



# NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

*Votes and Proceedings*  
*Tuesday, 12 June 2001 - No. 36*

*Ten o'clock*

**President : Mr. Jean-Pierre Charbonneau**

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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.*

## TABLE OF CONTENTS

The Assembly was called to order at 10.11 o'clock a.m.

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Moment of reflection

Mr. President made a statement on certain events that took place at the sitting of Friday, 8 June 2001, which involved the order and decorum of the Assembly as well as the authority and neutrality of the vice-presidency.

#### STATEMENT FROM THE CHAIR

On Wednesday, 6 June 2001, the Chair gave a directive in which it established a framework to guide the vice-presidents of the Assembly in the exercise of their political activities, in order to determine how much freedom they enjoyed in this regard. Generally speaking, the vice-presidents consented to follow the rules listed hereafter:

- the vice-presidents would avoid taking part in the proceedings of the Assembly or in those of a standing committee, especially if they concern a disputed issue;
- if a vice-president takes a position, within the framework of parliamentary deliberations, on a matter that is before the Assembly, he should refrain from chairing the debates on this matter;
- the vice-presidents should vote solely when there is unanimity or, then again, when the final question is put on a matter;
- when a vice-president takes a position on a precise matter that is before the Assembly, that should not prevent him from chairing the proceedings on another matter that comes before the Assembly subsequently, even if these matters deal with the same subject;
- in any other circumstance, the vice-presidents would exercise prudence and reservation when making comments.

Owing to these rules and to the fact that his position on the municipal mergers had been made clear publicly, the first vice-president of the Assembly chose to refrain from chairing the debates on Bill 29, An Act to amend various legislative provisions concerning municipal affairs.

**12 June 2001**

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At the sitting of Friday, 8 June 2001, the capacity of the third vice-president to chair the debates on Bill 29 was questioned on the grounds that he allegedly supported a candidate for mayor of Montreal. In view of these facts and of the aforementioned framework for the political action of the vice-presidents, the third vice-president is able to continue guiding the debates of the Assembly on Bill 29.

During the same sitting, the capacity of the second vice-president of the Assembly to chair the debates on Bill 29 was also questioned, on the grounds that he allegedly made various statements on the municipal mergers in his region. The President does not find therein any source of incapacity of the second vice-president to chair the proceedings of the Assembly on Bill 29.

The rules of parliamentary procedure do not prevent the vice-presidents from having activities and political opinions. They are first and foremost elected representatives of the people who must go through the electoral process before being entitled to sit in the Assembly. They must necessarily take public positions on various issues which, subsequently, may be debated by the Members of the Assembly. To require of them to never make statements on a given issue so that they may be entitled to chair a debate on the same subject is similar to imposing rules that would prevent anyone from chairing the proceedings of the Assembly. So long as a vice-president observes a minimum of reservation, his conduct cannot be questioned at every turn.

To question an act performed by a representative of the Chair, one must move a substantive motion that is considered by the authors as a motion condemning the Government, a censure motion or a want of confidence motion. Henceforth, the Chair of the Assembly will not accept being put in issue without recourse to a substantive motion.

## **ROUTINE PROCEEDINGS**

### **Presenting Papers**

Mr. G. Baril, Minister of Industry and Trade, tabled the following:

The annual report of the Société générale de financement du Québec for the fiscal year ended 31 December 2000.

(Sessional Paper No. 324-20010612)

Mr. President tabled the following:

An addendum he had received from Mr. Marcel Blanchet, Chief Electoral Officer and chairman of the Commission de la représentation électorale du Québec, to the document entitled "Travaux de la Commission permanente de révision — rapport au 31 March 2001" (Work of the permanent board of revisors — report as at 31 March 2001), tabled on 31 May 2001 (S.P. No. 295-20010531).

(Sessional Paper No. 325-20010612)

The activity report of the National Assembly of Québec for the fiscal year ended 31 March 2001.

(Sessional Paper No. 326-20010612)

### **Presenting Reports from Committees**

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

A report from the Committee on Transportation and the Environment, which met on 8 June 2001 for clause-by-clause consideration of the following Bill:

- 7 An Act to amend the Act respecting roads — Reported without amendment.

(Sessional Paper No. 327-20010612)

### **Presenting Petitions**

Mr. Cholette (Hull) tabled the following:

The abstract of a petition respecting the inclusion of Ville de La Baie in the merger project of the Saguenay region, and signed by 21 petitioners from Ville de La Baie and the municipality of Saint-Honoré.

(Sessional Paper No. 328-20010612)

12 June 2001

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### **Complaints of Breach of Privilege or Contempt and Personal Explanations**

Mr. President informed the Assembly that he had received, within the prescribed time, notices from Mr. Payne (Vachon), Mr. Beaumier (Champlain), Mr. Jutras (Drummond), Mrs. Vermette (Marie-Victorin), Mr. Cousineau (Bertrand), Mr. Gagnon (Saguenay), Mr. Morin (Nicolet-Yamaska), Mr. Bergeron (Iberville), Mr. Côté (Dubuc) and Mr. Cliche (Vimont), indicating their intention to rise on a matter of privilege regarding an alleged breach of the Assembly's privileges. These requests allege that, at the sitting of Friday, 8 June 2001, Mr. Paradis, Official Opposition House Leader, violated paragraphs 5 and 6 of section 55 of the *Act respecting the National Assembly*.

Mr. President took these requests under advisement.

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

### **Motions Without Notice**

Mr. Brassard, Government House Leader, moved:

THAT the name of the Minister for Transport and Maritime Policy, Mr. Jacques Baril, replace that of the Minister of Transport, Mr. Guy Chevrette, as sponsor of the following Bill:

Bill 13, An Act to amend the Act respecting off-highway vehicles.

This motion was carried.

**12 June 2001**

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Mr. Brassard, Government House Leader, moved:

THAT the Committee on Transportation and the Environment hold special consultations on Bill 13, An Act to amend the Act respecting off-highway vehicles, on 13 June 2001, beginning at 8.00 o'clock p.m., and, for this purpose, hear the following groups:

**Wednesday, 13 June 2001**

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|--------------------------|---|
| 8.00 p.m. to 8.15 p.m.   | Opening statements by the parliamentary group forming the Government          |
| 8.15 p.m. to 8.30 p.m.   | Opening statements by the parliamentary group forming the Official Opposition |
| 8.30 p.m. to 9.15 p.m.   | Fédération des clubs de motoneigistes du Québec                               |
| 9.15 p.m. to 10.00 p.m.  | Regroupement québécois des courtiers d'assurance                              |
| 10.00 p.m. to 10.45 p.m. | Bureau d'assurance du Canada  |
| 10.45 p.m. to 11.00 p.m. | Closing statements by the parliamentary group forming the Official Opposition |
| 11.00 p.m. to 11.15 p.m. | Closing statements by the parliamentary group forming the Government          |

A period of thirty minutes shall be allotted for the opening statements, which time shall be shared equally among the members of the parliamentary group forming the Government and the Members sitting in Opposition;

A period of thirty minutes shall be allotted for the closing statements, which time shall be shared equally among the members of the parliamentary group forming the Government and the Members sitting in Opposition;

**12 June 2001**

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The presentation by each group shall last no more than fifteen minutes and the exchange with the members of the Committee shall last no more than thirty minutes, which time shall be shared equally among the members of the parliamentary group forming the Government and the Members sitting in Opposition;

The Minister for Transport and Maritime Policy 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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Mr. Cholette (Hull) moved a motion concerning Ville de La Baie and the "empty chair oath"; this motion could not be debated for want of unanimous consent.

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By leave of the Assembly to set aside Standing Order 185, Mrs. Beauchamp (Sauvé) and Mr. Paquin (Saint-Jean) jointly moved:

THAT the National Assembly of Québec certify that Mr. Denis Tremblay, Québec photographer of international renown, took a panoramic photograph of the Parliament Building of Québec at 12.00 o'clock a.m. (local time) on 1 January 2001, and that it thank him for this and commend him for his overall work.

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

During the debate, by leave of the Assembly to set aside Standing Order 59, Mr. Paquin (Saint-Jean) tabled the following:

A fact sheet, published by the Commission de la capitale nationale du Québec, concerning the panoramic photograph of the National Assembly taken by Mr. Denis Tremblay and entitled "Photo panoramique 400° : Changement du siècle et du millénaire, 20<sup>e</sup> et 21<sup>e</sup> siècle, 2<sup>e</sup> et 3<sup>e</sup> millénaire 2000-2001".

(Sessional Paper No. 329-20010612)

**12 June 2001**

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Copy of a handwritten letter, dated 1 January 2001 and signed by six witnesses certifying that the said panoramic photograph was taken by Mr. Denis Tremblay.  
(Sessional Paper No. 330-20010612)

A biographical note concerning Mr. Denis Tremblay, photographer.  
(Sessional Paper No. 331-20010612)

The debate being concluded, the motion was carried.

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Mr. MacMillan (Papineau) moved:

THAT the National Assembly congratulate the players of the Colorado Avalanche hockey team (formerly the Québec Nordiques), for their strong performance which enabled them to win the most prestigious trophy, the Stanley Cup.

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

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Mr. Dupuis (Saint-Laurent) moved:

THAT the National Assembly congratulate a son of the riding of Saint-Laurent, Mr. Raymond Bourque, member of the Colorado Avalanche.

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

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Mr. Boisclair, Deputy Government House Leader, on behalf of Mr. Legault, Minister of State for Education and Youth, moved:

THAT the National Assembly mark the victory of Mr. Martin Robitaille, from the Québec City region, who won

**12 June 2001**

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the title of international grand champion in the Francophone classes category, at the international final of the Dictée P.G.L.

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 Social Affairs, to continue its special consultations on Bill 27, An Act respecting the Health and Social Services Ombudsman and amending various legislative provisions;
- the Committee on Labour and the Economy, to continue its clause-by-clause consideration of Bill 31, An Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions;
- the Committee on Culture, to hold special consultations on Bill 122, An Act to amend the Act respecting Access to documents held by public bodies and the Protection of personal information, the Act respecting the protection of personal information in the private sector, the Professional Code and other legislative provisions;
- the Committee on Planning and the Public Domain, to hear the interested parties and give clause-by-clause consideration to Private Bill 203, An Act respecting Ville de Sept-Îles, and to Private Bill 230, An Act respecting the Régie intermunicipale d'assainissement des eaux de Sainte-Thérèse et Blainville.

12 June 2001

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## ORDERS OF THE DAY

### Government Bills

#### *Passage*

Mr. Boisclair, Minister of the Environment, moved the passage of Bill 149, An Act respecting nature reserves on private land.

After debate thereon, the motion was carried and, accordingly, Bill 149 was passed.

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At 12.59 o'clock p.m., Mr. Bissonnet, Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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The proceedings resumed at 3.05 o'clock p.m.

#### *Passage in Principle*

Mr. Cliche, Minister for Research, Science and Technology, moved, —That Bill 33, An Act to amend the Act respecting the Ministère de la Recherche, de la Science et de la Technologie, do now pass in principle.

And debate arising;

Mrs. Carrier-Perreault, Deputy Government House Leader, moved the adjournment of the debate.

**12 June 2001**

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This motion was carried on division.

*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 25, An Act to amend the Environment Quality Act.

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

*Passage in Principle*

Resuming the debate on the motion by Mr. Cliche, Minister for Research, Science and Technology, –That Bill 33, An Act to amend the Act respecting the Ministère de la Recherche, de la Science et de la Technologie, do now pass in principle;

The debate being concluded, the motion was carried and Bill 33 was accordingly passed in principle.

On motion by Mrs. Carrier-Perreault, Deputy Government House Leader, Bill 33 was referred for clause-by-clause consideration to the Committee on Labour and the Economy.

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Mrs. Marois, Minister of Finance, moved, –That Bill 20, An Act to amend the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons, do now pass in principle.

After debate thereon, the motion was carried and Bill 20 was accordingly passed in principle.

On motion by Mrs. Carrier-Perreault, Deputy Government House Leader, Bill 20 was referred for clause-by-clause consideration to the Committee on Public Finance.

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**12 June 2001**

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Mr. Arseneau, Minister of Agriculture, Fisheries and Food, moved, —That Bill 184, An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions, do now pass in principle.

And debate arising;

Mrs. Carrier-Perreault, Deputy Government House Leader, moved the adjournment of the debate.

After debate thereon, the question was put on this motion; a recorded division was thereupon demanded.

The motion was negatived on the following vote:

(Division No. 32 in Appendix)

Yeas: **0**   Nays: **90**   Abstentions: **1**

And debate continuing on the motion by Mr. Arseneau, Minister of Agriculture, Fisheries and Food, —That Bill 184, An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions, do now pass in principle;

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At 6.00 o'clock p.m., Mr. Pinard, 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 Mr. Arseneau, Minister of Agriculture, Fisheries and Food, —That Bill 184, An Act to amend the Act respecting the preservation

**12 June 2001**

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of agricultural land and agricultural activities and other legislative provisions, do now pass in principle;

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At 12.00 o'clock a.m., Mr. Brouillet, Vice-President, adjourned the Assembly until Wednesday, 13 June 2001, at 10.00 o'clock a.m.

**JEAN-PIERRE CHARBONNEAU**

*President*

12 June 2001

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**APPENDIX**

**Recorded Divisions**

On the motion by Mr. Arseneau, Minister of Agriculture, Fisheries and Food, for the adjournment of the debate on the passage in principle of Bill 184, An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions:

**(Division No. 32)**

**NAYS - 90**

Arseneau	Charest	Houda-Pepin	Ouimet
Barbeau	<i>(Sherbrooke)</i>	Jérôme-Forget	Paquin
Beauchamp	Cholette	Julien	Paradis
Beaudoin	Cliche	Jutras	Paré
Beaulne	Copeman	Kelley	Pelletier
Beaumier	Côté	Kieffer	<i>(Chapleau)</i>
Bécharde	<i>(Dubuc)</i>	Labbé	Pelletier
Bédard	Côté	Lachance	<i>(Abitibi-Est)</i>
Bélanger	<i>(La Peltrie)</i>	Lafrenière	Poulin
Benoit	Cousineau	Lamoureux	Rioux
Bergeron	Cusano	Lamquin-Éthier	Robert
Bergman	Désilets	Laporte	Rochefort
Bertrand	Deslières	Laprise	Rochon
<i>(Charlevoix)</i>	Després	Leblanc	Signori
Bertrand	Dion	Leduc	Simard
<i>(Portneuf)</i>	Dionne-Marsolais	Lelièvre	<i>(Montmorency)</i>
Blanchet	Doyer	Loiselle	Simard
Bordeleau	Facal	Maciocia	<i>(Richelieu)</i>
Boulerice	Fournier	MacMillan	Tranchemontagne
Boulianne	Gagnon	Marcoux	Trudel
Bourbeau	Gagnon-Tremblay	Marois	Whissell
Brodeur	Gautrin	Marsan	Williams
Caron	Gauvin	Middlemiss	
Carrier-Perreault	Geoffrion	Morin	
Charest	Gobé	Mulcair	
<i>(Rimouski)</i>	Goupil	Normandeau	

**ABSTENTIONS - 1**

**12 June 2001**

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Gendron