



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 23 November 2010 — No. 158

**President of the National Assembly:
Mr. Yvon Vallières**

QUÉBEC

The Assembly was called to order at 1.46 o'clock p.m.

ROUTINE PROCEEDINGS

Statements by Members

Mrs. Vien (Bellechasse) made a statement about Drug Awareness Week.

Mrs. Champagne (Champlain) made a statement about the Prix Dollard-Morin awarded to Mr. Christian Blais.

Mrs. Ménard (Laporte) made a statement about the 75th anniversary of La Voix de l'Est.

Mr. Cloutier (Lac-Saint-Jean) made a statement about Members for a Day.

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Mrs. Roy (Lotbinière) made a statement about the 20th anniversary of the Regroupement des personnes aidantes de Lotbinière.

Mr. Lehouillier (Lévis) made a statement about World Television Day.

Mr. Tremblay (Masson) made a statement about La fête du Petit Village.

Mr. Sklavounos (Laurier-Dorion) made a statement about the 100th anniversary of Sainte-Cécile parish.

Mr. Kotto (Bourget) made a statement about the 10th anniversary of the Festival du monde arabe de Montréal.

At 1.56 o'clock p.m., Mr. Gendron, Third Vice-President, suspended the proceedings for a few minutes.

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

Moment of reflection

Presenting Papers

Mr. Fournier, Minister responsible for the administration of legislation respecting the professions, tabled the following:

The annual report of the Ordre des techniciennes et techniciens dentaires du Québec, for the fiscal year ended 31 March 2010.

(Sessional Paper No. 1896-20101123)

Mr. Fournier, Government House Leader, tabled the following:

The Government's answer to the petition tabled on 27 October 2010 by Mr. Turcotte (Saint-Jean), concerning the costs related to the purchase of a first dental prosthesis.

(Sessional Paper No. 1897-20101123)

Presenting Petitions

Mr. Dufour (René-Lévesque) tabled the following:

The abstract of a petition respecting a request for a public inquiry on the construction industry, and signed by 49 citizens of Québec.

(Sessional Paper No. 1898-20101123)

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Complaints of Breach of Privilege or Contempt and Personal Explanations

Mr. President rendered the following decision on the matter of privilege or contempt raised by Mr. Bédard, Official Opposition House Leader, on 11 November 2010:

RULING FROM THE CHAIR

Among the parliamentary privileges enjoyed by the National Assembly, the right to order the production of documents is one of its most indisputable constitutional privileges.

The motion carried on 29 September 2010 without question constitutes an order to produce documents that demands that Hydro-Québec transmit to the Assembly information in relation to all contracts granted from 2000 to 2010. When the Assembly demands that documents be produced, these must be transmitted thereto and their availability on the Internet in no way amounts to their transmission.

To determine whether Hydro-Québec committed, *prima facie*, a breach of privilege or contempt, two elements must be taken into consideration. First, we must identify the intention of the Assembly, which, in its motion, asks Hydro-Québec to forward the documents to it as expeditiously as possible. Then, the intention of Hydro-Québec to follow up on the order that was carried must be assessed.

The terms of the motion do not specify a time limit. Consequently, the expression "as expeditiously as possible" must be interpreted in the light of several elements, including the nature of the request made by the Assembly, the date of this request and Hydro-Québec's desire to take action thereon.

Six weeks passed between the moment the order was carried and the transmission of the notice to rise on a matter of privilege or contempt. The Chair recognizes the magnitude of the task to be carried out, but also recognizes the magnitude of the means at the disposal of Hydro-Québec. Moreover, it is disquieting that Hydro-Québec waited until a breach of privilege or contempt was notified to the Assembly before indicating its intention to follow up on the order.

The terms of the order are clear. Hydro-Québec has no other choice but to transmit all of the information requested. However, the concerns expressed, particularly regarding trade and security issues, are legitimate. Hence, Hydro-Québec is invited to identify the information which it considers to be of strategic importance. The Assembly will then determine to what extent it will take Hydro-Québec's concerns into

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consideration. Even if the facts adduced allow us to believe that there is, at first glance, a breach of privilege or contempt, an additional delay is hereby granted. Consequently, Hydro-Québec has until 2 December 2010 to transmit to the Assembly all of the documents requested.

Subsequently, if Hydro-Québec has not complied with this directive, procedure relating to a breach of privilege or contempt may continue.

Mr. President then tabled the following:

The lists relating to the contracts granted by Hydro-Québec from 2000 to 2010, forwarded on 19 November 2010 to Mr. Michel Bonsaint, Secretary General of the National Assembly, from Mrs. Marie-José Nadeau, Executive Vice-President – Corporate Affairs and Secretary General of Hydro-Québec.

(Sessional Paper No. 1899-20101123)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Bergeron (Verchères) withdrew certain words deemed unparliamentary.

Deferred Divisions

The Assembly took the division, which had been deferred at the sitting of 18 November 2010, on the motion moved by Blanchet (Drummond), together with Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, Mrs. Roy (Lotbinière), Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier).

This motion reads as follows:

THAT the National Assembly recognize the crucial role of content creators and the importance of intellectual property in the economic model of Québec arts and culture;

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THAT it concur in the concerns of the artistic milieu, particularly of music and literary publishing, and ask the Federal Government to modify as often as necessary current Bill C-32 on copyright, to ensure Québec creators the full recognition of their rights, adequate protection against illegal copying of their work, the application of the private copying principle, and income in accordance with the value of their intellectual property.

The motion was carried on the following vote:

(Division No. 125 in Appendix)

Yeas: **107** Nays: **0** Abstentions: **0**

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mrs. Beauchamp, Minister of Education, Recreation and Sports, together with Mr. Boucher (Johnson), Mr. Bonnardel (Shefford), Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier), moved:

THAT the National Assembly of Québec underline the outstanding career of Pat Burns and express its deepest condolences to his family and friends.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

At the invitation of Mr. Gendron, Third Vice-President, the Assembly observed a minute of silence.

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By leave of the Assembly to set aside Standing Order 185, Mr. Deltell, Leader of the Second Opposition Group, together with Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, Mrs. Marois, Leader of the Official Opposition, Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier), moved:

THAT the National Assembly underline the outstanding contribution of Guy Laliberté to Québec's outreach abroad thanks to the Cirque du Soleil, as well as his latest distinction, namely to have become the third Quebecer to have his star on Hollywood Boulevard's Walk of Fame in Los Angeles.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 84.1, Mr. Dutil, Deputy Government House Leader, moved:

THAT this Wednesday, 24 November 2010, the National Assembly hold the debate on the want of confidence motion by the Leader of the Official Opposition placed on the *Order Paper and Notices* under item a), according to the following schedule, notwithstanding Standing Order 20, paragraph (2), and Standing Order 306:

THAT the debate begin immediately Orders of the Day are entered upon, following the allocation of speaking time after a meeting with the House leaders, pursuant to customary practice as well as Standing Order 210;

THAT the National Assembly suspend its proceedings from 1.30 o'clock p.m. to 2.30 o'clock p.m.;

THAT the debate continue until 4.10 o'clock p.m.

THAT at 4.10 o'clock p.m., the author of the motion may exercise her right of reply, pursuant to the provisions of Standing Order 216;

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THAT the recorded division may be demanded, pursuant to Standing Order 220;

THAT immediately the vote has been taken, the Assembly adjourn its proceedings until Thursday, 25 November 2010, at 9.45 o'clock a.m.

THAT this motion become an order of the Assembly.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 84.1 and pursuant to Standing Order 146, Mr. Dutil, Deputy Government House Leader, moved:

THAT the Committee on Planning and the Public Domain, within the framework of the examination of Bill 131, An Act to amend the Act respecting the Régie du logement and various Acts concerning municipal affairs, hold special consultations and public hearings on 30 November, 1 December, and, if necessary, on 2 December 2010 and that, for this purpose, it hear the following groups:

Régie du logement
Corporation des propriétaires immobiliers du Québec
Apartment Owners Association of Greater Montréal
Front d'action populaire en réaménagement urbain
Regroupement des comités logement et associations de locataires du Québec
Fédération québécoise des municipalités
Union des municipalités du Québec
Communauté métropolitaine de Montréal
Ville de Montréal
Communauté métropolitaine de Québec
Ville de Québec
Association des propriétaires du Québec

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A period of 15 minutes shall be allotted for the opening statements, which time shall be shared equally among the members of the parliamentary group forming the Government and 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 45 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 15 minutes shall be allotted for the closing statements, which time shall be shared equally among the Members of the parliamentary group forming the Government and the Members sitting in opposition;

The Minister of Municipal Affairs, Regions and Land Occupancy 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.

By leave of the Assembly to set aside Standing Order 84.1 and pursuant to Standing Order 146, Mr. Dutil, Deputy Government House Leader, moved:

THAT the Committee on Public Finance, within the framework of the examination of Bill 128, An Act to enact the Money-Services Businesses Act and to amend various legislative provisions mainly concerning special funds and the financial sector, hold special consultations and public hearings on 30 November 2010 and that, for this purpose, it hear the following groups:

Sûreté du Québec
Service de police de la Ville de Montréal
Canadian Federation of Independent Business
Barreau du Québec
Auditor General

A period of 15 minutes shall be allotted for the opening statements, which time shall be shared equally among the members of the parliamentary group forming the Government and 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 45 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 15 minutes shall be allotted for the closing statements, which time shall be shared equally among the Members of the parliamentary group forming the Government and the Members sitting in opposition;

The Minister of Finance 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. Dutil, Deputy Government House Leader, convened the following Committees:

- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 113, An Act to put a stop to election contributions in the name of another;
- the Committee on Transportation and the Environment, to continue its clause-by-clause consideration of Bill 121, An Act to improve relations between the people living along off-highway vehicle club trails and the users of those trails and to improve user safety;
- the Committee on Public Finance, to give clause-by-clause consideration to Bill 124, An Act to amend various pension plans in the public sector.

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Mr. Gendron, Third Vice-President, gave the following notice:

- the Committee on Agriculture, Fisheries, Energy and Natural Resources shall hold a deliberative meeting to determine whether the Committee will examine a petition; and then to determine the follow-up to the examination of the petition on the treatment of animals.

ORDERS OF THE DAY

Government Bills

Passage

Mr. Fournier, Minister responsible for the Reform of Democratic Institutions and Access to Information, moved the passage of Bill 132, An Act to suspend the electoral division delimitation process.

After debate thereon, the motion was carried on division and, accordingly, Bill 132 was passed.

Passage in Principle

Mrs. Thériault, Minister of Labour, moved, —That Bill 122, An Act to amend the Building Act mainly to modernize safety standards, do now pass in principle.

After debate thereon, the motion was carried and Bill 122 was accordingly passed in principle.

Mr. Dutil, Deputy Government House Leader, moved that Bill 122 be referred for clause-by-clause consideration to the Committee on Labour and the Economy.

The motion was carried.

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At 4.29 o'clock p.m., at the request of Mr. Dutil, Deputy Government House Leader, Mrs. Houda-Pepin, First Vice-President, suspended the proceedings until 5.00 o'clock p.m.

The proceedings resumed at 5.00 o'clock p.m.

Passage in Principle

By leave of the Assembly, Mr. Bachand, Minister of Finance, informed the Assembly that His Honour the Lieutenant-Governor recommended to its consideration Bill 128, An Act to enact the Money-Services Businesses Act and to amend various legislative provisions mainly concerning special funds and the financial sector, and then moved, —That this Bill do now pass in principle.

After debate thereon, the motion was carried and Bill 128 was accordingly passed in principle.

Mr. Dutil, Deputy Government House Leader, moved that Bill 128 be referred for clause-by-clause consideration to the Committee on Public Finance.

The motion was carried.

Mrs. James, Minister of Families, moved, —That Bill 126, An Act to tighten the regulation of educational childcare, do now pass in principle.

A debate arose thereon.

At 6.00 o'clock p.m., Mrs. Houda-Pepin, First Vice-President, suspended the proceedings until 7.30 o'clock p.m.

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The proceedings resumed at 7.30 o'clock p.m.

Passage in Principle

The Assembly continued the debate on the motion by Mrs. James, Minister of Families, for the passage in principle of Bill 126, An Act to tighten the regulation of educational childcare.

The debate being concluded, the motion was carried and Bill 126 was accordingly passed in principle.

Mr. Gauthrin, Deputy Government House Leader, moved that Bill 126 be referred for clause-by-clause consideration to the Committee on Citizen Relations.

The motion was carried.

Mr. Gauthrin, Deputy Government House Leader, moved the adjournment of the Assembly until Wednesday, 24 November 2010, at 9.45 o'clock a.m.

The motion was carried.

Accordingly, at 8.38 o'clock p.m., Mrs. Houda-Pepin, First Vice-President, adjourned the Assembly until Wednesday, 24 November 2010, at 9.45 o'clock a.m.

YVON VALLIÈRES

President

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APPENDIX

Recorded Divisions

On the motion moved by Blanchet (Drummond), together with Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, Mrs. Roy (Lotbinière), Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier):

(Division No. 125)

YEAS - 107

Arcand	Charlebois	Kelley	Pinard
Auclair	Chevarie	Khadir	Poirier
Bachand	Cloutier	Kotto	Ratthé
<i>(Outremont)</i>	Corbeil	Lapointe	Rebello
Bachand	Courchesne	Leclair	Reid
<i>(Arthabaska)</i>	Cousineau	L'Écuyer	Richard
Beauchamp	D'Amour	Léger	<i>(Duplessis)</i>
Beaudoin	Deltell	Lehouillier	Robert
<i>(Mirabel)</i>	Diamond	Lemay	Rotiroti
Beaudoin	Doyer	Lessard	Simard
<i>(Rosemont)</i>	Drolet	MacMillan	<i>(Richelieu)</i>
Bédard	Dubourg	Malavoy	Simard
Bergeron	Dufour	Maltais	<i>(Dubuc)</i>
Bergman	Dutil	Mamelonet	Sklavounos
Bernard	Ferland	Marceau	St-Amand
Bernier	Fournier	Marois	St-Arnaud
Bérubé	Gaudreault	Marsan	St-Pierre
Billette	<i>(Hull)</i>	Matte	Thériault
Blais	Gaudreault	Ménard	Traversy
Bolduc	<i>(Jonquière)</i>	Moreau	Tremblay
Bonnardel	Gautrin	Morin	Trottier
Boucher	Gauvreau	Normandeau	Turcotte
Bouillé	Girard	Ouellette	Vallée
Boulet	Gonthier	Ouimet	Vien
Caire	Grondin	Pagé	Villeneuve
Carrière	Hamad	Paquet	Weil
Champagne	Hivon	Pelletier	Whissell
Charbonneau	Houda-Pepin	<i>(Rimouski)</i>	
Charest	Huot	Picard	
Charette	James	Pigeon	