



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 19 December 2007 — No. 57

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

QUÉBEC

The Assembly was called to order at 10.05 o'clock a.m.

Moment of reflection

ROUTINE PROCEEDINGS

Presenting Papers

Mrs. Gagnon-Tremblay, Minister of International Relations and Minister responsible for La Francophonie, tabled the following:

The activity report of the Office Québec-Amériques pour la jeunesse, for the fiscal year ended 31 March 2007.

(Sessional Paper No. 780-20071219)

Mrs. Courchesne, Minister of Education, Recreation and Sports, tabled the following:

The annual report of the Commission consultative de l'enseignement privé, for the fiscal year ended 30 June 2007;

(Sessional Paper No. 781-20071219)

The annual management report of the Commission consultative de l'enseignement privé, for the fiscal year ended 31 March 2007.

(Sessional Paper No. 782-20071219)

Mr. Hamad, Minister of Employment and Social Solidarity, tabled the following:

The activity report of the Comité consultatif de lutte contre la pauvreté et l'exclusion sociale, for the fiscal year ended 31 March 2007;

(Sessional Paper No. 783-20071219)

19 December 2007

The actuarial report of the Québec Parental Insurance Plan, for the fiscal year ended 31 December 2006.

(Sessional Paper No. 784-20071219)

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

The Strategic Plan 2007-2012 of the Conseil du statut de la femme, for the fiscal year ended 31 March 2007.

(Sessional Paper No. 785-20071219)

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

Answer to Written Question No. 3 concerning the need for physicians in the riding of Portneuf, placed on the Order Paper and Notices of 19 December 2007 by Mr. Francoeur (Portneuf).

(Sessional Paper No. 786-20071219)

Mr. President tabled the following:

A letter, dated 18 December 2007, he had received from Mr. Jean Charest, Premier of Québec, informing him of the appointments of Mrs. Lise Thériault, Member for Anjou and Chairman of the Committee on Institutions, and Mr. Geoffrey Kelley, Member for Jacques-Cartier and Chairman of the Committee on Social Affairs, as members of the Standing Subcommittee on Parliamentary Reform.

(Sessional Paper No. 787-20071219)

Presenting Reports from Committees

Mr. Taillon (Chauveau), chairman, tabled the following:

A report from the Committee on Public Administration, which, on 14 December 2007, 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*. The Committee also held deliberative meetings on 29 November and on 17 and 18 December 2007. The report contains six recommendations.

(Sessional Paper No. 788-20071219)

Mr. Paquet (Laval-des-Rapides), chairman, tabled the following:

A report from the Committee on Public Finance, which met on 18 December 2007 for clause-by-clause consideration of Bill 44, An Act to amend the Financial Administration Act and the Act respecting the Ministère des Finances. The report contains certain amendments to the bill.

(Sessional Paper No. 789-20071219)

Mrs. Morissette (Charlesbourg), chairman, tabled the following:

A report from the Committee on Labour and the Economy, which met on 17 December 2007 for clause-by-clause consideration of Bill 39, An Act to amend the Forest Act and other legislative provisions. The report contains certain amendments to the bill.

(Sessional Paper No. 790-20071219)

A report from the Committee on Labour and the Economy, which met on 11 and 14 December 2007 for clause-by-clause consideration of Bill 41, An Act to foster transparency in the sale of gasoline and diesel fuel. The Committee rejects the text of the bill.

(Sessional Paper No. 791-20071219)

Mr. Bergman (D'Arcy-McGee), chairman, tabled the following:

A report from the Committee on Transportation and the Environment, which met on 12, 13, 14, 17 and 18 December 2007 for clause-by-clause consideration of Bill 42, An Act to amend the Highway Safety Code and the Regulation respecting demerit points. The Committee also held deliberative meetings on 12, 13 and 17 December 2007. The report contains amendments to the bill.

(Sessional Paper No. 792-20071219)

Presenting Petitions

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

The abstract of a petition respecting the transportation of passengers on all-terrain vehicles and the increase in registration fees for motorcyclists, and signed by 137 citizens from the riding of Drummond.

(Sessional Paper No. 793-20071219)

By leave of the Assembly to set aside Standing Order 63, Mr. Drainville (Marie-Victorin) tabled the following:

The abstract of a petition respecting the transfer of surgeries from Hôpital du Sacré-Coeur de Montréal to RocklandMD private clinic, and signed by 3906 citizens of Québec.

(Sessional Paper No. 794-20071219)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

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 Mr. Gendron, House Leader of the Second Opposition Group, jointly moved:

19 December 2007

THAT the National Assembly mark the retirement of parliamentary correspondent Norman Delisle, most senior Parliamentary Press Gallery journalist, and thank him for his remarkable contribution to Québec's democratic life and to the vitality of the French language

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. Gaudreault (Jonquière), Mr. Côté (Dubuc), Mr. Bédard (Chicoutimi), Mrs. Courchesne, Minister of Education, Recreation and Sports, and Mr. Légaré (Vanier) jointly moved:

THAT the National Assembly congratulate the city of Saguenay for having obtained a portion next June of the prestigious Under 23 Nations Cup of the International Cycling Union, and recall that it is the first time that this event will take place outside of Europe.

By leave of the Assembly, the motion was carried.

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

THAT the National Assembly congratulate Mr. Yannick Nézet-Séguin, Artistic Director of the Orchestre Métropolitain du Grand Montréal, for his recent appointments as Musical Director of the Rotterdams Philharmonisch Orkest and Principal Guest Conductor of the London Philharmonic Orchestra, and that it underline its tremendous pride in seeing a great talent being thus recognized on the international scene.

By leave of the Assembly, the motion was carried.

19 December 2007

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

THAT the Committee on Social Affairs hold a general consultation on Bill 63, An Act to amend the Charter of human rights and freedoms, beginning on 12 February 2008;

THAT all briefs be submitted to the Secretariat of Committees by 1 February 2008;

The Minister of Culture, Communications and the Status of Women 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.

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

THAT the Committee on Institutions, within the framework of the consideration of Bill 54, An Act to amend the Police Act and other legislative provisions, hold special consultations and public hearings on 30 and 31 January 2008 and that, for this purpose, it hear the following groups:

- Kativik Regional Government
- Assembly of First Nations of Quebec and Labrador
- Association des chefs policiers autochtones
- Association des policières et des policiers provinciaux
- James Bay Regional Conference of Elected Officers
- Grand Council of the Crees (Eeyou Istchee)
- Municipality of James Bay and Ville de Lebel-sur-Quévillon
- Ville de Chapais
- Ville de Chibougamau
- Ville de Matagami

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;

The Minister responsible for Aboriginal Affairs 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.

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

THAT the Committee on Institutions, within the framework of the consideration of Bill 50, An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations, hold special consultations and public hearings on 12, 13 and 14 February 2008 and, for this purpose, hear the following groups:

- Ordre professionnel des travailleurs sociaux du Québec
- Ordre professionnel des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec
- Ordre professionnel des psychologues du Québec
- Ordre professionnel des ergothérapeutes du Québec
- Ordre professionnel des infirmières et des infirmiers du Québec
- Collège des médecins
- Fédération de la santé et des services sociaux
- Ordre des orthophonistes et audiologistes du Québec
- Ordre professionnel des diététistes du Québec
- Association des centres jeunesse du Québec
- Centrale des syndicats du Québec
- Conseil interprofessionnel du Québec
- Regroupement national des techniciennes et techniciens en travail social du Québec
- Coalition québécoise des professionnels de l'éducation spécialisée
- Association québécoise d'établissements de santé et de services sociaux
- Regroupement des enseignantes et enseignants du collégial en techniques de travail social du Québec
- Association des établissements de réadaptation en déficience physique du Québec
- Société québécoise des psychothérapeutes professionnel(le)s du Québec
- Association provinciale des professionnels en technique d'éducation spécialisée
- Fédération québécoise des établissements de réadaptation en déficience intellectuelle

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;

The Minister of Justice 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.

ORDERS OF THE DAY

Government Bills

Passage

Mrs. Jérôme-Forget, Minister responsible for Government Administration and Chair of the Conseil du trésor, moved the passage of Bill 52, An Act to amend various legislative provisions concerning pension plans in the public sector.

After debate thereon, the motion was carried and, accordingly, Bill 52 was passed.

Private Members' Public Bills

Passage in Principle

Mr. Chagnon (Westmount–Saint-Louis) moved, –That Bill 198, An Act to amend the Act respecting the Fondation Jean-Charles-Bonenfant, do now pass in principle.

After debate thereon, the motion was carried and Bill 198 was accordingly passed in principle.

Mr. Gauthrin, Deputy Government House Leader, moved that Bill 198 be referred for clause-by-clause consideration to the Committee of the Whole.

The motion was carried.

Committee of the Whole

Mr. Gauthrin, Deputy Government House Leader, moved that the Assembly resolve itself into a Committee of the Whole for the clause-by-clause consideration of Bill 198.

The motion was carried.

Bill 198 was considered in Committee of the Whole and thereupon reported.

The report was concurred in.

Passage

By leave of the Assembly to set aside Standing Order 230, Mr. Chagnon (Westmount–Saint-Louis) moved the passage of Bill 198, An Act to amend the Act respecting the Fondation Jean-Charles-Bonenfant.

After debate thereon, the motion was carried and, accordingly, Bill 198 was passed.

Passage in Principle

Mr. Turp (Mercier) moved, —That Bill 197, An Act to proclaim the International Day of Peace, do now pass in principle.

After debate thereon, the motion was carried and Bill 197 was accordingly passed in principle.

Mr. Gauthrin, Deputy Government House Leader, moved that Bill 197 be referred for clause-by-clause consideration to the Committee of the Whole.

The motion was carried.

Committee of the Whole

Mr. Gauthrin, Deputy Government House Leader, moved that the Assembly resolve itself into a Committee of the Whole for the clause-by-clause consideration of Bill 197.

The motion was carried.

Bill 197 was considered in Committee of the Whole and thereupon reported.

The report was concurred in.

Passage

By leave of the Assembly to set aside Standing Order 230, Mr. Turp (Mercier) moved the passage of Bill 197, An Act to proclaim the International Day of Peace.

After debate thereon, the motion was carried and, accordingly, Bill 197 was passed.

Private Bills

Passage in Principle

Mr. Lévesque (Lévis) moved the passage in principle of Private Bill 204, An Act respecting Ville de Lévis.

After debate thereon, the motion was carried on division, and Private Bill 204 was accordingly passed in principle.

Passage

Mr. Lévesque (Lévis) moved the passage of Private Bill 204, An Act respecting Ville de Lévis.

The motion was carried on division, and Private Bill 204 was accordingly passed.

Passage in Principle

Mr. Camirand (Prévost) moved the passage in principle of Private Bill 206, An Act respecting Ville de Saint-Jérôme.

After debate thereon, the motion was carried, and Private Bill 206 was accordingly passed in principle.

Passage

Mr. Camirand (Prévost) moved the passage of Private Bill 206, An Act respecting Ville de Saint-Jérôme.

The motion was carried and Private Bill 206 was accordingly passed.

Passage in Principle

Mr. Diamond (Marguerite-D'Youville) moved the passage in principle of Private Bill 207, An Act to amend the Act respecting Boucherville Golf Club.

After debate thereon, the motion was carried, and Private Bill 207 was accordingly passed in principle.

Passage

Mr. Diamond (Marguerite-D'Youville) moved the passage of Private Bill 207, An Act to amend the Act respecting Boucherville Golf Club.

The motion was carried, and Private Bill 207 was accordingly passed.

Passage in Principle

Mr. Paradis (Brome-Missisquoi) moved the passage in principle of Private Bill 208, An Act to amend the Act respecting L'Union des municipalités de la province de Québec (Union of Municipalities of the Province of Québec).

The motion was carried, and Private Bill 208 was accordingly passed in principle.

Passage

Mr. Paradis (Brome-Missisquoi) moved the passage of Private Bill 208, An Act to amend the Act respecting L'Union des municipalités de la province de Québec (Union of Municipalities of the Province of Québec).

The motion was carried, and Private Bill 208 was accordingly passed.

Passage in Principle

Mr. Tomassi (LaFontaine) moved the passage in principle of Private Bill 209, An Act respecting Marie Francine Sonia Sophie Bisson.

After debate thereon, the motion was carried, and Private Bill 209 was accordingly passed in principle.

Passage

Mr. Tomassi (LaFontaine) moved the passage of Private Bill 209, An Act respecting Marie Francine Sonia Sophie Bisson.

The motion was carried, and Private Bill 209 was accordingly passed.

Passage in Principle

Mr. Auclair (Vimont) moved the passage in principle of Private Bill 210, An Act to establish the Société du chemin de fer de la Gaspésie.

After debate thereon, the motion was carried, and Private Bill 210 was accordingly passed in principle.

Passage

Mr. Auclair (Vimont) moved the passage of Private Bill 210, An Act to establish the Société du chemin de fer de la Gaspésie.

After debate thereon, the motion was carried, and Private Bill 210 was accordingly passed.

Passage in Principle

Mr. Bergeron (Verchères) moved the passage in principle of Private Bill 211, An Act to amend the Act respecting Ville de Varennes.

After debate thereon, the motion was carried, and Private Bill 211 was accordingly passed in principle.

Passage

Mr. Bergeron (Verchères) moved the passage of Private Bill 211, An Act to amend the Act respecting Ville de Varennes.

After debate thereon, the motion was carried, and Private Bill 211 was accordingly passed.

Passage in Principle

Mr. Bérubé (Matane) moved the passage in principle of Private Bill 212, An Act respecting Ville de Matane.

After debate thereon, the motion was carried, and Private Bill 212 was accordingly passed in principle.

Passage

Mr. Bérubé (Matane) moved the passage of Private Bill 212, An Act respecting Ville de Matane.

After debate thereon, the motion was carried, and Private Bill 212 was accordingly passed.

At 12.21 o'clock p.m., at the request of Mr. Gauthrin, Deputy Government House Leader, Mrs. Houde-Pepin, First Vice-President, suspended the proceedings until 3.00 o'clock p.m.

The proceedings resumed at 3.02 o'clock p.m.

Government Bills

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 Transportation and the Environment on its clause-by-clause consideration of Bill 42, An Act to amend the Highway Safety Code and the Regulation respecting demerit points, together with the amendments handed in by Mrs. Boulet, Minister of Transport.

The amendments were declared in order.

The amendments were carried.

The report, as amended, was concurred in.

Passage

By leave of the Assembly to set aside Standing Order 230, Mrs. Boulet, Minister of Transport, moved the passage of Bill 42, An Act to amend the Highway Safety Code and the Regulation respecting demerit points.

After debate thereon, the motion was carried and, accordingly, Bill 42 was passed.

At 3.53 o'clock p.m., Mr. Chagnon, Second Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 4.42 o'clock p.m.

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 39, An Act to amend the Forest Act and other legislative provisions, together with the amendments handed in by Mr. Béchar, Minister of Natural Resources and Wildlife.

The amendments were declared in order.

The amendments were carried.

The report, as amended, was concurred in.

19 December 2007

Passage

By leave of the Assembly to set aside Standing Order 230, Mr. Béchard, Minister of Natural Resources and Wildlife, moved the passage of Bill 39, An Act to amend the Forest Act and other legislative provisions.

After debate thereon, the motion was carried and, accordingly, Bill 39 was passed.

Report Stage

By leave of the Assembly to set aside Standing Order 253, the Assembly took into consideration the report from the Committee on Public Finance on its clause-by-clause consideration of Bill 44, An Act to amend the Financial Administration Act and the Act respecting the Ministère des Finances.

The report was concurred in.

Passage

By leave of the Assembly to set aside Standing Order 230, Mrs. Jérôme-Forget, Minister of Finance, moved the passage of Bill 44, An Act to amend the Financial Administration Act and the Act respecting the Ministère des Finances.

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

The motion was carried on the following vote:

(Division No. 35 in Appendix)

Yeas: **66** Nays: **36** Abstentions: **0**

Accordingly, Bill 44 was passed.

19 December 2007

Private Members' Public Bills

Passage in Principle

Mr. Benjamin (Berthier) moved, –That Bill 193, An Act to amend the Cinema Act do now pass in principle.

A debate arose thereon.

Mr. Fournier, Government House Leader, moved the adjournment of the debate.

The motion was carried.

Mrs. Normandeau, Deputy Premier, Mr. Dumont, Leader of the Official Opposition, and Mrs. Marois, Leader of the Second Opposition Group, made a few comments regarding the adjournment of the Assembly until the next sessional period.

Mr. President then made a few comments.

By leave of the Assembly to set aside Standing Order 21, the proceedings continued beyond 6.00 o'clock p.m.

Mr. Fournier, Government House Leader, moved the adjournment of the Assembly until Tuesday, 11 March 2008, at 10.00 o'clock a.m.

The motion was carried.

Accordingly, at 6.23 o'clock p.m., Mr. President adjourned the Assembly until Tuesday, 11 March 2008, at 10.00 o'clock a.m.

MICHEL BISSONNET

President

APPENDIX

Recorded Divisions

On the motion by Mrs. Jérôme-Forget, Minister of Finance, for the passage of Bill 44, An Act to amend the Financial Administration Act and the Act respecting the Ministère des Finances:

(Division No. 35)

YEAS - 66

Arcand	Couillard	Jérôme-Forget	Pelletier
Arseneau	Cousineau	Kelley	<i>[Chapleau]</i>
Auclair	Curzi	L'Écuyer	Pelletier
Beauchamp	Deslières	<i>[Pontiac]</i>	<i>[Rimouski]</i>
Béchar	Drainville	Legault	Richard
Bédard	Dubourg	Lelièvre	Simard
Bergeron	Dufour	Lemay	Sklavounos
Bergman	Dupuis	Lessard	St-Pierre
Bérubé	Ferland	MacMillan	Tomassi
Blais	Fournier	Maltais	Trottier
Bouchard	Gagnon-Tremblay	Marcoux	Turp
Boulet	Gaudreault	Marois	Vallée
Charlebois	Gautrin	Ménard	Vallières
Cholette	Gendron	Morasse	Wawanoloath
Clermont	Girard	Normandeau	Whissell
Cloutier	Gonthier	Ouellette	
Copeman	Hamad	Pagé	
Côté	James	Paquet	

NAYS - 36

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