



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 18 December 2007 — No. 56

**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

Introduction of Bills

Mrs. Jérôme-Forget, Minister of Finance, moved that leave be granted to introduce the following Bills:

71 An Act to amend the Auditor General Act and other legislative provisions

The motion was carried.

73 Real Estate Brokerage Act

The motion was carried.

Mrs. Jérôme-Forget, Minister of Government Services, moved that leave be granted to introduce the following Bill:

65 An Act respecting the application of the Act to establish a legal framework for information technology

The motion was carried.

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Mr. Couillard, Minister of Health and Social Services, moved that leave be granted to introduce the following Bills:

- 23 An Act respecting clinical and research activities relating to assisted procreation

The motion was carried.

- 67 An Act to amend various legislative provisions concerning health

The motion was carried.

- 70 An Act to amend the Act respecting health services and social services, the Health Insurance Act and the Act respecting the Régie de l'assurance maladie du Québec

The motion was carried.

Presenting Papers

Mrs. Jérôme-Forget, Minister of Government Services, Minister responsible for Government Administration and Chair of the Conseil du trésor, tabled the following:

The Strategic Plan 2007-2012 of Services Québec;
(Sessional Paper No. 765-20071218)

The annual management report of Services Québec, for the fiscal year ended 31 March 2007;
(Sessional Paper No. 766-20071218)

The 2006-2007 report on the application of the *Public Administration Act*.
(Sessional Paper No. 767-20071218)

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Mr. Dupuis, Minister of Justice, tabled the following:

The report on strategic lawsuits against public participation (SLAPP);
(Sessional Paper No. 768-20071218)

The Strategic Plan 2007-2010 of the Ministère de la Justice;
(Sessional Paper No. 769-20071218)

Copy of a letter, dated 6 December 2007, he had received from the chairman of the Committee on the Remuneration of Judges, Mr. Daniel Johnson, presenting the Committee's 2007-2008 budget estimates.
(Sessional Paper No. 770-20071218)

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

The annual management report of the Office québécois de la langue française, for the fiscal year ended 31 March 2007 (See Votes and Proceedings of 15 November 2007, Sessional Paper No. 647, 38th Legislature, 1st Session).
(Sessional Paper No. 771-20071218)

Mr. President tabled the following:

The report of the Chief Electoral Officer on the implementation of section 90.5 of the *Act respecting elections and referendums in municipalities*, concerning the decisions made within the framework of the by-election held in Québec City on 2 December 2007.
(Sessional Paper No. 772-20071218)

Presenting Reports from Committees

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

A report from the Committee on Public Administration, which heard the following: on 18 September 2007, the Deputy Minister of Sustainable Development, Environment and Parks, and the chief executive officer of Recyc-Québec, concerning residual materials (chapter 5, volume II, 2005-2006 report of the Auditor General of Québec); on 10 and 24 October 2007, the Deputy Minister of Transport, concerning the Ministry's 2005-2006 annual management report; and, on 14 November 2007, the chief executive officer of the Conseil des arts et des lettres du Québec, concerning the Conseil's 2005-2006 annual management report. The report contains 11 recommendations.

(Sessional Paper No. 773-20071218)

A report from the Committee on Public Administration, which, on 31 October 2007, heard the Deputy Minister of Employment and Social Solidarity within the framework of the examination of his financial commitments for the months of April to December 2006. The Committee also held deliberative meetings on 19 June, 19 September, 18 October, 7 and 21 November 2007 to examine the financial commitments of the ministries.

(Sessional Paper No. 774-20071218)

Mr. L'Écuyer (Saint-Hyacinthe), chairman, tabled the following:

A report from the Committee on Planning and the Public Domain, which, on 14 December 2007, heard the interested parties with respect to Private Bill 206, An Act respecting Ville de Saint-Jérôme, and examined this Bill clause-by-clause. The report does not contain any amendments to the Bill.

(Sessional Paper No. 775-20071218)

The report was concurred in.

A report from the Committee on Planning and the Public Domain, which, on 17 December 2007, heard the interested parties with respect to Private Bill 204, An Act respecting Ville de Lévis, and examined this Bill clause-by-clause. The report contains amendments to the Bill.

(Sessional Paper No. 776-20071218)

The report was concurred in.

Mr. Simard (Richelieu), committee chairman, tabled the following:

A report from the Committee on Culture, which, on 21 November 2007, heard the chairman of the Commission d'accès à l'information concerning the examination of the 2001-2002 to 2006-2007 annual reports. The report contains 8 recommendations.

(Sessional Paper No. 777-20071218)

Presenting Petitions

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

The abstract of a petition respecting the application of the International Labour Office's recommendations regarding the *Act respecting conditions of employment in the public sector*, and signed by 26,623 citizens of Québec.

(Sessional Paper No. 778-20071218)

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

The abstract of a petition respecting the maintenance of the living standard of retirees, and signed by 1705 citizens of Québec.

(Sessional Paper No. 779-20071218)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Deferred Divisions

The Assembly took the division, which had been deferred at the sitting of 14 December 2007, on the motion by Mrs. Jérôme-Forget, Minister of Finance, for the passage in principle of Bill 44, An Act to amend the Financial Administration Act and the Act respecting the Ministère des Finances.

The motion was carried on the following vote:

(Division No. **34** in Appendix)

Yeas: **69** Nays: **39** Abstentions: **0**

Accordingly, Bill 44 was passed in principle.

Mr. Fournier, Government House Leader, moved that Bill 44 be referred for clause-by-clause consideration to the Committee on Public Finance.

The motion was carried.

Motions Without Notice

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

THAT the National Assembly mark the retirement of the outgoing chairman of the Fédération des médecins omnipraticiens, Dr. Renald Dutil, and that it also pay tribute to his work and achievements promoting access to primary medical care.

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. Dupuis, Minister of Justice, and Mr. Dorion (Nicolet-Yamaska) jointly moved:

THAT the National Assembly mark the 30th anniversary of the inclusion of sexual orientation as grounds for discrimination in the Québec Charter of Rights and Freedoms.

By leave of the Assembly, the motion was carried.

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

THAT the National Assembly of Québec mark the 20th anniversary of the *Act respecting the professional status and conditions of engagement of performing, recording and film artists*, which was held last 17 December.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Orders 84 and 185, Mrs. James, Minister of Immigration and Cultural Communities, Mrs. Morissette (Charlesbourg) and Mr. Drainville (Marie-Victorin) jointly moved:

THAT the National Assembly mark the 30th anniversary of the Ralliement des infirmières et infirmiers auxiliaires haitiens de Montréal, an association that has, through the years, proven its unfailing devotion to its members and to Québec's community.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

18 December 2007

By leave of the Assembly to set aside Standing Orders 84 and 185, Mrs. Morissette (Charlesbourg), Mrs. James, Minister of Immigration and Cultural Communities, and Mr. Lemay (Sainte-Marie–Saint-Jacques) jointly moved:

THAT the National Assembly mark International Migrants Day held this 18 December.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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

THAT the Committee on Institutions hold a 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), beginning on 19 February 2008;

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

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.

Notices of Proceedings in Committees

Mr. Fournier, Government House Leader, convened the following Committees:

- the Committee on Transportation and the Environment, to continue its clause-by-clause consideration of Bill 42, An Act to amend the Highway Safety Code and the Regulation respecting demerit points;

- the Committee on Public Finance, to give clause-by-clause consideration to Bill 44, An Act to amend the Financial Administration Act and the Act respecting the Ministère des Finances.

Mr. Chagnon, Second Vice-President, gave the following notice:

- the Committee on Public Administration shall hold a deliberative meeting to concur in the Committee's recommendations within the framework of the order of the Assembly relating to the application of the *Balanced Budget Act*.

ORDERS OF THE DAY

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 52, An Act to amend various legislative provisions concerning pension plans in the public sector.

After debate thereon, the report was concurred in.

Passage

Mrs. Jérôme-Forget, Minister responsible for Government Administration and Chair of the Conseil du trésor, moved the passage of Bill 32, Act to promote the maintenance and renewal of public infrastructures (*modified title*).

A debate arose thereon.

18 December 2007

At 12.58 o'clock p.m., at the request of Mr. Pelletier, Deputy Government House Leader, Mr. Chagnon, Second Vice-President, suspended the proceedings until 3.00 o'clock p.m.

The proceedings resumed at 3.12 o'clock p.m.

Passage

The debate continued on the motion by Mrs. Jérôme-Forget, Minister responsible for Government Administration and Chair of the Conseil du trésor, for the passage of Bill 32, Act to promote the maintenance and renewal of public infrastructures (*modified title*).

The debate being concluded, the motion was carried and, accordingly, Bill 32 was passed.

Mr. Dupuis, Minister responsible for the administration of legislation respecting the professions, moved the passage of Bill 46, An Act to amend the Professional Code and the Chartered Accountants Act in respect of public accountancy.

After debate thereon, the motion was carried and, accordingly, Bill 46 was passed.

Mr. Dupuis, Minister of Justice, moved the adjournment of the Assembly until Wednesday, 19 December 2007, at 10.00 o'clock a.m.

The motion was carried.

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Accordingly, at 4.01 o'clock p.m., Mr. Picard, Third Vice-President, adjourned the Assembly until Wednesday, 19 December 2007, at 10.00 o'clock a.m.

ROYAL ASSENT

On Tuesday, 18 December 2007, at 3.17 o'clock p.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Chagnon, Second Vice-President of the National Assembly, of Mr. Whissell, Minister of Labour, the Delegate of the Premier, of Mrs. Morissette (Charlesbourg) and Mr. Therrien (Terrebonne), the Delegates of the Leader of the Official Opposition, of Mr. Dufour (René-Lévesque), the Delegate of the Second Opposition Group, and of Mrs. Mignolet, Director of the Secretariat of the Assembly and Delegate of the Secretary General, the Honourable Pierre Duchesne, Lieutenant-Governor of Québec, was pleased to assent to the following Bills:

- 11 An Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activities
- 45 An Act to amend the Act respecting the Barreau du Québec and the Professional Code (*modified title*)
- 58 An Act to amend the Act respecting labour standards with regard to absences and leave

MICHEL BISSONNET

President

APPENDIX

Recorded Divisions

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

(Division No. 34)

YEAS - 69

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

NAYS - 39

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