



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 7 November 2006 — No. 54

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

QUÉBEC

The Assembly was called to order at 10.04 o'clock a.m.

ORDERS OF THE DAY

Government Bills

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 2 November 2006, on the motion by Mr. Couillard, Minister of Health and Social Services, –That Bill 33, An Act to amend the Act respecting health services and social services and other legislative provisions, do now pass in principle.

At the end of her address, Mrs. Lemieux, Official Opposition House Leader, moved the following motion to divide the said Bill:

THAT, pursuant to Standing Order 241, Bill 33, An Act to amend the Act respecting health services and social services and other legislative provisions, be divided into two Bills, as follows: a first bill entitled "An Act to amend the Act respecting health services and social services and other legislative provisions", to include: subsection 1(3), section 3, sections 7 and 8, section 10, section 12, except subsection 349.1(3), section 16, except the fourth paragraph of section 431.2, section 38, section 41, section 42, except, in the first paragraph of section 22.0.0.1, the words "or a physician subject to the application of an agreement who practises in a specialized medical centre" as well as the words "or centre" and, in the second paragraph of section 22.0.0.1, the words "or a specialized medical centre", section 43, section 47, section 49, section 52; and a second bill entitled "An act to again amend the Act respecting health services and social services and other legislative provisions to permit the creation of a legal framework for carrying on medical activities in

specialized medical centres", to include: subsections 1(1) and 1(2), section 2, sections 4 to 6, section 9, section 11, the first paragraph of section 349.1 as well as subsection 349.1(3), as inserted by section 12, sections 13 to 15, the fourth paragraph of section 431.2, as inserted by section 16, sections 17 to 37, sections 39 and 40, section 42, except, in the first paragraph of section 22.0.0.1, the words "A physician subject to the application of an agreement or a physician who has withdrawn who practises in a private health facility or" as well as the words "facility or" and, in the second paragraph of section 22.0.0.1, the words "a private health facility or", sections 44 to 46, section 48, sections 50 to 52.

At 10.28 o'clock a.m., Mr. Gendron, Third Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 10.46 o'clock a.m.

At 11.11 o'clock a.m., after having heard arguments from both sides regarding the receivability of this motion, Mr. Gendron, Third Vice-President, took the matter under advisement and suspended the sitting until 2.00 o'clock p.m.

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The proceedings resumed at 2.07 o'clock p.m.

Moment of reflection

ROUTINE PROCEEDINGS

Introduction of Bills

Mrs. Jérôme-Forget, Minister responsible for Government Administration and Chair of the Conseil du trésor, moved that leave be granted to introduce the following Bill:

44 An Act to amend various legislative provisions concerning retirement

The motion was carried on division.

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

46 Cooperative Investment Plan Act

The motion was carried on division.

Presenting Papers

Mr. Charest, Premier, tabled the following:

The annual management report of the Ministère du Conseil exécutif, for the fiscal year ended 31 March 2006.

(Sessional Paper No. 622-20061107)

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

The agreement to extend the agreement on the provision of police services reached between the Odanak Band Council, the Government of Canada and the Government of Québec.

(Sessional Paper No. 623-20061107)

Mr. Corbeil, Minister of Natural Resources and Wildlife, tabled the following:

The annual report of the Fondation de la faune du Québec, for the fiscal year ended 31 March 2006.

(Sessional Paper No. 624-20061107)

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, tabled the following:

Québec's policy as regards Francophones within Canada.

(Sessional Paper No. 625-20061107)

Mr. President tabled the following:

Copy of the notice of motion by Mrs. Harel (Hochelaga-Maisonneuve) which will be placed on the *Order Paper and Notices* of Wednesday, 8 November 2006, under Business Standing in the Name of Members in Opposition.

(Sessional Paper No. 626-20061107)

Presenting Reports from Committees

Mr. Hamad (Louis-Hébert), committee chairman, tabled the following:

A report from the Committee on Public Finance, which, on 31 October and on 1 and 2 November 2006, held public hearings within the framework of special consultations with reference to the policy statement entitled "Modernizing the Governance of Government Corporations".

(Sessional Paper No. 627-20061107)

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

A report from the Committee on Culture, which, on 13, 20, 21, 26, 27 and 28 September, on 18, 19, 24, 25 and 31 October as well as on 1 November 2006, held public hearings within the framework of a general consultation on the paper entitled "Towards a government policy to fight against racism and discrimination". The Committee also held a deliberative meeting on 2 November 2006.

(Sessional Paper No. 628-20061107)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Dumont (Rivière-du-Loup) withdrew certain words deemed unparliamentary.

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. Dupuis, 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 27, An Act respecting the Commission administrative des régimes de retraite et d'assurances.

Motions Without Notice

Mrs. Dionne-Marsolais (Rosemont) moved:

THAT the National Assembly pay tribute to Mr. Robert A. Boyd, a true pioneer in Québec's hydroelectric development who passed away at the age of 88, and that it express its sincerest condolences to his family and friends.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

Mrs. Harel (Hochelaga-Maisonneuve) moved:

THAT the National Assembly mark Pain Awareness Week in Québec.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

Mr. Bergeron (Verchères) moved:

THAT the National Assembly support the establishment of a carbon exchange in Montreal.

By leave of the Assembly, the motion was carried.

Mrs. Champagne (Champlain) moved:

THAT the National Assembly mark the 17th National Seniors' Safety Week, which is being held from 6 to 12 November 2006 under the theme "It's Easy to Make Your Home a Safer Place", and that it reiterate the necessity for all of Québec's seniors to evolve in safe living environments that ensure respect, dignity and integrity, regardless of health status or economic situation.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 84, Mrs. Dionne-Marsolais (Rosemont) moved a second motion:

THAT, on the occasion of the 8th edition of Energy Efficiency Week 2006 held under the theme "Energy for Tomorrow... Let's Act Now", the National Assembly support the action taken by the Agence de l'efficacité énergétique, which over the past decade has achieved encouraging results through the promotion of energy savings. That it reaffirm the importance of continuing to raise the population's awareness with regard to reducing our energy consumption in order to ensure Québec's energy security and to reduce greenhouse gas emissions.

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) and Mr. Fournier, Minister of Education, Recreation and Sports, jointly moved:

THAT the National Assembly mark the 8th Professional and Technical Training Week, whose purpose is to promote these types of training and to make known the career opportunities they provide.

By leave of the Assembly, the motion was carried.

Mr. Morin (Montmagny-L'Islet) moved a motion concerning Highway 185 between Rivière-du-Loup and New Brunswick; this motion could not be debated for want of unanimous consent.

Mrs. Lamquin-Éthier, Deputy Government House Leader, moved:

THAT the Committee on Institutions, within the framework of the consideration of Bill 36, An Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activities, hold special consultations and public hearings on 15 and 16 November 2006, and that, for this purpose, it hear the following individuals or groups:

- Québec Bar Association
- Association des avocats et avocates de province
- Association des juristes de l'État
- Association québécoise des avocats et avocates de la défense
- Commission des services juridiques
- Commission des droits de la personne et de la jeunesse
- Mr. Luc Landry, Sûreté du Québec

- Mr. Jimmy Cacchione, Service de police de la ville de Montréal
- Mr. Jeff Simser, Civil Remedies for Illicit Activities
- Mr. Jean-Luc Bacher, Université de Montréal

A period of 30 minutes shall be allotted for the opening statements, which time period shall be divided as follows: 15 minutes for the members of the parliamentary group forming the Government and 15 minutes for the Members sitting in Opposition;

The presentation by each group shall last no more than 15 minutes and the exchange with the members of the Committee shall last no more than 30 minutes, which time shall be shared equally among the members of the parliamentary group forming the Government and the Members sitting in Opposition;

A period of 30 minutes shall be allotted for the closing statements, which time period shall be divided as follows: 15 minutes for the Members sitting in Opposition and 15 minutes for the members of the parliamentary group forming the Government;

The Minister of Justice 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

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

- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 25, An Act to amend the Crime Victims Compensation Act and other legislative provisions.

Mr. Cusano, First Vice-President, gave the following notices:

- the Committee on Social Affairs shall examine annual reports and hear the Laurentides Health and Social Services Agency;
- the Committee on Education shall hold a public meeting to hear the head officers of the Université du Québec in Abitibi-Témiscamingue and shall then hold a deliberative meeting to make a progress report on this hearing;
- the Committee on Culture shall hold a deliberative meeting for the purpose of organizing its proceedings in relation to the statutory order on the implementation of the *Act respecting the Conseil des aînés* and to rule on a proposed order of initiative.

Information on the Proceedings of the Assembly

Mr. Cusano, First Vice-President, informed the Assembly that on Wednesday, 8 November 2006, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mrs. Harel (Hochelaga-Maisonneuve).

This motion reads as follows:

THAT the National Assembly deplores the failure of the Minister of Health and Social Services to honour the Premier's solemn commitment to eliminate waiting times in the health sector.

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ORDERS OF THE DAY

Government Bills

Passage in Principle

Mr. Gendron, Third Vice-President, ruled as follows on the receivability of the motion to divide moved by Mrs. Lemieux, Official Opposition House Leader:

RULING FROM THE CHAIR

The motion to divide is unreceivable. First, the second bill makes reference to a concept that appears only in the first bill, thus rendering it incoherent and unable to stand on its own. Second, certain words struck out of the first bill are not reincorporated in their entirety in the second bill. Third, it is not for the Chair to interpret the wishes of the mover of a motion to divide. That is why such a motion must state precisely how it is proposed to allocate the elements of the original bill in order that the texts of the resultant bills be clear. It is not clear from a reading of this motion to divide, however, that the introductory paragraph of section 1 is to appear in both of the resultant bills.

At 3.43 o'clock p.m.. Mr. Gendron, Third Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 3.53 o'clock p.m.

And debate continuing on the motion by Mr. Couillard, Minister of Health and Social Services, —That Bill 33, An Act to amend the Act respecting health services and social services and other legislative provisions, do now pass in principle;

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Debates Upon Adjournment

The Assembly held two debates upon adjournment:

- the first, on a question by Mrs. Charest (Rimouski) to Mr. Couillard, Minister of Health and Social Services, about video lotteries;
- the second, on a question by Mrs. Harel (Hochelaga-Maisonneuve) to Mr. Couillard, Minister of Health and Social Services, about nosocomial infections.

At 6.27 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Wednesday, 8 November 2006, at 10.00 o'clock a.m.

MICHEL BISSONNET

President