



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 2 June 2009 — No. 38

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

QUÉBEC

The Assembly was called to order at 9.41 o'clock a.m.

ROUTINE PROCEEDINGS

Statements by Members

Mrs. Courchesne (Fabre) made a statement about the appointment of a new president of the Fédération des commissions scolaires du Québec.

Mr. Turcotte (Saint-Jean) made a statement about the Special Olympics Summer Games.

Mrs. Blais (Saint-Henri–Sainte-Anne) made a statement about the Rona Memory Walk.

Mr. Dufour (René-Lévesque) made a statement about the centennial of the Pointe-de-Rivière-du-Loup– Saint-Siméon ferry crossing.

Mr. Mamelonet (Gaspé) made a statement about Gaspé's 475th anniversary celebrations and the involvement of the artistic and cultural community.

Mrs. Champagne (Champlain) made a statement about the the 16th Grands Prix– Culture in Trois-Rivières.

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Mr. Lehouillier (Lévis) made a statement about Museum Day in Montréal.

Mr. Tremblay (Masson) made a statement about the 30th anniversary of Uniatox.

Mr. Huot (Vanier) made a statement about the 25th anniversary of the Maison Zoé-Blais.

At 9.52 o'clock a.m., Mr. Gendron, Third Vice-President, suspended the proceedings until 10.00 o'clock a.m.

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

Moment of reflection

Mr. President informed the Assembly that he had received, within the prescribed time, a request for an urgent debate from Mr. Drainville (Marie-Victorin). This request concerns the crisis in relation to breast cancer screening and the adoption of a systematic and obligatory external quality assurance programme in Québec laboratories to ensure the quality of the tests conducted therein.

He then tabled the following:

The letter, dated 2 June 2009, he had received from Mr. Bernard Drainville, Member for Marie-Victorin, concerning the request for an urgent debate.
(Sessional Paper No. 413-20090602)

Mr. President then rendered the following ruling:

RULING FROM THE CHAIR

This request for an urgent debate is receivable. The request concerns a definite and important matter involving the responsibility of the Assembly. There is no doubt as to the urgency of holding a debate thereon. Lastly, there is no other occasion on which this matter may be otherwise discussed. It is true that during extended hours of meeting, priority must be given to the Government's legislative business. However, as the Assembly has only just commenced its period of extended hours of meeting, there is sufficient time left for the consideration of Government legislation.

Presenting Papers

Mr. President tabled the following:

A special report from the Public Protector to the National Assembly on the Government's management of the listeriosis crisis linked to Québec cheeses;
(Sessional Paper No. 414-20090602)

A brochure entitled "Les députées de la 39^e législature – Qui sont-elles?".
(Sessional Paper No. 415-20090602)

Presenting Reports from Committees

Mr. Kelley (Jacques-Cartier), chairman, tabled the following:

A report from the Committee on Social Affairs, which, on 27, 28 and 29 May 2009, held public hearings within the framework of special consultations on Bill 49, An Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements, and amending various legislative provisions.
(Sessional Paper No. 416-20090602)

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Mr. Ouimet (Marquette), chairman, tabled the following:

A report from the Committee on Labour and the Economy, which met on 29 May 2009 for clause-by-clause consideration of Bill 35, An Act to modify the occupational health and safety regime, particularly in order to increase certain death benefits and fines and simplify the payment of the employer assessment. The report contains certain amendments to the bill.

(Sessional Paper No. 417-20090602)

Mr. Legault (Rousseau), chairman, tabled the following:

A report from the Committee on Transportation and the Environment, which, on 28 and 29 May 2009, held public hearings within the framework of special consultations on Bill 42, An Act to amend the Environment Quality Act and other legislative provisions in relation to climate change.

(Sessional Paper No. 418-20090602)

Presenting Petitions

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

The abstract of a petition respecting the labelling of products containing genetically modified organisms, and signed by 1346 students and staff members of the Laval international school of education.

(Sessional Paper No. 419-20090602)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Drainville (Marie-Victorin) tabled the following:

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Copy of a letter, dated 10 September 2007, addressed to Mr. Philippe Couillard, Minister of Health and Social Services, from Mr. Yves Lamontagne, Chief Executive Officer of the Collège des médecins du Québec, concerning the inquiry report on the Clinique de radiologie de Saint-Eustache.

(Sessional Paper No. 420-20090602)

By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Legault (Rousseau) tabled the followin:

Copy of a document, dated 15 May 2009, concerning legal proceedings initiated by the United States of America against Canada before the London Court of International Arbitration (LCIA).

(Sessional Paper No. 421-20090602)

Motions Without Notice

By leave of the Assembly to set aside Standing Orders 84.1 (3) and 185, Mrs. Thériault, Minister for Social Services, Mrs. Doyer (Matapédia), Mr. Caire (La Peltre) and Mr. Khadir (Mercier) jointly moved:

THAT the National Assembly mark the 13th edition of Québec Week for Disabled Persons, which is held from 1 to 7 June 2009 under the theme "Living lives fully" and that it reiterate the importance of making Québec an increasingly inclusive society, in order that disabled persons may fully participate in society.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Orders 84.1 (2), 84.1 (3) and 185, Mr. Curzi (Borduas), Mrs. Courchesne, Minister of Education, Recreation and Sports, and Mr. Khadir (Mercier) jointly moved:

THAT the National Assembly salute and congratulate Mrs. Josée Bouchard for her election as president of the Fédération des commissions scolaires.

By leave of the Assembly, the motion was carried.

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By leave of the Assembly to set aside Standing Orders 84.1 (2) and pursuant to Standing Order 146, Mr. Dupuis, Government House Leader, moved:

THAT, within the framework of the consideration of Bill 43, Tobacco-related Damages and Health Care Costs Recovery Act, the Committee on Social Affairs hold special consultations and public hearings on 9 June 2009 and that, for this purpose, it hear the following groups:

- Barreau du Québec
- Canadian Cancer Society – Québec Division
- Conseil québécois sur le tabac et la santé
- Coalition québécoise pour le contrôle du tabac, Non-Smokers' Rights Association – Québec Division, and Physicians for a Smoke-Free Canada – Québec Division

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 the group composed of the Coalition québécoise pour le contrôle du tabac, Non-Smokers' Rights Association – Québec Division, and Physicians for a Smoke-Free Canada – Québec Division, shall last 20 minutes and the exchange with the members of the Committee shall last 70 minutes, 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 remaining group shall last no more than 10 minutes and the exchange with the members of the Committee shall last no more than 50 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;

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The Minister of Health and Social Services 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

By leave of the Assembly to set aside Standing Order 143.1, Mr. Dupuis, Government House Leader, convened the following Committees:

- the Committee on Social Affairs, to hold public hearings within the framework of special consultations on Bill 51, An Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements, and amending various legislative provisions;
- the Committee on Culture, to give clause-by-clause consideration to Bill 10, An Act to amend the Act respecting the Conseil des arts et des lettres du Québec;
- the Committee on Planning and the Public Domain, to give clause-by-clause consideration to Bill 45, An Act to amend various legislative provisions respecting municipal affairs;
- the Committee on Public Finance, to hear the Auditor General of Québec, within the framework of the consideration of Bill 40, An Act to amend the Balanced Budget Act and various legislative provisions concerning the implementation of the accounting reform.

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

- the Committee on Public Administration shall hold a deliberative meeting for the purpose of preparing its public hearing on the business relations of the general and vocational colleges with certain partners.

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ORDERS OF THE DAY

Urgent Debates

Before entering upon the urgent debate on the crisis in relation to breast cancer screening and the adoption of a systematic and obligatory external quality assurance programme in Québec laboratories to ensure the quality of the tests conducted therein, Mrs. Houda-Pepin, First Vice-President, informed the Assembly that, pursuant to Standing Order 91, every Member may speak for up to 10 minutes, with the exception of the Member who requested the debate and a representative of the parliamentary group forming the Government who may speak for up to 20 minutes each.

The urgent debate arose.

At the request of Mrs. Houda-Pepin, First Vice-President, Mr. Bolduc, Minister of Health and Social Services, withdrew certain words deemed unparliamentary.

The debate expired and, pursuant to Standing Order 92, no question was put.

At 1.00 o'clock p.m., Mrs. Houda-Pepin, First Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Social Affairs on its clause-by-clause consideration of Bill 14, An Act to extend the terms of office of the board members of public health and social services institutions.

After debate thereon, the report was concurred in.

The Assembly took into consideration the report from the Committee on Public Finance on its clause-by-clause consideration of Bill 37, An Act giving effect to the Budget Speech delivered on 13 March 2008 and to certain other budget statements.

After debate thereon, the report was concurred in on division.

The Assembly took into consideration the report from the Committee on Institutions on its clause-by-clause consideration of Bill 9, An Act to amend the Code of Civil Procedure to prevent improper use of the courts and promote freedom of expression and citizen participation in public debate.

After debate thereon, the report was concurred in.

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Passage in Principle

Mrs. Weil, Minister responsible for the administration of legislation respecting the professions, moved, —That Bill 46, An Act to amend the Professional Code and other legislative provisions, do now pass in principle.

After debate thereon, the motion was carried and Bill 46 was accordingly passed in principle.

Mr. Dupuis, Government House Leader, moved that Bill 46 be referred for clause-by-clause consideration to the Committee on Institutions.

The motion was carried.

Report Stage

The Assembly took into consideration the report from the Committee on Labour and the Economy on its clause-by-clause consideration of Bill 31, An Act to amend the Act respecting tourist accommodation establishments and other legislative provisions.

After debate thereon, the report was concurred in.

At 4.10 o'clock p.m., at the request of Mrs. James, Minister of Immigration and Cultural Communities, and by leave of the Assembly, Mrs. Houda-Pepin, First Vice-President, suspended the proceedings until 8.00 o'clock p.m.

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The proceedings resumed at 8.02 o'clock p.m.

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 29 May 2009, on the motion by Mr. Bachand, Minister of Finance, for the passage in principle of Bill 40, An Act to amend the Balanced Budget Act and various legislative provisions concerning the implementation of the accounting reform.

At the request of Mr. Gendron, Third Vice-President, Mrs. Doyer (Matapédia) withdrew certain words deemed unparliamentary.

The debate continued.

At the request of Mrs. Houda-Pepin, First Vice-President, Mr. Villeneuve (Berthier) withdrew certain words deemed unparliamentary.

At the request of Mrs. Houda-Pepin, First Vice-President, Mr. Drainville (Marie-Victorin) withdrew certain words deemed unparliamentary.

At the request of Mrs. Houda-Pepin, First Vice-President, Mr. Blanchet (Drummond) withdrew certain words deemed unparliamentary.

The debate continued.

At 11.58 o'clock p.m., by leave of the Assembly to set aside Standing Orders 21 and 52, Mrs. Houda-Pepin, First Vice-President, adjourned the Assembly until Wednesday, 3 June 2009, at 9.40 o'clock a.m.

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ROYAL ASSENT

On Monday, 1 June 2009, at 10.34 o'clock a.m., in the Office of the Lieutenant-Governor, in the presence of Mrs. Mignolet, Director of the Secretariat of the Assembly and Delegate of the Secretary General, the Honourable Pierre Duchesne, Lieutenant-Governor of Québec, was pleased to assent to the following Bills:

- 4 An Act to regularize and provide for the development of local slaughterhouses and to amend the Food Products Act
- 33 An Act to amend the Act respecting elections and referendums in municipalities and other legislative provisions

YVON VALLIÈRES

President