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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTIETH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Tuesday, 16 April 2013 — No. 39**

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

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**QUÉBEC**



The Assembly was called to order at 1.45 o'clock p.m.

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**ROUTINE PROCEEDINGS**

**Statements by Members**

Mr. Bureau-Blouin (Laval-des-Rapides) made a statement about the 7<sup>th</sup> regional final of Juripop's Concours de plaidoirie 2013.

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Mrs. Houda-Pepin (La Pinière) made a statement to underline the 50<sup>th</sup> anniversary of Les P'tits Vieux de Brossard baseball league.

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Mr. Bérubé (Matane-Matapédia) made a statement to pay tribute to Mr. Daniel Ménard.

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Mrs. de Santis (Bourassa-Sauvé) made a statement to congratulate the Coup de pouce jeunesse de Montréal-Nord community organization.

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Mr. Lévesque (Vanier-Les Rivières) made a statement about the 25<sup>th</sup> anniversary of À cœur d'homme – Réseau d'aide aux hommes pour une société sans violence.

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Mr. Drolet (Jean-Lesage) made a statement about the Société Alzheimer de Québec.

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Mr. Turcotte (Saint-Jean) made a statement to underline the wonderful figure skating career of Mrs. Myriane Samson.

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Mr. Traversy (Terrebonne) made a statement about the inauguration of the Maison d'histoire de Terrebonne.

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Mr. Fournier (Saint-Laurent) made a statement to underline the attribution of a Mercuriades award to the Pfizer facility in Saint-Laurent.

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At 1.55 o'clock p.m., Mrs. Poirier, First Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 2.15 o'clock p.m.

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Moment of reflection

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**Statements by Ministers**

By leave of the Assembly to set aside Standing Order 55, Mrs. Marois, Premier, made a statement about the *Constitution Act, 1982*.

Mr. Fournier, Leader of the Official Opposition, commented on behalf of the Official Opposition.

Mr. Legault, Leader of the Second Opposition Group, commented on behalf of the Second Opposition Group.

By leave of the Assembly to set aside Standing Order 56, Mr. Khadir (Mercier) commented on the ministerial statement.

By leave of the Assembly to set aside Standing Orders 53 and 185, Mrs. Marois, Premier, together with Mr. Legault, Leader of the Second Opposition Group, and Mr. Khadir (Mercier), moved:

THAT the National Assembly of Québec ask the Government of Canada to give access to all the information contained in its archives and call for clarification on the events leading to the proclamation of the Constitution Act, 1982.

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

The motion was carried on the following vote:

(Division No. 29 in Appendix)

Yeas: **108**    Nays: **0**    Abstentions: **0**

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### **Introduction of Bills**

Mr. President communicated to the Assembly and then tabled the report from the Law Clerk on the following Private Bill:

202     An Act respecting Ville de Terrebonne

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. 554-20130416)

Mr. Traversy (Terrebonne) then moved that leave be granted to introduce Private Bill 202, An Act respecting Ville de Terrebonne.

The motion was carried.

Mr. Bédard, Government House Leader, moved that Private Bill 202 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, Regions and Land Occupancy be a member during its deliberations in respect of the said Bill.

The motion was carried.

### **Presenting Papers**

Mr. Marceau, Minister of Finance and the Economy, tabled the following:

The 2012 annual report of the Caisse de dépôt et placement du Québec, accompanied by supplementary information.

(Sessional Paper No. 555-20130416)

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Mrs. Ouellet, Minister of Natural Resources, tabled the following:

The 2011-2012 activity report of the Chief Forester.

(Sessional Paper No. 556-20130416)

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

The reply from the Government to the petition tabled on 1 November 2012 by Mrs. Roy (Arthabaska), concerning changes to the laws governing adoption in Québec.

(Sessional Paper No. 557-20130416)

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Mr. President tabled the following:

Copy of the notice of motion by Mr. Deltell (Chauveau) which will be placed on the *Order Paper and Notices* of Wednesday, 17 April 2013, under Business Standing in the Name of Members in Opposition.

(Sessional Paper No. 558-20130416)

### **Presenting Reports from Committees**

Mrs. Champagne (Champlain), committee chairman, tabled the following:

The report from the Committee on Planning and the Public Domain, which, on 9, 10 and 11 April 2013, held public hearings within the framework of special consultations on Bill 26, An Act to amend the Act respecting elections and referendums in municipalities with respect to financing.

(Sessional Paper No. 559-20130416)

### **Presenting Petitions**

By leave of the Assembly to set aside Standing Order 63, Mr. Spénard (Beauce-Nord) tabled the following:

The abstract of a petition respecting the financing of independent community organizations, and signed by 701 citizens of Beauce-Nord and of Québec.

(Sessional Paper No. 560-20130416)

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### **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 Mr. Khadir (Mercier), moved:

THAT the National Assembly of Québec express its solidarity and support to the American people, to the victims and their families affected by the deadly attack in Boston yesterday.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

At the invitation of Mrs. Poirier, First Vice-President, the Assembly observed a minute of silence.

### **Notices of Proceedings in Committees**

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

- the Committee on Culture and Education, to continue its public hearings within the framework of a general consultation on Bill 14, An Act to amend the Charter of the French language, the Charter of human rights and freedoms and other legislative provisions;
- the Committee on Institutions, to give clause-by-clause consideration to Bill 17, An Act to amend the Professional Code with respect to disciplinary justice, and to Bill 12, An Act to amend the Police Act as concerns independent investigations.



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Mrs. Poirier, First Vice-President, gave the following notice:

- the Committee on Health and Social Services shall hold a public meeting to continue its hearings within the framework of the examination of the petition concerning a law authorizing people with disabilities to always be accompanied by their service dog; and shall hold a deliberative meeting to discuss the observations, conclusions and recommendations, if any, following these hearings.

### **Information on the Proceedings of the Assembly**

Mrs. Poirier, First Vice-President, informed the Assembly that on Wednesday, 17 April 2013, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mr. Deltell (Chauveau).

This motion reads as follows:

THAT the National Assembly demand that the Government expand the mandate of the Committee on the conditions of employment of persons holding senior positions and who are not part of the public service, to include hiring criteria related to the experience and skills required of these persons to fill these positions;

THAT it promptly instruct the Committee on Public Administration to hold public hearings to hear the members of the Committee established by the Premier last 19 December.

Mr. Cousineau, Second Vice-President, then gave a directive with regard to the questions raised by the Official Opposition House Leader on 28 March 2013, concerning the documents relating to the Expenditure Budget 2013-2014 tabled by the Chair of the Conseil du trésor the same day.

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DIRECTIVE FROM THE CHAIR

The documents tabled last 28 March by the Chair of the Conseil du trésor aimed to complete the information contained in the documents relating to the Expenditure Budget 2013-2014 tabled in the National Assembly on 6 December 2012. They contain, among other things, the following information: the presentation of the ministerial portfolios, the budgetary choices made by each department as well as the staff associated with each department and agency.

These documents do not contain any new expenses or any new investments that have not received prior approval from the Assembly. Further approval from the Assembly is therefore unnecessary.

Though the law does not specify when these documents are to be tabled, practice in recent years has shown that they are integrated to the documents tabled with the estimates of expenditure, so that Members may exercise better parliamentary control during the examination of the estimates of expenditure. This practice also complies with the Parliament's intent expressed during the debates leading up to the passage of the *Public Administration Act*.

The information contained in the documents tabled with the estimates of expenditure in December 2012 provided parliamentarians with a less detailed picture of the budgetary situation in comparison with that which is usually found in these documents during the consideration of the estimates. This situation also occurred in June 2003, with the arrival of a new government following a general election.

Since this is the second time that, following a change in government, the documents accompanying the estimates are much less detailed than usual, the Chair would like to remind all Members, and especially those who hold executive power, that in order to exercise optimal parliamentary control, Members must be able to have the most complete information possible when they examine the estimates.

In future, it would therefore be preferable, for control purposes on the budgetary process exercised by parliamentarians, to make available all the information regarding the expenditure budget for the fiscal year concerned when the estimates are tabled.

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## ORDERS OF THE DAY

At 3.57 o'clock p.m., at the request of Mr. Traversy, Deputy Government House Leader, Mrs. Poirier, First Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 4.02 o'clock p.m.

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### **Government Bills**

#### *Report Stage*

The Assembly took into consideration the report from the Committee on Institutions on its clause-by-clause consideration of Bill 13, An Act to amend the Election Act with regard to on-campus voting outside a voter's electoral division.

After debate thereon, the report was concurred in.

#### *Passage in Principle*

By leave of the Assembly to set aside Standing Order 236, Mr. Gaudreault, Minister of Municipal Affairs, Regions and Land Occupancy, moved, –That Bill 26, An Act to amend the Act respecting elections and referendums in municipalities with respect to financing, do now pass in principle.

After debate thereon, the motion was carried and Bill 26 was accordingly passed in principle.

Mr. Traversy, Deputy Government House Leader, moved that Bill 26 be referred for clause-by-clause consideration to the Committee on Planning and the Public Domain.

The motion was carried.

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### Debates Upon Adjournment

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

- the first, on a question by Mrs. Thériault (Anjou–Louis-Riel) to Mrs. Marois, Premier, about the partisan appointment of Jean-Yves Duthel to Investissement Québec in Munich. Mrs. Zakaïb, Minister for Industrial Policy and the Banque de développement économique du Québec, replaced the Premier for this debate.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mrs. Thériault (Anjou–Louis-Riel) tabled the following:

A document entitled "Citation de Pauline Marois".  
(Sessional Paper No. 561-20130416)

- the second debate, on a question by Mr. Tanguay (LaFontaine) to Mrs. De Courcy, Minister responsible for the Charter of the French language, about the concerns of the various organizations that came to demonstrate their discontent, including the Canadian Federation of Independent Business and the Barreau du Québec.

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At 6.24 o'clock p.m., Mr. Cousineau, Second 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.

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**Government Bills**

*Passage in Principle*

Mr. St-Arnaud, Minister of Justice, moved, –That Bill 22, An Act to amend the Crime Victims Compensation Act, do now pass in principle.

After debate thereon, the motion was carried and Bill 22 was accordingly passed in principle.

Mr. St-Arnaud, Deputy Government House Leader, moved that Bill 22 be referred for clause-by-clause consideration to the Committee on Institutions.

The motion was carried.

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Mr. St-Arnaud, Deputy Government House Leader, moved the adjournment of the Assembly until Wednesday, 17 April 2013, at 9.45 o'clock a.m.

The motion was carried.

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Accordingly, at 8.05 o'clock p.m., Mr. Ouimet, Third Vice-President, adjourned the Assembly until Wednesday, 17 April 2013, at 9.45 o'clock a.m.

**JACQUES CHAGNON**

*President*

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APPENDIX

Recorded Divisions

On the motion moved by Mrs. Marois, Premier, together with Mr. Legault, Leader of the Second Opposition Group, and Mr. Khadir (Mercier):

(Division No. 29)

YEAS - 108

Arcand (PLQ)	Dubé (CAQ)	Marcotte (CAQ)	Rousselle (PLQ)
Bachand (PLQ)	Dubourg (PLQ)	Marcoux (PLQ)	Roy (PQ)
Beaudoin (PQ)	Duchesneau (CAQ)	Marois (PQ)	(Bonaventure)
Bédard (PQ)	Dufour (PQ)	Marsan (PLQ)	Roy (CAQ)
Bergeron (PQ)	Dutil (PLQ)	Martel (CAQ)	(Montarville)
Bergman (PLQ)	Ferland (PQ)	McKay (PQ)	Roy (CAQ)
Bérubé (PQ)	Fournier (PLQ)	Ménard (PLQ)	(Arthabaska)
Billette (PLQ)	Gadoury-Hamelin (PQ)	Moreau (PLQ)	Schneeberger (CAQ)
Blais (PLQ)	Gaudreault (PQ)	Morin (PLQ)	Sklavounos (PLQ)
Blanchet (PQ)	(Jonquière)	Ouellet (PQ)	Spénard (CAQ)
Bolduc (PLQ)	Gaudreault (PLQ)	Ouellette (PLQ)	St-Arnaud (PQ)
(Mégantic)	(Hull)	Ouimet (PLQ)	St-Laurent (CAQ)
Bolduc (PLQ)	Gautrin (PLQ)	(Fabre)	St-Pierre (PLQ)
(Jean-Talon)	Gendron (PQ)	Ouimet (PLQ)	Tanguay (PLQ)
Bonnardel (CAQ)	Goyer (PQ)	(Marquette)	Thériault (PLQ)
Boulet (PLQ)	Hamad (PLQ)	Pagé (PQ)	Therrien (PQ)
Breton (PQ)	Hébert (PQ)	Paradis (PLQ)	Traversy (PQ)
Bureau-Blouin (PQ)	Hivon (PQ)	Pelletier (PQ)	Trottier (PQ)
Carrière (PLQ)	Houda-Pepin (PLQ)	(Rimouski)	Trudel (CAQ)
Champagne (PQ)	Iracà (PLQ)	Pelletier (PQ)	(Charlesbourg)
Charbonneau (PLQ)	Kelley (PLQ)	(Saint-Hyacinthe)	Trudel (PQ)
Charlebois (PLQ)	Khadir (IND)	Picard (CAQ)	(Saint-Maurice)
Claveau (PQ)	Kotto (PQ)	Poëti (PLQ)	Turcotte (PQ)
Cloutier (PQ)	Leclair (PQ)	Poirier (PQ)	Vallée (PLQ)
Cousineau (PQ)	Legault (CAQ)	Proulx (PQ)	Vien (PLQ)
D'Amour (PLQ)	Léger (PQ)	Ratthé (CAQ)	Villeneuve (PQ)
Daneault (CAQ)	Lelièvre (PQ)	Richard (PQ)	Zakaïb (PQ)
De Courcy (PQ)	Lessard (PLQ)	(Duplessis)	
de Santis (PLQ)	Lévesque (CAQ)	Richard (PQ)	
Deltell (CAQ)	Lisée (PQ)	(Îles-de-la-Madeleine)	
Drainville (PQ)	Maltais (PQ)	Richer (PQ)	
Drolet (PLQ)	Marceau (PQ)	Rotiroti (PLQ)	