



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 15 November 2006 — No. 58

**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

Business Standing in the Name of Members in Opposition

Mr. Valois (Joliette) moved:

THAT the National Assembly take note of the Québec Premier's capitulation before the Conservative Government.

Following a meeting with the House leaders, Mr. Gendron, Third Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this motion: ten minutes shall be allotted for a reply by its mover and ten minutes shall be set aside for the independent Members; the two parliamentary groups shall share equally the rest of the time allotted for this debate; within this framework, any time not used by a parliamentary group will be added to that of the other group, while any time not used by the independent Members may be redistributed equally amongst the parliamentary groups, it having been agreed that this apportionment may not be carried out before the time allotted to both parliamentary groups has entirely expired; and individual addresses shall not be limited.

And debate arising on the motion by Mr. Valois (Joliette);

During her address, Mrs. Roy (Lotbinière) moved the following amendment motion:

THAT the motion under discussion be amended as follows: By replacing the word "capitulation" by the words "weak requests".

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The motion, as amended, would read as follows:

THAT the National Assembly take note of the Québec Premier's weak requests before the Conservative Government.

The debate continued on the main motion by Mr. Valois (Joliette) and on the amendment motion by Mrs. Roy (Lotbinière), subject to the receivability of the latter, which Mr. Gendron, Third Vice-President, took under advisement.

The debate being concluded, Mr. Gendron, Third Vice-President, rendered the following decision:

RULING FROM THE CHAIR

The motion to amend is receivable. According to the criteria for receivability that have been established by parliamentary jurisprudence over time, a motion to amend may tone down the scope of a main motion without contradicting or negating it, as in the case in point.

The question was put on the amendment motion by Mrs. Roy (Lotbinière). The amendment motion was negated.

The question was then put on the motion by Mr. Valois (Joliette); a recorded division was thereupon demanded.

At the request of Mrs. Lamquin-Éthier, Deputy Government House Leader, the division was deferred until Routine Proceedings on the present sitting day.

At 12.02 o'clock p.m., Mr. Gendron, Third Vice-President, suspended the proceedings until 2.00 o'clock p.m.

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The proceedings resumed at 2.08 o'clock p.m.

Moment of reflection

Mr. Charbonneau (Borduas) informed the Assembly of his resignation as Member for the electoral division of Borduas.

During his address, by leave of the Assembly to set aside Standing Orders 53 and 59, he tabled the following:

A report from the Comité directeur sur la réforme des institutions démocratiques entitled "Prenez votre place !" (see Votes and Proceedings of 11 March 2003, Sessional Paper No. 1888, 36th Legislature, 2nd Session);
(Sessional Paper No. 650-20061115)

A copy of the *Revue internationale d'éthique sociétale et gouvernementale – Nouvelles formes de la démocratie – Printemps 2005*, vol. 7, n° 1.
(Sessional Paper No. 651-20061115)

Mr. Boisclair, Leader of the Official Opposition, Mr. Dumont (Rivière-du-Loup), Mr. Charest, Premier, and Mr. President made a few comments.

Mrs. Legault (Chambly) informed the Assembly of her resignation as Member for the electoral division of Chambly.

Mr. Charest, Premier, Mr. Dumont (Rivière-du-Loup), Mr. Boisclair, Leader of the Official Opposition, and Mr. President made a few comments.

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ROUTINE PROCEEDINGS

Introduction of Bills

Mr. Audet, Minister of Finance, moved that leave be granted to introduce the following Bill:

- 53 An Act respecting the governance of state-owned enterprises and amending various legislative provisions

The motion was carried.

Mr. Marcoux, Minister of Justice, moved that leave be granted to introduce the following Bill:

- 58 An Act respecting the committee on the remuneration of the judges of the Court of Québec and the municipal courts

The motion was carried.

Mr. Marcoux, Minister responsible for the administration of legislation respecting the professions, moved that leave be granted to introduce the following Bill:

- 54 An Act to amend the Professional Code and the Pharmacy Act

Mr. President informed the Assembly that he had received, within the prescribed time, a notice from Mrs. Lemieux, Official Opposition House Leader, indicating her intention to rise on a matter of privilege. The latter claimed that the Minister responsible for the administration of legislation respecting the professions had allegedly committed a breach of the Assembly's privileges by releasing the contents of Bill 54, An Act to amend the Professional Code and the Pharmacy Act, before its presentation in the Assembly.

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At 3.35 o'clock p.m., Mr. President suspended the proceedings for a few minutes.

At 3.51 o'clock p.m., Mr. President rendered the following decision:

RULING FROM THE CHAIR

After having examined Bill 54, as is provided for in Standing Order 232, and after having compared it with the elements submitted to support the complaint, nothing allows the Chair to conclude, at first glance, that the text of the Bill was released before its presentation in the Assembly. Government intentions are stated therein as well as certain measures contained in the Bill, but nothing allows us to affirm that the text was disclosed before its presentation in the Assembly. Even if some of the information in the newspaper article or in the television report concerns the same subject, this information does not coincide with the text of the Bill's provisions.

The motion for leave to be granted by the Assembly to introduce Bill 54, An Act to amend the Professional Code and the Pharmacy Act, was carried.

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

- 49 An Act to amend the Forest Act and other legislative provisions and providing for special provisions applicable to the Territory of application of chapter 3 of the Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec for the Years 2006-2007 and 2007-2008

The motion was carried.

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

55 An Act to again amend various legislative provisions respecting
 municipal affairs

The motion was carried.

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

50 An Act respecting the Centre de la francophonie des Amériques

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:

213 An Act respecting the Institut de recherches cliniques de
 Montréal

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. 652-20061115)

Mr. Chagnon (Westmount–Saint-Louis) then moved that leave be granted to introduce Private Bill 213, An Act respecting the Institut de recherches cliniques de Montréal.

The motion was carried.

Mr. Dupuis, Government House Leader, moved that Private Bill 213 be referred for consultations and clause-by-clause consideration to the Committee on Social Affairs and that the Minister of Health and Social Services be a member during its deliberations in respect of the said Bill.

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:

214 An Act to amend the charter of the City of Laval

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. 653-20061115)

Mr. Mulcair (Chomedey) then moved that leave be granted to introduce Private Bill 214, An Act to amend the charter of the City of Laval.

The motion was carried.

Mr. Dupuis, Government House Leader, moved that Private Bill 214 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.

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 respecting an immovable of the cadastre of the township of Letellier

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. 654-20061115)

Mrs. Richard (Duplessis) then moved that leave be granted to introduce Private Bill 210, An Act respecting an immovable of the cadastre of the township of Letellier.

The motion was carried.

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Mr. Dupuis, Government House Leader, moved that Private Bill 210 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.

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:

206 An Act respecting the pension plan of certain employees of the
 Commission scolaire de la Capitale

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. 655-20061115)

Mrs. Perreault (Chauveau) then moved that leave be granted to introduce Private Bill 206, An Act respecting the pension plan of certain employees of the Commission scolaire de la Capitale.

The motion was carried.

Mr. Dupuis, Government House Leader, moved that Private Bill 206 be referred for consultations and clause-by-clause consideration to the Committee on Public Finance and that the Minister responsible for Government Administration and Chair of the Conseil du trésor be a member during its deliberations in respect of the said Bill.

The motion was carried.

Presenting Papers

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

The annual report of the Conseil interprofessionnel du Québec for the fiscal year ended 31 March 2006.

(Sessional Paper No. 656-20061115)

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

An explanatory note concerning the Softwood Lumber Agreement of 2006 between Canada and the United States, with a statement setting out the reasons for the urgency of making an order binding the Government to this Agreement, pursuant to section 22.5 of the *Act respecting the Ministère des Relations internationales*.

(Sessional Paper No. 657-20061115)

Mrs. Beauchamp, Minister of Culture and Communications, tabled the following:

The annual management report of the Office québécois de la langue française for the fiscal year ended 31 March 2006;

(Sessional Paper No. 658-20061115)

The annual report of Télé-Québec for the fiscal year ended 31 March 2006.

(Sessional Paper No. 659-20061115)

Mrs. Thériault, Minister of Families, Seniors and the Status of Women, tabled the following:

The annual management report of the Conseil de la famille et de l'enfance for the fiscal year ended 31 March 2006;

(Sessional Paper No. 660-20061115)

The strategic plan and orientation, 2006-2009, of the Conseil de la famille et de l'enfance.

(Sessional Paper No. 661-20061115)

Mr. President tabled the following:

The new seating plan of the National Assembly, dated 15 November 2006.

(Sessional Paper No. 662-20061115)

Presenting Reports from Committees

Mr. Brodeur (Shefford), chairman, tabled the following:

A report from the Committee on Culture, which met on 14 November 2006 for clause-by-clause consideration of Bill 39, An Act to proclaim Black History Month.

(Sessional Paper No. 663-20061115)

Presenting Petitions

By leave of the Assembly to set aside Standing Order 63, Mrs. Gaudet (Maskinongé) tabled the following:

The abstract of a petition respecting the reestablishment of a church electricity tariff similar to that paid for dual energy, and signed by 149 citizens of the Mauricie region.

(Sessional Paper No. 664-20061115)

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

The abstract of a petition respecting modifications to certain provisions of the *Act respecting the Régie du logement*, and signed by 13,600 citizens of the Montreal region.

(Sessional Paper No. 665-20061115)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

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

Copy of an e-mail message, dated 14 November 2006, sent to Mrs. Isabelle Gilbert, political advisor to the Member for Taschereau, from Mr. Pierre Lafleur, of the Capitale-Nationale Health and Social Services Agency, concerning the Laval Hospital security officers.

(Sessional Paper No. 666-20061115)

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 Mr. Valois (Joliette).

This motion reads as follows:

THAT the National Assembly take note of the Québec Premier's capitulation before the Conservative Government.

The motion was negated on the following vote:

(Division No. **69** in Appendix)

Yeas: **39** Nays: **66** Abstentions: **0**

Mr. Boisclair, Leader of the Official Opposition, Mr. Dumont (Rivière-du-Loup), Mr. Charest, Premier, and Mr. President marked the thirtieth anniversary of the parliamentary career of Mr. Gendron, Third Vice-President.

Mr. Gendron, Third Vice-President, then took the floor.

By leave of the Assembly to set aside Standing Order 20, the proceedings continued beyond 6.00 o'clock p.m.

Motions Without Notice

Mr. MacMillan, Chief Government Whip, moved:

THAT, pursuant to Standing Order 129, the Member for Rouyn-Noranda-Témiscamingue, Mr. Daniel Bernard, be named a member of the Committee on Social Affairs;

THAT this modification be effective immediately.

The motion was carried.

Notices of Proceedings in Committees

Mrs. Lamquin-Éthier, Deputy Government House Leader, convened the following Committees:

- the Committee on Social Affairs, to continue its clause-by-clause consideration of Bill 33, An Act to amend the Act respecting health services and social services and other legislative provisions;
- the Committee on Institutions, to hold public hearings within the framework of special consultations on Bill 36, An Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activities;
- the Committee on Public Finance, to conclude its public hearings within the framework of special consultations on Bill 27, An Act respecting the Commission administrative des régimes de retraite et d'assurances.

Mr. President gave the following notice:

- the Committee on Culture shall hold a deliberative meeting for the purpose of organizing its proceedings.

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ORDERS OF THE DAY

At 6.07 o'clock p.m., Mr. President adjourned the Assembly until Thursday, 16 November 2006, at 10.00 o'clock a.m.

MICHEL BISSONNET

President

APPENDIX

Recorded Divisions

On the motion moved by Mr. Valois (Joliette) during Business Standing in the Name of Members in Opposition, concerning the Québec Premier's capitulation before the Conservative Government:

(Division No. 69)

YEAS - 39

Arseneau	Charest	Legault	Papineau
Beaudoin	<i>[Rimouski]</i>	<i>[Rousseau]</i>	Pinard
Bergeron	Cousineau	Legendre	Robert
Bertrand	Deslières	Lemay	Simard
Boisclair	Dion	Lemieux	St-André
Bouchard	Dionne-Marsolais	Létourneau	Thériault
<i>[Vachon]</i>	Doyer	Lelièvre	<i>[Masson]</i>
Boucher	Girard	Maltais	Tremblay
Bourdeau	Harel	Morin	Turp
Caron	Jutras	<i>[Nicolet-Yamaska]</i>	Valois
Champagne	Lefebvre	Pagé	Vermette

NAYS - 66

Audet	Charlebois	Grondin	Normandeau
Bachand	Chenail	Hamad	Ouimet
<i>[Outremont]</i>	Cholette	Hamel	Paquet
Bachand	Clermont	Houda-Pepin	Paquin
<i>[Arthabaska]</i>	Copeman	James	Pelletier
Beauchamp	Corbeil	Jérôme-Forget	Perreault
Bergman	Couillard	Kelley	Picard
Bernard	Courchesne	Lamquin-Éthier	Reid
Bernier	Després	L'Écuyer	Rioux
Blackburn	Dubuc	Légaré	Soucy
Bordeleau	Dumont	Lessard	Théberge
Boulet	Dupuis	Loiselle	Thériault
Brodeur	Fournier	MacMillan	<i>[Anjou]</i>
Chagnon	Gabias	Marcoux	Tomassi
Charest	Gagnon-Tremblay	Marsan	Vallières
<i>[Sherbrooke]</i>	Gaudet	Mercier	Vien
Charest	Gauthier	Moreau	Whissell
<i>[Matane]</i>	Gautrin	Morin	
		<i>[Montmagny-L'Islet]</i>	