



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 11 December 2007 — No. 52

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

QUÉBEC

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

Moment of reflection

ROUTINE PROCEEDINGS

Presenting Papers

Mrs. Jérôme-Forget, Minister of Finance, tabled the following:

Volumes I and II of the public accounts of the Government of Québec for the fiscal year ended 31 March 2007, French and English versions;
(Sessional Paper No. 716-20071211)

The document entitled "Le point sur la situation économique et financière du Québec – automne 2007";
(Sessional Paper No. 717-20071211)

The document entitled "La dette du gouvernement du Québec";
(Sessional Paper No. 718-20071211)

The report of the working group on government accounting.
(Sessional Paper No. 719-20071211)

Mrs. Courchesne, Minister of Families, tabled the following:

The annual management report of the Conseil de la famille et de l'enfance, for the fiscal year ended 31 March 2007.
(Sessional Paper No. 720-20071211)

11 December 2007

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

The annual management report of the Conseil de la science et de la technologie, for the fiscal year ended 31 March 2007;

(Sessional Paper No. 721-20071211)

The annual activity report of the Conseil de la science et de la technologie, for the fiscal year ended 31 March 2007;

(Sessional Paper No. 722-20071211)

The annual management report of the Société du Centre des congrès de Québec, for the fiscal year ended 31 March 2007.

(Sessional Paper No. 723-20071211)

Mr. President tabled the following:

The Auditor General's special report to the National Assembly on the examination of the consolidated financial statements of the Government of Québec, for the fiscal year ended 31 March 2007.

(Sessional Paper No. 724-20071211)

Presenting Reports from Committees

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

A report from the Committee on Labour and the Economy, which met on 7 December 2007 for clause-by-clause consideration of Bill 58, An Act to amend the Act respecting labour standards with regard to absences and leave. The report contains certain amendments to the bill.

(Sessional Paper No. 725-20071211)

Presenting Petitions

By leave of the Assembly to set aside Standing Order 63, Mr. Lemay (Sainte-Marie–Saint-Jacques) tabled the following:

The abstract of a petition respecting the maintenance of the living environment of residents of the Centre hospitalier Jacques-Viger, and signed by 1891 citizens from the Montréal region.

(Sessional Paper No. 726-20071211)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Taillon (Chauveau) withdrew certain words deemed unparliamentary.

At the request of Mr. President, Mr. Merlini (Chambly) withdrew certain words deemed unparliamentary.

At the request of Mr. President, Mr. Béchard, Minister of Natural Resources and Wildlife, withdrew certain words deemed unparliamentary.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Beaupré (Joliette), Mrs. Courchesne, Minister of Education, Recreation and Sports and Minister of Families, and Mr. Curzi (Borduas) jointly moved:

THAT the National Assembly mark the International Children's Day of Broadcasting, which was held on 8 December;

THAT, on this occasion, it encourage media professionals to further provide children with the opportunity to take part in the production of programs, to discuss their hopes and ambitions and to exchange information among themselves.

By leave of the Assembly, the motion was carried.

11 December 2007

By leave of the Assembly to set aside Standing Order 185, Mr. Laporte (L'Assomption), Mr. Dupuis, Minister of Justice, and Mr. Bédard (Chicoutimi) jointly moved:

THAT the National Assembly mark World Human Rights Day, which was held on 10 December;

THAT, in this regard, it acknowledge that all women and men have the right to security and dignity; and

THAT, on this occasion, it reiterate its attachment to the values of justice, security and peace.

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. Bouchard (Vachon), Mrs. Beauchamp, Minister of Sustainable Development, Environment and Parks, and Mr. Diamond (Marguerite-D'Youville) jointly moved:

THAT the National Assembly mark the 10th anniversary of the Kyoto Protocol signed on 11 December 1997, that it renew its commitment to reducing Québec's greenhouse gas emissions by 6 % between now and 2012 in reference to 1990, and that it reiterate its disagreement with respect to the position of the Canadian Government on this issue.

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

The motion was carried on the following vote:

(Division No. **33** in Appendix)

Yeas: **105** Nays: **0** Abstentions: **0**

Notices of Proceedings in Committees

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

- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 11, An Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activities, and of Bill 45, An Act to amend the Act respecting the Barreau du Québec;
- the Committee on Labour and the Economy, to give clause-by-clause consideration to Bill 41, An Act to foster transparency in the sale of gasoline and diesel fuel.

ORDERS OF THE DAY

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Institutions on its clause-by-clause consideration of Bill 9, An Act respecting the safety of persons on certain premises and amending the Act respecting safety in sports, together with the amendments handed in by Mr. Dupuis, Minister of Public Security.

The amendments were declared in order.

The amendments were carried.

The report, as amended, was concurred in.

11 December 2007

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 7 December 2007, on the motion by Mrs. Jérôme-Forget, Minister responsible for Government Administration and Chair of the Conseil du trésor, for the passage in principle of Bill 32, An Act to promote rigorous management of public infrastructures and large projects.

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

Mr. Fournier, Government House Leader, moved that Bill 32 be referred for clause-by-clause consideration to the Committee on Public Finance.

The motion was carried.

Notices of Proceedings in Committees

By leave of the Assembly to set aside Standing Order 53, Mr. Fournier, Government House Leader, convened the following Committee:

- the Committee on Public Finance, to give clause-by-clause consideration to Bill 32, An Act to promote rigorous management of public infrastructures and large projects.

Government Bills

Passage in Principle

Mr. Fournier, Minister of Revenue, moved, —That Bill 37, An Act giving effect to the Budget Speech delivered on 24 May 2007, to the 1 June 2007 Ministerial Statement Concerning the Government's 2007-2008 Budgetary Policy and to certain other budget statements, do now pass in principle.

After debate thereon, the motion was carried on division and Bill 37 was accordingly passed in principle.

Mr. Fournier, Government House Leader, moved that Bill 37 be referred for clause-by-clause consideration to the Committee on Public Finance.

The motion was carried.

11 December 2007

At 11.57 o'clock a.m., at the request of Mr. Fournier, Government House Leader, Mr. Chagnon, Second Vice-President, suspended the proceedings until 4.00 o'clock p.m.

The proceedings resumed at 4.28 o'clock p.m.

Passage in Principle

Mrs. Boulet, Minister of Transport, moved, —That Bill 42, An Act to amend the Highway Safety Code and the Regulation respecting demerit points, do now pass in principle.

A debate arose thereon.

At the end of his address, Mr. Gingras (Blainville) moved the following motion to divide the said Bill:

THAT, pursuant to Standing Order 241, Bill 42, An Act to amend the Highway Safety Code and the Regulation respecting demerit points, be divided into two Bills: the first of which shall be entitled An Act to amend the Highway Safety Code and the Regulation respecting demerit points, and shall comprise sections 1 to 26, 27 except subparagraph (3) of section 202.4, 28 to 31, 33 to 35, 39 except subparagraph (1), 40, 50 and 51, 52 except 439.1, 53 to 60, 63 to 66, 71 to 79, and 81 except, in its second line, section 49, as well as the last sentence beginning with the words "However, the provisions..."; and the second of which shall be entitled An Act to amend the Highway Safety Code and the Act respecting the Ministère des Transports, and shall comprise sections 27 except subparagraph (1) and subparagraph (2) of section 202.4, 32, 36 to 38, 39 except subparagraph (2), 41 and 42, 44 to 49, 52 except 439, 61 and 62, 67 to 70, 80 and 81 except, in the second line, section 51 as well as sections 54 and 72.

11 December 2007

At 5.29 o'clock p.m., at the request of Mr. Fournier, Government House Leader, Mrs. Houda-Pepin, First Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 5.43 o'clock p.m.

At 5.58 o'clock p.m., after having heard arguments regarding the receivability of this motion, Mrs. Houda-Pepin, First Vice-President, took the matter under advisement and suspended the sitting until 8.00 o'clock p.m.

The proceedings resumed at 8.01 o'clock p.m.

Mrs. Houda-Pepin, First Vice-President, ruled as follows on the receivability of the motion to divide moved by Mr. Gingras (Blainville):

RULING FROM THE CHAIR

The motion to divide is not receivable. Both bills provided for in the motion to divide are unable to stand on their own coherently and cannot exist independently, since one of the bills refers to a section contained solely in the other bill.

The Assembly continued the debate on the motion by Mrs. Boulet, Minister of Transport, for the passage in principle of Bill 42, An Act to amend the Highway Safety Code and the Regulation respecting demerit points.

The debate being concluded, the motion was carried and Bill 42 was accordingly passed in principle.

11 December 2007

Mr. Gauthrin, Deputy Government House Leader, moved that Bill 42 be referred for clause-by-clause consideration to the Committee on Transportation and the Environment.

The motion was carried.

Mr. Gauthrin, Deputy Government House Leader, moved the adjournment of the Assembly until Wednesday, 12 December 2007, at 10.00 o'clock a.m.

The motion was carried.

Accordingly, at 9.38 o'clock p.m., Mr. Chagnon, Second Vice-President, adjourned the Assembly until Wednesday, 12 December 2007, at 10.00 o'clock a.m.

MICHEL BISSONNET

President

11 December 2007

APPENDIX

Recorded Divisions

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 Kyoto Protocol:

(Division No. 33)

YEAS – 105

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