



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 12 March 2008 — No. 59

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

QUÉBEC

The Assembly was called to order at 10.03 o'clock a.m.

ORDERS OF THE DAY

Business Standing in the Name of Members in Opposition

Mrs. Morissette (Charlesbourg) moved:

THAT the National Assembly demand that the Government of Québec respond to the decline in the use of French in Montréal, as stated in the report of the Office québécois de la langue française on the linguistic situation in Québec, and that it set aside the recent increase in the immigration level and re-establish the former threshold.

Following a meeting with the House leaders, Mr. Chagnon, Second 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 Mrs. Morissette (Charlesbourg).

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

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

12 March 2008

At 11.56 o'clock a.m., Mr. Chagnon, Second Vice-President, suspended the proceedings until 2.00 o'clock p.m.

The proceedings resumed at 2.04 o'clock p.m.

Moment of reflection

ROUTINE PROCEEDINGS

Introduction of Bills

Mr. Trottier (Roberval) moved that leave be granted to introduce the following Bill:

391 An Act to declare water a common heritage of the Québec nation

The question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **36** in Appendix)

Yeas: **114** Nays: **0** Abstentions: **0**

Presenting Papers

Mr. Bachand, Minister of Economic Development, Innovation and Export Trade, tabled the following:

12 March 2008

A report on the implementation of simplified regulatory and administrative government measures, entitled "Simplifier la vie des entreprises".

(Sessional Paper No. 817-20080312)

Mr. Pelletier, Minister responsible for Canadian Intergovernmental Affairs, Aboriginal Affairs, Francophones within Canada, the Reform of Democratic Institutions and Access to Information, tabled the following:

The report of the Chief Electoral Officer of Québec, concerning the procedures in relation to a mixed compensatory voting system.

(Sessional Paper No. 818-20080312)

Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, tabled the following:

The annual report of the Place des Arts de Montréal, for the fiscal year ended 31 August 2007.

(Sessional Paper No. 819-20080312)

Mr. President tabled the following:

The preliminary report of the Commission de la représentation électorale, proposing the boundaries of Québec's electoral divisions.

(Sessional Paper No. 820-20080312)

Presenting Petitions

Mr. Cloutier (Lac-Saint-Jean) tabled the following:

The abstract of a petition respecting the maintaining of the public health care system, and signed by 28 citizens from the riding of Lac-Saint-Jean.

(Sessional Paper No. 821-20080312)

12 March 2008

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

The abstract of a petition respecting the maintaining of the palliative care centre at Hôpital Laurentien in Sainte-Agathe, and signed by 6250 citizens from the riding of Bertrand.

(Sessional Paper No. 822-20080312)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Legault (Rousseau) withdrew certain words deemed unparliamentary.

By leave of the Assembly to set aside Standing Order 53, Mrs. Courchesne, Minister of Education, Recreation and Sports, tabled the following:

A document entitled "Sex Education in the Context of Education Reform".

(Sessional Paper No. 823-20080312)

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 Mrs. Morissette (Charlesbourg).

This motion reads as follows:

THAT the National Assembly demand that the Government of Québec respond to the decline in the use of French in Montréal, as stated in the report of the Office québécois de la langue française on the linguistic situation in Québec, and that it set aside the recent increase in the immigration level and re-establish the former threshold.

12 March 2008

The motion was negated on the following vote:

(Division No. 37 in Appendix)

Yeas: **40** Nays: **75** Abstentions: **0**

Motions Without Notice

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

THAT the National Assembly express its deepest condolences to the family and friends of Dr. Denis Lazure, former Member and Minister at the National Assembly;

That it pay homage to his outstanding contribution to Québec society.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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

By leave of the Assembly to set aside Standing Order 185, Mr. Bérubé (Matane), Mr. Pelletier, Minister responsible for Canadian Intergovernmental Affairs, Aboriginal Affairs, Francophones within Canada, the Reform of Democratic Institutions and Access to Information, and Mr. Morin (Beauce-Sud) jointly moved:

THAT the National Assembly express its deepest condolences to the family and friends of 22-year-old Bombardier Jérémie Ouellet, native of Matane.

By leave of the Assembly, the motion was carried.

At the invitation of Mrs. Houda-Pepin, First Vice-President, the Assembly observed a minute of silence.

12 March 2008

By leave of the Assembly to set aside Standing Order 53, the Assembly immediately took Notices of Proceedings in Committees.

Notices of Proceedings in Committees

By leave of the Assembly to set aside Standing Order 145, Mr. Fournier, Government House Leader, convened the following Committee:

- the Committee on Institutions, to conclude its public hearings within the framework of special consultations on Bill 50, An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations.

—————

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

- the Committee on Education shall hold a deliberative meeting to hear the Minister of Education and the First Nations Education Council, within the framework of the mandate concerning the school success of aboriginals.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Caire (La Peltrie), Mr. Couillard, Minister of Health and Social Services, and Mr. Drainville (Marie-Victorin) jointly moved:

THAT the National Assembly mark the importance of
World Cancer Day, which was held last 4 February.

By leave of the Assembly, the motion was carried.

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12 March 2008

By leave of the Assembly to set aside Standing Orders 84 and 185, Mr. Laporte (L'Assomption), Mr. Couillard, Minister of Health and Social Services, and Mrs. Harel (Hochelaga-Maisonneuve) jointly moved:

THAT the National Assembly mark the 20th Québec Week for the Intellectually Disabled, which is being held from 9 to 15 March;

THAT it recognize the significant contribution made by persons with an intellectual disability and the commitment and courage of the friends and family who support them.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Orders 84 and 185, Mr. Couillard, Minister of Health and Social Services, Mr. Benoit (Montmorency) and Mrs. Maltais (Taschereau) jointly moved:

THAT the National Assembly mark the remarkable contribution of Mr. Eugen Kedl, photographer, who was instrumental in making known the beauty of Québec City through his photographic work.

By leave of the Assembly, the motion was carried.

Mr. Drainville (Marie-Victorin) moved a motion concerning Lachine hospital; this motion could not be debated for want of unanimous consent.

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

12 March 2008

THAT the National Assembly mark International Mother Tongue Day;

THAT on this occasion, all Quebecers proudly celebrate their mother tongue within Québec's very own linguistic context.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

By leave of the Assembly to set aside Standing Order 185, Mr. Bouchard (Vachon), Mrs. Beauchamp, Minister of Sustainable Development, Environment and Parks, and Mr. Diamond (Marguerite-D'Youville) jointly moved:

THAT the National Assembly of Québec denounce and condemn the Federal Government for its lack of fairness to Québec in the implementation of its climate change plan, which disregards and penalizes the efforts made by Quebecers in this regard since 1990.

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. **38** in Appendix)

Yeas: **108** Nays: **0** Abstentions: **0**

Pursuant to Standing Order 146, Mr. Pelletier, Deputy Government House Leader, moved:

12 March 2008

THAT the Committee on Institutions, within the framework of the consideration of Bill 60, An Act to amend the Police Act, hold special consultations and public hearings on 1 and 2 April 2008 and that, for this purpose, it hear the following groups:

- Fraternité des policiers et policières de Montréal
- Association des policières et policiers provinciaux du Québec
- Fédération des policiers et policières municipaux du Québec
- Association des directeurs de police du Québec
- Fédération Québécoise des Municipalités
- Union des municipalités du Québec
- Syndicat des agents de conservation de la faune du Québec
- Barreau du Québec
- First Nations Chiefs of Police Association

A period of 15 minutes shall be allotted for the opening statements, which time shall be shared equally among the parliamentary group forming the Government, the parliamentary group forming the Official Opposition and the Second Opposition Group;

The presentation by each group shall last no more than 15 minutes and exchanges with members of the Committee shall last no more than 45 minutes, which time shall be shared among the members as follows: 17 minutes for the Members of the parliamentary group forming the Government; 15 minutes for the Members of the parliamentary group forming the Official Opposition; and 13 minutes for the Members of the Second Opposition Group;

A period of 15 minutes shall be allotted for the closing statements, which time shall be shared equally among the parliamentary group forming the Government, the parliamentary group forming the Official Opposition and the Second Opposition Group;

12 March 2008

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

By leave of the Assembly, the motion was carried.

Notices of Proceedings in Committees

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

- the Committee on Institutions, to continue its general consultation with reference to the evaluation report of the *Act to reform the Code of Civil Procedure* and the report on strategic lawsuits against public participation (SLAPP).

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

- the Committee on Education shall hold a preliminary deliberative meeting and then shall hold a deliberative meeting to hear the Advisory Committee on the Financial Accessibility of Education;
- the Committee on Transportation and the Environment shall hold a deliberative meeting to establish the Committee's observations, recommendations and conclusions following the special consultations and public hearings on residual waste management in Québec.

12 March 2008

ORDERS OF THE DAY

Debates on Reports from Committees

The Assembly took into consideration the report from the Committee on Public Administration, which heard the Deputy Minister of Finance, the Controller of Finance and Government Accounting, and the Secretary of the Conseil du trésor within the framework of the order of the National Assembly relating to the application of the *Balanced Budget Act*. This report contains recommendations.

Following a meeting with the House leaders, Mrs. Houda-Pepin, First Vice-President, informed the Assembly of the speaking time for the proceedings with respect to this limited debate: the 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 thereon.

The debate was adjourned in the name of Mr. Benoit (Montmorency).

At 6.00 o'clock p.m., Mr. Picard, Third Vice-President, adjourned the Assembly until Thursday, 13 March 2008, at 10.00 o'clock a.m.

MICHEL BISSONNET

President

12 March 2008

APPENDIX

Recorded Divisions

On the motion by Mr. Trottier (Roberval) to introduce Bill 391, An Act to declare water a common heritage of the Québec nation:

(Division No. 36)

YEAS - 114

Arcand	Damphousse	Kelley	Ouimet
Arseneau	De Martin	Lapointe	Paquet
Auclair	Deschamps	[Groulx]	Paradis
Auger	Deslières	Lapointe	Pelletier
Bachand	Desrochers	[Crémazie]	[Rimouski]
Beauchamp	Diamond	Laporte	Pelletier
Beaupré	Dionne-Marsolais	Leblanc	[Chapleau]
Béchar	Domingue	L'Écuyer	Proulx
Bédard	Dorion	[Pontiac]	Reid
Benjamin	Doyer	L'Écuyer	Richard
Benoit	Drainville	[Saint-Hyacinthe]	Riedl
Bergman	Dubourg	Légaré	Roux
Bérubé	Dufour	Legault	Roy
Blais	Dumont	Lelièvre	[Lotbinière]
Bonnardel	Dupuis	Lemay	Roy
Bouchard	Ferland	Lessard	[Montmagny-L'Islet]
Boulet	Fournier	Lévesque	Roy Verville
Caire	Francoeur	MacMillan	Schneeberger
Camirand	Gagnon-Tremblay	Malavoy	Simard
Charbonneau	Gaudreault	Maltais	Sklavounos
Charest	Gautrin	Marcoux	St-Pierre
Charlebois	Gendron	Marois	Taillon
Cholette	Gingras	Marsan	Thériault
Clermont	Girard	Ménard	Therrien
Cloutier	Gonthier	Merlini	Tomassi
Copeman	Gosselin	Méthé	Trottier
Côté	Grandmont	Moras	Vallée
Couillard	Grondin	Morin	Vallières
Courchesne	Hamad	Morissette	Whissell
Cousineau	Harel	Normandeau	
Curzi	James	Ouellette	

12 March 2008

On the motion moved by Mrs. Morissette (Charlesbourg) during Business Standing in the Name of Members in Opposition, concerning the linguistic situation in Québec:

(Division No. 37)

YEAS - 40

Auger	Desrochers	Laporte	Roux
Beaupré	Diamond	Leblanc	Roy
Benjamin	Domingue	L'Écuyer	<i>[Lotbinière]</i>
Benoit	Dorion	<i>[Saint-Hyacinthe]</i>	Roy
Bonnardel	Dumont	Légaré	<i>[Montmagny-L'Islet]</i>
Caire	Francoeur	Lévesque	Roy Verville
Camirand	Gingras	Merlini	Schneeberger
Charbonneau	Gosselin	Méthé	Taillon
Damphousse	Grandmont	Morin	Therrien
De Martin	Groncin	Morissette	
Deschamps	Lapointe	Proulx	
	<i>[Groulx]</i>	Riedl	

NAYS - 75

Arcand	Courchesne	James	Ouimet
Arseneau	Cousineau	Kelley	Pagé
Auclair	Curzi	Lapointe	Paquet
Bachand	Deslières	<i>[Crémazie]</i>	Paradis
Beauchamp	Dionne-Marsolais	L'Écuyer	Pelletier
Béchar	Doyer	<i>[Pontiac]</i>	<i>[Chapleau]</i>
Bédard	Drainville	Legault	Pelletier
Bergman	Dubourg	Lelièvre	<i>[Rimouski]</i>
Bérubé	Dufour	Lemay	Reid
Blais	Dupuis	Lessard	Richard
Bouchard	Ferland	MacMillan	Simard
Boulet	Fournier	Malavoy	Sklavounos
Charest	Gagnon-Tremblay	Maltais	St-Pierre
Charlebois	Gaudreault	Marcoux	Thériault
Cholette	Gautrin	Marois	Tomassi
Clermont	Gendron	Marsan	Trottier
Cloutier	Girard	Ménard	Vallée
Copeman	Gonthier	Morasse	Vallières
Côté	Hamad	Normandeau	Whissell
Couillard	Harel	Ouellette	

12 March 2008

On the motion moved jointly by Mr. Bouchard (Vachon), Mrs. Beauchamp, Minister of Sustainable Development, Environment and Parks, and Mr. Diamond (Marguerite-D'Youville), concerning the implementation of the Federal Government's climate change plan:

(Division No. 38)

YEAS - 108

Arcand	Damphousse	Kelley	Ouimet
Arseneau	De Martin	Lapointe	Pagé
Auclair	Deschamps	<i>[Crémazie]</i>	Paquet
Bachand	Deslières	Lapointe	Pelletier
Beauchamp	Desrochers	<i>[Groulx]</i>	<i>[Chapleau]</i>
Beaupré	Diamond	Laporte	Pelletier
Béchar	Dionne-Marsolais	Leblanc	<i>[Rimouski]</i>
Bédard	Domingue	L'Écuyer	Proulx
Benjamin	Dorion	<i>[Pontiac]</i>	Reid
Benoit	Doyer	L'Écuyer	Richard
Bergman	Drainville	<i>[Saint-Hyacinthe]</i>	Riedl
Blais	Dubourg	Légaré	Roux
Bonnardel	Dufour	Legault	Roy
Bouchard	Dumont	Lelièvre	<i>[Montmagny-L'Islet]</i>
Boulet	Dupuis	Lemay	Roy
Caire	Ferland	Lévesque	<i>[Lotbinière]</i>
Camirand	Fournier	MacMillan	Roy Verville
Charbonneau	Francoeur	Malavoy	Schneeberger
Charest	Gaudreault	Maltais	Simard
Charlebois	Gautrin	Marcoux	Sklavounos
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Clermont	Gingras	Marsan	Taillon
Cloutier	Girard	Ménard	Thériault
Copeman	Gonthier	Merlini	Therrien
Côté	Gosselin	Méthé	Tomassi
Couillard	Grandmont	Morasse	Trottier
Courchesne	Grondin	Morin	Vallée
Cousineau	Harel	Morissette	Vallières
Curzi	James	Ouellette	Whissell