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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-NINTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Thursday, 3 December 2009 — No. 83**

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

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**QUÉBEC**



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

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**ROUTINE PROCEEDINGS**

**Statements by Members**

Mr. Bachand (Outremont) made a statement in memory of the tragedy that took place at the École polytechnique de Montréal.

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Mr. Aussant (Nicolet-Yamaska) made a statement about Mrs. Roxanne Rheault, member of the Québec figure skating team and Québec champion.

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Mrs. Doyer (Matapédia) made a statement to pay tribute to Mr. Yvon Bureau.

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Mr. Hamad (Louis-Hébert) made a statement about International Volunteer Day.

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Mr. Grondin (Beauce-Nord) made a statement concerning the holiday season.

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Mrs. Thériault (Anjou) made a statement about the International Day of Disabled Persons.

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Mr. Khadir (Mercier) made a statement about radioactivism.

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Mr. Ouellette (Chomedey) made a statement about Mrs. Mariette Dubé, who is celebrating her 100<sup>th</sup> birthday.

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Mr. Tremblay (Masson) made a statement to pay tribute to Mr. Yves Blais.

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Mr. Drolet (Jean-Lesage) made a statement about the 15<sup>th</sup> anniversary of TRIP jeunesse Beauport.

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At 9.58 o'clock a.m., Mrs. Houda-Pepin, First Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 10.11 o'clock a.m.

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Moment of reflection

### **Introduction of Bills**

Mr. Dupuis, Government House Leader, moved that leave be granted to introduce the following Bill:

80 An Act to extend the term of the person designated to act temporarily as Lobbyists Commissioner

The motion was carried.

Accordingly, Bill 80 was introduced in the Assembly.

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Mrs. Boulet, Minister of Transport, moved that leave be granted to introduce the following Bill:

71 An Act to again amend the Highway Safety Code and other legislative provisions

The motion was carried.

Accordingly, Bill 71 was introduced in the Assembly.

### **Presenting Papers**

Mr. Charest, Premier, tabled the following:

The first list of sustainable development indicators designed to monitor and measure progress in Québec in the area of sustainable development.

(Sessional Paper No. 967-20091203)

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Mrs. Weil, Minister of Justice and Minister responsible for the administration of legislation respecting the professions, tabled the following:

The annual management report of the Conseil de la justice administrative, for the fiscal year ended 31 March 2009;

(Sessional Paper No. 968-20091203)

The annual reports, for the fiscal year ended 31 March 2009, of the following professional orders:

- Ordre des architectes du Québec;  
(Sessional Paper No. 969-20091203)
- Ordre des infirmières et infirmiers auxiliaires du Québec;  
(Sessional Paper No. 970-20091203)
- Ordre des optométristes du Québec;  
(Sessional Paper No. 971-20091203)
- Ordre des pharmaciens du Québec;  
(Sessional Paper No. 972-20091203)
- Ordre des psychologues du Québec;  
(Sessional Paper No. 973-20091203)
- Ordre des technologues en radiologie du Québec;  
(Sessional Paper No. 974-20091203)
- Ordre des traducteurs, terminologues et interprètes agréés du Québec;  
(Sessional Paper No. 975-20091203)
- Ordre professionnel des travailleurs sociaux du Québec.  
(Sessional Paper No. 976-20091203)

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Mr. Hamad, Minister of Employment and Social Solidarity, tabled the following:

The actuarial report of the Québec Parental Insurance Plan, for the fiscal year ended 31 December 2008.

(Sessional Paper No. 977-20091203)

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Mrs. Blais, Minister responsible for Seniors, tabled the following:

The annual management report of the Conseil des aînés, for the fiscal year ended 31 March 2009.

(Sessional Paper No. 978-20091203)

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Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, tabled the following:

The Strategic Plan 2009-2012 of the Conseil des arts et des lettres du Québec;

(Sessional Paper No. 979-20091203)

The Strategic Plan concerning the 2009-2014 language policy;

(Sessional Paper No. 980-20091203)

The Strategic Plan 2009-2012 of the Régie du cinéma.

(Sessional Paper No. 981-20091203)

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Mr. President tabled the following:

The activity report of the Fondation Jean-Charles-Bonenfant, for the fiscal year ended 30 June 2009.

(Sessional Paper No. 982-20091203)

### **Presenting Reports from Committees**

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

A report from the Committee on Planning and the Public Domain, which, on 2 December 2009, heard the interested parties with respect to Private Bill 218, An Act respecting Municipalité de Saint-Ambroise, and examined this Bill clause-by-clause. The report does not contain any amendments to the bill.

(Sessional Paper No. 983-20091203)

The report was concurred in.

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

A report from the Committee on Planning and the Public Domain, which, on 2 December 2009, heard the interested parties with respect to Private Bill 215, An Act respecting Ville de Sept-Îles, and examined this Bill clause-by-clause. The report contains an amendment to the bill.

(Sessional Paper No. 984-20091203)

The report was concurred in.

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

A report from the Committee on Labour and the Economy, which met on 26 and 27 November and on 1 and 2 December 2009 for clause-by-clause consideration of Bill 73, An Act to provide for measures to fight crime in the construction industry. The report contains certain amendments to the bill.

(Sessional Paper No. 985-20091203)

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

A report from the Committee on Planning and the Public Domain, which, on 30 November and on 1 and 2 December 2009, held public hearings within the framework of special consultations on Bill 76, An Act to amend various legislative provisions principally with regard to the awarding process for contracts made by municipal bodies.

(Sessional Paper No. 986-20091203)

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Mr. Paquet (Laval-des-Rapides), committee chairman, tabled the following:

A report from the Committee on Public Finance, which, on 2 December 2009, heard the interested parties with respect to Private Bill 214, An Act to amend the charter of L'Abbaye de Saint-Benoît-du-Lac, and examined this Bill clause-by-clause. The report does not contain any amendments to the bill.

(Sessional Paper No. 987-20091203)

The report was concurred in.

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Mr. Marsan (Robert-Baldwin), committee chairman, tabled the following:

A report from the Committee on Culture and Education, which, on 2 December 2009, heard the interested parties with respect to Private Bill 203, An Act respecting the Musée national des beaux-arts du Québec and the Fabrique de la paroisse de Saint-Dominique de Québec, and examined this Bill clause-by-clause. The report does not contain any amendments to the bill.

(Sessional Paper No. 988-20091203)

The report was concurred in.

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

A report from the Committee on Health and Social Services, which, on 2 December 2009, heard the interested parties with respect to Private Bill 217, An Act to amend the Act to incorporate The Wales Home, and examined this Bill clause-by-clause. The report contains an amendment to the bill.

(Sessional Paper No. 989-20091203)

The report was concurred in.

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Tomassi, Minister of Families, withdrew certain words deemed unparliamentary.

At the request of Mr. President, Mr. Gignac, Minister of Economic Development, Innovation and Export Trade, withdrew certain words deemed unparliamentary.

### **Motions Without Notice**

Mr. Charest, Premier, moved:

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THAT, pursuant to sections 104 and 105 of the *Act respecting Access to documents held by public bodies and the Protection of personal information* (R.S.Q., c. A-2.1), Me Jacques Saint-Laurent again be named a member and chairman of the Commission d'accès à l'information for a term of five years, effective hereby, and that his conditions of employment be included in the document tabled hereafter.

Mr. Charest, Premier, then tabled the following:

The curriculum vitae of Me Jacques Saint-Laurent, his conditions of employment and an excerpt from the *Act respecting Access to documents held by public bodies and the Protection of personal information*.

(Sessional Paper No. 990-20091203)

The question was put on the motion; a recorded division was taken as required for the application of section 104 of the *Act respecting Access to documents held by public bodies and the Protection of personal information*.

The motion was carried on the following vote:

(Division No. **57** in Appendix)

Yeas: **117**    Nays: **0**    Abstentions: **0**

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Mr. Charest, Premier, moved:

THAT, pursuant to sections 106 and 107 of the *Public Service Act* (R.S.Q., c. F-3.1.1), Me Robert Hardy, Human Resources Management Advisor at the Ministère de l'Éducation, du Loisir et du Sport, be named a member of the Commission de la fonction publique for a term of five years, beginning on 5 January 2010.

Mr. Charest, Premier, then tabled the following:

The curriculum vitae of Me Robert Hardy, and an excerpt from the *Public Service Act*.

(Sessional Paper No. 991-20091203)

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The question was put on the motion; a recorded division was taken as required for the application of section 106 of the *Public Service Act*.

The motion was carried on the following vote:

(Division No. **58** in Appendix)

Yeas: **117**    Nays: **0**    Abstentions: **0**

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Mr. Charest, Premier, moved:

THAT, pursuant to sections 104 and 105 of the *Act respecting Access to documents held by public bodies and the Protection of personal information* (R.S.Q., c. A-2.1), Me Teresa Carluccio, Director of Legal Affairs at the Ministère des Finances, be named a member of the Commission d'accès à l'information assigned to the judicial section, following the procedure for selecting persons qualified for appointment as members of the Commission established by the Office of the National Assembly, for a term of five years, beginning on 7 December 2009, and that her remuneration and other conditions of employment be included in the document tabled hereafter.

Mr. Charest, Premier, then tabled the following:

The curriculum vitae of Me Teresa Carluccio, her conditions of employment and an excerpt from the *Act respecting Access to documents held by public bodies and the Protection of personal information*.

(Sessional Paper No. 992-20091203)

The question was put on the motion; a recorded division was taken as required for the application of section 104 of the *Act respecting Access to documents held by public bodies and the Protection of personal information*.

The motion was carried on the following vote:

(Division No. **59** in Appendix)

Yeas: **117**    Nays: **0**    Abstentions: **0**

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By leave of the Assembly to set aside Standing Order 185, Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, Mrs. Poirier (Hochelaga-Maisonneuve), Mrs. Roy, Second Opposition Group House Leader, and Mr. Khadir (Mercier) jointly moved:

THAT the National Assembly of Québec today remember the tragedy that took place at the École polytechnique de Montréal already 20 years ago, on 6 December 1989;

THAT each of its Members contribute to making Québec a society in which women may live without fear of their integrity or their safety being violated.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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

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

THAT the National Assembly congratulate the Montreal Alouettes for their spectacular victory over the Saskatchewan Roughriders in the Grey Cup.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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Mr. Girard (Gouin) moved a motion concerning childcare spaces; this motion could not be debated for want of unanimous consent.

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Mr. Deltell, Leader of the Second Opposition Group, and Mr. St-Arnaud (Chambly) jointly moved a motion concerning the Corruption Zéro coalition; this motion could not be debated for want of unanimous consent.

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

Mr. Dupuis, Government House Leader, convened the following Committees:

- the Committee on Planning and the Public Domain, to give clause-by-clause consideration to Bill 76, An Act to amend various legislative provisions principally with regard to the awarding process for contracts made by municipal bodies;
- the Committee on Agriculture, Fisheries, Energy and Natural Resources, to continue its clause-by-clause consideration of Bill 57, Sustainable Forest Development Act (*reprint and modified title*).

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## **ORDERS OF THE DAY**

### **Government Bills**

#### *Passage in Principle*

By leave of the Assembly to set aside Standing Orders 22, 230, 236 and 237, Mr. Dupuis, Government House Leader, moved, —That Bill 80, An Act to extend the term of the person designated to act temporarily as Lobbyists Commissioner, do now pass in principle.

The motion was carried and Bill 80 was accordingly passed in principle.

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Mr. Dupuis, Government House Leader, moved that Bill 80 be referred for clause-by-clause consideration to the Committee of the Whole.

The motion was carried.

*Committee of the Whole*

Mr. Dupuis, Government House Leader, moved that the Assembly resolve itself into a Committee of the Whole for the clause-by-clause consideration of Bill 80, An Act to extend the term of the person designated to act temporarily as Lobbyists Commissioner.

The motion was carried.

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Bill 80 was considered in Committee of the Whole and thereupon reported.

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The report was concurred in.

*Passage*

Mr. Dupuis, Government House Leader, moved the passage of Bill 80, An Act to extend the term of the person designated to act temporarily as Lobbyists Commissioner.

The motion was carried and, accordingly, Bill 80 was passed.

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Mr. Bachand, Minister of Finance, moved the passage of Bill 74, An Act to amend various legislative provisions principally to tighten the regulation of the financial sector.

After debate thereon, the motion was carried and, accordingly, Bill 74 was passed.

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Mr. Simard, Minister for Natural Resources and Wildlife, moved the passage of Bill 52, An Act to amend the Act respecting the conservation and development of wildlife.

After debate thereon, the motion was carried and, accordingly, Bill 52 was passed.

### **Other Business Standing on the Order Paper**

By leave of the Assembly to set aside Standing Orders 146 and 188, Mrs. Hivon (Joliette) moved:

THAT an ad hoc committee be established for the purpose of examining the issue of the right to die with dignity and, if need arises, of the procedural requirements;

#### **Regarding the membership and the operation of the committee,**

- the committee shall be composed of 16 members distributed as follows: nine from the parliamentary group forming the Government, including the committee chairman; four from the parliamentary group forming the Official Opposition, including the committee vice-chairman; one Member from the Second Opposition Group; the independent Member for Mercier; one independent Member;
- the parliamentary groups shall forward to the President of the National Assembly the list of committee members, including the name of the chairman and of the vice-chairman, not later than fifteen days after this motion has been carried;
- the committee shall begin its proceedings immediately upon receiving the consultation paper from the Committee on Health and Social Services;

- the committee shall hold public or deliberative hearings in compliance with the procedure stipulated in Standing Order 148, notwithstanding that it is a matter referred to it by the Assembly;
- the committee may table interim reports in the National Assembly;
- the interim reports and the committee's final report may contain observations, conclusions and recommendations;
- the committee shall not be restricted to one clear day, following the general consultation, to determine in a deliberative meeting the observations, conclusions and recommendations it intends to table in the National Assembly;
- the rules of procedure relating to the standing committees shall apply to the committee insofar as they are compatible with the provisions of this motion;

**Regarding both consultations held by the committees,**

**First consultation**

- The Committee on Health and Social Services shall commence its proceedings not later than 60 days after this motion has been carried, and it shall hold special consultations and public hearings to examine the issue of the right to die with dignity and that, for this purpose, it shall hear experts who will be selected during a deliberative meeting, and that the latter shall discuss particularly, during their presentation, the following issues: end-of-life conditions and care; the law and eventual supervisory conditions surrounding the right to euthanasia; any other consideration that may enlighten the members of the committee;

- The committee's steering committee shall determine the total duration of each hearing and the respective lengths of the presentation and the exchanges with the committee;
- Upon the conclusion of the hearings, the committee shall produce, within 45 days, a consultation paper for the purpose of facilitating citizen participation in the general consultation that will be initiated by the ad hoc committee; the said document shall be immediately forwarded to the ad hoc committee without it being released;

**Second consultation**

- The ad hoc committee shall examine the consultation paper, and, if need be, shall add information thereto;
- The said paper shall be tabled in the National Assembly within thirty days following its reception;
- The general consultation shall begin on or about 17 August, or within a reasonable time, so as to enable individuals and organizations to produce a brief;
- The committee shall set aside time periods to hear citizens who will have indicated their desire to be heard by the committee, despite their not having submitted a brief thereto;
- The committee may meet outside of the National Assembly buildings and of Québec City;
- The committee may have recourse to videoconferencing within the framework of the hearings;
- The committee shall hold an on-line consultation so as to encourage the most extensive population participation possible;

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**Regarding human, technical and financial resources,**

- the Secretariat of Committees ensures the support required for the proper conduct of both committees;
- the committees dispose of the resources required to carry out their respective mandates, particularly as regards support to research and publicity, including the distribution of the information package highlights throughout all Québec households, so as to encourage citizen participation.

After debate thereon, the question was put on this motion; a recorded division was thereupon demanded.

At the request of Mr. Dupuis, Government House Leader, the division was deferred until Routine Proceedings on the next sitting day.

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Mr. Dupuis, Government House Leader, moved the adjournment of the Assembly until Friday, 4 December 2009, at 9.45 o'clock a.m.

The motion was carried.

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Accordingly, at 12.49 o'clock p.m., Mrs. Houda-Pepin, First Vice-President, adjourned the Assembly until Friday, 4 December 2009, at 9.45 o'clock a.m.

**YVON VALLIÈRES**

*President*

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APPENDIX

Recorded Divisions

On the motion by Mr. Charest, Premier, to again name Me Jacques Saint-Laurent as a member and chairman of the Commission d'accès à l'information:

(Division No. 57)

YEAS - 117

Arcand	Charlebois	Khadir	Poirier
Auclair	Chevarie	Kotto	Rathé
Aussant	Cloutier	Leclair	Rebello
Bachand	Corbeil	L'Écuyer	Reid
<i>[Arthabaska]</i>	Courchesne	Léger	Richard
Bachand	Cousineau	Lehouillier	<i>[Duplessis]</i>
<i>[Outremont]</i>	Curzi	Lemay	Richard
Beauchamp	Deltell	Lessard	<i>[Marguerite-D'Youville]</i>
Beaudoin	Diamond	MacMillan	Robert
<i>[Mirabel]</i>	Doyer	Malavoy	Rotiroti
Beaudoin	Drainville	Maltais	Roy
<i>[Rosemont]</i>	Drolet	Mamelonet	Simard
Béchar	Dubourg	Marceau	<i>[Richelieu]</i>
Bédard	Dufour	Marcoux	Simard
Bergeron	Dupuis	Marois	<i>[Dubuc]</i>
Bergman	Dutil	Marsan	Sklavounos
Bernard	Ferland	Matte	St-Amand
Bérubé	Gagnon-Tremblay	McKay	St-Arnaud
Billette	Gaudreault	Ménard	St-Pierre
Blais	<i>[Hull]</i>	Moreau	Thériault
Blanchet	Gaudreault	Morin	Tomassi
Bolduc	<i>[Jonquière]</i>	Normandeau	Traversy
Bonnardel	Gautrin	Ouellette	Tremblay
Bouchard	Gauvreau	Ouimet	Trottier
Boucher	Gendron	Pagé	Turcotte
Bouillé	Gignac	Paquet	Vallée
Boulet	Girard	Paradis	Vien
Carrière	Gonthier	Pelletier	Villeneuve
Chagnon	Grondin	<i>[Saint-Hyacinthe]</i>	Weil
Champagne	Hamad	Pelletier	Whissell
Charbonneau	Hivon	<i>[Rimouski]</i>	
Charest	James	Pigeon	
Charette	Kelley	Pinard	

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On the motion by Mr. Charest, Premier, to name Me Robert Hardy as a member of the Commission de la fonction publique:

**(Division No. 58)**

*(Identical to Division No. 57)*

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On the motion by Mr. Charest, Premier, to name Me Teresa Carluccio as a member of the Commission d'accès à l'information:

**(Division No. 59)**

*(Identical to Division No. 57)*