



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 1 November 2012 — No. 3

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

QUÉBEC

The Assembly was called to order at 9.46 o'clock a.m.

ROUTINE PROCEEDINGS

Statements by Members

Mr. Bérubé (Matane-Matapédia) made a statement to pay tribute to the late Jean-Marie Pelletier, a renowned musician.

Mrs. Blais (Saint-Henri–Sainte-Anne) made a statement to underline the 50th anniversary of Les Petits Frères des Pauvres organization.

Mrs. Poirier (Hochelaga-Maisonneuve) made a statement to underline the 110th anniversary of the Polish White Eagle Society.

Mr. Bergman (D'Arcy-McGee) made a statement to congratulate Reverend Irénée Beaubien and Dr. Victor Goldbloom, upon whom Pope Benedict XVI bestowed papal honours.

Mrs. Roy (Arthabaska) made a statement to underline the initiative of the city of Victoriaville and its regions.

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Mr. Turcotte (Saint-Jean) made a statement to underline the appointment of Mr. Denis Unsworth as Patriote de l'année 2012.

Mr. Morin (Côte-du-Sud) made a statement to underline the 15th anniversary of Ornitour.

Mr. Pelletier (Saint-Hyacinthe) made a statement to underline the 135th anniversary of the Soeurs de Saint-Joseph de Saint-Hyacinthe.

Mr. Iraca (Papineau) made a statement to underline the performance of Québec's athletes at the Olympic and Paralympic Games.

Mrs. Malavoy (Taillon) made a statement about the involvement of the city of Longueuil in commemorating the 25th anniversary of the death of Mr. René Lévesque, former premier of Québec.

At 9.58 o'clock a.m., Mr. Cousineau, Second Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 10.07 o'clock a.m.

Moment of reflection

Introduction of Bills

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

1 Integrity in Public Contracts Act

The motion was carried.

Accordingly, Bill 1 was introduced in the Assembly.

Mr. Deltell (Chauveau) moved that leave be granted to introduce the following Bill:

190 An Act to amend the Election Act in order to reduce political party spending and the elector contribution limit

The motion was carried.

Accordingly, Bill 190 was introduced in the Assembly.

Presenting Papers

Mrs. De Courcy, Minister of Immigration and Cultural Communities, tabled the following:

Québec's immigration plan for 2013.

(Sessional Paper No. 19-20121101)

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Mr. President tabled the following:

Copies of two letters, dated 31 October 2012, he had sent to Messrs. Jean-François Provençal and Gilles Jourdain, concerning their appointments as Sergeant-at-Arms and Deputy Sergeant-at-Arms of the National Assembly;
(Sessional Paper No. 20-20121101)

The 2011-2012 annual management report of the Public Protector;
(Sessional Paper No. 21-20121101)

The 2011-2012 annual activity report of the Public Protector;
(Sessional Paper No. 22-20121101)

The list of papers required by law to be tabled in the Assembly;
(Sessional Paper No. 23-20121101)

The sessional calendar of the National Assembly for 2012-2013;
(Sessional Paper No. 24-20121101)

The new seating plan of the National Assembly of Québec, dated 1 November 2012.
(Sessional Paper No. 25-20121101)

Presenting Petitions

Mrs. Roy (Arthabaska) tabled the following:

The abstract of a petition respecting changes to the laws governing adoption in Québec, and signed by 470 citizens of Québec.
(Sessional Paper No. 26-20121101)

Mr. President gave the following directive on the management of question period and the distribution of measures and speaking times at the opening of the First Session of the Fortieth Legislature:

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DIRECTIVE FROM THE CHAIR

One of the first actions that the President must take at the beginning of a new legislature is to rule on the management of question period and the distribution of the other measures and speaking times.

In doing so, the objective is always to distribute measures and speaking times as fairly as possible among the Members in order that each one may fulfill his role as a Member effectively and especially his role as overseer of government action.

While the responsibility for establishing the manner in which the measures are distributed rests with the President, this is not an arbitrary exercise left within his sole discretion. Our Assembly has achieved a level of maturity and our traditions serve as very useful guides when it comes to determining how the rights arising from our rules must find expression.

Other major inherent principles of British-type legislative assemblies such as ours also guide the Chair in its decisions, including that of the prominent role traditionally assigned to the Official Opposition. Indeed, the importance of the opposition and, at the forefront, of the Official Opposition, in a parliamentary system of government has for a long time been recognized in parliamentary practice.

Moreover, the very composition of the Assembly must necessarily be taken into consideration by the Chair when it renders its decisions. In this regard, the Chair recalls that pursuant to our rules of parliamentary law, the number of votes obtained by the several political parties at an election cannot serve to have them recognized as a parliamentary group. Once this status of group has been recognized, the Standing Orders never refer to the number of votes obtained to confer parliamentary rights.

Lastly, the Chair also intends to use the experience gained during the 38th Legislature when a minority government was in place to reinstate certain elements that had proven to be effective.

Concerning the management of question period, parliamentary jurisprudence has also, over the years, adopted major principles that must be observed. These principles are the following: all Members may question the Government, including Government Members; questions are mainly granted to Members sitting in opposition; the notion of parliamentary group constitutes a principle that must be combined with the first two; a prominent role must be given to the Official Opposition; and finally, the Chair must also take into account the presence, if any, of independent Members.

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By using these elements as a guideline, here is the manner in which the Chair intends to concretely distribute the questions for the 40th Legislature.

The prominent role traditionally assigned to the Official Opposition gives it the right to ask the first 3 main questions at each question period. Furthermore, only the first question by the Leader of the Official Opposition may be followed by 3 supplementary questions. All other main questions may be followed by only 2 supplementary questions. Similarly, as during the last legislature, the Leader of the Official Opposition will be allowed more time to ask his main questions, which is 1 minute 30 seconds. The Official Opposition will also be allowed most of the questions, subject to the rights granted to the other Members.

The Members of the Second Opposition Group will be granted 2 questions per sitting, in 4th and 5th place. They will also be granted 4 questions per cycle of 8 sittings in 7th place, at the 1st, 3rd, 5th and 7th sittings of the cycle. Moreover, as jurisprudence has established, the Leader of the Second Opposition Group will be allowed to use up to 1 minute 30 seconds to ask his main questions.

Both independent Members will each be allowed one question per cycle of 8 sittings, also in 7th place. They may ask it at the 2nd, 4th, 6th or 8th sitting of the cycle. Additionally, independent Members affiliated with the same political party will henceforth always be allowed to exchange or transfer their right to ask a question among themselves.

The Members of the Second Opposition Group and the independent Members may, if they so desire, reach an agreement among themselves to exchange the times in the cycle at which they will ask their questions scheduled in 7th place.

Government Members will be granted 1 question per 4 sittings, in 8th place. All other questions will be given to the Official Opposition.

The Chair further recalls that the main questions that are not asked by a leader of a parliamentary group will be of no more than 1 minute and the supplementary questions will be of 30 seconds. The answers by the Premier to the main questions will be of 1 minute 45 seconds. The answers by the other ministers to the main questions will be of no more than 1 minute 15 seconds and the answers to the supplementary questions will be of 45 seconds.

As for business standing in the name of Members in opposition and interpellations, the Official Opposition will be granted 9 of these measures per cycle of 12. Moreover, the first item of business standing in the name of Members in opposition and the first interpellation of a sessional period will always be granted to the Official Opposition. Regarding the Members of the Second Opposition Group, they will be granted 3 of these measures per cycle of 12, in 4th, 8th and 12th place. The independent Members together will be allowed 1 item of business standing in the name of Members in opposition and 1 interpellation per parliamentary year, but never during the same sessional period. These measures will not be counted in the cycles.

As regards statements by Members, the parliamentary group forming the Government and that forming the Official Opposition will respectively be granted 5 and 4 statements per sitting, subject to the rules concerning the statements that are granted to the Second Opposition Group and the independent Members. The Second Opposition Group will be allowed 1 statement per sitting, in 5th place. It will also be granted 3 statements per cycle of 6 sittings, in 8th place, to replace a statement by the Government, at the 2nd, 4th and 6th sitting of a cycle. The independent Members will each be granted 1 statement per cycle of 6 sittings, in 6th or 7th place, to replace a statement by the Government or by the Official Opposition alternately. Only one statement per sitting will be granted to the independent Members.

Regarding debates upon adjournment, the Official Opposition will be granted 7 debates per cycle of 3 sittings during which such debates may be held. The Members of the Second Opposition Group will be allowed to request 2 such debates per cycle, in 2nd place, at the 1st and 3rd sitting of the cycle. The independent Members will each be allowed to request 1 debate upon adjournment per sessional period. The Government Members will be allowed to request 1 debate per 7 sittings during which such debates may be held. All of the other debates upon adjournment will be given to the Official Opposition. Of course, these rights will be distributed in this manner, provided the President receives more than 3 requests for debates per sitting.

Finally, as regards the speaking times during limited debates, a period of time that will vary based on the length of the debate will be set aside for the independent Members. They may agree among themselves on the manner in which they will dispose of this speaking time. The rest of the time will be distributed among the parliamentary groups in proportion to the number of seats they respectively hold in the Assembly. The speaking times that will not have been used will be distributed among the parliamentary groups based on this same rule of proportionality.

Tables indicating the distribution of measures and speaking times will be tabled. This distribution is deemed to be part of this directive.

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Mr. President then tabled the following:

The tables indicating the distribution of measures and speaking times.
(Sessional Paper No. 27-20121101)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mrs. Marois, Premier, together with Mr. Fournier, Leader of the Official Opposition, Mr. Legault, Leader of the Second Opposition Group, and Mrs. David (Gouin), moved:

THAT, on the occasion of the 25th anniversary of the death of Mr. René Lévesque, the National Assembly pay tribute to the memory of this great Premier.

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.

Mrs. St-Amand (Trois-Rivières), together with Mr. Martel (Nicolet-Bécancour), moved a motion concerning Gentilly-2 nuclear power station; this motion could not be debated for want of unanimous consent.

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Mr. Dubé (Lévis), together with Mr. Bachand (Outremont), moved a motion concerning taxes; this motion could not be debated for want of unanimous consent.

Mrs. Ouellet, Minister of Natural Resources, together with Mr. Khadir (Mercier), moved a motion concerning Gentilly-2 nuclear power station; this motion could not be debated for want of unanimous consent.

Information on the Proceedings of the Assembly

Mrs. Poirier, First Vice-President, informed the Assembly that on Friday, 9 November 2012, Mr. Hamad (Louis-Hébert) would question Mr. Bédard, Minister responsible for Government Administration and Chair of the Conseil du trésor, during an interpellation on "the impacts of the Parti Québécois Government's decisions on the return to a balanced budget".

ORDERS OF THE DAY

Business Having Precedence

Opening Speech Debate of the Session

Mr. Fournier, Leader of the Official Opposition, opened the debate on the Opening Speech of the Session and on the motion moved by Mrs. Marois, Premier, –That this Assembly approves the general policy of the Government, at the sitting of Wednesday, 31 October 2012.

At the end of his speech, Mr. Fournier, Leader of the Official Opposition, moved the following motion stating a grievance:

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THAT the National Assembly severely blame the Parti Québécois Government and its Premier for the bungling and improvisation with regard to the economy and public finance, for their inability to put an end to the tax and economic anxiety they have caused since the election last 4 September and for their inability to propose concrete measures fostering job creation and economic growth.

At 12.42 o'clock p.m., at the request of Mr. St-Arnaud, Deputy Government House Leader, Mr. President suspended the proceedings until 3.00 o'clock p.m.

The proceedings resumed at 3.05 o'clock p.m.

Opening Speech Debate of the Session

The Assembly continued the debate on the Opening Speech of the Session and on the motion by Mrs. Marois, Premier, –That this Assembly approves the general policy of the Government, as well as on the motion stating a grievance moved by Mr. Fournier, Leader of the Official Opposition, subject to the receivability of this motion.

Mr. President informed the Assembly of the allocation of speaking time with respect to this debate: 60 minutes shall be allotted to the Government representative for his reply; 10 hours 23 minutes shall be allotted to the parliamentary group forming the Government; 9 hours 37 minutes shall be allotted to the parliamentary group forming the Official Opposition; 3 hours 39 minutes shall be allotted to the Second Opposition Group; 20 minutes shall be allotted to the independent Members. Within this framework, any unused time shall be redistributed among the parliamentary groups in proportion to their representation in the Assembly. Lastly, individual addresses shall not be limited.

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At the end of his speech, Mr. Deltell, Second Opposition Group House Leader, moved the following motion stating a grievance:

THAT the National Assembly severely blame the Parti Québécois Government for the improvisation, the lack of rigour and the dogmatic decisions that mark the beginning of its mandate and that are detrimental to the sound management of the State and the economic competitiveness of Québec.

The debate continued on the Opening Speech of the Session, on the motion by Mrs. Marois, Premier, and on the motions stating a grievance by Mr. Fournier, Leader of the Official Opposition, and Mr. Deltell, Second Opposition Group House Leader, subject to the receivability of these motions.

The debate was adjourned in the name of Mr. Trottier (Roberval).

Debates Upon Adjournment

At 6.00 o'clock p.m., the Assembly held two debates upon adjournment:

- the first, on a question by Mrs. St-Amand (Trois-Rivières) to Mrs. Ouellet, Minister of Natural Resources, about Gently-2 nuclear power station;
- the second, on a question by Mr. Sklavounos (Laurier-Dorion) to Mr. Duchesne, Minister of Higher Education, Research, Science and Technology, about the financing of universities.

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At 6.24 o'clock p.m., Mr. Ouimet, Third Vice-President, adjourned the Assembly until Tuesday, 6 November 2012, at 1.45 o'clock p.m.

JACQUES CHAGNON

President