



*Votes and Proceedings*  
*Wednesday, 18 December 2002 - No. 146*

*Ten o'clock*  
**President : Mrs. Louise Harel**

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*The paper version of the Votes and Proceedings takes precedence over its electronic equivalent. The headings under the table of contents are neither all-inclusive nor restrictive.*

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

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Moment of reflection

### **ROUTINE PROCEEDINGS**

#### **Presenting Papers**

Mr. Boisclair, Government House Leader, on behalf of Mrs. Marois, Minister of Finance, the Economy and Research, tabled the following:

The 2001-2002 public accounts, volumes I and II, for the fiscal year ended 31 March 2002, in French and English.

(Sessional Paper No. 1835-20021218)

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Mr. Facal, Minister of State for Administration and the Public Service, tabled the following:

The 2002-3003 action plan of the Service aérien gouvernemental.

(Sessional Paper No. 1836-20021218)

The performance and accountability agreement of the Service aérien gouvernemental.

(Sessional Paper No. 1837-20021218)

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Mr. Boisclair, Minister of State for the Environment and Water, tabled the following:

The annual report of the Société québécoise d'assainissement des eaux for the fiscal year ended 31 March 2002.

(Sessional Paper No. 1838-20021218)

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Mrs. Goupil, Minister of State for Social Solidarity and Child and Family Welfare, tabled the following:

The annual report of the Conseil de la famille et de l'enfance for the fiscal year ended 31 March 2002.

(Sessional Paper No. 1839-20021218)

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Mr. Ménard, Minister of Public Security, tabled the following:

The annual management report of the Commission québécoise des libérations conditionnelles for the fiscal year ended 31 March 2002.

(Sessional Paper No. 1840-20021218)

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

The annual report of the Ordre des podiatres du Québec for the fiscal year ended 31 March 2002.

(Sessional Paper No. 1841-20021218)

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Mr. Boisclair, Government House Leader, on behalf of Mr. Rochon, Minister of Labour, tabled the following:

The annual management report of the Conseil consultatif du travail et de la main-d'oeuvre for the fiscal year ended 31 March 2002.

(Sessional Paper No. 1842-20021218)

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Mr. Boisclair, Government House Leader, tabled the following:

Answer to a written question by Mr. Bordeleau (Acadie) concerning recognition of diplomas or training courses of immigrants – Question No. 71, *Order Paper and Notices* of 22 October 2002.

(Sessional Paper No. 1843-20021017)

Answers to written questions by Mr. Bordeleau (Acadie) concerning immigration data and on the agreement reached with the Federal Government in this matter – Question Nos. 70 and 73, *Order Paper and Notices* of 22 October 2002.

(Sessional Paper No. 1844-20021017)

Answer to a petition presented on 7 November 2002 by Mr. Gaudreau (Vimont) concerning radiation oncology services at the Cité de la santé de Laval.

(Sessional Paper No. 1845-20021218)

Answer to a petition presented on 7 November 2002 by Mrs. Lespérance (Joliette) concerning the Duplessis orphans.

(Sessional Paper No. 1846-20021218)

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Mr. Côté, Minister for Housing, tabled the following:

The strategic plan, 2002-2007, of the Société d'habitation du Québec.

(Sessional Paper No. 1847-20021218)

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Madam President tabled the following:

The annual report of the Auditor General of Québec on the examination of the consolidated financial statements of the Government of Québec, for the fiscal year ended 31 March 2002.

(Sessional Paper No. 1848-20021218)

### **Presenting Reports from Committees**

Mr. Lachance (Bellechasse), chairman, tabled the following:

A report from the Committee on Institutions, which met on 4, 11 and 17 December 2002 for clause-by-clause consideration of the following Bill:

139 An Act to amend the Code of Penal Procedure.

The report contains an amendment to the bill.

(Sessional Paper No. 1849-20021218)

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Mr. Paré (Lotbinière), chairman, tabled the following:

A report from the Committee on Public Finance, which met on 17 December 2002 for clause-by-clause consideration of the following Bill:

110 An Act to amend the Act respecting insurance and other legislative provisions.

The report contains certain amendments to the bill.

(Sessional Paper No. 1850-20021218)

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Mrs. Gagnon-Tremblay (Saint-François), chairman, tabled the following:

A report from the Committee on Social Affairs, which, on 3, 4 and 5 December 2002, held public hearings within the framework of special consultations on Bill 113, An Act to amend the Act respecting health services and social services as regards the safe provision of health services and social services.

(Sessional Paper No. 1851-20021218)

A report from the Committee on Social Affairs, which met on 17 December 2002 for clause-by-clause consideration of the following Bill:

- 113 An Act to amend the Act respecting health services and social services as regards the safe provision of health services and social services.

The report contains certain amendments to the bill.

(Sessional Paper No. 1852-20021218)

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Mr. Rioux (Matane), chairman, tabled the following:

A report from the Committee on Labour and the Economy, which met on 17 December 2002 for clause-by-clause consideration of the following Bill:

- 133 An Act to amend the Act respecting occupational health and safety and other legislative provisions.

The report does not contain any amendments to the bill.

(Sessional Paper No. 1853-20021218)

### **Presenting Petitions**

Mr. Paré (Lotbinière) tabled the following:

The abstract of a petition respecting the development of roadside rest areas and signed by 144 citizens of Lotbinière.

(Sessional Paper No. 1854-20021218)

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Mrs. Rochefort (Mercier) tabled the following:

The abstract of a petition respecting buildings under common ownership situated in the Plateau Mont-Royal and Ville-Marie districts, in Montréal, and signed by 110 citizens of Montréal.

(Sessional Paper No. 1855-20021218)

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Mr. Gaudreau (Vimont) tabled the following:

The abstract of a petition respecting the establishment of a speaker's corner and signed by 442 citizens of Québec.

(Sessional Paper No. 1856-20021218)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

At the request of Madam President, Mr. Dumont (Rivière-du-Loup) withdrew certain words deemed unparliamentary.

By leave of the Assembly to set aside Standing Order 53, Mr. Boisclair, Government House Leader, tabled the following:

Copy of a letter, dated 17 December 2002, addressed to Mrs. Harel, President of the Assembly, from Mr. Boisclair, Government House Leader, concerning a directive with regard to cars parked on Parliament Hill.

(Sessional Paper No. 1857-20021218)

### **Motions Without Notice**

Mrs. Houda-Pepin (La Pinière) moved a motion concerning an agreement with regard to social housing; this motion could not be debated for want of unanimous consent.

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Mr. Boisclair, Government House Leader, moved a motion concerning the holding of special consultations by the Committee on Public Finance; this motion could not be debated for want of unanimous consent.

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

Mr. Boisclair, Government House Leader, convened the following Committee:

- the Committee on Planning and the Public Domain, to hear the interested parties and give clause-by-clause consideration to Private Bill 226, An Act respecting Ville de Shawinigan, and to give clause-by-clause consideration to Bill 137, An Act to amend various legislative provisions concerning municipal affairs.

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## **ORDERS OF THE DAY**

### **Government Bills**

#### *Passage*

Mr. Rochon, Minister of Labour, moved the passage of Bill 143, An Act to amend the Act respecting labour standards and other legislative provisions.

And debate arising;

During the debate, Mr. Rochon, Minister of Labour, moved that Bill 143 be referred to a Committee of the Whole for the consideration of amendments that he specified.

This motion was carried.



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*Committee of the Whole*

Mr. Rochon, Minister of Labour, moved that the Assembly resolve itself into a Committee of the Whole.

This motion was carried.

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The amendments by Mr. Rochon, Minister of Labour, were considered and then carried in Committee of the Whole.

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Bill 143, as amended, was reported to the Assembly, which concurred in the Committee's report.

And debate continuing on the motion for the passage of Bill 143;

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

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

*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 147, An Act to amend the Act respecting the conservation and development of wildlife.

After debate thereon, the report was concurred in.

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*Passage in Principle*

Mr. Julien, Minister of Revenue, moved, —That Bill 144, An Act to amend the Taxation Act, the Act respecting the Québec sales tax and other legislative provisions, do now pass in principle.

After debate thereon, the motion was carried and Bill 144 was accordingly passed in principle.

Mr. Simard, Deputy Government House Leader, moved that Bill 144 be referred for clause-by-clause consideration to the Committee on Public Finance.

The motion was carried.

*Report Stage*

The Assembly took into consideration the report from the Committee on Public Finance on its clause-by-clause consideration of Bill 141, An Act to amend the Act respecting the Pension Plan of Certain Teachers.

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At 12.57 o'clock p.m., Mr. Brouillet, First Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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The proceedings resumed at 3.07 o'clock p.m.

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*Report Stage*

The Assembly continued the consideration of the report from the Committee on Public Finance on its clause-by-clause consideration of Bill 141, An Act to amend the Act respecting the Pension Plan of Certain Teachers.

The debate being concluded, the report was concurred in.

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The Assembly took into consideration the report from the Committee on Education on its clause-by-clause consideration of Bill 131, An Act to amend the Education Act as regards the school tax on the island of Montréal and amending other legislative provisions, together with the amendment handed in by Mr. Sylvain Simard, Minister of Education.

The amendment was declared in order.

After debate thereon, the amendment was carried.

The report, as amended, was concurred in.

*Passage*

Mr. Legault, Minister of Health and Social Services, moved the passage of Bill 96, An Act respecting pre-hospital emergency services and amending various legislative provisions.

After debate thereon, the motion was carried on division and, accordingly, Bill 96 was passed.

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*Report Stage*

The Assembly took into consideration the report from the Committee on Institutions on its clause-by-clause consideration of Bill 119, An Act to amend the Act respecting Attorney General's prosecutors.

After debate thereon, the report was concurred in.

*Passage*

Mrs. Marois, Minister of Finance, the Economy and Research, moved the passage of Bill 116, An Act respecting the Ministère des Finances, de l'Économie et de la Recherche.

After debate thereon, the motion was carried on division and, accordingly, Bill 116 was passed.

**Government Motions**

The Assembly held the debate on the motions moved at the sitting of 6 December 2002 by Mrs. Beaudoin, Minister of International Relations. These motions read as follows:

THAT, pursuant to sections 22.2 and 22.3 of the *Act respecting the Ministère des Relations internationales*, enacted by section 6, chapter 8, of the Statutes of 2002, the National Assembly approves the agreement between the Government of Québec and the Agence de la Francophonie with regard to the head office of the Institut de l'énergie et de l'environnement de la francophonie, concerning the exemptions, tax benefits and courtesy privileges granted to the Institut and to the employees of the Institut.

THAT, pursuant to sections 22.2 and 22.3 of the *Act respecting the Ministère des Relations internationales*, enacted by section 6, chapter 8, of the Statutes of 2002, the National Assembly approves the agreement between the Government of Québec and the Government of the Kingdom of Belgium, concerning the exchange of driving permits.

THAT, pursuant to sections 22.2 and 22.3 of the *Act respecting the Ministère des Relations internationales*, enacted by section 6, chapter 8, of the Statutes of 2002, the National Assembly approves the supplemental agreement to the tax agreement between the Government of Québec and the Government of the French Republic in order to avoid double taxation and to prevent tax evasion as regards income taxation.

THAT, pursuant to sections 22.2 and 22.3 of the *Act respecting the Ministère des Relations internationales*, enacted by section 6, chapter 8, of the Statutes of 2002, the National Assembly approves the agreement on social security between the Government of Québec and the Government of the Czech Republic.

THAT, pursuant to sections 22.2 and 22.3 of the *Act respecting the Ministère des Relations internationales*, enacted by section 6, chapter 8, of the Statutes of 2002, the National Assembly approves the agreement on social security between the Government of Québec and the Government of the Kingdom of the Netherlands.

THAT, pursuant to sections 22.2 and 22.3 of the *Act respecting the Ministère des Relations internationales*, enacted by section 6, chapter 8, of the Statutes of 2002, the National Assembly approves the agreement on social security between the Government of Québec and the Government of the Republic of Turkey.

THAT, pursuant to sections 22.2 and 22.3 of the *Act respecting the Ministère des Relations internationales*, enacted by section 6, chapter 8, of the Statutes of 2002, the National Assembly approves the agreement on social security between the Government of Québec and the Government of the Kingdom of Morocco.

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By leave of the Assembly, pursuant to section 22.3 of the *Act respecting the Ministère des Relations internationales*, it was agreed that the debate shall be held on the motions as a whole and shall last no more than one hour. Mr. Beaulne, Second Vice-President, thus announced the allocation of speaking time for this debate: twenty-five minutes shall be set aside for the group forming the Government; ten minutes shall be set aside for the independent Members; within this framework, any time not used by a parliamentary group or by the independent Members may not be redistributed, and individual addresses shall not be limited.

And debate arising;

The debate being concluded, these motions were carried.

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By leave of the Assembly to set aside Standing Order 21, at 5.37 o'clock p.m., Mr. Beaulne, Second Vice-President, suspended the proceedings until 8.00 o'clock p.m.

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The proceedings resumed at 8.13 o'clock p.m.

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### **Government Bills**

#### *Passage*

By leave of the Assembly to set aside Standing Order 230, Mr. Sylvain Simard, Minister of Education, moved the passage of Bill 131, An Act to amend the Education Act as regards the school tax on the island of Montréal and amending other legislative provisions.

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After debate thereon, the motion was carried and, accordingly, Bill 131 was passed.

*Report Stage*

By leave of the Assembly to set aside Standing Orders 252 and 253, the Assembly took into consideration the report from the Committee on Institutions on its clause-by-clause consideration of Bill 139, An Act to amend the Code of Penal Procedure.

After debate thereon, the report was concurred in on division.

*Passage*

By leave of the Assembly to set aside Standing Order 230, Mr. Jutras, Minister of Justice, moved the passage of Bill 139, An Act to amend the Code of Penal Procedure.

The motion was carried on division and, accordingly, Bill 139 was passed.

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By leave of the Assembly to set aside Standing Order 22, Mrs. Goupil, Minister of Social Solidarity, moved the passage of Bill 145, An Act respecting the Cree Hunters and Trappers Income Security Board.

And debate arising;

During the debate, Mrs. Goupil, Minister of Social Solidarity, moved that Bill 145 be referred to a Committee of the Whole for the consideration of an amendment that she specified.

This motion was carried.

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*Committee of the Whole*

Mrs. Goupil, Minister of Social Solidarity, moved that the Assembly resolve itself into a Committee of the Whole.

The motion was carried.

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The amendment by Mrs. Goupil, Minister of Social Solidarity, was considered and then carried in Committee of the Whole.

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Bill 145, as amended, was reported to the Assembly, which concurred in the Committee's report.

And debate continuing on the motion for the passage of Bill 145;

The debate being concluded, the motion was carried and, accordingly, Bill 145 was passed.

*Report Stage*

By leave of the Assembly to set aside Standing Orders 252 and 253, the Assembly took into consideration the report from the Committee on Labour and the Economy on its clause-by-clause consideration of Bill 133, An Act to amend the Act respecting occupational health and safety and other legislative provisions.

After debate thereon, the report was concurred in on division.



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*Passage*

By leave of the Assembly to set aside Standing Order 230, Mr. Rochon, Minister of Labour, moved the passage of Bill 133, An Act to amend the Act respecting occupational health and safety and other legislative provisions.

After debate thereon, the motion was carried on division and, accordingly, Bill 133 was passed.

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Mr. Boisclair, Minister of the Environment, moved the passage of Bill 129, Natural Heritage Conservation Act.

And debate arising;

During the debate, Mr. Boisclair, Minister of the Environment, moved that Bill 129 be referred to a Committee of the Whole for the consideration of an amendment that he specified.

This motion was carried.

*Committee of the Whole*

Mr. Boisclair, Minister of the Environment, moved that the Assembly resolve itself into a Committee of the Whole.

The motion was carried.

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The amendment by Mr. Boisclair, Minister of the Environment, was considered and then carried in Committee of the Whole.

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Bill 129, as amended, was reported to the Assembly, which concurred in the Committee's report.

And debate continuing on the motion for the passage of Bill 129;

The debate being concluded, the motion was carried and, accordingly, Bill 129 was passed.

*Report Stage*

The Assembly took into consideration the report from the Committee on Planning and the Public Domain on its clause-by-clause consideration of Bill 77, An Act to amend various legislative provisions concerning regional county municipalities.

After debate thereon, the report was concurred in.

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Mrs. Vermette, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 19 December 2002, at 10.00 o'clock a.m.

The motion was carried.

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Accordingly, at 10.25 o'clock p.m., Mr. Brouillet, First Vice-President, adjourned the Assembly until Thursday, 19 December 2002, at 10.00 o'clock a.m.

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**ROYAL ASSENT**

On Wednesday, 18 December 2002, at 4.12 o'clock p.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Brouillet, First Vice-President of the National Assembly, of Mrs. Blanchet (Crémazie), the Delegate of the Premier, of Mrs. Houda-Pepin (La Pinière), the Delegate of the Leader of the Official Opposition, and of Mr. Côté, Secretary General of the National Assembly, the Honourable Lise Thibault, Lieutenant-Governor of Québec, was pleased to assent to the following Bills:

- 88 An Act to amend the Religious Corporations Act;
- 100 An Act to amend the Act respecting offences relating to alcoholic beverages, the Act respecting lotteries, publicity contests and amusement machines and the Act respecting liquor permits;
- 102 An Act to amend the Environment Quality Act and the Act respecting the Société québécoise de récupération et de recyclage;
- 111 An Act to amend the Act respecting the Ministère du Conseil exécutif as regards Canadian intergovernmental affairs;
- 112 An Act to combat poverty and social exclusion;
- 115 An Act to amend the Highway Safety Code and the Act respecting the Ministère du Revenu;
- 124 An Act to amend the Act respecting the Conseil supérieur de l'éducation and the Education Act;
- 125 An Act to amend the National Museums Act;
- 134 An Act to establish the Fonds national de l'eau;

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- 142 An Act to amend the Act respecting health services and social services as regards the medical activities, the distribution and the undertaking of physicians;
- 395 An Act to amend the Act respecting educational institutions at the university level.

**LOUISE HAREL**

*President*