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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-NINTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Tuesday, 15 September 2009 — No. 49**

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

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**QUÉBEC**



The Assembly was called to order at 1.48 o'clock p.m.

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## ROUTINE PROCEEDINGS

### Statements by Members

Mrs. Beauchamp (Bourassa-Sauvé) made a statement about the 25<sup>th</sup> anniversary of Halte-femmes women's transition home, located in Montréal-Nord.

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Mrs. Lapointe (Crémazie) made a statement about Grandparents Day.

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Mrs. Houda-Pepin (La Pinière) made a statement to congratulate Émilie Heymans on her medal in the three-metre diving event at the FINA World Aquatic Championships.

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Mr. McKay (L'Assomption) made a statement about the United Nations' Climate Week.

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Mr. Grondin (Beauce-Nord) made a statement about volunteerism.

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Mr. Ouellette (Chomedey) made a statement about José V. Arruda of the Portuguese community of Chomedey.

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Mrs. Doyer (Matapédia) made a statement about the Big Brothers Big Sisters of Québec.

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Mrs. St-Amand (Trois-Rivières) made a statement about Big Brothers Big Sisters of Québec Month.

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Mrs. Beaudoin (Rosemont) made a statement about the Moulin à paroles.

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Mr. Sklavounos (Laurier-Dorion) made a statement about World Suicide Prevention Day.

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At 2.02 o'clock p.m., Mrs. Houda-Pepin, First Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 2.13 o'clock p.m.

At the request of Mr. President, the Assembly observed a moment of reflection in memory of Mr. Normand Filiatrault, spouse of Mrs. Michelle Courchesne, Minister of Education, Recreation and Sports, and of Mr. René Blondin, Secretary General of the National Assembly from 1969 to 1984.

Mr. President tabled:

A letter, dated 23 June 2009, addressed to Mr. François Côté, Secretary General of the National Assembly, from Mr. Jean Charest, Premier, informing him of the appointment of Mr. Claude Béchar, Member for Kamouraska-Témiscouata, Minister of Agriculture, Fisheries and Food, and Minister responsible for Canadian Intergovernmental Affairs and the Reform of Democratic Institutions, as Deputy Government House Leader, in replacement of Mrs. Line Beauchamp, Member for Bourassa-Sauvé and Minister of Sustainable Development, Environment and Parks;

(Sessional Paper No. 561-20090915)

A letter, dated 25 June 2009, he had received from Mr. François Legault, Member for Rousseau, informing him of his resignation as Member for this electoral division.

(Sessional Paper No. 562-20090915)

Mr. President read an excerpt of a letter, dated 29 June 2009, addressed to Mr. François Côté, Secretary General of the National Assembly, by Mr. Marcel Blanchet, Chief Electoral Officer of Québec, in relation to the by-elections held on 22 June 2009 in the Electoral Divisions of Marguerite-Bourgeoys and Rivière-du-Loup.

Mr. President then tabled the following:

The aforementioned letter accompanied by a notice proclaiming Mr. Clément Gignac the candidate returned in the Electoral Division of Marguerite-Bourgeoys and Mr. Jean D'Amour the candidate returned in Rivière-du-Loup.

(Sessional Paper No. 563-20090915)

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At the invitation of Mr. President, Mr. Charest, Premier, and Mr. Moreau, Chief Government Whip, welcomed the new Member for Marguerite-Bourgeoys, Mr. Gignac, and the new Member for Rivière-du-Loup, Mr. D'Amour.

Mr. Charest, Premier, Mrs. Marois, Leader of the Official Opposition, Mrs. Roy, Leader of the Second Opposition Group, and Mr. Khadir (Mercier) made a few comments.

Mr. Gignac (Marguerite-Bourgeoys) and Mr. D'Amour (Rivière-du-Loup) then took the floor.

Finally, Mr. President welcomed the new Members.

### **Presenting Papers**

Mr. President tabled the following:

A letter, dated 29 June 2009, he had sent to Mr. François Casgrain informing him of his appointment as Lobbyists Commissioner of Québec, beginning on 6 July 2009, for a period not to exceed six months;

(Sessional Paper No. 564-20090915)

A letter, dated 10 July 2009, he had received from Me Jean-Paul Roberge, informing him of his resignation as member of the Commission de la fonction publique beginning on 1 August 2009;

(Sessional Paper No. 565-20090915)

A letter, dated 20 July 2009, he had received from Mr. James M. Flaherty, Federal Minister of Finance, in answer to the motion carried unanimously by the Assembly and forwarded to the House of Commons and to the Senate on 15 January 2009, concerning the requests concerning Québec's requests within the context of pre-budgetary consultations and the federal-provincial meeting of Friday, 16 January 2009;

(Sessional Paper No. 566-20090915)

A letter, dated 12 August 2009, he had received from Mr. Lawrence Cannon, Federal Minister of Foreign Affairs, in answer to the motion carried unanimously by the Assembly and forwarded to the House of Commons and to the Senate on 16 June 2009, concerning the situation in Iran following the presidential elections of 12 June 2009;

(Sessional Paper No. 567-20090915)

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The report from the Chief Electoral Officer of Québec on the official results of the by-elections held on 22 June 2009 in the electoral divisions of Marguerite-Bourgeoys and Rivière-du-Loup;

(Sessional Paper No. 568-20090915)

The new seating plan of the National Assembly, dated 15 September 2009;

(Sessional Paper No. 569-20090915)

Copy of the notice of motion by Mr. Bédard (Chicoutimi) which will be placed on the *Order Paper and Notices* of Wednesday, 16 September 2009, under Business Standing in the Name of Members in Opposition.

(Sessional Paper No. 570-20090915)

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By leave of the Assembly to set aside Standing Order 59, Mr. Whissell (Argenteuil) tabled copies of letters, dated 14 September 2009, he had received from Me Claude Bisson, Jurisconsult, concerning:

An intervention with ABC Rive-Nord Inc.;

(Sessional Paper No. 571-20090915)

The assistance programme of the Ministère des Transports du Québec for the improvement of the municipal road network;

(Sessional Paper No. 572-20090915)

Consultants Mirtec Inc.;

(Sessional Paper No. 573-20090915)

ABC Rive-Nord Inc.;

(Sessional Paper No. 574-20090915)

The employment of Mrs. Marie B. Deschamps.

(Sessional Paper No. 575-20090915)

### **Presenting Reports from Committees**

Mrs. Doyer (Matapédia), chairman, tabled the following:

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A report from the Committee on Transportation and the Environment, which met on 27 August 2009 to elect its chairman.

(Sessional Paper No. 576-20090915)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

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

### **Motions Without Notice**

By leave of the Assembly to set aside Standing Order 185, Mr. Béchard, Minister responsible for Canadian Intergovernmental Affairs and the Reform of Democratic Institutions, Mr. Cloutier (Lac-Saint-Jean) and Mr. Deltell (Chauveau) jointly moved:

THAT the National Assembly pay tribute to the servicemen who died in the line of duty while taking part in the Canadian mission to Afghanistan:

- Master Corporal Charles-Philippe Michaud
- Master Corporal Patrice Audet
- Corporal Martin Joannette
- Soldier Sébastien Courcy
- Corporal Christian Bobbitt
- Field Engineer Mathieu Allard
- Major Yannick Pépin
- Corporal Jean-François Drouin
- Soldier Patrick Lormand

By leave of the Assembly, the motion was carried.

At the invitation of Mr. 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) and 185, Mr. Dupuis, Minister of Public Security, Mr. St-Arnaud (Chambly), Mrs. Roy, Leader of the Second Opposition Group, and Mr. Khadir (Mercier) jointly moved:

THAT the National Assembly express its deepest condolences to the family, colleagues and friends of Mrs. Mélanie Roy, police officer with the City of Lévis police department, who died tragically on 7 September 2009 in the performance of her duties.

By leave of the Assembly, the motion was carried.

At the invitation of Mr. 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. Marois, Leader of the Official Opposition, Mr. Charest, Premier, Mrs. Roy, Leader of the Second Opposition Group, and Mr. Khadir (Mercier) jointly moved:

THAT the National Assembly underline the courage of the Chilean people within the framework of the 100<sup>th</sup> anniversary of the birthday of Mr. Salvador Allende, former President of Chile for whom a monument was unveiled in Montreal last Friday.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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

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THAT the National Assembly give effect to the order given to the Committee on Transportation and the Environment, in pursuance of an agreement with the House Leaders and the Member for Mercier, to hold special consultations with reference to the document tabled on 18 June 2009 by the Minister of Sustainable Development, Environment and Parks, entitled "Une première liste des indicateurs de développement durable", and to hold public hearings on 27 August, and on 1 and 2 September 2009, and that, for this purpose, it hear the following groups:

- Centre québécois de développement durable
- Coalition québécoise contre les ateliers de misère
- Conseil patronal de l'environnement du Québec
- ENvironnement JEUnesse
- Fonds d'action québécois pour le développement durable
- First Nations of Québec and Labrador Sustainable Development Institute
- Regroupement national des conseils régionaux de l'environnement du Québec
- Union des producteurs agricoles
- Auditor General of Québec / Commissioner for Sustainable Development
- Institut de la statistique du Québec
- Institut des sciences de l'environnement (Université du Québec à Montréal)
- Institut Hydro-Québec en environnement, développement et société (Laval University)
- Union des municipalités du Québec
- Équiterre
- Association professionnelle des éco-conseillers du Québec
- Barreau du Québec
- Centre for International Sustainable Development Law
- Fédération québécoise des municipalités
- Ordre des architectes du Québec
- Ordre des ingénieurs du Québec

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The Minister of Sustainable Development, Environment and Parks 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.

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By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Moreau, Chief Government Whip, tabled the following:

The list of standing committee Members of the parliamentary group forming the Government, accompanied by the list of temporary chairmen of this group.  
(Sessional Paper No. 577-20090915)

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By leave of the Assembly to set aside Standing Orders 53 and 59, Mrs. Léger, Chief Opposition Whip, tabled the following:

The list of standing committee Members of the parliamentary group forming the Official Opposition, accompanied by the list of temporary chairmen of this group.  
(Sessional Paper No. 578-20090915)

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By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Grondin (Beauce-Nord) tabled the following:

The list of standing committee Members of the parliamentary group forming the Second Opposition Group, accompanied by the name of the temporary chairman of this group.  
(Sessional Paper No. 579-20090915)

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By leave of the Assembly to set aside Standing Order 53, Mr. President tabled the following:

A letter, dated 11 September 2009, he had received from Mr. Amir Khadir, Member for Mercier, informing him of his desire to become a member of the Committee on Health and Social Services.

(Sessional Paper No. 580-20090915)

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By leave of the Assembly to set aside Standing Order 84.1 (2), Mrs. Houde-Pepin, First Vice-President, moved:

THAT, by leave of the Assembly to set aside Standing Orders 121, 122, 127 and 139, the lists tabled by the Chief Government Whip, the Chief Opposition Whip, and the Second Opposition Group House Leader, as well as the preference forwarded by the Member for Mercier to sit on the Committee on Health and Social Services be adopted;

THAT the standing committee members be named as such until 10 February 2011.

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 134 to 137, Mr. Dupuis, Government House Leader, moved:

THAT, following the changes in the names of certain standing committees in compliance with Standing Order 118:

- the Member for Jacques-Cartier, Mr. Geoffrey Kelly, and the Member for Vachon, Mr. Camil Bouchard, respectively chairman and vice-chairman of the former Committee on Social Affairs, become respectively chairman and vice-chairman of the Committee on Health and Social Services;

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- the Member for Brome-Missisquoi, Mr. Pierre Paradis, chairman of the former Committee on Agriculture, Fisheries and Food, become chairman of the Committee on Agriculture, Energy and Natural Resources;
- the Member for Saint-Maurice, Mr. Claude Pinard, become vice-chairman of the Committee on Agriculture, Energy and Natural Resources;
- the Member for Montmorency, Mr. Raymond Bernier, and the Member for Bourget, Mr. Maka Kotto, respectively chairman and vice-chairman of the former Committee on Culture, become respectively chairman and vice-chairman of the Committee on Citizen Relations;
- the Member for Robert-Baldwin, Mr. Pierre Marsan, and the Member for Borduas, Mr. Pierre Curzi, respectively chairman and vice-chairman of the former Committee on Education, become respectively chairman and vice-chairman of the Committee on Culture and Education.

By leave of the Assembly, the motion was carried.

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

WHEREAS the National Assembly proceeded with the adoption of a parliamentary reform last 21 April;

WHEREAS the names and terms of reference of the standing committees underwent certain modifications at that time;

WHEREAS these modifications took effect as of yesterday, 14 September 2009;

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WHEREAS the orders of reference currently underway in certain committees must continue before new committees;

ACCORDINGLY, the Assembly orders the following:

THAT the orders of reference that have not been completed by the committees continue, at the stage they have reached, in the following manner;

THAT all orders of reference of the Committee on Education and of the Committee on Culture continue before the Committee on Culture and Education;

THAT the clause-by-clause consideration of Bill 24, An Act to amend various legislative provisions concerning health, the order of initiative on homelessness, the general consultation on the document entitled "Toward a Stronger and Fairer Québec Pension Plan", and the statutory orders of the Committee on Social Affairs continue before the Committee on Health and Social Services;

THAT the clause-by-clause consideration of Bill 22, An Act respecting the governance of the Régie des rentes du Québec and amending various legislative provisions, continue before the Committee on Public Finance;

THAT the clause-by-clause consideration of Bills 6 and 7, An Act to establish a seniors caregiver support fund and An Act to establish an early childhood development fund, continue before the Committee on Citizen Relations;

THAT the general consultation on Bill 57, Forest Occupancy Act, continue before the Committee on Agriculture, Energy and Natural Resources;

THAT this motion be deemed to have taken effect on 14 September 2009.

By leave of the Assembly, the motion was carried.

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

THAT, within the framework of the consideration of Bill 48, Code of ethics and conduct of the Members of the National Assembly, the Committee on Institutions hold special consultations and public hearings on 6 and 7 October 2009 and that, for this purpose, it hear the following groups:

- Barreau du Québec
- Mr. Jean-Paul Dutrisac, Office des professions du Québec
- Mr. Claude Simard, Commissaire à la déontologie policière
- Conseil interprofessionnel du Québec
- Mrs. Mary Dawson, Office of the Conflict of Interest and Ethics Commissioner, House of Commons
- Mr. Patrick A.A. Ryan, Office of the Conflict of Interest Commissioner, Legislative Assembly of New Brunswick
- Mrs. Lynn Morrison, Office of the Integrity Commissioner, Legislative Assembly of Ontario

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;

The Government House Leader 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.

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By leave of the Assembly to set aside Standing Order 84.1 (2), Mrs. Maltais, Deputy Opposition House Leader, moved:

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THAT Standing Order 97.1 be amended by replacing, in the first paragraph, the words "three hours before the Routine Proceedings are to be entered upon" by the words "12.00 o'clock noon" in such manner that this paragraph read as follows:

**97.1. Notice** – A Member wishing to move a motion under Business Standing in the Name of Members in Opposition shall, not later than 12.00 o'clock noon on the sitting day prior to that on which such business is to be taken, hand in a notice thereof for publication in the Order Paper and Notices.

THAT this modification enter into effect immediately for the duration of the current session.

By leave of the Assembly, the motion was carried.

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

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

- the Committee on Agriculture, Energy and Natural Resources, to continue its public hearings within the framework of a general consultation on Bill 57, Forest Occupancy Act;
- by leave of the Assembly to set aside Standing Order 143, the Committee on Culture and Education, to continue its public hearings within the framework of a general consultation on Bill 44, An Act to amend the General and Vocational Colleges Act with respect to governance, and on Bill 38, An Act to amend the Act respecting educational institutions at the university level and the Act respecting the Université du Québec with respect to governance;
- the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 40, An Act to amend the Balanced Budget Act and various legislative provisions concerning the implementation of the accounting reform;

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- the Committee on Health and Social Services, to continue its public hearings within the framework of a general consultation with reference to the document entitled "Toward a Stronger and Fairer Québec Pension Plan".

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

Mrs. Houda-Pepin, First Vice-President, informed the Assembly that on Wednesday, 16 September 2009, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mr. Bédard (Chicoutimi).

This motion reads as follows:

THAT the National Assembly call for the appointment, as expeditiously as possible, of an Ethics Commissioner, and that this person take part in the development of the Code of ethics and conduct of the Members of the National Assembly.

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## **ORDERS OF THE DAY**

### **Government Bills**

#### *Passage in Principle*

Mrs. Weil, Minister of Justice, moved, —That Bill 15, An Act to amend the Courts of Justice Act and the Act respecting municipal courts with regard to court security, do now pass in principle.

After debate thereon, the motion was carried and Bill 15 was accordingly passed in principle.

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Mr. Gauthrin, Deputy Government House Leader, moved that Bill 15 be referred for clause-by-clause consideration to the Committee on Institutions.

The motion was carried.

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At 4.43 o'clock p.m., at the request of Mr. Gauthrin, Deputy Government House Leader, Mrs. Houda-Pepin, First Vice-President, suspended the proceedings until 6.00 o'clock p.m.

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The proceedings resumed at 6.02 o'clock p.m.

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### **Debates Upon Adjournment**

The Assembly held three debates upon adjournment:

- the first, on a question by Mr. St-Arnaud (Chambly) to Mr. Dupuis, Minister of Public Security, about economic crime;
  - the second, on a question by Mr. Aussant (Nicolet-Yamaska) to Mr. Bachand, Minister of Finance, about economic crime;
  - the third, on a question by Mr. Trottier (Roberval) to Mr. Gignac, Minister of Economic Development, Innovation and Export Trade, about the state of the situation regarding forestry workers.
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Mr. Dupuis, Government House Leader, moved the adjournment of the Assembly until Wednesday, 16 September 2009, at 9.45 o'clock a.m.

The motion was carried.

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Accordingly, at 6.40 o'clock p.m., Mrs. Houda-Pepin, First Vice-President, adjourned the Assembly until Wednesday, 16 September 2009, at 9.45 o'clock a.m.

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### **ROYAL ASSENT**

On Friday, 19 June 2009, at 11.11 o'clock a.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Tomassi, Minister of Families and Delegate of the Premier, and 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:

- 21 An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations
- 26 An Act respecting clinical and research activities relating to assisted procreation
- 28 An Act respecting the boundaries of the waters in the domain of the State and the protection of wetlands along part of the Richelieu River
- 32 An Act to amend the Act respecting the professional status and conditions of engagement of performing, recording and film artists and other legislative provisions
- 34 An Act to amend various legislative provisions concerning specialized medical centres and medical imaging laboratories
- 42 An Act to amend the Environment Quality Act and other legislative provisions in relation to climate change
- 43 Tobacco-related Damages and Health Care Costs Recovery Act

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- 46 An Act to amend the Professional Code and other legislative provisions
- 51 An Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements, and amending various legislative provisions
- 62 An Act to amend the Lobbying Transparency and Ethics Act
- 200 An Act respecting Ville de Malartic
- 201 An Act respecting Ville de Boucherville
- 204 An Act respecting Ville de Brownsburg-Chatham
- 205 An Act respecting Ville de Saint-Hyacinthe and Ville de Shawinigan
- 206 An Act to amend the Act to amend the charter of La Mutuelle Ecclésiastique d'Ottawa
- 207 An Act respecting 75D rue Sainte-Ursule, Québec
- 208 An Act concerning an immovable occupied by Ville de Boucherville
- 209 An Act respecting Ville de Gaspé
- 210 An Act respecting Ville de Sainte-Catherine-de-la-Jacques-Cartier and Ville de Lac-Sergent
- 212 An Act respecting Ville de Mont-Saint-Hilaire
- 213 An Act respecting Ville de Percé, Ville d'Amos and Ville de Rouyn-Noranda

**YVON VALLIÈRES**

*President*