



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 16 October 2007 — No. 26

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

QUÉBEC

The Assembly was called to order at 2.08 o'clock p.m.

At the invitation of Mr. President, the Assembly observed a moment of reflection in memory of former parliamentarians who have passed away since the adjournment of proceedings last June, namely Mr. Carrier Fortin, Member for Sherbrooke from 1962 to 1966, and Mr. Fabien Cordeau, Member for Saint-Hyacinthe from 1976 to 1982.

Mr. President communicated to the Assembly and then tabled the following:

A letter, dated 21 August 2007, he had received from Mr. Gendron (Abitibi-Ouest), informing him of his appointment as House Leader of the Second Opposition Group, effective on this date;

(Sessional Paper No. 320-20071016)

A letter, dated 16 October 2007, he had received from Mrs. Marois, Leader of the Second Opposition Group, confirming the appointment of Mr. François Gendron, Member for Abitibi-Ouest, as House Leader of the Second Opposition Group;

(Sessional Paper No. 321-20071016)

A letter, dated 16 October 2007, he had received from Mrs. Marois, Leader of the Second Opposition Group, confirming the appointment of Mr. Stéphane Bédard, Member for Chicoutimi, as Whip of the Second Opposition Group;

(Sessional Paper No. 322-20071016)

A letter, dated 14 August 2007, he had received from Mr. Rosaire Bertrand informing him of his resignation as Member for Charlevoix, effective on this date.

(Sessional Paper No. 323-20071016)

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Mr. President then read an excerpt of a letter, dated 1 October 2007, which the Secretary General of the National Assembly, Mr. François Côté, had received from the Chief Electoral Officer of Québec in relation to the by-election held on 24 September 2007 in the Electoral Division of Charlevoix.

He then tabled:

The aforementioned letter accompanied by a notice proclaiming Mrs. Pauline Marois the candidate returned in the Electoral Division of Charlevoix.

(Sessional Paper No. 324-20071016)

At the invitation of Mr. President, Mr. Bédard, Whip of the Second Opposition Group, welcomed the new Leader of the Second Opposition Group and Member for Charlevoix, Mrs. Marois.

Mr. Gendron, House Leader of the Second Opposition Group, Mr. Dumont, Leader of the Official Opposition, and Mr. Charest, Premier, made comments.

Mrs. Marois, Leader of the Second Opposition Group, then took the floor.

Finally, Mr. President welcomed the new Member.

ROUTINE PROCEEDINGS

Presenting Papers

Mr. Couillard, Minister of Health and Social Services, tabled the following:

The annual report of Urgences-santé, for the fiscal year ended 31 March 2007;
(Sessional Paper No. 325-20071016)

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The annual management report of the Institut national de santé publique du Québec, for the fiscal year ended 31 March 2007;

(Sessional Paper No. 326-20071016)

The annual report of the Corporation d'hébergement du Québec, for the fiscal year ended 31 March 2007;

(Sessional Paper No. 327-20071016)

The annual management report of the Agence d'évaluation des technologies et des modes d'intervention en santé, for the fiscal year ended 31 March 2007.

(Sessional Paper No. 328-20071016)

Mr. Fournier, Government House Leader, on behalf of Mr. Dupuis, Minister of Justice, tabled the following:

The Court of Appeal judgement, dated 7 September 2007, concerning the remuneration of Court of Québec justices;

(Sessional Paper No. 329-20071016)

The Court of Appeal judgement, dated 7 September 2007, concerning the remuneration of municipal court justices;

(Sessional Paper No. 330-20071016)

The Government's new answer to the *Rapport du Comité de la rémunération des juges de la Cour du Québec et des cours municipales*, for the period of 2004-2007, chaired by Me Pierre Cimon;

(Sessional Paper No. 331-20071016)

A copy of the title page of the *Rapport du Comité de la rémunération des juges de la Cour du Québec et des cours municipales*, chaired by Me Pierre Cimon (2004 to 2007), bearing the seal of the National Assembly and sessional paper number 1256-20041028.

(Sessional Paper No. 332-20071016)

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

The consultation paper entitled "Government Sustainable Development Strategy – Better Quality of Life for Current and Future Generations".
(Sessional Paper No. 333-20071016)

Mr. President tabled the following:

The annual management report from the Chief Electoral Officer of Québec, for the fiscal year ended 31 March 2007;
(Sessional Paper No. 334-20071016)

The annual management report from the Commission de la représentation électorale, for the fiscal year ended 31 March 2007.
(Sessional Paper No. 335-20071016)

He then tabled the following Decisions from the Office of the National Assembly:

— Decision 1373 concerning the regulation respecting access to private archive holdings of the National Assembly (Règlement sur l'accès aux archives privées détenues par l'Assemblée nationale), dated 20 June 2007;
(Sessional Paper No. 336-20071016)

— Decision 1379 concerning the regulation to amend the regulation respecting financial management (Règlement modifiant le Règlement sur la gestion financière et administrative), dated 20 June 2007.
(Sessional Paper No. 337-20071016)

Finally, he tabled the following:

Copy of the notice of motion by Mr. Taillon (Chauveau) which will be placed on the *Order Paper and Notices* of Wednesday, 17 October 2007, under Business Standing in the Name of Members in Opposition.
(Sessional Paper No. 338-20071016)

Presenting Reports from Committees

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

A report from the Committee on Planning and the Public Domain, which met on 1, 4, 5, 19, 20, 21, 26 and 27 June 2007 for clause-by-clause consideration of Bill 6, An Act to amend various legislative provisions respecting municipal affairs. The report contains certain amendments to the bill.

(Sessional Paper No. 339-20071016)

Presenting Petitions

By leave of the Assembly to set aside Standing Order 63, Mrs. Dionne-Marsolais (Rosemont) tabled the following:

The abstract of a petition respecting the correction of the salary scale of nurses holding a bachelor's degree, and signed by 521 citizens of Québec.

(Sessional Paper No. 340-20071016)

By leave of the Assembly to set aside Standing Order 63, the abstracts of three petitions respecting the maintaining of retirees' living standards were laid upon the Table:

— the first, being the abstract of a petition signed by 2294 citizens of Québec, by Mr. Lelièvre (Gaspé);

(Sessional Paper No. 341-20071016)

— the second, being the abstract of a petition signed by 2000 citizens of Québec, by Mr. Cholette (Hull);

(Sessional Paper No. 342-20071016)

— the third, being the abstract of a petition signed by 2358 citizens of Québec, by Mr. Benoit (Montmorency).

(Sessional Paper No. 343-20071016)

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Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Charest, Premier, withdrew certain words deemed unparliamentary.

Motions Without Notice

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

THAT the National Assembly mark the commitment and courage of the members of the Canadian Armed Forces and humanitarian workers currently deployed in Afghanistan;

THAT it also express its support to the families of these men and women;

THAT it particularly underline the devotion and bravery of the soldiers who lost their lives, and may their memory be an inspiration to those who, like them, will defend peace and liberty for a better world.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

At the invitation of Mr. President, the Assembly observed a minute of silence.

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By leave of the Assembly to set aside Standing Orders 84 and 185, Mr. Dumont, Leader of the Official Opposition, Mr. Charest, Premier, and Mrs. Marois, Leader of the Second Opposition Group, jointly moved:

THAT the National Assembly underline the outstanding contribution to municipal politics of Mrs. Andrée P. Boucher, a woman who marked Québec by her involvement in public debates.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

At the invitation of Mr. President, the Assembly observed a minute of silence.

By leave of the Assembly to set aside Standing Order 185, Mrs. Boulet, Minister of Transport, Mr. Gingras (Blainville) and Mr. Deslières (Beauharnois) jointly moved:

THAT, one year after the collapse of the Concorde overpass, the National Assembly observe a minute of silence in memory of the victims of this tragedy and in honour of their families.

By leave of the Assembly, the motion was carried.

At the invitation of Mr. President, the Assembly observed a minute of silence.

By leave of the Assembly to set aside Standing Order 185, Mr. De Martin (Huntingdon), Mr. Lessard, Minister of Agriculture, Fisheries and Food, and Mr. Arseneau (Îles-de-la-Madeleine) jointly moved:

THAT the National Assembly of Québec mark World Food Day.

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. Bachand, Minister of Economic Development, Innovation and Export Trade, Mrs. Lapointe (Groulx) and Mr. Legault (Rousseau) jointly moved:

THAT the National Assembly mark Co-op Week, which is being held from 14 to 20 October, and congratulate the artisans of Québec's cooperative and mutualist movement.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 185, Mr. Simard (Richelieu), Mrs. Jérôme-Forget, Minister of Finance, and Mr. Benoit (Montmorency) jointly moved:

THAT the National Assembly ask the Government to establish a committee whose mandate will be to define the main parameters and relevant facts in relation to the indexing of public and parapublic sector pension plans for the years included between 1982 and 1999;

THAT this committee be composed of two independent experts appointed by the Government after having consulted both opposition parties at the National Assembly, of two representatives appointed by the Groupe de travail des associations de personnes retraitées des secteurs public et parapublic, of one delegate from the Commission administrative des régimes de retraite et d'assurances (CARRA) and of one representative from the Secrétariat du Conseil du trésor;

THAT at the conclusion of its proceedings the committee table a report that has been concurred in by all of its members, concerning the financial impacts for retirees, contributors and various pension plan scenarios ranging from the status quo to full retroactive indexing;

THAT the committee report be restricted to presenting a factual profile and not contain any recommendations;

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THAT the committee submit its report to the National Assembly no later than 29 February 2008.

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

The motion was carried on the following vote:

(Division No. **17** in Appendix)

Yeas: **113** Nays: **0** Abstentions: **0**

Mr. Bédard, Whip of the Second Opposition Group, moved:

THAT, pursuant to Standing Order 129, the Member for Rimouski be named a member of the Committee on Public Finance, in replacement of the Member for Dubuc and that this modification be effective immediately.

The motion was carried.

By leave of the Assembly to set aside Standing Orders 84 and 185, Mr. Legault (Rousseau), Mrs. Jérôme-Forget, Minister of Finance, and Mr. Taillon (Chauveau) jointly moved:

THAT the Assembly ask the Federal Government to abandon its Canada-wide securities commission project.

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

The motion was carried on the following vote:

(Division No. **18** in Appendix)

Yeas: **113** Nays: **0** Abstentions: **0**

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

THAT the National Assembly confirm the order given to the Committee on Culture, in accordance with an agreement reached between the House Leaders, to hold general consultations and public hearings on the document entitled "Planning for 2008-2010 Québec Immigration Levels", on 18, 19, 20, 25, 26 and 27 September 2007, and on 10 and 11 October 2007;

THAT, complementarily, the Committee hold an on-line consultation, in accordance with the document entitled "Planning for 2008-2010 Québec Immigration Levels";

THAT the Minister of Immigration and Cultural Communities 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 National Assembly confirm the order given to the Committee on Transportation and the Environment, in accordance with an agreement reached between the House Leaders, to hold special consultations and public hearings with regard to the Government Sustainable Development Strategy Action Plan, tabled by the Minister of Sustainable Development, Environment and Parks, on 17, 18, 23, 24, 25, 30 and 31 October 2007 as well as on 1, 6, 7 and 8 November 2007, and that, for this purpose, it hear the following groups;

- Auditor General of Québec (Commissaire au développement durable)
- Centre québécois de développement durable

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- Conseil patronal de l'environnement du Québec
- Association québécoise pour l'évaluation d'impacts
- Association québécoise pour la promotion de l'éducation relative à l'environnement
- ENvironnement JEUnesse (ENJEU)
- Nature Québec
- Équiterre
- Regroupement des organisations de bassin versant
- Regroupement national des conseils régionaux de l'environnement
- Association de santé publique du Québec
- Association québécoise des organismes de coopération internationale
- Chantier de l'économie sociale
- Collectif pour un Québec sans pauvreté
- Confédération des organismes familiaux du Québec
- Conseils régionaux de la culture
- Fédération de l'âge d'or (FADOQ- Mouvement des aînés)
- Fédération des femmes du Québec
- Union des consommateurs
- Union paysanne
- Association des centres locaux de développement du Québec
- Association des manufacturiers et exportateurs du Québec
- Associations touristiques régionales associées du Québec
- Mouvement des Caisses Desjardins
- Union des producteurs agricoles

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- Barreau du Québec
- Centrale des syndicats du Québec / Écoles Brundtland
- Conférences régionales des élus
- Fédération québécoise des municipalités
- Assemblée des Premières Nations du Québec et du Labrador
- Institut de développement durable des Premières Nations du Québec et du Labrador
- Regroupement des Centres d'amitié du Québec
- Kativik Regional Government
- Conseil de la Nation Atikamekw
- Conseil tribal Mamuitun
- Regroupement Mamit Innuat
- Algonquins anishbabeg nation
- Makivik Corporation
- Femmes autochtones du Québec
- Grand Council of the Crees
- Algonquin Nation Secretariat
- Grand Conseil de la nation Waban-Aki Inc.
- Table de concertation des Forums jeunesse régionaux
- Union des municipalités du Québec
- Ville de Montréal
- Ville de Québec
- Réseau québécois de villes et villages en santé
- Vivre en ville
- Fonds d'investissement en développement durable
- Conseil québécois du commerce de détail
- Fédération des chambres de commerce du Québec

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- Fonds d'action québécois en développement durable
- Conférence des recteurs et des principaux des universités du Québec

THAT, complementarily, the Committee hold an on-line consultation, in accordance with the Government Sustainable Development Strategy Action Plan;

THAT the Minister of Sustainable Development, Environment and Parks 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 Committee:

- the Committee on Institutions, to continue its public hearings within the framework of the general consultation on Bill 9, An Act respecting the safety of persons on certain premises and amending the Act respecting safety in sports.

Mr. President gave the following notice:

- the Committee on Public Finance shall hold a deliberative meeting to organize its proceedings and dispose of future mandates.

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Information on the Proceedings of the Assembly

Mr. President informed the Assembly that on Wednesday, 17 October 2007, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mr. Taillon (Chauveau). This motion reads as follows:

THAT, beginning on 1 November 2007, the Committee on Public Administration clarify the application of the *Balanced Budget Act* and propose, where appropriate, before 20 December 2007 recommendations that are judged likely to correct the artificially balanced budget.

Mr. President heard arguments from Mr. Gendron, House Leader of the Second Opposition Group, and from Mr. Proulx, Official Opposition House Leader, on the distribution of business standing in the name of members in opposition.

ORDERS OF THE DAY

Government Bills

Passage in Principle

Mrs. Normandeau, Minister of Municipal Affairs and Regions, moved, –That Bill 18, The Residential Swimming Pool Safety Act, do now pass in principle.

After debate thereon, the motion was carried and Bill 18 was accordingly passed in principle.

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Mr. Gauthrin, Deputy Government House Leader, moved that Bill 18 be referred for clause-by-clause consideration to the Committee on Planning and the Public Domain.

The motion was carried.

At 5.38 o'clock p.m., at the request of Mr. Gauthrin, Deputy Government House Leader, Mr. Chagnon, Second 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. Gingras (Blainville) to Mrs. Boulet, Minister of Transport, about public infrastructures;
 - the second, on a question by Mr. Caire (La Peltrie) to Mr. Couillard, Minister of Health and Social Services, about waiting lists.
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At 6.27 o'clock p.m., Mr. Chagnon, Second Vice-President, adjourned the Assembly until Wednesday, 17 October 2007, at 10.00 o'clock a.m.

MICHEL BISSONNET

President

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APPENDIX

Recorded Divisions

On the motion moved jointly by Mr. Simard (Richelieu), Mrs. Jérôme-Forget, Minister of Finance, and Mr. Benoit (Montmorency), concerning the establishment of a committee on the indexing of public and parapublic sector pension plans:

(Division No. 17)

YEAS - 113

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

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On the motion moved jointly by Mr. Legault (Rousseau), Mrs. Jérôme-Forget, Minister of Finance, and Mr. Taillon (Chauveau), concerning the Federal Government's Canada-wide securities commission project:

(Division No. 18)

(Identical to Division No. 17)