



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 14 November 2007 — No. 39

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

QUÉBEC

The Assembly was called to order at 10.02 o'clock a.m.

ORDERS OF THE DAY

Business Standing in the Name of Members in Opposition

Mrs. Roy (Lotbinière) moved:

THAT the National Assembly demand that the Government ensure greater security for citizens by increasing the complement of police officers, particularly through a heightened presence on our roads.

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 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. Roy (Lotbinière).

During her address, by leave of the Assembly to set aside Standing Orders 53 and 59, Mrs. Roy (Lotbinière) tabled the following:

A document, dated 15 October 2007, entitled "Programme à frais partagés pour l'ajout de 2 500 policiers au Canada".

(Sessional Paper No. 591-20071114)

The debate continued on the motion by Mrs. Roy (Lotbinière).

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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. Gautrin, Deputy Government House Leader, the division was deferred until Routine Proceedings later in the sitting.

At 12.00 o'clock p.m., Mrs. Houda-Pepin, First 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

Mr. President rendered his decision on the point of privilege raised by the House Leader of the Second Opposition Group on 13 November 2007. According to the latter, the Minister of Transport was allegedly in contempt of Parliament by releasing the contents of a bill that had not yet been introduced in the Assembly and by referring to legislative provisions that had not yet been adopted as though they had force of law.

RULING FROM THE CHAIR

Nothing in the facts alleged allows the Chair to conclude that there was, at first glance, contempt of Parliament.

In this case, nothing indicates that the text of the bill was released before its introduction, even if it is clear that several measures contained in the bills coincide with information contained in the Minister's news release or published in the newspapers.

Furthermore, nothing in the documents submitted allows us to conclude that the Minister acted as though the bill had force of law.

However, the Chair is extremely concerned by the matters raised and particularly by the release of elements contained in a bill before its introduction in the Assembly. The Chair does not deny that the Government has the responsibility of informing the public on measures it intends to take. However, when these measures take the form of a bill, it is important that the Members be the first informed of the details of the contents of a bill.

The current state of jurisprudence is such that only the communication of the text of a bill could constitute contempt of Parliament. Even if there are no grounds on which to proceed now with a precedential change, all Members must act prudently and keep in mind the role of the parliamentary institution and its Members when the time comes to release the contents of a bill they wish to submit to the Members of the Assembly. More particularly, Government Members, even if they are responsible for communicating with the public, must always have in mind the role of Members in the legislative process. Otherwise, the Chair could be required to strengthen jurisprudence.

Introduction of Bills

Mrs. Normandeau, Minister of Municipal Affairs and Regions, moved that leave be granted to introduce the following Bill:

56 An Act to amend various legislative provisions respecting
 municipal affairs

The motion was carried.

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

49 An Act to amend the Act respecting Services Québec and other
 legislative provisions

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 Bill:

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

The motion was carried.

Mr. Pelletier, Minister responsible for Canadian Intergovernmental Affairs, Aboriginal Affairs, Francophones within Canada, the Reform of Democratic Institutions and Access to Information, moved that leave be granted to introduce the following Bill:

- 54 An Act to amend the Police Act and other legislative provisions

The motion was carried.

Mrs. Boulet, Minister of Transport, moved that leave be granted to introduce the following Bill:

- 42 An Act to amend the Highway Safety Code and the Regulation respecting demerit points

The motion was carried.

Mr. President communicated to the Assembly and then laid upon the Table the report from the Law Clerk on the following Private Bill:

- 210 An Act to establish the Société du chemin de fer de la Gaspésie

The report states that the notice was drafted and published in accordance with the Rules for the Conduct of Proceedings Respecting Private Bills.

(Sessional Paper No. 592-20071114)

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Mr. Auclair (Vimont) then moved that leave be granted to introduce Private Bill 210, An Act to establish the Société du chemin de fer de la Gaspésie.

This motion was carried.

Mr. Fournier, Government House Leader, moved that Private Bill 210 be referred for consultations and clause-by-clause consideration to the Committee on Institutions and that the Minister of Justice be a member during its deliberations in respect of the said Bill.

This motion was carried.

Mr. President communicated to the Assembly and then laid upon the Table the report from the Law Clerk on the following Private Bill:

211 An Act to amend the Act respecting Ville de Varennes

The report states that the notice was drafted and published in accordance with the Rules for the Conduct of Proceedings Respecting Private Bills.

(Sessional Paper No. 593-20071114)

Mr. Bergeron (Verchères) then moved that leave be granted to introduce Private Bill 211, An Act to amend the Act respecting Ville de Varennes.

This motion was carried.

Mr. Fournier, Government House Leader, moved that Private Bill 211 be referred for consultations and clause-by-clause consideration to the Committee on Planning and the Public Domain and that the Minister of Municipal Affairs and Regions be a member during its deliberations in respect of the said Bill.

This motion was carried.

Presenting Papers

Mr. Fournier, Government House Leader, on behalf of Mr. Dupuis, Minister of Justice and Minister responsible for the administration of legislation respecting the professions, tabled the following:

An erratum to the annual report of the Ordre des urbanistes du Québec for the fiscal year ended 31 March 2007, which was tabled last 25 October and which bears the sessional paper number 457-20071025;

(Sessional Paper No. 594-20071114)

The annual activity report of the Direction de l'indemnisation des victimes d'actes criminels, for the fiscal year ended 31 December 2006;

(Sessional Paper No. 595-20071114)

The annual report of the Fonds d'aide aux recours collectifs, for the fiscal year ended 31 March 2007.

(Sessional Paper No. 596-20071114)

Presenting Reports from Committees

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

A report from the Committee on Transportation and the Environment, which met on 13 November 2007 for clause-by-clause consideration of Bill 33, An Act to amend the Act respecting the Société des Traversiers du Québec and other legislative provisions. The report contains certain amendments to the bill.

(Sessional Paper No. 597-20071114)

Presenting Petitions

Mr. Laporte (L'Assomption) tabled the following:

The abstract of a petition respecting complete coverage of costs related to assisted reproduction, and signed by 160 citizens of Québec.

(Sessional Paper No. 598-20071114)

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

The abstract of a petition respecting the change in Québec's voting procedure, and signed by 10,158 citizens of Québec.

(Sessional Paper No. 599-20071114)

By leave of the Assembly to set aside Standing Orders 63 and 64, Mr. Caire (La Peltre) tabled the following:

The abstract of a petition respecting access to insulin pumps for persons suffering from type 1 diabetes, and signed by 15,400 citizens of Québec.

(Sessional Paper No. 600-20071114)

By leave of the Assembly to set aside Standing Order 63, Mr. Proulx (Trois-Rivières) tabled the following:

The abstract of a petition respecting the change in Québec's voting procedure, and signed by 10,157 citizens of Québec.

(Sessional Paper No. 601-20071114)

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

The abstract of a petition respecting aid to sports accident victims, and signed by 6321 citizens from the riding of Joliette.

(Sessional Paper No. 602-20071114)

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Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Gingras (Blainville) withdrew certain words deemed unparliamentary.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mrs. Maltais (Taschereau) tabled the following:

Copy of a letter, dated 2 November 2007, she had received from Mr. Mario Dufour, chairman of the Commission des biens culturels du Québec, concerning the fresco of the capitals.

(Sessional Paper No. 603-20071114)

Deferred Divisions

The Assembly took the division, which had been deferred during Business Standing in the Name of Members in Opposition, on the motion moved by Mrs. Roy (Lotbinière). This motion reads as follows:

THAT the National Assembly demand that the Government ensure greater security for citizens by increasing the complement of police officers, particularly through a heightened presence on our roads.

The motion was carried on the following vote:

(Division No. 29 in Appendix)

Yeas: **111** Nays: **0** Abstentions: **0**

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:

14 November 2007

THAT the National Assembly mark World Diabetes Day, which is held on 14 November;

THAT, on this occasion, it commit to promoting healthy lifestyles and to fighting the causes of the ever-increasing scourge of diabetes while providing quality services to those already stricken with this disease.

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. Caire (La Peltre) and Mr. Drainville (Marie-Victorin) jointly moved:

THAT the National Assembly mark Cardiopulmonary Resuscitation Month.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 185, Mr. Beaupré (Joliette), Mr. Hamad, Minister of Employment and Social Solidarity, and Mr. Wawanoloath (Abitibi-Est) jointly moved:

THAT the National Assembly mark Youth Appreciation Week, which is being held from 12 to 17 November.

THAT, on this occasion, it pay tribute and commend the community commitment of young generations, while recommitting to providing them with veritable structuring institutions in order to promote their growth and implication.

By leave of the Assembly, the motion was carried.

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

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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 Public Finance, to continue its public hearings within the framework of special consultations on Bill 32, An Act to promote rigorous management of public infrastructures and large projects.

Motions Without Notice

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 mark Montréal, Cultural Metropolis, Rendez-vous November 2007, which was held last 12 and 13 November.

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

- the Committee on Transportation and the Environment shall hold a deliberative meeting to establish the observations, recommendations and conclusions of the Committee following its public hearings within the framework of special consultations on the Government Sustainable Development Strategy.

Motions Without Notice

By leave of the Assembly to set aside Standing Orders 84 and 185, Mr. Curzi (Borduas), Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, and Mr. Laporte (L'Assomption) jointly moved:

THAT the National Assembly mark the 30 years since the creation of the popular television program Passe-Partout.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

Notices of Proceedings in Committees

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

- the Committee on Labour and the Economy shall hold a deliberative meeting for the purpose of organizing its mandate concerning the Fonds national de la formation de la main-d'œuvre.

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

- the Committee on Planning and the Public Domain, to continue its public hearings within the framework of special consultations on Bill 22, An Act to amend various legislative provisions concerning the urban agglomeration of Montréal.
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ORDERS OF THE DAY

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Social Affairs on its clause-by-clause consideration of Bill 25, An Act to amend the Act respecting health services and social services for Cree Native persons.

After debate thereon, the report was concurred in.

The Assembly took into consideration the report from the Committee on Social Affairs on its clause-by-clause consideration of Bill 26, An Act to amend the Act respecting the Régie de l'assurance maladie du Québec and to amend other legislative provisions.

After debate thereon, the report was concurred in.

At 4.11 o'clock p.m., at the request of Mr. Fournier, Government House Leader, Mr. Chagnon, Second Vice-President, suspended the proceedings until 4.40 o'clock p.m.

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

Passage in Principle

Mr. Pelletier, Minister responsible for Canadian Intergovernmental Affairs, Aboriginal Affairs, Francophones within Canada, the Reform of Democratic Institutions and Access to Information, moved, —That Bill 43, An Act to amend various electoral legislation with regard to the identification of electors, do now pass in principle.

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After debate thereon, the motion was carried and Bill 43 was accordingly passed in principle.

Mr. Pelletier, Deputy Government House Leader, moved that Bill 43 be referred for clause-by-clause consideration to the Committee on Institutions.

The motion was carried.

Mr. Pelletier, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 15 November 2007, at 2.00 o'clock p.m.

The motion was carried.

Accordingly, at 5.08 o'clock p.m., Mr. Picard, Third Vice-President, adjourned the Assembly until Thursday, 15 November 2007, at 2.00 o'clock p.m.

MICHEL BISSONNET

President

APPENDIX

Recorded Divisions

On the motion moved by Mrs. Roy (Lotbinière) during Business Standing in the Name of Members in Opposition, concerning an increase in the complement of police officers:

(Division No. 29)

YEAS - 111

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