



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 18 February 2010 — No. 90

**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

Mrs. Houda-Pepin (La Pinière) made a statement about the Société Alzheimer Rive-Sud.

Mr. Charette (Deux-Montagnes) made a statement about the involvement of Mr. David Payne in Haiti.

Mr. Mamelonet (Gaspé) made a statement about Val d'Espoir, its carnival, and its woodchuck.

Mr. Lemay (Sainte-Marie–Saint-Jacques) made a statement about Émilie Gamelin's 210th birthday.

Mr. Khadir (Mercier) made a statement on the following subject: In times of crisis access to education must be protected.

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Mr. Bérubé (Matane) made a statement paying homage to Mr. Alphonse Couturier.

Mr. Drolet (Jean-Lesage) made a statement about Agapè House.

Mrs. Richard (Marguerite-D'Youville) made a statement about the 35th anniversary of the support network for persons who are alone and without fixed address in Montréal.

Mr. Lehouillier (Lévis) made a statement in recognition of Mr. Michel Gagné's volunteer work.

At 9.57 o'clock a.m., Mr. Gendron, Third Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 10.09 o'clock a.m.

Moment of reflection

Mr. President ruled as follows in response to a request made by Mr. Bédard, Official Opposition House Leader, on 16 February 2010, for a directive on the tabling by Mrs. Gagnon-Tremblay, Minister responsible for Government Administration and Chair of the Conseil du trésor, on 11 February 2010, on behalf of Mr. Bachand, Minister of Finance, of a special warrant respecting the estimates of expenditure for the period from 1 April to 30 June 2010, as required under section 92 of the *Financial Administration Act*.

RULING FROM THE CHAIR

The Chair of the Assembly has made clear in the past that the issuance of special warrants is the exclusive province of the Government's financial initiative, and it is accordingly competent to rule neither upon the validity of such a warrant nor upon its expediency, that being the role of the courts. It is thus not for the Chair to determine whether the special warrant issued by the Government is appropriate, since its issuance falls exclusively within the Government's financial initiative.

The Chair nevertheless reminds parliamentarians of the concern it has already expressed regarding the recourse to special warrants, that is to say that it is not desirable for such warrants to supplant the process envisaged in the Standing Orders for the consideration of and concurrence in the estimates of expenditure, including interim supply.

Introduction of Bills

Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, moved that leave be granted to introduce the following Bill:

82 Cultural Heritage Act

The motion was carried.

Accordingly, Bill 82 was introduced in the Assembly.

Presenting Papers

Mr. Dupuis, Government House Leader, tabled the following:

The reply from the Government to a petition tabled by the Member for Gouin on 17 November 2009;

(Sessional Paper No. 1053-20100218)

The reply from the Government to a petition tabled by the Member for Saint-Hyacinthe on 11 November 2009.

(Sessional Paper No. 1054-20100218)

Presenting Petitions

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

The abstract of a petition respecting a request for a public inquiry into the construction industry, and signed by 1,303 citizens of Québec.

(Sessional Paper No. 1055-20100218)

By leave of the Assembly to set aside Standing Order 63, Mr. Sklavounos (Laurier-Dorion) tabled the following:

The abstract of a petition respecting the translation of the debates held in the National Assembly into Québec sign language, and signed by 461 citizens of Québec.

(Sessional Paper No. 1056-20100218)

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

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The abstract of a petition respecting the repair of the central highway between Saint-Ulric and Saint-Léandre in the electoral district of Matane, and signed by 1,376 citizens of Québec.

(Sessional Paper No. 1057-20100218)

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

The abstract of a petition respecting a request for a public inquiry into the construction industry, and signed by 130 citizens of Québec.

(Sessional Paper No. 1058-20100218)

By leave of the Assembly to set aside Standing Order 63, the abstracts of two petitions respecting the categorization of social-welfare recipients were tabled:

— the first, being the abstract of a petition signed by 281 citizens of Québec, by Mrs. Richard (Marguerite-D'Youville);

(Sessional Paper No. 1059-20100218)

— the second, being the abstract of a petition signed by 282 citizens of Québec, by Mr. Khadir (Mercier).

(Sessional Paper No. 1060-20100218)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Charest, Premier, withdrew certain words deemed unparliamentary.

Deferred Divisions

The Assembly took the division, which had been deferred at the sitting of 17 February 2010, on the motion moved by Mr. Lessard, Minister of Municipal Affairs, Regions and Land Occupancy, for the passage of Bill 76, An Act to amend various legislative provisions principally with regard to the awarding process for contracts made by municipal bodies.

The motion was carried on the following vote:

(Division No. **63** in Appendix)

Yeas: **108** Nays: **0** Abstentions: **0**

Accordingly, Bill 76 was passed.

The Assembly then took the division, which had been deferred during Business Standing in the Name of Members in Opposition at the sitting of 17 February 2010, on the motion moved by Mr. Curzi (Borduas). This motion reads as follows:

THAT the National Assembly of Québec take note of the consensus expressed by the partners in the world of education, in particular parents, teachers, and their representatives as well as the school boards, and call for the withdrawal of the draft regulation to amend the pedagogical system and the school calendar.

The motion was negated on the following vote:

(Division No. **64** in Appendix)

Yeas: **49** Nays: **59** Abstentions: **0**

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Motions Without Notice

By leave of the Assembly to set aside Standing Orders 84.1 and 185, Mr. Charest, Premier, Mr. Charette (Deux-Montagnes), Mr. Bonnardel (Shefford), Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie), and Mr. Khadir (Mercier) jointly moved:

THAT the National Assembly offers its sincere condolences to the family and friends of Mrs. Anne Labelle, a public servant in the employ of the Government of Québec for 35 years, who was in Haiti at the moment of the events of January 12 in order to share her knowledge and her talent by contributing to the development of information technologies for the Haitian Government.

By leave of the Assembly, a debate arose thereon.

The debate concluded, the motion was carried.

At the request of Mr. President the Assembly observed a minute of silence.

By leave of the Assembly to set aside Standing Orders 84.1 and 185, Mr. Trottier (Roberval), Mrs. Courchesne, Minister of Education, Recreation and Sports, Mr. Bonnardel (Shefford), Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie), and Mr. Khadir (Mercier) jointly moved:

THAT the National Assembly praises the exceptional performance of Mrs. Marianne St-Gelais of St-Félicien, who yesterday, in addition to celebrating her 20th birthday, carried off the Silver Medal in 500-meter short-track speed skating at the Olympic Games in Vancouver.

By leave of the Assembly, the motion was carried.

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Notices of Proceedings in Committees

By leave of the Assembly to set aside Standing Order 143, Mr. Gauthrin, Deputy Government House Leader, convened the following Committees:

- the Committee on Institutions, to continue its public hearings within the framework of a general consultation on Bill 78, An Act to amend the Election Act with regard to electoral representation and political party financing rules and to amend other legislative provisions;
- the Committee on Transportation and the Environment, to continue its public hearings within the framework of special consultations on the paper entitled “Vers un développement durable de la pratique”; and to continue its public hearings within the framework of a general consultation on Bill 71, An Act to again amend the Highway Safety Code and other legislative provisions;
- the Committee on Health and Social Services, to continue its public hearings within the framework of special consultations on the right to die with dignity.

Information on the Proceedings of the Assembly

Mr. Gendron, Third Vice-President, informed the Assembly that on Friday, 12 March 2010, Mrs. Richard (Marguerite-D'Youville) would question Mr. Hamad, Minister of Employment and Social Solidarity, during an interpellation on "the exclusion of child-support payments from the calculation of income in various pieces of social legislation, being the *Individual and Family Assistance Act*, the *Act respecting financial assistance for education expenses*, the *Legal Aid Act*, and the *Act respecting the Société d'habitation du Québec*."

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ORDERS OF THE DAY

Mr. Gauthrin, Deputy Government House Leader, moved the adjournment of the Assembly until Tuesday, 9 March 2010, at 1.45 o'clock p.m.

The motion was carried.

Accordingly, at 11.47 o'clock a.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Tuesday, 9 March 2010, at 1.45 o'clock p.m.

YVON VALLIÈRES

President

APPENDIX

Recorded Divisions

On the motion moved by Mr. Lessard, Minister of Municipal Affairs, Regions and Land Occupancy, for the passage of Bill 76, An Act to amend various legislative provisions principally with regard to the awarding process for contracts made by municipal bodies:

(Division No. 63)

YEAS - 108

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

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On the motion moved by Mr. Curzi (Borduas) under Business Standing in the Name of Members in Opposition:

(Division No. 64)

YEAS - 49

Aussant	Cloutier	Leclair	Rathé
Beaudoin	Curzi	Léger	Rebello
<i>[Rosemont]</i>	Doyer	Lemay	Richard
Beaudoin	Drainville	Malavoy	<i>[Duplessis]</i>
<i>[Mirabel]</i>	Dufour	Maltais	Richard
Bédard	Ferland	Marceau	<i>[Marguerite-D'Youville]</i>
Bergeron	<i>[Jonquière]</i>	McKay	Roy
Bérubé	Gauvreau	Pagé	St-Arnaud
Blanchet	Girard	Pelletier	Traversy
Bonnardel	Grondin	<i>[Rimouski]</i>	Tremblay
Bouillé	Hivon	Pelletier	Trottier
Caire	Khadir	<i>[Saint-Hyacinthe]</i>	Turcotte
Champagne	Kotto	Picard	Villeneuve
Charette	Lapointe	Poirier	

NAYS - 59

Arcand	Charest	Gonthier	Ouimet
Auclair	Charlebois	Hamad	Paquet
Bachand	Chevarie	Huot	Pigeon
<i>[Arthabaska]</i>	Corbeil	Kelley	Reid
Bachand	Courchesne	L'Écuyer	Rotiroti
<i>[Outremont]</i>	D'Amour	Lehouillier	Simard
Beauchamp	Diamond	Lessard	<i>[Dubuc]</i>
Bergman	Drolet	MacMillan	Sklavounos
Bernard	Dubourg	Mamelonet	St-Amand
Bernier	Dupuis	Marcoux	St-Pierre
Billette	Dutil	Marsan	Thériault
Blais	Gagnon-Tremblay	Matte	Tomassi
Bolduc	Gaudreault	Moreau	Vallée
Boulet	<i>[Hull]</i>	Morin	Vien
Carrière	Gautrin	Normandeau	Weil
Charbonneau	Gignac	Ouellette	