



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 6 November 2007 — No. 35

**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

Government Bills

Passage in Principle

Mr. Dupuis, Minister responsible for the administration of legislation respecting the professions, moved, —That Bill 12, An Act to amend the Professional Code and the Pharmacy Act, do now pass in principle.

After debate thereon, the motion was carried and Bill 12 was accordingly passed in principle.

Mr. Fournier, Government House Leader, moved that Bill 12 be referred for clause-by-clause consideration to the Committee on Institutions.

The motion was carried.

Passage

Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, moved the passage of Bill 8, An Act to amend the Act respecting the Société de développement des entreprises culturelles.

After debate thereon, the motion was carried and, accordingly, Bill 8 was passed.

Mr. Fournier, Minister of Revenue, moved the passage of Bill 17, An Act to amend the Public Curator Act and the Act respecting the Ministère du Revenu.

After debate thereon, the motion was carried and, accordingly, Bill 17 was passed.

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Mr. Fournier, Minister of Revenue, moved the passage of Bill 2, An Act giving effect to the Budget Speech delivered on 23 March 2006 and to certain other budget statements.

After debate thereon, the motion was carried on division and, accordingly, Bill 2 was passed.

At 11.29 o'clock a.m., at the request of Mr. Fournier, Government House Leader, Mrs. Houda-Pepin, First Vice-President, suspended the proceedings until 2.00 o'clock p.m.

The proceedings resumed at 2.06 o'clock p.m.

At the invitation of Mr. President, the Assembly observed a moment of reflection in memory of a former parliamentarian who passed away on 3 November 2007, namely Mr. Gérard Martin, Member for Montcalm from 1962 to 1966.

ROUTINE PROCEEDINGS

Introduction of Bills

Mr. Béchar, Minister of Natural Resources and Wildlife, moved that leave be granted to introduce the following Bill:

39 An Act to amend the Forest Act and other legislative provisions

The motion was carried.

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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:

- 43 An Act to amend various electoral legislation with regard to the identification of electors

The motion was carried.

Presenting Papers

Mrs. Gagnon-Tremblay, Minister of International Relations, tabled the following:

The annual report of the Office franco-québécois pour la jeunesse, for the fiscal year ended 31 December 2005.

(Sessional Paper No. 561-20071106)

Mr. Dupuis, Minister of Public Security, tabled the following:

The annual management report of the École nationale de police du Québec, for the fiscal year ended 30 June 2007.

(Sessional Paper No. 562-20071106)

Mrs. Beauchamp, Minister of Sustainable Development, Environment and Parks, tabled the following:

The 2007-2008 Action Plan of the Centre d'expertise hydrique du Québec.

(Sessional Paper No. 563-20071106)

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

The annual report of the Musée d'art contemporain de Montréal, for the fiscal year ended 31 March 2007;

(Sessional Paper No. 564-20071106)

The annual report of the Musée des beaux-arts de Montréal, for the fiscal year ended 31 March 2007.

(Sessional Paper No. 565-20071106)

Mr. President tabled the following:

Two bills adopted by the members of the Seniors' Parliament, which was held on 10, 11 and 12 September 2007: Bill No. 1, An Act establishing the responsibility of citizens and the Government as regards the environment and sustainable development; Bill No. 2, An Act ensuring the implementation of the rights and duties of persons;

(Sessional Paper No. 566-20071106)

Copy of the notice of motion by Mr. Curzi (Borduas) which will be placed on the *Order Paper and Notices* of Wednesday, 7 November 2007, under Business Standing in the Name of Members in Opposition.

(Sessional Paper No. 567-20071106)

Presenting Reports from Committees

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

A report from the Committee on Public Finance, which met on 1 November 2007 for clause-by-clause consideration of Bill 27, An Act to amend the Act respecting financial services cooperatives. The report does not contain any amendments to the bill.

(Sessional Paper No. 568-20071106)

Mr. Drainville (Marie-Victorin), vice-chairman, tabled the following:

A report from the Committee on Social Affairs, which met on 1 November 2007 for clause-by-clause consideration of Bill 25, An Act to amend the Act respecting health services and social services for Cree Native persons. The report contains one amendment to the bill.

(Sessional Paper No. 569-20071106)

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

A report from the Committee on Labour and the Economy, which met on 31 October and on 1 November 2007 for clause-by-clause consideration of Bill 16, An Act to amend the Act respecting the Société du Centre des congrès de Québec and the Act respecting the Société du Palais des congrès de Montréal. The report contains certain amendments to the bill.

(Sessional Paper No. 570-20071106)

Presenting Petitions

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

The abstract of a petition respecting water body protection in Saint-Donat, and signed by 1195 citizens from the riding of Bertrand.

(Sessional Paper No. 571-20071106)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Bonnardel, Chief Opposition Whip, withdrew certain words deemed unparliamentary.

By leave of the Assembly to set aside Standing Order 53, Mrs. Jérôme-Forget, Minister of Finance, tabled the following:

A memorandum, dated 5 November 2007, addressed to Mr. Marc Lacroix, Associate Secretary General for Senior Positions, from Mr. Louis Sormany, Associate Secretary for Ethics and Legislation, concerning a legal opinion in relation to the departure of Mr. Sylvain Toutant, Chairman and Chief Executive Officer of the Société des alcools du Québec.

(Sessional Paper No. 572-20071106)

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Bachand, Minister of Economic Development, Innovation and Export Trade, Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, Mr. Proulx (Trois-Rivières), Mr. Benjamin (Berthier), Mr. Curzi (Borduas) and Mr. Cousineau (Bertrand) jointly moved:

THAT the National Assembly pay tribute to the 11 individuals who today are being awarded the Prix du Québec 2007 for their outstanding contribution to science and culture, namely: Mr. Yves Morin for the Armand-Frappier Award, Mr. Richard E. Tremblay for the Léon-Gérin Award, Mr. Jacques Y. Montplaisir for the Wilder-Penfield Award, Mr. Yves Bergeron for the Marie-Victorin Award, Mr. Maher I. Boulos for the Lionel-Boulet Award, Mr. Robert Racine for the Paul-Émile-Borduas Award, Mr. Paul Hébert for the Denise-Pelletier Award, Mr. Paul Chamberland for the Athanase-David Award, Mr. Jacques Lacoursière for the Gérard-Morisset Award, Mr. Pierre Migot for the Albert-Tessier Award, and Mr. Gaston Bellemare for the Georges-Émile-Lapalme Award.

By leave of the Assembly, the motion was carried.

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

THAT the National Assembly mark the victory of Lucian Bute on 19 October 2007 and his title as World Super-Middleweight Champion of the International Boxing Federation.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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By leave of the Assembly to set aside Standing Order 185, Mr. Bédard, Whip of the Second Opposition Group, on behalf of Mr. Côté (Dubuc), Mr. Dupuis, Minister of Public Security, and Mrs. Roy (Lotbinière) jointly moved:

THAT the National Assembly mark Crime Prevention Week, which is being held from 4 to 10 November 2007 under the theme "I Hang With the Right Gang".

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 185, Mrs. Normandeau, Minister of Municipal Affairs and Regions, Mr. Camirand (Prévost) and Mr. Gendron (Abitibi-Ouest) jointly moved:

THAT the National Assembly mark the Week on Urban Infrastructure, held during the week of 5 November 2007, under the theme "Municipal Infrastructure: Preserving Our Heritage".

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

- the Committee on Transportation and the Environment, to continue its public hearings within the framework of special consultations on the Government Sustainable Development Strategy;

- 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.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mrs. Blais, Minister responsible for Seniors, Mrs. Grandmont (Masson) and Mrs. Harel (Hochelaga-Maisonneuve) jointly moved:

THAT the National Assembly officially recognize the first full week of November as Caregiver Week, that on this occasion it acknowledge the important contribution of caregivers and that it encourage initiatives to support them.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

Mr. Gauthrin, Deputy Government House Leader, moved:

THAT, in pursuance of Standing Order 146, within the framework of the consideration of Bill 32, An Act to promote rigorous management of public infrastructures and large projects, the Committee on Public Finance hold special consultations and public hearings on 13, 14, 15 and 21 November 2007 and that, for this purpose, it hear the following individuals and groups;

- Fédération des commissions scolaires du Québec
- Conférence des recteurs et des principaux des universités du Québec
- Coalition pour le renouvellement des infrastructures du Québec
- Union des municipalités du Québec
- Fédération québécoise des municipalités

- Conseil du patronat du Québec
- Fédération des chambres de commerce du Québec
- Ordre des architectes du Québec
- Association professionnelle des ingénieurs du gouvernement du Québec
- Association des constructeurs de routes et de grands travaux du Québec
- Corporation des entrepreneurs généraux du Québec
- Bureau des soumissions déposées du Québec
- Ordre des ingénieurs du Québec
- Association québécoise des établissements de santé et de services sociaux

A period of 30 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 the Committee members 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 30 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 Government Administration and Chair of the Conseil du trésor 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. Gauthrin, Deputy Government House Leader, convened the following Committee:

- the Committee on Social Affairs, to continue 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.

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

- the Committee on Public Administration shall hold a deliberative meeting to organize its proceedings and to examine the financial commitments of the ministries and agencies;
- the Committee on Transportation and the Environment shall hold a deliberative meeting for the purpose of organizing its proceedings.

Information on the Proceedings of the Assembly

Mr. Chagnon, Second Vice-President, informed the Assembly that on Wednesday, 7 November 2007, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mr. Curzi (Borduas). This motion reads as follows:

THAT the National Assembly of Québec demand that the Government provide the necessary budgets and adequate support to promote the workplace integration and francization of new arrivals.

ORDERS OF THE DAY

Government Motions

Mr. Dupuis, Minister of Justice, informed the Assembly that His Honour the Lieutenant-Governor recommended to its consideration the following motion. Accordingly, Mr. Dupuis, Minister of Justice, moved:

THAT the National Assembly:

- I Concur in the position and justifications given by the government and stipulated in its new answer to the report from the Comité de la rémunération des juges de la Cour du Québec et des cours municipales for the period of 2004-2007, tabled before the Assembly on 16 October 2007 by the Government House Leader on behalf of the Minister of Justice; and
- II Concerning the justices of the Court of Québec:
 1. Approve Recommendations 1, 2 and 4 issued by the Comité de la rémunération des juges de la Cour du Québec et des cours municipales for the period of 2004-2007, in its report tabled at the National Assembly on 28 October 2004 and whose sessional paper number is 1256-20041028;
 2. Amend Recommendations 3 and 5 of the Comité in order that:
 - a) the indemnity for expenses incurred in the performance of the duties of the justice responsible for training be set at \$6000 (Recommendation 3);
 - b) Recommendation 5 also includes the retroactive amount to be paid to justices of the Cour du Québec following the implementation of the new answer and the present resolution;

III Concerning the municipal court justices:

1. Approve Recommendations 1, 3, 4, 6, 8, 12 and 13 issued by the Comité de la rémunération des juges de la Cour du Québec et des cours municipales for the period of 2004-2007, in its report tabled at the National Assembly on 28 October 2004 and whose sessional paper number is 1256-20041028;

Specify, as regards Recommendation 13, that the reimbursement paid to justices of the municipal courts of Laval, Montréal and Québec, as a contribution to the payment of their lawyers' fees, is carried out without any form of admission regarding the competence of the Comité to recommend this payment;

2. Amend Recommendations 5, 7 and 9 of the Comité in order that:
 - a) the supplementary remuneration of presiding justices be set at 8 % of the maximum annual salary of associate justices and that of associate presiding justices at 6 % of the maximum annual salary of associate justices (Recommendation 5);
 - b) an amount of \$5000 for expenses incurred in the performance of his duties be provided for the municipal justice responsible for training municipal justices (Recommendation 7);
 - c) Recommendation 7 includes all municipal justices who are remunerated per sitting, including interim, pro tempore and substitute justices, and that a municipal justice be eligible, the year of his appointment, to the expenses incurred in the performance of his duties established according to the amounts proposed in Recommendation 7, proportionately to the number of months during which he will have exercised his legal duties, the month of his appointment being considered as a full month;
 - d) Recommendation 9 also includes the retroactive amount to be paid to the justices of the municipal courts of Laval, Montréal and Québec following the implementation of the new answer and the present resolution;

3. Reject Recommendations 2, 10 and 11 and allocate to municipal justices who are remunerated per sitting, beginning on 1 January 2005, a supplementary annual amount of 13 % of their salary, as compensation for the value of a pension plan.

After debate thereon, the motion was carried on division.

At 4.50 o'clock p.m., at the request of Mr. Gauthier, Deputy Government House Leader, Mr. Picard, Third Vice-President, suspended the proceedings until 6.00 o'clock p.m.

Debates Upon Adjournment

At 6.00 o'clock p.m., the Assembly held two debates upon adjournment:

- the first, on a question by Mr. Bonnardel (Shefford) to Mrs. Normandeau, Deputy Premier, about government publicity on the radio;
- the second, on a question by Mr. Cloutier (Lac-Saint-Jean) to Mr. Pelletier, Minister responsible for Canadian Intergovernmental Affairs, Aboriginal Affairs, Francophones within Canada, the Reform of Democratic Institutions and Access to Information, about the plan to abolish the Canadian Senate.

During this debate, by leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Cloutier (Lac-Saint-Jean) tabled the following:

Copy of an article published in *Cyberpresse*, on 6 November 2007, concerning the possible holding of a referendum with regard to the abolishment of the Senate.

(Sessional Paper No. 573-20071106)

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At 6.23 o'clock p.m., Mr. Picard, Third Vice-President, adjourned the Assembly until Wednesday, 7 November 2007, at 10.00 o'clock a.m.

MICHEL BISSONNET

President