



Votes and Proceedings
Wednesday, 17 October 2001 - No. 44

Ten o'clock
President : Mr. Jean-Pierre Charbonneau

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 10.02 o'clock a.m.

ORDERS OF THE DAY

Business Standing in the Name of Members in Opposition

Mr. Sirros (Laurier-Dorion) moved:

THAT the National Assembly demand that the Parti Québécois government act immediately to counteract poverty, in particular by indexing last-resort assistance benefits to the cost of living annually, by recognizing the base-level benefit of a last-resort assistance program as a minimum support level, and by re-establishing no-cost medication for all recipients of social welfare as well as for senior citizens receiving the income supplement.

Following a meeting with the House leaders, Mr. Pinard, Vice-President, announced the allocation of speaking time for the proceedings with respect to this motion: ten minutes shall be allotted for a reply by its mover and five minutes shall be set aside for the independent Member; the two parliamentary groups shall share equally the rest of the time allotted for this debate; within this framework, 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 Member shall be redistributed amongst the parliamentary groups, and individual addresses shall not otherwise be limited.

Mrs. Carrier-Perreault, Deputy Government House Leader, raised a point of order to ask whether the motion moved by the Member for Laurier-Dorion was not a motion to appropriate some part of the public revenue, such a motion being reserved for a minister under the Standing Orders of the Assembly.

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Mr. Pinard, Vice-President, took this question under advisement.

Subject to the ruling from the Chair on the receivability of the motion moved by Mr. Sirros (Laurier-Dorion) and by leave of the Assembly, a debate arose.

At the conclusion of her speech, Mrs. Charest (Rimouski) moved the following amendment:

THAT the motion under debate be amended as follows:

1. By substituting for the words "demand that", in the first line, the word "ask" and by inserting after the word "government", in the second line, the word "to";
2. By striking out the words "Parti Québécois" in the first and second lines;
3. By substituting for the words "act immediately", in the second line, the words "continue its struggle";
4. By striking out the words "to the cost of living annually", in the third and fourth lines;
5. By substituting for the word "recognizing", in the fourth line, the word "evaluating";
6. By substituting for the words "the base-level benefit of", in the fourth line, the words "the threshold of needs essential for" and by substituting for the word "program", in the fifth line, the word "aid";
7. By substituting for the words "as a minimum support level, and by re-establishing no-cost", in the fifth and sixth lines, the words "and by progressively reducing the cost of."

The motion, as amended, would read as follows:

THAT the National Assembly ask the government to continue its struggle to counteract poverty, in particular by indexing last-resort assistance, by evaluating the threshold of needs essential for last-resort aid, and by progressively reducing

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the cost of medication for all recipients of social welfare as well as for senior citizens receiving the income supplement.

Mr. Pinard, Vice-President, took under advisement the receivability of this amendment.

Then, by leave of the Assembly to set aside Standing Order 199, and without prejudging the receivability of the amendment, the debate continued on both the main motion and the amendment.

Mr. Pinard, Vice-President, ruled as follows on the receivability of the motion moved by the Member for Laurier-Dorion:

RULING FROM THE CHAIR

The motion is receivable, since it does not have the effect of appropriating any part of the public revenue. It is not binding, nor does it have a direct implication on the disbursement of moneys, nor does it contain precise figures, and it is couched only in general terms. It thus expresses only an abstract opinion in the meaning of the second paragraph of Standing Order 192.

The debate being concluded, Mr. Brouillet, Vice-President, informed the Assembly that the ruling on the receivability of the amendment moved by Mrs. Charest (Rimouski) would be given upon the resumption of the proceedings at 2.00 o'clock p.m. The question would thereafter be put on both motions, as appropriate.

At 12.02 o'clock p.m., Mr. Brouillet, Vice-President, suspended the proceedings until 2.00 o'clock p.m.

The proceedings resumed at 2.09 o'clock p.m.

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Moment of reflection

Mr. President informed the Assembly that his ruling on the receivability of the amendment moved by Mrs. Charest (Rimouski) would be given at the time set aside for Deferred Divisions.

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:

- 204 An Act respecting Municipalité de Saint-Isidore-de-Clifton. This Bill may be introduced in the Assembly and may receive final passage before the twenty-first day of December 2001.

(Sessional Paper No. 534-20011017)

Mrs. Bélanger (Mégantic-Compton) then moved that leave be granted to introduce Private Bill 204, An Act respecting Municipalité de Saint-Isidore-de-Clifton.

This motion was carried.

On motion by Mr. Brassard, Government House Leader, Private Bill 204, An Act respecting Municipalité de Saint-Isidore-de-Clifton, was referred for consultations and clause-by-clause consideration to the Committee on Planning and the Public Domain, of which the Minister of Municipal Affairs and Greater Montréal shall be a member during its deliberations in respect of the said Bill.

Presenting Papers

Mrs. Marois, Minister of State for the Economy and Finance, tabled the following:

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The annual report of the Société de développement de la Zone de commerce international de Montréal à Mirabel for the fiscal year ended 31 March 2001.

(Sessional Paper No. 535-20011017)

Mrs. Harel, Minister of State for Municipal Affairs and Greater Montréal, tabled the following:

The annual report of the Régie du logement for the fiscal year ended 31 March 2001.

(Sessional Paper No. 536-20011017)

Mr. Rochon, Minister of State for Labour, Employment and Social Solidarity, tabled the following:

The agreement on performance and accountability for the Ministère de l'Emploi et de la Solidarité sociale;

(Sessional Paper No. 537-20011017)

The report of the Ministère du Travail on the pertinence of retaining the manufacturing sector within the field of application of the *Act respecting collective bargaining decrees*;

(Sessional Paper No. 538-20011017)

A copy of an erratum relating to page 77 of the annual report of the Commission de la santé et de la sécurité du travail for the fiscal year ended 31 December 2000 (Sessional Paper No. 271-20010522).

(Sessional Paper No. 539-20011017)

Mr. Boisclair, Minister of the Environment, tabled the following:

A copy of an agreement between the Régie des installations olympiques and Birdair Inc. for the conception and the construction of the new roof of the Olympic Stadium;

(Sessional Paper No. 540-20011017)

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A copy of the contractor's revised proposal, dated 10 July 1997, regarding the conception and the construction of the new roof of the Olympic Stadium in Montréal;

(Sessional Paper No. 541-20011017)

A copy of a technical evaluation and diagnosis, dated 19 October 1999, concerning the partial collapse of the roof of the Olympic Stadium on 18 January 1999, prepared by international experts for the Régie des installations olympiques.

(Sessional Paper No. 542-20011017)

Mr. President tabled the following:

The register given to the Members of the National Assembly of Québec by the Collectif pour une loi sur l'élimination de la pauvreté on 17 October 2001, the International Day for the Elimination of Poverty.

(Sessional Paper No. 543-20011017)

Presenting Reports from Committees

Mr. Bertrand (Portneuf), chairman, tabled the following:

The report of the Committee on Institutions, which met on 4 September 2001 to hear the Public Protector, pursuant to Standing Order 294.1 of the National Assembly.

(Sessional Paper No. 544-20011017)

Mrs. Dionne-Marsolais (Rosemont), chairman, tabled the following:

The report of the Committee on Public Finance, which met on 5, 6, 7, and 8 June and on 29 August 2001 to give detailed consideration to the following bill:

175 An Act to amend the Taxation Act, the Act respecting the Québec sales tax and other legislative provisions — Reported with amendments.

(Sessional Paper No. 545-20011017)

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

The report of the Committee on Social Affairs, which met on 18, 19, and 20 September 2001 to hold public hearings in the context of a general consultation on Bill 36, Public Health Act.

(Sessional Paper No. 546-20011017)

Presenting Petitions

By leave of the Assembly to set aside Standing Order 63, Mr. Paradis (Brome-Missisquoi) tabled the following:

The abstract of a petition, signed by 4,264 petitioners from the riding of Brome-Missisquoi, concerning the emergency medical consultation services offered by the CLSC CHSLD La Pommeraie.

(Sessional Paper No. 547-20011017)

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

The abstract of a petition, signed by 2,083 petitioners from Île-des-Sœurs, concerning the expansion of the Île-des-Sœurs primary school.

(Sessional Paper No. 548-20011017)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

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Deferred Divisions

Before the Assembly took the deferred divisions, Mr. President ruled as follows on the receivability of the amendment proposed by Mrs. Charest (Rimouski) to the motion moved by Mr. Sirros (Laurier-Dorion) under Business Standing in the Name of Members in Opposition:

RULING FROM THE CHAIR

The amendment is receivable, since it does not run counter to the principle of the main motion, which calls upon the government to act against poverty. An amendment may make important changes in a motion, provided that they do not distort the motion, set it aside, or negate it. By proposing to replace the word "demand" with the word "ask" and the words "act immediately" with the words "continue its struggle", the amendment modifies and softens the main motion but does not contradict it.

The other modifications proposed make changes in the means for combatting poverty; but they likewise do not run counter to the principle of the main motion.

At the conclusion of this ruling the Member for Laurier-Dorion asked Mr. President to reconsider the ruling. He maintained that replacing the words "re-establishing no-cost" with the words "progressively reducing the cost of" distorts the motion.

Mr. President then stayed his ruling and once again took the matter under advisement. Accordingly, the deferred divisions on the main motion by Mr. Sirros (Laurier-Dorion) and, if necessary, on the amendment proposed by Mrs. Charest (Rimouski), which were to have been taken during the time set aside for Deferred Divisions at the present sitting, will be held at some later time.

The Assembly then took the division deferred at the sitting of 16 October last on the motion moved jointly by Mr. Landry, Premier, Mr. Charest, Leader of the Official Opposition, and Mr. Dumont (Rivière-du-Loup). This motion reads as follows:

THAT the National Assembly of Québec express its condolences to the family and friends of all the victims, to the American people, and to their leaders in the wake of the tragic events of 11 September 2001;

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THAT it vigorously denounce the unspeakable acts of terrorism perpetrated on that day, those responsible for them, and those who support them, as well as every form of terrorism;

THAT it declare itself in favour of the adoption of such diplomatic, judicial, economic, and other measures to eliminate terrorism as are consistent with both the Charter of the United Nations Organization and international law;

THAT it manifest its solidarity and sympathy for the civilian population of Afghanistan;

THAT it condemn every and any act of intolerance and, mindful of the values that Quebecers hold dear, reaffirm its commitment to promote understanding among citizens of all religions and ethnic origins.

The motion was carried on the following vote:

(Division No. 53 in Appendix)

Yeas: **106** Nays: **0** Abstentions: **0**

Motions Without Notice

Mr. Boisclair, Deputy Government House Leader, moved:

THAT the National Assembly ratify the reference of the following item of business to the Committee on Education: "That the Committee on Education hear the interested parties during special consultations on Bill 35, An Act to amend the Education Act, on 18 September and 17 October 2001, and that for this purpose it hear the following organizations:

- Fédération des étudiantes et étudiants universitaires du Québec;
- Fédération des étudiantes et étudiants collégiaux du Québec;
- Association des jeunes enseignants du Québec;

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- Fédération des commissions scolaires du Québec;
- A representative of the students of the Commission scolaire de Montréal;
- Fédération des comités de parents;
- Force Jeunesse;
- Centrale des syndicats du Québec;
- Youth commission of the Québec Liberal Party;
- Comité national des jeunes du Parti Québécois;
- Conseil permanent de la jeunesse;

THAT the Minister of State for Education and Youth be a member of the said committee for the duration of the consideration of this matter."

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

Mr. Bertrand (Portneuf) moved:

THAT the National Assembly of Québec express its sincerest condolences to the families and friends as well as to those Members who were colleagues of the victims of the slaughter that took place at the Grand Council of the Canton of Zoug on 27 September 2001.

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

The debate being concluded, the motion was carried.

Mrs. Léger, Minister for the Elimination of Poverty and Exclusion, moved:

THAT the National Assembly of Québec mark the International Day for the Elimination of Poverty, which is being observed today, 17 October, by reaffirming its will to intensify the fight against poverty and by proclaiming its recognition of the admirable work that is done each and every day by those

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persons who are involved in the fight against poverty and social exclusion in Québec.

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

The debate being concluded, the motion was carried.

Mr. Boucher (Johnson) moved:

THAT the National Assembly note Cooperation Week,
which is being observed from 14 to 20 October 2001.

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

Notices of Proceedings in Committees

Mr. Boisclair, Deputy Government House Leader, convened the following committees:

- the Committee on Education, to conclude its special consultations on Bill 35, An Act to amend the Education Act;
 - the Committee on Transportation and the Environment, to conclude its hearings under the general consultation on the reference paper entitled *Le régime d'assurance automobile du Québec* (the Québec automobile insurance plan).
-

Mr. Brouillet, Vice-President, gave the following notices:

- the Committee on Public Administration will meet to hear the secretary general of the Conseil exécutif and the secretary of the secretariat of the Conseil du trésor concerning ethics within the Québec government administration;

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- the Committee on Culture will hold a deliberative meeting to assess its public hearings on the Conseil des arts et des lettres and the Société de développement des entreprises culturelles and to prepare its final report.

ORDERS OF THE DAY

Government Bills

Passage in Principle

Mrs. Marois, Minister of Finance, moved, —That Bill 37, An Act to amend the Automobile Insurance Act, do now pass in principle.

And debate arising;

Mr. Bissonnet, Vice-President, interrupted the proceedings to inform the Assembly that he had received two requests for debates upon adjournment to be held on Thursday, 18 October 2001:

- the first, on a question by Mr. Sirros (Laurier-Dorion) to Mr. Rochon, Minister of State for Labour, Employment and Social Solidarity, about the establishment of a special expanded committee on the fight against poverty;
- the second, on a question by Mrs. Beauchamp (Sauvé) to Mrs. Marois, Minister of State for the Economy and Finance, about the purchase of a work of art by Loto Québec in the United States at a cost of \$1.8 million.

Mr. President then ruled as follows on the receivability of the amendment proposed by Mrs. Charest (Rimouski) to the motion that Mr. Sirros (Laurier-Dorion) had moved under Business Standing in the Name of Members in Opposition:

RULING FROM THE CHAIR

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The President confirmed his earlier ruling in which he had declared the amendment proposed by the Member for Rimouski to the main motion by the Member for Laurion-Dorion to be receivable.

The amendment aims, in particular, to attenuate the means envisaged in the main motion, including that with respect to re-establishing free access to medication, but it does not thereby distort, contradict, or negate the principle of the motion. Moreover, the Chair is not required to determine whether an amendment, once carried, may be of such consequence as to cause the Member who moved the main motion to change his vote.

Further, Standing Order 41 remains in force. That is why the Chair will decline in the future to entertain any request to be heard on the subject of a ruling once it has been given.

At the request of Mr. Brassard, Government House Leader, the putting of the question on the amendment by Mrs. Charest (Rimouski) and on the main motion by Mr. Sirros (Laurier-Dorion) was again deferred, to the Routine Proceedings at the sitting of Thursday, 18 October 2001.

And debate continuing on the motion by Mrs. Marois, Minister of State for the Economy and Finance, for the passage in principle of Bill 37;

On motion by Mr. Chagnon (Westmount–Saint-Louis), the debate was adjourned.

At 5.58 o'clock p.m., Mr. Bissonnet, Vice-President, adjourned the Assembly until Thursday, 18 October 2001, at 10.00 o'clock a.m.

JEAN-PIERRE CHARBONNEAU

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President

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APPENDIX

Recorded Divisions

On the motion moved jointly by Mr. Landry, Premier, Mr. Charest, Leader of the Official Opposition, and Mr. Dumont (Rivière-du-Loup):

(Division No. 53)

YEAS - 106

Barbeau	Carrier-Perreault	Gauvin	Morin
Baril	Chagnon	Gendron	Mulcair
(Arthabaska)	Charest	Geoffrion	Normandeau
Baril	(Rimouski)	Harel	Ouimet
(Berthier)	Charest	Houda-Pepin	Pagé
Beauchamp	(Sherbrooke)	Jérôme-Forget	(Labelle)
Beaudoin	Chenail	Julien	Papineau
Beaumier	Chevrette	Jutras	Paquin
Béchar	Cliche	Kelley	Paradis
Bédard	Copeman	Labbé	Paré
Bégin	Côté	Lachance	(Lotbinière)
Bélanger	(La Peltrie)	Lafrenière	Payne
Benoit	Côté	Lamquin-Éthier	Pelletier
Bergeron	(Dubuc)	Landry	(Chapleau)
Bergman	Cousineau	Leblanc	Poulin
Bertrand	Delisle	Leduc	Robert
(Portneuf)	Désilets	Legault	Rochon
Bertrand	Deslières	Legendre	Simard
(Charlevoix)	Després	Léger	(Montmorency)
Bissonnet	Dion	Lelièvre	Simard
Blanchet	Dionne-Marsolais	Lemieux	(Richelieu)
Boisclair	Doyer	Létourneau	Sirros
Bordeleau	Duguay	Loiselle	St-André
Boucher	Dumont	MacMillan	Tranchemontagne
Boulerice	Dupuis	Maltais	Trudel
Boulet	Facal	Marcoux	Vallières
Brassard	Fournier	Marois	Vermette
Brodeur	Gagnon-Tremblay	Marsan	Whissell
Brouillet	Gauthier	Ménard	Williams
Caron	Gautrin	Middlemiss	