



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 21 May 2008 — No. 86

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

QUÉBEC

The Assembly was called to order at 10.07 o'clock a.m.

ORDERS OF THE DAY

Business Standing in the Name of Members in Opposition

Mr. Legault (Rousseau) moved:

THAT the National Assembly ask the Auditor General of Québec to establish, in a special report, the actual budget balance as at 31 March 2007, in relation to Bill 85, An Act to amend the Balanced Budget Act and other legislative provisions.

Following a meeting with the House leaders, Mr. Picard, Third Vice-President, informed the Assembly of the speaking time for the proceedings with respect to this motion: 10 minutes shall be allotted for a reply by its mover; the remaining time will be distributed among the parliamentary groups, who will have a time envelope that corresponds to the proportion of seats they respectively have in the Assembly; any time not used by a group will be transferred to the two other groups, in accordance with the proportion of seats they hold; and individual addresses shall not be limited.

A debate arose on the motion by Mr. Legault (Rousseau).

During his address, by leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Legault (Rousseau) tabled the following:

A table indicating the impact of the passage of Bill 85 on the budget balance of the Government of Québec.

(Sessional Paper No. 993-20080521)

The debate continued.

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

At the request of Mr. Gauthrin, Deputy Government House Leader, the division was deferred until Routine Proceedings later in the sitting.

At 11.44 o'clock a.m., Mr. Picard, Third Vice-President, suspended the proceedings until 2.00 o'clock p.m.

The proceedings resumed at 2.08 o'clock p.m.

Mr. President took the floor to express the Assembly's condolences to the family, friends and colleagues of Mrs. Nancy Michaud, who died tragically last weekend.

At the invitation of Mr. President, the Assembly observed a minute of silence.

At the invitation of Mr. President, Mr. Charest, Premier, and Mr. MacMillan, Chief Government Whip, welcomed the new Member for Hull, Mrs. Maryse Gaudreault.

Mr. Charest, Premier, Mr. Dumont, Leader of the Official Opposition, and Mrs. Marois, Leader of the Second Opposition Group, made a few comments.

Mrs. Gaudreault (Hull) then took the floor.

Finally, Mr. President welcomed the new Member.

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ROUTINE PROCEEDINGS

Presenting Papers

Mr. President tabled the following:

A letter, dated 20 May 2008, he had received from Mr. Mario Dumont, Leader of the Official Opposition, concerning the appointment of Mrs. Lucille Méthé, Member for Saint-Jean, as member of the Office of the National Assembly, in replacement of Mr. Claude Roy, Member for Montmagny-L'Islet, effective 15 May 2008.

(Sessional Paper No. 994-20080521)

Mrs. Houda-Pepin, First Vice-President, moved that this modification to the composition of the Office of the National Assembly be adopted.

The motion was carried.

Mr. President then tabled the following:

A letter, dated 20 May 2008, he had received from Mr. Mario Dumont, Leader of the Official Opposition, concerning the appointment of Mrs. Linda Lapointe, Member for Groulx, as Deputy Opposition Whip, in replacement of Mrs. Lucille Méthé, Member for Saint-Jean, effective 15 May 2008;

(Sessional Paper No. 995-20080521)

The new seating plan of the National Assembly, dated 21 May 2008.

(Sessional Paper No. 996-20080521)

Presenting Petitions

By leave of the Assembly to set aside Standing Order 63, Mrs. Richard (Duplessis) tabled the following:

The abstract of a petition respecting the establishment of a residential care centre for elderly and semi-independent persons in Port-Cartier, and signed by 828 citizens of Port-Cartier.

(Sessional Paper No. 997-20080521)

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Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mrs. Marois, Leader of the Second Opposition Group, withdrew certain words deemed unparliamentary.

At the request of Mr. President, Mr. Deslières (Beauharnois) withdrew certain words deemed unparliamentary.

Deferred Divisions

The Assembly took the division, which had been deferred during Business Standing in the Name of Members in Opposition, on the motion by Mr. Legault (Rousseau).

This motion reads as follows:

THAT the National Assembly ask the Auditor General of Québec to establish, in a special report, the actual budget balance as at 31 March 2007, in relation to Bill 85, An Act to amend the Balanced Budget Act and other legislative provisions.

The motion was carried on the following vote:

(Division No. 57 in Appendix)

Yeas: **65** Nays: **40** Abstentions: **0**

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Dumont, Leader of the Official Opposition, Mr. Charest, Premier, and Mrs. Marois, Leader of the Second Opposition Group, jointly moved:

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THAT the National Assembly of Québec affirm that French language proficiency is a prerequisite and essential condition for the appointment of Supreme Court of Canada judges.

By leave of the Assembly, a debate arose thereon.

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

The motion was carried on the following vote:

(Division No. **58** in Appendix)

Yeas: **99** Nays: **0** Abstentions: **0**

By leave of the Assembly to set aside Standing Order 185, Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, Mr. Curzi (Borduas) and Mr. Benjamin (Berthier) jointly moved:

THAT the National Assembly of Québec mark World Day for Cultural Diversity for Dialogue and Development, proclaimed on 21 May by the United Nations General Assembly;

THAT it support the implementation process of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, and that it call for the ratification of this Convention by the greatest number of countries possible.

By leave of the Assembly, the motion was carried.

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By leave of the Assembly to set aside Standing Order 185, Mr. Lemay (Sainte-Marie–Saint-Jacques), Mr. Pelletier, Minister responsible for Canadian Intergovernmental Affairs, Aboriginal Affairs, Francophones within Canada, the Reform of Democratic Institutions and Access to Information, and Mr. Riedl (Iberville) jointly moved:

THAT the National Assembly of Québec mark today, 21 May 2008, the 204th anniversary of the departure of the Lewis and Clark expedition, whose mandate was given by Thomas Jefferson, third President of the United States of America;

THAT it recognize the role of our ancestors in the success of this historic expedition;

THAT it remember and acknowledge the battle exploits of the Frenchmen and the Métis, as well as of all those that the explorers met during their journey: Georges Drouillard, Pierre Cruzatte, François Labiche, Toussaint Charbonneau, Sacagewae, wife of Toussaint Charbonneau and mother of Jean-Baptiste, Jean-Baptiste Deschamps, Francis Rivet, Pierre Roy, Joseph Collin, Charles Hébert, Paul Primeau, Baptiste La Jeunesse, Étienne Malboeuf, Pierre Pinaut, Joseph Graveline, René Jussaume, Pierre Dorion, Jean-Baptiste Lepage and the dozens of others whose names have been forgotten by history.

By leave of the Assembly, the motion was carried.

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By leave of the Assembly to set aside Standing Order 185, Mrs. Morissette (Charlesbourg), Mr. Bergman (D'Arcy-McGee) and Mrs. Maltais (Taschereau) jointly moved:

THAT the National Assembly invite the population to visit Exposition Shalom Québec, which tells the story, within the framework of the 400th anniversary of Québec City, of the Jewish community in the greater Québec area from 1608 to 2008; this exhibit is presented at the Gare du Palais from 20 May to 26 September 2008.

By leave of the Assembly, the motion was carried.

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Notices of Proceedings in Committees

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

- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 75, An Act to amend the Professional Code and other legislative provisions, and of Bill 69, An Act to amend the Election Act and other legislative provisions;
- the Committee on Transportation and the Environment, to continue its clause-by-clause consideration of Bill 55, An Act to again amend the Highway Safety Code and other legislative provisions.

Mrs. Houda-Pepin, First Vice-President, gave the following notice:

- the Committee on Public Administration shall hold a deliberative meeting for the purpose of establishing its conclusions within the framework of the follow-up to the cadastral reform

ORDERS OF THE DAY

At 4.04 o'clock p.m., at the request of Mr. Pelletier, Deputy Government House Leader, Mrs. Houda-Pepin, First Vice-President, suspended the proceedings until 4.45 o'clock p.m.

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The proceedings resumed at 4.50 o'clock p.m.

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Public Finance on its clause-by-clause consideration of Bill 73, Real Estate Brokerage Act.

After debate thereon, the report was concurred in.

Mr. Pelletier, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 22 May 2008, at 10.00 o'clock a.m.

The motion was carried.

Accordingly, at 5.04 o'clock p.m., Mr. Chagnon, Second Vice-President, adjourned the Assembly until Thursday, 22 May 2008, at 10.00 o'clock a.m.

MICHEL BISSONNET

President

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APPENDIX

Recorded Divisions

On the motion moved by Mr. Legault (Rousseau) during Business Standing in the Name of Members in Opposition, concerning Bill 85, An Act to amend the Balanced Budget Act and other legislative provisions:

(Division No. 57)

YEAS - 65

Arseneau	Domingue	Laporte	Pagé
Auger	Dorion	Leblanc	Pelletier
Beaupré	Doyer	L'Écuyer	<i>[Rimouski]</i>
Bédard	Dufour	<i>[Saint-Hyacinthe]</i>	Proulx
Benjamin	Dumont	Légaré	Richard
Benoit	Ferland	Legault	Riedl
Bonnardel	Francoeur	Léger	Roux
Bouchard	Gaudreault	Lelièvre	Roy
Caire	<i>[Jonquière]</i>	Lemay	<i>[Montmagny-L'Islet]</i>
Camirand	Gendron	Lévesque	Roy
Charbonneau	Gingras	Malavoy	<i>[Lotbinière]</i>
Cloutier	Girard	Maltais	Roy Verville
Côté	Gosselin	Marois	Schneeberger
Damphousse	Grandmont	Merlini	Simard
Deschamps	Grondin	Méthé	Taillon
Deslières	Kotto	Morasse	Therrien
Desrochers	Lapointe	Morin	Wawanoloath
Diamond	<i>[Groulx]</i>	Morissette	

NAYS - 40

Arcand	Dubourg	Kelley	Paradis
Auclair	Dupuis	L'Écuyer	Pelletier
Beauchamp	Fournier	<i>[Pontiac]</i>	<i>[Chapleau]</i>
Béchar	Gagnon-Tremblay	Lessard	Reid
Bergman	Gaudreault	MacMillan	Sklavounos
Blais	<i>[Hull]</i>	Marcoux	St-Pierre
Boulet	Gautrin	Marsan	Tomassi
Charest	Gonthier	Ménard	Vallée
Charlebois	Hamad	Normandeau	Vallières
Copeman	James	Ouimet	Whissell
Couillard	Jérôme-Forget	Paquet	

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On the motion moved jointly by Mr. Dumont, Leader of the Official Opposition, Mr. Charest, Premier, and Mrs. Marois, Leader of the Second Opposition Group, concerning French language proficiency as a condition for the appointment of Supreme Court of Canada judges:

(Division No. 58)

YEAS - 99

Arcand	Domingue	Lapointe	Pagé
Arseneau	Dorion	<i>[Groulx]</i>	Paquet
Auclair	Doyer	Laporte	Paradis
Auger	Dubourg	Leblanc	Pelletier
Beauchamp	Dufour	L'Écuyer	<i>[Rimouski]</i>
Beaupré	Dumont	<i>[Saint-Hyacinthe]</i>	Pelletier
Béchar	Dupuis	L'Écuyer	<i>[Chapleau]</i>
Bédard	Ferland	<i>[Pontiac]</i>	Proulx
Benjamin	Fournier	Légaré	Reid
Benoit	Francoeur	Léger	Richard
Bergman	Gagnon-Tremblay	Lelièvre	Riedl
Bonnardel	Gaudreault	Lemay	Roux
Bouchard	<i>[Hull]</i>	Lessard	Roy
Boulet	Gaudreault	Lévesque	<i>[Lotbinière]</i>
Caire	<i>[Jonquière]</i>	MacMillan	Roy
Camirand	Gautrin	Malavoy	<i>[Montmagny-L'Islet]</i>
Charbonneau	Gendron	Maltais	Roy Verville
Charest	Gingras	Marcoux	Schneeberger
Charlebois	Gonthier	Marois	Sklavounos
Cloutier	Gosselin	Marsan	St-Pierre
Copeman	Grandmont	Ménard	Taillon
Côté	Grondin	Merlini	Therrien
Damphousse	Hamad	Méthé	Tomassi
Deschamps	James	Morasse	Vallée
Deslières	Jérôme-Forget	Morin	Vallières
Desrochers	Kelley	Morissette	Wawanoloath
Diamond	Kotto	Ouimet	Whissell