



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 14 June 2012 — No. 122

**President of the National Assembly:
Mr. Jacques Chagnon**

QUÉBEC

The Assembly was called to order at 9.45 o'clock a.m.

ROUTINE PROCEEDINGS

Statements by Members

Mr. Morin (Montmagny-L'Islet) made a statement to congratulate the Centre d'équithérapie La Remontée on having received the "À part entière" award.

Mr. Bergeron (Verchères) made a statement to underline the 25th anniversary of the Club Lions de Verchères.

Mr. Chevarie (Îles-de-la-Madeleine) made a statement to pay homage to Mrs. Hélène Décoste, an Opération Enfant Soleil volunteer in the Magdalen Islands.

Mrs. Doyer (Matapédia) made a statement about the Mistelle de framboises La Douce Anna, which received the award for best fruity wine in Canada.

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Mr. Ouellette (Chomedey) made a statement to congratulate Mrs. Jeanne-Marie Tsoublekas, recipient of the Hommage-bénévolat Québec 2012 award, in the "Volunteer" category.

Mrs. Poirier (Hochelaga-Maisonneuve) made a statement to pay homage to Mr. Vincenzo Mercadante and the Vêtements pour homme Sélect boutique, which has been serving men's fashion needs for the past 60 years.

Mr. D'Amour (Rivière-du-Loup) made a statement to congratulate the young Tristan Pomerleau, who was drafted by the major junior hockey league of Victoriaville.

Mr. Marceau (Rousseau) made a statement about the 25th anniversary of Les Voix de l'Achigan choir.

Mr. Aussant (Nicolet-Yamaska) made a statement about politics in Québec.

At 9.57 o'clock a.m., Mr. Ouimet, Second Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 10.13 o'clock a.m.

Moment of reflection

Introduction of Bills

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

79 An Act to amend certain provisions of the Professional Code relating to the disciplinary councils of the professional orders

The motion was carried.

Accordingly, Bill 79 was introduced in the Assembly.

Mr. Aussant (Nicolet-Yamaska) moved that leave be granted to introduce the following Bill:

599 An Act to affirm the collective nature of natural resources

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

The motion was carried on the following vote:

(Division No. **106** in Appendix)

Yeas: **101** Nays: **0** Abstentions: **0**

Accordingly, Bill 599 was introduced in the Assembly.

Presenting Papers

Mr. Charest, Premier, tabled the following:

The report entitled "Cadre institutionnel du développement durable et du développement d'une économie verte au Québec".

(Sessional Paper No. 1518-20120614)

Mrs. Courchesne, Minister responsible for Government Administration and Chair of the Conseil du trésor, tabled the following:

The annual report of the Société immobilière du Québec, for the fiscal year ended 31 March 2012;

(Sessional Paper No. 1519-20120614)

The report of the Chair of the Conseil du trésor, for the fiscal year ended 31 March 2011;

(Sessional Paper No. 1520-20120614)

The strategic plan for 2011-2016 of the Institut national des mines.

(Sessional Paper No. 1521-20120614)

Mr. Bachand, Minister of Finance, tabled the following:

The annual report of Loto-Québec, for the fiscal year ended 31 March 2012;

(Sessional Paper No. 1522-20120614)

The annual report of the Société des alcools du Québec, for the fiscal year ended 31 March 2012.

(Sessional Paper No. 1523-20120614)

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

The annual report and the sustainable development report of Investissement Québec, for the fiscal year ended 31 March 2012;

(Sessional Paper No. 1524-20120614)

Consolidated financial statements of the Fonds du développement économique (FDE), for the fiscal year ended 31 March 2012.

(Sessional Paper No. 1525-20120614)

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

The reply from the Government to the petition tabled on 17 May 2012 by Mr. Bonnardel (Shefford), concerning the national campaign to end bullying in schools.

(Sessional Paper No. 1526-20120614)

Mr. President tabled the following:

The activity report of the National Assembly of Québec, for the fiscal year ended 31 March 2012;

(Sessional Paper No. 1527-20120614)

The proceedings of the Symposium on Democracy, Parliamentarians and the Media, held at the Parliament Building on 26 and 27 October 2011;

(Sessional Paper No. 1528-20120614)

Presenting Reports from Committees

Mrs. Malavoy (Taillon), committee chairman, tabled the following:

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The report from the Committee on Planning and the Public Domain, which, on 13 June 2012, heard the interested persons and gave clause-by-clause consideration to Private Bill 214, An Act respecting Ville de Saguenay. The report does not contain any amendments to the Bill.

(Sessional Paper No. 1529-20120614)

The report was concurred in.

Mr. Bachand (Arthabaska), committee chairman, tabled the following:

The report from the Committee on Public Finance, which, on 13 June 2012, heard the interested persons and gave clause-by-clause consideration to Private Bill 212, An Act respecting the conversion of LS Mutual Life Insurance Company. The report does not contain any amendments to the Bill.

(Sessional Paper No. 1530-20120614)

The report was concurred in.

Mr. Sklavounos (Laurier-Dorion), committee chairman, tabled the following:

The report from the Committee on Health and Social Services, which, on 13 June 2012, heard the interested persons and gave clause-by-clause consideration to Private Bill 216, An Act respecting Dixville Home Inc. The report contains one amendment to the Bill.

(Sessional Paper No. 1531-20120614)

The report was concurred in.

Presenting Petitions

Mrs. Malavoy (Taillon) tabled the following:

The abstract of a petition respecting the maintaining of direct services to students of the Commission scolaire de Laval, and signed by 2486 citizens of Québec.

(Sessional Paper No. 1532-20120614)

14 June 2012

Mr. Khadir (Mercier) tabled the following:

The abstract of a petition respecting the protection of the rights of employees of Zellers stores in Québec, and signed by 1203 citizens of Québec.

(Sessional Paper No. 1533-20120614)

Mr. Turcotte (Saint-Jean) tabled the following:

The abstract of a petition respecting the language used by the City of Châteauguay for communicating with its citizens, and signed by 922 citizens of Québec.

(Sessional Paper No. 1534-20120614)

Mr. D'Amour (Rivière-du-Loup) tabled the following:

The abstract of a petition respecting the choice of garage and hourly rate for repairs following an accident, and signed by 24 garage owners of Québec.

(Sessional Paper No. 1535-20120614)

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

The abstract of a petition respecting services provided to individuals with autism or with a pervasive developmental disorder (PDD), and signed by 251 citizens of Québec.

(Sessional Paper No. 1536-20120614)

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

The abstract of a petition respecting the maintaining of direct services to students of the Commission scolaire de Laval, and signed by 2167 citizens of Québec.

(Sessional Paper No. 1537-20120614)

14 June 2012

By leave of the Assembly to set aside Standing Order 63, Mr. Cloutier (Lac-Saint-Jean) tabled the following:

The abstract of a petition respecting intermediate resources and family-type resources, and signed by 846 citizens of Québec.

(Sessional Paper No. 1538-20120614)

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

The abstract of a petition respecting the protection of the rights of employees of Zellers stores in Québec, and signed by 2127 citizens of Québec.

(Sessional Paper No. 1539-20120614)

By leave of the Assembly to set aside Standing Order 63, Mr. Rebello (La Prairie) tabled the following:

The abstract of a petition respecting the speed limit on Rang Saint-Pierre in Saint-Constant, and signed by 223 citizens of Québec.

(Sessional Paper No. 1540-20120614)

By leave of the Assembly to set aside Standing Orders 63 and 64, Mr. Simard (Kamouraska-Témiscouata) tabled the following:

The abstract of a petition respecting travel expenses reimbursed by the CSST and the SAAQ, and signed by 397 citizens of Québec.

(Sessional Paper No. 1541-20120614)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

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Following a point of order, Mr. President gave a ruling on the application of the *sub judice* rule with regard to the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry.

RULING FROM THE CHAIR

Mr. President recalled that the guidelines regarding this matter have already been established by parliamentary jurisprudence.

Under Standing Order 35, the *sub judice* rule stipulates that no Member speaking shall refer to any matter that is under adjudication before a court or a quasi-judicial body, or that is the subject of an inquiry, where such reference may be prejudicial to the interests of any person or party.

This rule applies to the Assembly for the duration of judicial or quasi-judicial proceedings, or of a commission of inquiry.

Given that the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry is such a body by definition, the rule applies.

Considering that the impact of words pronounced in the National Assembly is not as great as in criminal matters, the *sub judice* rule is not applied as strictly. Hence, a Member may, in a general manner, refer to a matter that is the subject of an inquiry; however, when approaching the heart of the matter, a Member may not make remarks that could be prejudicial to any person or party. Each Member has the responsibility to evaluate the margin at his disposal within the exercise of the privilege of freedom of speech at the Assembly.

Finally, Standing Order 82 stipulates that a minister must decline to answer if in providing the answer sought he would contravene the *sub judice* rule. The role of the Chair is not to assess the refusal to answer, as this decision concerns the minister alone.

Mr. President therefore called upon the Members to observe these guidelines in this case.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Vallières, Minister responsible for the Reform of Democratic Institutions and Access to Information, together with Mr. St-Arnaud (Chambly), Mrs. Lapointe (Crémazie), Mr. Caire (La Peltre) and Mr. Khadir (Mercier), moved:

1435

THAT the National Assembly of Québec underline the 30th anniversary of the *Act respecting Access to documents held by public bodies and the Protection of personal information*, which was unanimously passed on 22 June 1982 and which created the Commission d'accès à l'information;

THAT the Members of the Québec National Assembly commend the excellent work and the commitment of the Commission d'accès à l'information toward promoting greater transparency within public bodies and better protection of the private life and personal information of Quebecers.

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 185, Mr. Aussant (Nicolet-Yamaska), together with Mrs. Boulet, Minister of Employment and Social Solidarity, Mrs. Champagne (Champlain), Mr. Blanchet (Drummond), Mr. Curzi (Borduas), Mrs. Lapointe (Crémazie), Mr. Caire (La Peltre) and Mr. Khadir (Mercier), moved:

THAT the National Assembly of Québec ask the Government of Canada to reverse its decision to close the cadet summer training centre located in Sainte-Angèle-de-Laval, which would force several hundreds of French-speaking cadets to transfer to English-speaking camps in Canada.

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. Gautrin, Deputy Government House Leader, moved:

THAT the Committee on Institutions hold a general consultation on Bill 81, An Act to amend the Civil Code and other legislative provisions as regards adoption and parental authority, and begin public hearings on 19 September 2012;

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THAT all briefs and requests to be heard be received at the Committees Secretariat no later than on 6 September 2012;

The Minister of Justice shall be a member of the said Committee throughout the execution of this order.

The motion was carried.

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

THAT, within the framework of the examination of Bill 68, An Act to amend the Act respecting liquor permits and other legislative provisions, the Committee on Institutions hold special consultations and public hearings on 11 and 12 September 2012, and that, for this purpose, it hear the following groups:

Canadian Federation of Independent Business
Vignobles Brome-Missisquoi
Association des restaurateurs du Québec
Association des détaillants en alimentation du Québec
Conseil des chaînes de restaurants du Québec
Éduc'alcool
Union des tenanciers de bars du Québec
Corporation des propriétaires de bars, brasseries et tavernes du Québec
Association des brasseurs du Québec
Association des microbrasseries du Québec
Service de police de la Ville de Montréal
Sûreté du Québec
Association of Canadian Distillers
Association des traiteurs professionnels du Québec
Association des terrains de camping du Québec
Secrétariat du bingo

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 10 minutes and the exchange with the members of the Committee shall last no more than 35 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 Public Security shall be a member of the said Committee during its proceedings with respect to this order of reference.

The motion was carried.

Notices of Proceedings in Committees

Mr. Gauthrin, Deputy Government House Leader, convened the following Committees:

- the Committee on Agriculture, Fisheries, Energy and Natural Resources, to continue its clause-by-clause consideration of Bill 14, An Act respecting the development of mineral resources in keeping with the principles of sustainable development;
- the Committee on Health and Social Services, to continue its clause-by-clause consideration of Bill 59, An Act respecting the sharing of certain health information.

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ORDERS OF THE DAY

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Agriculture, Fisheries, Energy and Natural Resources on its clause-by-clause consideration of Bill 51, An Act to amend the Animal Health Protection Act mainly in regard to animal safety and welfare, together with the amendment handed in by Mr. Simard (Kamouraska-Témiscouata).

The amendment was declared in order.

After debate thereon, the amendment was carried.

The report, as amended, was concurred in.

The Assembly took into consideration the report from the Committee on Culture and Education on its clause-by-clause consideration of Bill 76, An Act to amend the Act respecting the Société de développement des entreprises culturelles.

After debate thereon, the report was concurred in.

Debates on Reports from Committees

The Assembly took into consideration the report from the Committee on Planning and the Public Domain, which, on 21 February 2012, examined the activities, policy directions and administrative management of the Commission municipale du Québec. The Committee also held deliberative meetings on 16 March 2011 and on 21 February and 8 May 2012 in relation to this order. The report contains one recommendation.

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Mr. Ouimet, Second Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this limited debate: 16 minutes shall be granted to the independent Members who wish to be heard, with no more than 5 minutes being allotted per Member; the rest of the time set aside for this debate shall be shared equally between the parliamentary group forming the Government and the parliamentary group forming the Official Opposition. Within this framework, any time not used by the independent Members shall be redistributed equally between the parliamentary group forming the Government and the parliamentary group forming the Official Opposition; and any time not used by the parliamentary group forming the Government shall go to the parliamentary group forming the Official Opposition and vice versa. Lastly, individual addresses shall not be limited.

The debate arose thereon.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Bergeron (Verchères) tabled the following:

Copy of a document entitled "Décision – Enquête par la Commission municipale du Québec sur la détermination du traitement du secrétaire-trésorier (article 22.1, chapitre C-35, L.R.Q.)";

(Sessional Paper No. 1542-20120614)

Copy of a document entitled "Décision corrigée – Enquête par la Commission municipale du Québec sur la détermination du traitement du secrétaire-trésorier (article 22.1, chapitre C-35, L.R.Q.)".

.(Sessional Paper No. 1543-20120614)

The debate continued.

At 1.00 o'clock p.m., Mr. Ouimet, Second Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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The proceedings resumed at 3.03 o'clock p.m.

The Assembly continued the debate on the consideration of the report from the Committee on Planning and the Public Domain, which, on 21 February 2012, examined the activities, policy directions and administrative management of the Commission municipale du Québec. The Committee also held deliberative meetings on 16 March 2011 and on 21 February and 8 May 2012 in relation to this order. The report contains one recommendation.

The debate expired and, pursuant to Standing Order 95, no question was put.

Mr. Dutil, Deputy Government House Leader, moved the adjournment of the Assembly until Friday, 15 June 2012, at 9.45 o'clock a.m.

The motion was carried.

Accordingly, at 3.34 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Friday, 15 June 2012, at 9.45 o'clock a.m.

JACQUES CHAGNON

President

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APPENDIX

Recorded Divisions

On the motion moved by Mr. Aussant (Nicolet-Yamaska):

(Division No. 106)

YEAS - 101

Arcand	Charette	Kelley	Picard
Arsenault	Charlebois	Khadir	Pigeon
Auclair	Chevarie	Kotto	Poirier
Aussant	Cloutier	Leclair	Rebello
Bachand	Corbeil	Léger	Reid
(Arthabaska)	Courchesne	Lemay	Richard
Bachand	Cousineau	Lessard	(Marguerite-D'Youville)
(Outremont)	D'Amour	MacMillan	Richard
Beaudoin	Deltell	Malavoy	(Duplessis)
(Mirabel)	Diamond	Maltais	Robert
Beaudoin	Doyer	Mamelonet	Rotiroti
(Rosemont)	Drainville	Marceau	Simard
Bédard	Drolet	Marcoux	(Dubuc)
Bergeron	Dubourg	Marois	Simard
Bergman	Dufour	Marsan	(Kamouraska-Témiscouata)
Bernier	Dutil	Matte	Sklavounos
Bérubé	Ferland	McKay	St-Amand
Billette	Fournier	Ménard	St-Arnaud
Blais	Gagnon-Tremblay	Moreau	St-Pierre
Blanchet	Gaudreault	Morin	Thériault
Bolduc	(Hull)	Ouellet	Traversy
Bouillé	Gautrin	Ouellette	Tremblay
Boulet	Gauvreau	Paquet	Turcotte
Caire	Gignac	Paradis	Vallée
Carrière	Girard	Pelletier	Vallières
Champagne	Hamad	(Rimouski)	Vien
Charbonneau	Hivon	Pelletier	Villeneuve
Charest	James	(Saint-Hyacinthe)	Weil