



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 11 November 2009 — No. 72

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

QUÉBEC

The Assembly was called to order at 9.45 o'clock a.m.

ROUTINE PROCEEDINGS

Statements by Members

Mr. Chagnon (Westmount–Saint-Louis) made a statement about the 100th anniversary of the Last Post Fund.

Mrs. Doyer (Matapédia) made a statement about the Chambre de commerce de la MRC de La Matapédia.

Mr. Arcand (Mont-Royal) made a statement about the Journées québécoises de la solidarité internationale.

Mr. Pelletier (Saint-Hyacinthe) made a statement about the 10th anniversary of the Coopérative Aux p'tits soins.

Mr. Sklavounos (Laurier-Dorion) made a statement about the 100th anniversary of Greek language education in the schools of the Hellenic Community of Montreal.

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Mr. Ferland (Ungava) made a statement about the Journée régionale Égalité entre les hommes et les femmes de la Jamésie.

Mr. Mamelonet (Gaspé) made a statement about Mrs. Hélène Ouellet, of the Cusimer processing plant, recipient of the Femme d'affaires du Québec award.

Mr. McKay (L'Assomption) made a statement about greenhouse gases.

At 9.55 o'clock a.m., Mr. Gendron, Third Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 10.06 o'clock a.m.

Moment of reflection

Mr. President rendered the following directive as regards the new allocation of oral questions, debates upon adjournment and statements by Members further to the decision taken by two Members of the Second Opposition Group to henceforth sit as independent Members:

DIRECTIVE FROM THE CHAIR

To protect the rights of the Official Opposition and of the Member for Mercier, the control measures and the speaking times granted to the new independent Members shall be established on the basis of those currently enjoyed by the Members of the Second Opposition Group

Instead of one question per sitting, the Second Opposition Group will be granted 5 questions per 7 sittings, in 4th place. This will enable the Members for La Peltrie and Chutes-de-la-Chaudière to each ask one question per 7 sittings, in 6th place. The Member for Mercier will retain his right to ask one question per 7 sittings, in 6th place. As regards the Government Members, they will still be allowed one question per 3 sittings, in 6th place. All other questions will be granted to the Official Opposition. At one sitting out of every 7, a Member from the Second Opposition Group and an independent Member will each be allowed to ask a question. Independent Members and Government Members will not be permitted to ask a question during the same sitting.

The Second Opposition Group will be permitted to raise one debate upon adjournment every 3 sittings instead of one debate every 2 sittings during which debates may be raised. This will enable the Members for La Peltrie and Chutes-de-la-Chaudière to each raise a debate upon adjournment per period of proceedings. As for the Member for Mercier, he will retain his right to raise a debate per period of parliamentary proceedings. The Government Members will retain their right to raise one debate upon adjournment per 7 sittings in which debates may be held. The Official Opposition may raise all remaining debates. The debates upon adjournment raised by the independent Members and the Members of the Second Opposition Group may not be held during the same sitting.

As regards statements by Members, the Second Opposition Group will be granted 4 statements per 6 sittings, in 5th place, instead of one statement per sitting. This will enable the Members for La Peltrie and Chutes-de-la-Chaudière to each make a statement per 6 sittings. The Member for Mercier will retain, for his part, his right to make one statement per 6 sittings. The Government Members and those of the Official Opposition will retain their right to respectively 5 and 4 statements per sitting. The Members of the Second Opposition Group and the independent Members will be permitted to make a statement during the same sitting only once per period of 6 sittings. When no statements will be made by the Second Opposition Group, the statement by an independent Member will be made in 5th place. When such statement will be made on the same day as a statement by the Second Opposition Group, it will take place alternately in replacement of a statement by the Government in 6th place or of a statement by the Official Opposition in 7th place.

Introduction of Bills

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

69 An Act to amend the Highway Safety Code as regards driving schools

The motion was carried.

Accordingly, Bill 69 was introduced in the Assembly.

Presenting Papers

Mrs. Courchesne, Minister of Education, Recreation and Sports, tabled the following:

The annual management report of the Commission d'évaluation de l'enseignement collégial, for the fiscal year ended 30 June 2009.
(Sessional Paper No. 873-20091111)

Mr. President tabled the following:

A letter, dated 10 November 2009, he had received from Mr. Jean D'Amour, Member for Rivière-du-Loup, informing him of his decision to sit as an independent Member.

(Sessional Paper No. 874-20091111)

Presenting Reports from Committees

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

A report from the Committee on Public Finance, which, on 5 and 10 November 2009, held public hearings within the framework of special consultations on Bill 65, An Act respecting Infrastructure Québec.

(Sessional Paper No. 875-20091111)

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Presenting Petitions

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

The abstract of a petition respecting the recognition of the new spelling vocabulary at school, and signed by 1942 citizens of Québec.
(Sessional Paper No. 876-20091111)

By leave of the Assembly to set aside Standing Order 63, Mr. Pelletier (Saint-Hyacinthe) tabled the following:

The abstract of a petition respecting the exploitation of women's bodies in advertising and in the promotion of public events, and signed by 224 citizens of the greater Saint-Hyacinthe region.
(Sessional Paper No. 877-20091111)

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

The abstract of a petition respecting the construction of a noise-abatement wall along a portion of Highway 25 located on Île Saint-Jean, in Terrebonne, and signed by 100 citizens of Terrebonne.
(Sessional Paper No. 878-20091111)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mrs. Marois, Leader of the Official Opposition, withdrew certain words deemed unparliamentary.

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Motions Without Notice

By leave of the Assembly to set aside Standing Orders 84.1 (3) and 185, Mrs. Normandeau, Deputy Premier, Mrs. Marois, Leader of the Official Opposition, Mr. Deltell (Chauveau) and Mr. Caire (La Peltrie) jointly moved:

THAT the National Assembly of Québec, on the occasion of Remembrance Day, honour the memory of the women and men of Québec and Canada who gave their lives to maintain peace, to defend freedom, democracy, justice and tolerance;

THAT it express to the Québec and Canadian members of the armed forces on a mission in Afghanistan, as well as to their families, its respect and support;

THAT it observe a moment of reflection to solemnly express its respect to all nurses, litter-bearers, sailors and soldiers of Québec and Canada drawn into wars at the sacrifice of their lives.

By leave of the Assembly, the motion was carried.

At the invitation of Mr. Chagnon, Second Vice-President, the Assembly observed a minute of silence.

By leave of the Assembly to set aside Standing Orders 84.1 (2), 84.1 (3) and 185, Mr. Kotto (Bourget), Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, Mr. Deltell (Chauveau), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier) jointly moved:

THAT the National Assembly of Québec mark the awarding of the prestigious Médicis award to Mr. Dany Laferrière for his novel entitled "L'énigme du retour" and that it recognize his work overall and his remarkable contribution to the outreach of Québec literature throughout the entire Francophonie and beyond.

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By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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

THAT, within the framework of the consideration of Bill 53, An Act to create the office of Commissioner for complaints concerning mechanisms for the recognition of professional competence, the Committee on Institutions hold special consultations and public hearings on 18 and 19 November 2009, and that, for this purpose, it hear the following groups:

- Conference of Rectors and Principals of Quebec Universities
- Québec Interprofessional Council
- Commission des droits de la personne et des droits de la jeunesse
- Conseil des relations interculturelles

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 each 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 Justice 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.

Pursuant to Standing Order 129, Mr. Moreau, Chief Government Whip, moved:

THAT the Member for Gaspé be named a permanent member of the Committee on Labour and the Economy;

THAT the Member for Hull be named a permanent member of the Committee on Health and Social Services;

THAT the Member for Arthabaska be named a permanent member of the Committee on Public Administration;

THAT these changes take effect immediately.

The motion was carried.

Notices of Proceedings in Committees

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

- the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 59, An Act to amend the Tobacco Tax Act and other legislative provisions primarily to counter tobacco smuggling;
- the Committee on Health and Social Services, to continue its clause-by-clause consideration of Bill 24, An Act to amend various legislative provisions concerning health.

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Mr. Chagnon, Second Vice-President, gave the following notice:

- the Committee on Public Administration shall hold a deliberative meeting to prepare the hearing with the Auditor General of Québec on his 2008-2009 annual management report and financial commitments; a public meeting to hear the Auditor General of Québec; and then a deliberative meeting to determine the observations, conclusions and recommendations following this hearing.

ORDERS OF THE DAY

Government Bills

Passage

Mrs. Thériault, Minister for Social Services, moved the passage of Bill 56, An Act to amend the Act respecting health services and social services with regard to the certification of certain resources offering lodging to vulnerable clientele (*modified title*).

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

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

At 12.17 o'clock p.m., at the request of Mr. Gauthrin, Deputy Government House Leader,, Mr. Chagnon, Second Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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The proceedings resumed at 3.02 o'clock p.m.

Business Standing in the Name of Members in Opposition

Mr. Khadir (Mercier) moved:

THAT the National Assembly demand that the Government of Québec include in its *Election Act* reform initiative a proportional voting system in keeping with the election commitment of all parties represented in the National Assembly in agreement with the fair representation of political diversity.

Pursuant to the statement made by the Chair during Routine Proceedings earlier in today's sitting, Mrs. Houda-Pepin, First Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this motion: 20 minutes shall be allotted to the mover of the motion, and 10 minutes shall also be set aside for his reply; 7 minutes and 45 seconds shall be allotted to the Members of the Second Opposition Group; 3 minutes and 15 seconds shall be allotted to the other independent Members; 34 minutes shall be allotted to the Official Opposition and 45 minutes shall be allotted to the parliamentary group forming the Government. Within this framework, any time not used by the independent Members or by the Members of the Second Opposition Group shall be redistributed equally between the parliamentary group forming the Government and the parliamentary group forming the Official Opposition; and any time not used by the parliamentary group forming the Government shall go to the parliamentary group forming the Official Opposition and vice versa. Lastly, individual addresses shall not be limited.

The debate arose thereon.

At the end of his address, Mr. Gauthrin (Verdun) moved:

THAT the motion by the Member for Mercier be amended as follows: by replacing, in the first line, the words "demand that" by the words "ask that"; by replacing, in the second line, the word "include" by the words "take into consideration"; by replacing, in the third and fourth lines, the words "a proportional voting system in keeping with the election commitment" by the words "the commitments"; by adding, in the fourth line, before the word "parties", the word "political"; by replacing, in the last line, the words "in agreement with" by the words "to ensure".

The motion, as amended, would read as follows:

THAT the National Assembly ask that the Government of Québec take into consideration in its *Election Act* reform initiative the commitments of all political parties represented in the National Assembly to ensure the fair representation of political diversity.

The debate continued on the main motion by Mr. Khadir (Mercier) and on the amendment by Mr. Gauthrin (Verdun), subject to the permission of its author.

At the end of his address, Mr. Khadir (Mercier) accepted the amendment proposed by Mr. Gauthrin (Verdun).

The debate being concluded, the question was put on the amendment motion.

The motion was carried.

The question was then put on the motion as amended; a recorded division was thereupon demanded.

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

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Mr. Béchar, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 12 November 2009, at 9.45 o'clock a.m.

The motion was carried.

Accordingly, at 5.03 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Thursday, 12 November 2009, at 9.45 o'clock a.m.

YVON VALLIÈRES

President