions: **0**

And debate continuing on the motion by Mrs. Courchesne, Minister of Relations with the Citizens and Immigration, —That Bill 53, An Act to amend the Act respecting immigration to Québec, do now pass in principle;

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At 5.59 o'clock p.m., Mrs. Leblanc, Second Vice-President, suspended the proceedings until 8.00 o'clock p.m.

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The proceedings resumed at 8.09 o'clock p.m.

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And debate continuing on the motion by Mrs. Courchesne, Minister of Relations with the Citizens and Immigration, —That Bill 53, An Act to amend the Act respecting immigration to Québec, do now pass in principle;

At the end of his address, Mr. Dion (Saint-Hyacinthe) moved the following motion to divide the said Bill:

THAT, pursuant to Standing Order 241, Bill 53, An Act to amend the Act respecting immigration to Québec, be divided into two Bills, the first of which shall be entitled "An Act to amend the Act respecting immigration to Québec" and shall comprise sections 1 to 3, the first paragraph of section 4, sections 6 to 11, sections 13 to 16 and section 18, and the second which shall be entitled "An Act to amend the Act respecting immigration to enable selection by source area" and shall comprise the second paragraph of section 4, section 5, section 12 and sections 17 and 18.

At 8.50 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.

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At 9.12 o'clock p.m., after a suspension of the proceedings, Mr. Gendron, Third Vice-President, rendered the following decision:

#### RULING FROM THE CHAIR

The motion to divide is not receivable. In order to be divided, a bill must contain more than one principle. Furthermore, each bill stemming from a division must be coherent and able to stand alone. In this case, the second criterion is not met. Indeed, the final section of the bill concerning the coming into effect is found in both proposed bills in the motion to divide. Hence, it refers to several sections of the bill that are found solely in the first bill as defined in the motion to divide.

Mr. Gendron, Third Vice-President, took under advisement a request for a directive from Mr. Boisclair, Official Opposition House Leader, concerning the impact of the coming into force section on the receivability of a motion to divide a bill.

And debate continuing on the motion by Mrs. Courchesne, Minister of Relations with the Citizens and Immigration, —That Bill 53, An Act to amend the Act respecting immigration to Québec, do now pass in principle;



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

THAT, pursuant to Standing Order 241, Bill 53, An Act to amend the Act respecting immigration to Québec, be divided into two Bills, the first of which shall be entitled "An Act to amend the Act respecting immigration to Québec" and shall comprise sections 1 to 3, the first paragraph of section 4, sections 6 to 11, sections 13 to 16 and section 18, and the second which shall be entitled "An Act to amend the Act respecting immigration to enable selection by source area" and shall comprise the second paragraph of section 4, section 5, section 12 as well as section 17 and section 18, excluding the words "except sections 2 and 7 and paragraph 5 of section 11, which come into force on the date to be set by the Government".

At 9.58 o'clock p.m., Mr. Gendron, Third Vice-President, suspended the proceedings.

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The proceedings resumed at 10.22 o'clock p.m.

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At 10.37 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.

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At 11.15 o'clock p.m., after a suspension of the proceedings, Mr. Gendron, Third Vice-President, rendered his decision on the receivability of the motion to divide moved by Mr. Bouchard (Vachon) and on the request for a directive by Mr. Boisclair, Official Opposition House Leader.

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RULING FROM THE CHAIR

The motion to divide is receivable. The bill contains more than one principle and each bill stemming from its division would be coherent and could stand alone. The motion adapts section 18 of the bill, concerning the coming into force of the bill, to both bills stemming from the division.

After a brief suspension of the proceedings during which he met with the House leaders, Mr. Sirros, First Vice-President, announced the Assembly of the allocation of speaking time for the limited debate on this motion: ten minutes shall be set aside for the independent Members; the two parliamentary groups shall equally share the rest of the time allotted for this debate; within this framework, any time not used by a parliamentary group shall 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, and individual addresses shall not be limited.

The Assembly entered upon the limited debate on the motion to divide moved by Mr. Bouchard (Vachon).

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At 11.59 o'clock p.m., Mr. Sirros, First Vice-President, adjourned the Assembly until Friday, 28 May 2004, at 10.00 o'clock a.m.

**MICHEL BISSONNET**

*President*

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**APPENDIX**

**Recorded Divisions**

On the hoist motion moved by Mrs. Papineau (Prévost):

**(Division No. 78)**

**YEAS – 24**

|                 |           |                          |                 |
|-----------------|-----------|--------------------------|-----------------|
| Arseneau        | Boulerice | Lemieux                  | Pinard          |
| Beaudoin        | Deslières | Maltais                  | Simard          |
| Bédard          | Dion      | Marois                   | St-André        |
| Boisclair       | Doyer     | Morin                    | Thériault       |
| Bouchard        | Jutras    | <i>[Nicolet-Yamaska]</i> | <i>[Masson]</i> |
| <i>[Vachon]</i> | Léger     | Pagé                     | Vermette        |
| Boucher         | Lelièvre  | Papineau                 |                 |

**NAYS – 56**

|                     |                 |                  |                |
|---------------------|-----------------|------------------|----------------|
| Audet               | Charlebois      | Gautrin          | Paquet         |
| Bachand             | Cholette        | Hamel            | Paquin         |
| Beauchamp           | Copeman         | Lafrenière       | Paradis        |
| Béchar              | Corbeil         | Lamquin-Éthier   | Pelletier      |
| Bergman             | Courchesne      | L'Écuyer         | Perreault      |
| Bernard             | Cusano          | Legault          | Reid           |
| Bernier             | Delisle         | <i>[Chambly]</i> | Séguin         |
| Blackburn           | Descoteaux      | Lessard          | Soucy          |
| Bordeleau           | Després         | Marcoux          | Théberge       |
| Brodeur             | Dubuc           | Marsan           | Thériault      |
| Chagnon             | Dupuis          | Mercier          | <i>[Anjou]</i> |
| Charest             | Gabias          | Moreau           | Tomassi        |
| <i>[Sherbrooke]</i> | Gagnon-Tremblay | Mulcair          | Vallières      |
| Charest             | Gaudet          | Normandeau       | Vien           |
| <i>[Matane]</i>     | Gauthier        | Ouimet           | Whissell       |