



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 23 May 2013 — No. 56

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. Pelletier (Rimouski) made a statement about Olivier Cloutier, a young scientist from Rimouski.

Mr. Bergman (D'Arcy-McGee) made a statement to underline the 100th anniversary of the Jack Victor Limited company.

Mr. Bérubé (Matane-Matapédia) made a statement about the outstanding performances by the Polyvalente de Matane at the regional final of Secondaire en spectacle.

Mr. Rousselle (Vimont) made a statement to congratulate the Sparta team of Monteuil.

Mr. Bonnardel (Granby) made a statement about the Walk for Memories.

23 May 2013

Mrs. Gadoury-Hamelin (Masson) made a statement about the Rendez-vous Pharmaprix 50+ en action.

Mrs. David (Gouin) made a statement about the integration of the deaf and hearing impaired into Québec society.

Mrs. Trudel (Charlesbourg) made a statement about a Charlesbourg resident who will soon be celebrating her 100th birthday.

Mr. D'Amour (Rivière-du-Loup–Témiscouata) made a statement about the 14 years of success for Le Tremplin of Dégelis.

Mrs. Malavoy (Taillon) made a statement to underline the recipients of the Association des auteurs de la Montérégie gala.

At 9.56 o'clock a.m., Mr. Cousineau, Second Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 10.15 o'clock a.m.

Moment of reflection

Presenting Papers

Mr. President tabled the following:

A letter, dated 22 May 2013, he had received from Mr. François Legault, Leader of the Second Opposition Group, informing him of the appointment of Mr. François Bonnardel, Member for Granby, as Whip of the Second Opposition Group, effective on 22 May 2013;

(Sessional Paper No. 731-20130523)

The new seating plan of the National Assembly, dated 23 May 2013;

(Sessional Paper No. 732-20130523)

The legislative calendar of the Assembly for 2013-2014.

(Sessional Paper No. 733-20130523)

Presenting Petitions

Mr. Villeneuve (Berthier) tabled the following:

The abstract of a petition respecting the modification of laws and regulations concerning persons living on social assistance who cohabit in a conjugal relationship, and signed by 119 citizens of Québec.

(Sessional Paper No. 734-20130523)

Mrs. David (Gouin) tabled the following:

The abstract of a petition respecting the cancellation of charges and sentences received during the student strike, and signed by 5687 citizens of Québec.

(Sessional Paper No. 735-20130523)

23 May 2013

By leave of the Assembly to set aside Standing Order 63, the abstracts of two petitions respecting the financing of independent community organizations were tabled:

- the first, being the abstract of a petition signed by 1008 citizens of Québec, by Mr. Drolet (Jean-Lesage);
(Sessional Paper No. 736-20130523)
- the second, being the abstract of a petition signed by 5344 citizens of the ridings of Abitibi-Est, Abitibi-Ouest and Rouyn-Noranda-Témiscamingue, by Mr. Chapadeau (Rouyn-Noranda-Témiscamingue).
(Sessional Paper No. 737-20130523)

Mr. Goyer (Deux-Montagnes) tabled the following:

The abstract of a petition respecting the abolition of the position of Lieutenant-Governor, and signed by 485 citizens of Québec.
(Sessional Paper No. 738-20130523)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Deferred Divisions

The Assembly took the division, which had been deferred during Business Standing in the Name of Members in Opposition at the sitting of 22 May 2013, on the motion moved by Mrs. Daneault (Groulx). This motion reads as follows:

23 May 2013

THAT the Committee on Health and Social Services hold special consultations beginning on Wednesday, 5 June 2013, on the management of the Centre hospitalier de l'Université de Montréal by the current director general and that, for this purpose, the Committee hear the director general of the CHUM, the Minister of Health and Social Services, as well as any person it may deem necessary to summon;

THAT the presentation by the Minister of Health and Social Services last no longer than 10 minutes and the exchanges with the Committee members last no longer than 90 minutes;

THAT the presentation by the director general of the CHUM last no longer than 10 minutes and the exchanges with the Committee members last no longer than 90 minutes;

THAT the presentation by each of the other speakers, if any, last no longer than 10 minutes and the exchanges with the Committee members last no longer than 50 minutes;

THAT the Committee report to the Assembly no later than 14 June 2013, unless the Committee decides otherwise;

Lastly, that this motion become an order of the Assembly.

The motion was carried on the following vote:

(Division No. **41** in Appendix)

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

Motions Without Notice

Mr. Le Bouyonnec (La Prairie) moved a motion concerning the governance of Montréal; this motion could not be debated for want of unanimous consent.

23 May 2013

Mr. Pagé (Labelle), together with Mr. Iracà (Papineau), Mrs. Trudel (Charlesbourg) and Mrs. David (Gouin), moved a motion concerning the Jumpstart Day events organized by Canadian Tire merchants in Québec; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 185, Mrs. Blais (Saint-Henri–Sainte-Anne), together with Mr. Hébert, Minister of Health and Social Services, Mrs. Daneault (Groulx) and Mr. Khadir (Mercier), moved:

THAT the National Assembly mark the Walk for Memories to be held next May 26;

THAT it salute this initiative aimed at increasing awareness in Québec of Alzheimer's disease and related dementias; and

THAT it reiterate its full support for people living with Alzheimer's disease and related dementias and their caregivers.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 185, Mrs. David (Gouin), together with Mr. Lessard (Lotbinière-Frontenac), moved:

THAT the National Assembly recognize that for the first time in human history, the concentration of CO₂ in the atmosphere now exceeds 400 parts per million (ppm), a level at which it will be impossible to limit the increase in the Earth's temperature to 2C° above pre-industrial temperatures;

23 May 2013

THAT the National Assembly, acknowledging the role of human activity on the Earth's climate, urge the Government of Québec and economic stakeholders to take the measures needed to reverse the trend, in particular by reducing Quebec's dependency on oil.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Orders 84.1 and 185, Mr. Arcand (Mont-Royal), together with Mr. Marceau, Minister of Finance and the Economy, and Mr. Le Bouyonnec (La Prairie), moved:

THAT the National Assembly mark the 2nd edition of C2-Mtl, an international conference that highlights Montréal's leadership in creativity and commerce. The event was held in Montréal from May 21 to May 23, 2013.

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. Traversy, Deputy Government House Leader, moved:

THAT, within the framework of the examination of Bill 42, An Act establishing the Eeyou Istchee James Bay Regional Government and introducing certain legislative amendments concerning the Cree Nation Government, the Committee on Planning and the Public Domain hold special consultations on 29 and 30 May 2013, and that, for this purpose, it hear the following groups:

Grand Council of the Crees (Eeyou Istchee)
Conférence régionale des élus de la Baie-James
Mr. Steve Gamache, Mayor of Chapais

23 May 2013

Mrs. Manon Cyr, Mayor of Chibougamau
Mr. Gérald Lemoyne, Mayor of Lebel-sur-Quévillon and of the Municipality of James Bay
Mr. René Dubé, Mayor of Matagami
Mr. André Elliott, President of the locality of Villebois and
Mrs. Cécile Philippon, President of the locality of Valcanton
Mr. Normand Lacour, President of the locality of Radisson

THAT a period of 15 minutes be set aside for opening statements;

THAT the time set aside for the party forming the Government and for the party forming the Official Opposition for opening statements be of 6 minutes each and the time set aside for the Second Opposition Group be of 3 minutes;

THAT the presentation of the Grand Council of the Crees (Eeyou Istchee) last no longer than 20 minutes and the exchange with the Committee members last no longer than 55 minutes;

THAT the time set aside for the party forming the Government be of 29 minutes and the time set aside for the opposition Members be of 26 minutes;

THAT the presentation of each of the other speakers last no longer than 10 minutes and the exchange with the Committee members last no longer than 50 minutes;

THAT the time set aside for the party forming the Government be of 24 minutes and the time set aside for the opposition Members be of 26 minutes;

THAT a period of 15 minutes be set aside for closing statements allocated in the same manner as for the opening statements;

THAT the Minister for Regions 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. Traversy, Deputy Government House Leader, convened the following Committees:

- the Committee on Planning and the Public Domain, to continue its public hearings within the framework of special consultations on Bill 27, Social Economy Act;
- the Committee on Culture and Education, to give clause-by-clause consideration to Bill 24, An Act to amend the Act respecting school elections;
- the Committee on Labour and the Economy, to continue its public hearings within the framework of special consultations on Bill 36, An Act respecting the Banque de développement économique du Québec;
- the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 25, An Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012.

And, by leave of the Assembly to set aside Standing Order 143, he convened the following Committee:

- the Committee on Institutions, to continue its public hearings within the framework of special consultations on Bill 35, An Act to amend the Civil Code as regards civil status, successions and the publication of rights.

Mrs. Thériault, Deputy Opposition House Leader, raised a point of order regarding the convening of the Committee on Public Finance on Bill 25, An Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012.

After having heard comments from both sides, Mr. Cousineau, Second Vice-President, took the matter under advisement.

Mr. President gave a directive in response to a question raised by the House Leader of the Second Opposition Group on 7 May 2013, concerning the non-publication in the *Order Paper* of the order to hear the members of the Committee on the conditions of employment of persons holding senior positions and who are not part of the public service referred to the Committee on Public Administration by a motion carried on 17 April under Business Standing in the Name of Members in Opposition.

DIRECTIVE FROM THE CHAIR

A motion carried by the Assembly becomes either an order or a wish. For a mandate the Assembly assigns to a committee to be entered on the Order Paper, the motion carried must be an order, that is, it must direct the committee to do something.

In this particular case, the first object of the motion expressed a wish, since, when the action urged in a motion carried by the Assembly falls under the exclusive purview of the Executive, the Executive is not strictly duty bound to follow through.

The issue at hand, therefore, is whether the second object of the motion may nevertheless constitute an order assigning a mandate to the Committee on Public Administration.

Motions referring matters to committee are provided for in Standing Order 146. However, a motion moved under Standing Order 146 must have a single object. Given that the motion carried on April 17 proposed two objects, namely, the expansion of a committee's mandate and the examination of that committee's report by the Committee on Public Administration, it cannot be considered a motion under Standing Order 146. And it cannot, for that reason, be considered an order of the Assembly.

Although this technical reason is sufficient to rule the motion to be a wish rather than an order of the Assembly, it should be noted that wording is the key factor in determining the nature of a motion. In the present case, the second object of the motion is not worded in such a way as to constitute an order of the Assembly. The wording seems to suggest that a further motion would be necessary to refer the matter to the parliamentary committee. Thus, even if the sole object of the motion had been the second one, it would still not have qualified as an order of the Assembly.

Mr. Cousineau, Second Vice-President, handed down a ruling following a question by the Deputy House Leader of the Official Opposition regarding the convocation, by the Government Deputy House Leader, of the Committee on Public Finance for the clause-by-clause consideration of Bill 25, An Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012, at a time when the committee should have been examining the Government's budgetary policy and the evolution of public finance.

RULING FROM THE CHAIR

The mandate described in Standing Order 292 is one the committee may take upon itself, under which the committee members are responsible for organizing committee proceedings, whereas the order to undertake the clause-by-clause consideration of a bill is referred to the committee by the Assembly under Standing Order 243. Standing Order 146 explicitly states that an order of reference from the Assembly has precedence.

Under Standing Order 147, a committee that has received an order of reference from the Assembly is convened by its chair upon notice from the Government House Leader. The notice states the purpose, the day, the time and the place of the meeting. It is therefore a prerogative of the Government House Leader with which the Chair cannot interfere.

Notices of Proceedings in Committees

Mr. Cousineau, Second Vice-President, gave the following notices:

- the Committee on Health and Social Services shall hold a deliberative meeting to discuss the observations, conclusions and recommendations of the report on the health and social services agencies;
- the Committee on Public Finance shall hold a deliberative meeting to continue organizing its proceedings within the framework of the special consultations on the report entitled *Innovating for a Sustainable Retirement System* (D'Amours Report).

23 May 2013

Information on the Proceedings of the Assembly

Mr. Cousineau, Second Vice-President, informed the Assembly that on Friday, 31 May 2013, Mr. Ouellette (Chomedey) would question Mrs. Maltais, Minister of Labour, during an interpellation on "the Parti Québécois Government's laissez-faire policy regarding labour".

ORDERS OF THE DAY

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Health and Social Services on its clause-by-clause consideration of Bill 29, An Act to amend the Act respecting Héma-Québec and the haemovigilance committee.

A debate arose thereon.

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

The proceedings resumed at 3.01 o'clock p.m.

Report Stage

The Assembly continued the debate on the consideration of the report from the Committee on Health and Social Services on its clause-by-clause consideration of Bill 29, An Act to amend the Act respecting Héma-Québec and the haemovigilance committee.

The debate being concluded, the report was concurred in.

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 22 May 2013, on the motion by Mrs. De Courcy, Minister responsible for the Charter of the French language, for the passage in principle of Bill 14, An Act to amend the Charter of the French language, the Charter of human rights and freedoms and other legislative provisions.

The debate was adjourned in the name of Mrs. Blais (Saint-Henri–Sainte-Anne).

Debates Upon Adjournment

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

- the first, on a question by Mr. Hamad (Louis-Hébert) to Mrs. Zakaïb, Minister for Industrial Policy and the Banque de développement économique du Québec, about "the Government's improvisation and stakeholders' fears with regard to the Parti Québécois Bank";
- the second, on a question by Mr. Arcand (Mont-Royal) to Mr. Bédard, Minister responsible for Government Administration and Chair of the Conseil du trésor, about the economic community's concerns about the downturn resulting from the implementation of Bill 1.

23 May 2013

At 6.26 o'clock p.m., Mr. Ouimet, Third Vice-President, adjourned the Assembly until Tuesday, 28 May 2013, at 1.45 o'clock p.m.

ROYAL ASSENT

On Thursday, 23 May 2013, at 2.33 o'clock p.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Arsenault, Director of Parliamentary Proceedings and Delegate of the Secretary General, the Honourable Pierre Duchesne, Lieutenant-Governor of Québec, was pleased to assent to the following Bills:

- 22 An Act to amend the Crime Victims Compensation Act, the Act to promote good citizenship and certain provisions of the Civil Code concerning prescription (*modified title*)
- 32 An Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions

JACQUES CHAGNON

President

APPENDIX

Recorded Divisions

On the motion moved by Mrs. Daneault (Groulx):

(Division No. 41)

YEAS - 107

Arcand (PLQ)	Diamond (PLQ)	Léger (PQ)	Richer (PQ)
Bachand (PLQ)	Drainville (PQ)	Lelièvre (PQ)	Rotiroti (PLQ)
Beaudoin (PQ)	Drolet (PLQ)	Lessard (PLQ)	Rousselle (PLQ)
Bédard (PQ)	Dubé (CAQ)	Lévesque (CAQ)	Roy (PQ)
Bergeron (PQ)	Dubourg (PLQ)	Malavoy (PQ)	(Bonaventure)
Bergman (PLQ)	Duchesne (PQ)	Maltais (PQ)	Roy (CAQ)
Bérubé (PQ)	Duchesneau (CAQ)	Marceau (PQ)	(Montarville)
Billette (PLQ)	Dufour (PQ)	Marcotte (CAQ)	Roy (CAQ)
Blais (PLQ)	Dutil (PLQ)	Marcoux (PLQ)	(Arthabaska)
Bolduc (PLQ)	Ferland (PQ)	Marois (PQ)	Schneeberger (CAQ)
(Mégantic)	Fournier (PLQ)	Martel (CAQ)	Spénard (CAQ)
Bolduc (PLQ)	Gadoury-Hamelin (PQ)	McKay (PQ)	St-Arnaud (PQ)
(Jean-Talon)	Gaudreault (PQ)	Ménard (PLQ)	St-Pierre (PLQ)
Bonnardel (CAQ)	(Jonquière)	Moreau (PLQ)	Tanguay (PLQ)
Boulet (PLQ)	Gaudreault (PLQ)	Morin (PLQ)	Thériault (PLQ)
Bureau-Blouin (PQ)	(Hull)	Ouellet (PQ)	Therrien (PQ)
Caire (CAQ)	Gautrin (PLQ)	Ouellette (PLQ)	Traversy (PQ)
Cardin (PQ)	Gendron (PQ)	Ouimet (PLQ)	Trudel (CAQ)
Carrière (PLQ)	Goyer (PQ)	(Fabre)	(Charlesbourg)
Champagne (PQ)	Hamad (PLQ)	Pagé (PQ)	Trudel (PQ)
Chapadeau (PQ)	Hébert (PQ)	Pelletier (PQ)	(Saint-Maurice)
Charbonneau (PLQ)	Hivon (PQ)	(Saint-Hyacinthe)	Turcotte (PQ)
Charlebois (PLQ)	Iracà (PLQ)	Pelletier (PQ)	Vallée (PLQ)
Claveau (PQ)	Kelley (PLQ)	(Rimouski)	Vallièrès (PLQ)
Cloutier (PQ)	Khadir (IND)	Picard (CAQ)	Vien (PLQ)
D'Amour (PLQ)	Kotto (PQ)	Poëti (PLQ)	Villeneuve (PQ)
Daneault (CAQ)	Larouche (PQ)	Reid (PLQ)	Weil (PLQ)
David (IND)	Le Bouyonnec (CAQ)	Richard (PQ)	Zakaïb (PQ)
De Courcy (PQ)	Leclair (PQ)	(Duplessis)	
de Santis (PLQ)	L'Écuyer (PLQ)	Richard (PQ)	
Deltell (CAQ)	Legault (CAQ)	(Îles-de-la-Madeleine)	