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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-NINTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Wednesday, 2 June 2010 — No. 125**

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

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**QUÉBEC**



The Assembly was called to order at 9.47 o'clock a.m.

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### **ROUTINE PROCEEDINGS**

#### **Statements by Members**

Mr. Mamelonet (Gaspé) made a statement about the Journée de la Gaspésie et des Îles-de-la-Madeleine.

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Mrs. Poirier (Hochelaga-Maisonneuve) made a statement about the registry of leases.

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Mrs. Richard (Marguerite-D'Youville) made a statement about the Semaine des personnes handicapées.

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Mrs. Beauchamp (Bourassa-Sauvé) made a statement about Clean Air Day.

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Mrs. Normandeau (Bonaventure) made a statement thanking all those who have been combating the forest fires for their work.

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Mr. Gaudreault (Jonquière) made a statement about the Festival des musiques de création.

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Mr. Drolet (Jean-Lesage) made a statement about the ACT secondary-school program in Québec.

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Mrs. Beaudoin (Rosemont) made a statement about peace in the Middle East.

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Mr. Ouellette (Chomedey) made a statement about Road Safety Week in the public transportation companies.

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At 9.58 o'clock a.m., Mr. Gendron, Third Vice-President, suspended the proceedings for a few minutes.

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

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Moment of reflection

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### Introduction of Bills

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

103      An Act to amend the Charter of the French language and other legislative provisions

Mr. Bédard, Official Opposition House Leader, raised a question of privilege arising from the introduction of Bill 103. According to the Official Opposition House Leader, the motion carried on 19 May 2010 regarding access to English schools is an order of the Assembly that prevents this Bill from being introduced. To allow the Minister responsible for the Application of the Charter of the French Language to introduce the said Bill would constitute a contempt of Parliament as envisaged in paragraph 55(1) of the *Act respecting the National Assembly*.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Bédard, Official Opposition House Leader, tabled the following:

An excerpt from the Votes and Proceedings for Wednesday, 19 May 2010; two excerpts from the Journal des débats, dated, respectively, Wednesday, 18 April 1984, and Monday, 11 June 1990; and an excerpt from the Recueil de décisions concernant la procédure parlementaire, being decision 186/4.

(Sessional Paper No. 1360-20100602)

At 10.30 o'clock a.m., having heard interventions from both sides, Mr. President suspended the proceedings during pleasure.

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The proceedings resumed at 12.14 o'clock p.m.

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Mr. President ruled as follows on the question of privilege raised by Mr. Bédard, Official Opposition House Leader:

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**RULING FROM THE CHAIR**

The National Assembly can make orders only within the ambit of its prerogatives and its authority. The motion carried on 19 May 2010, however, is a resolution, whose power of constraint is strictly political or moral.

The motion carried thus cannot have the effect of preventing the Assembly from exercising one of its fundamental roles, that being its legislative function. In the present circumstances only the Assembly is empowered to determine whether it is expedient to consider this Bill.

There is consequently no *prima facie* contempt of Parliament, and the Bill may be introduced.

Mr. President then put the question on the motion moved by Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women and Minister responsible for the Application of the Charter of the French Language, that leave be granted to introduce Bill 103, An Act to amend the Charter of the French language and other legislative provisions; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **93** in Appendix)

Yeas: **65**   Nays: **45**   Abstentions: **0**

Accordingly, Bill 103 was introduced in the Assembly.

Pursuant to Standing Order 235 Mr. Dupuis, Government House Leader, moved:

THAT the Committee on Culture and Education hold a general consultation on Bill 103, An Act to amend the Charter of the French language and other legislative provisions;

THAT all briefs and requests to be heard be received by the Committees Secretariat not later than 16 August 2010 ;

THAT the Minister of Culture, Communications and the Status of Women be a member of the said committee during the execution of this order.

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The motion was carried.

### **Presenting Reports from Committees**

Mr. Bernier (Montmorency), committee chairman, tabled the following:

A report from the Committee on Citizen Relations, which met on 1 June 2010 for clause-by-clause consideration of Bill 105, An Act respecting the adoption of Haitian children who arrived in Québec between 24 January and 16 February in the aftermath of the 12 January 2010 earthquake. The report contains certain amendments to the bill.

(Sessional Paper No. 1361-20100602)

### **Presenting Petitions**

Mr. Khadir (Mercier) tabled the following:

The abstract of a petition respecting the treatment of injured workers by the Commission de la santé et de la sécurité du travail and certain health-care professionals, and signed by 705 citizens of Québec.

(Sessional Paper No. 1362-20100602)

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By leave of the Assembly to set aside Standing Order 63, Mrs. Champagne (Champlain) tabled the following:

The abstract of a petition respecting a request for an independent public inquiry into the construction industry, and signed by 682 citizens of Québec.

(Sessional Paper No. 1363-20100602)

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By leave of the Assembly to set aside Standing Order 63, Mrs. Poirier (Hochelaga-Maisonneuve) tabled the following:

The abstract of a petition respecting the creation of a mandatory registry of leases, and signed by 12,096 citizens of Québec.

(Sessional Paper No. 1364-20100602)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Curzi (Borduas) withdrew certain words deemed unparliamentary.

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At 1.27 o'clock p.m., Mr. 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.

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**Motions Without Notice**

By leave of the Assembly to set aside Standing Order 185, Mr. Huot (Vanier), together with Mr. McKay (L'Assomption), Mr. Grondin (Beauce-Nord), Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie), and Mr. Khadir (Mercier), moved:

THAT the National Assembly mark World Environment Day, which will be observed on 5 June 2010 under the theme “Many species – one planet – one future,” and that it reaffirm, during this International Year of Biodiversity, the necessity of acting to protect life on Earth.

By leave of the Assembly, the motion was carried.

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By leave of the Assembly to set aside Standing Order 185, Mr. Deltell, Leader of the Second Opposition Group, together with Mr. Bachand, Minister of Finance, Mrs. Beaudoin (Rosemont), Mr. Caire (La Peltrie), and Mr. Khadir (Mercier), moved:

THAT the National Assembly denounce the use of anti-personnel mines and ask the Government of Québec and its public corporations to abide by the Convention on the Use of Anti-Personnel Mines.

By leave of the Assembly, the motion was carried.

**Notices of Proceedings in Committees**

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

- the Committee on Planning and the Public Domain, to continue its clause-by-clause consideration of Bill 102, An Act to amend various legislative provisions respecting municipal affairs;

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- the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 100, An Act to implement certain provisions of the Budget Speech of 30 March 2010, reduce the debt and return to a balanced budget in 2013-2014;
- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 48, Code of ethics and conduct of the Members of the National Assembly;
- the Committee on Transportation and the Environment, to continue its clause-by-clause consideration of Bill 88, An Act to amend the Environment Quality Act as regards residual materials management and to amend the Regulation respecting compensation for municipal services provided to recover and reclaim residual materials;
- the Committee on Health and Social Services, to continue its clause-by-clause consideration of Bill 67, An Act respecting the Institut national d'excellence en santé et en services sociaux;
- the Committee on Culture and Education, to hear the interested parties and give clause-by-clause consideration to Private Bill 223, An Act respecting the Presbyterian College of Montreal;
- the Committee on Agriculture, Fisheries, Energy and Natural Resources, to hear the interested parties and give clause-by-clause consideration to Private Bill 219, An Act to amend the Act respecting Pipeline Saint-Laurent;
- the Committee on Public Finance, to hear the interested parties and give clause-by-clause consideration to Private Bill 222, An Act respecting Club Lac Brûlé Inc., Private Bill 221, An Act concerning the transfer of all of the property or the enterprise of Promutuel Capital Trust Company Inc., and Private Bill 227, An Act respecting Exceldor Coopérative Avicole;
- the Committee on Planning and the Public Domain, to hear the interested parties and give clause-by-clause consideration to Private Bill 224, An Act respecting Ville de Rouyn-Noranda, Private Bill 226, An Act to amend the Charter of the City of Laval, Private Bill 220, An Act respecting Municipalité régionale de comté du Rocher-Percé, and Private Bill 225, An Act respecting MRC d'Avignon, MRC de Bonaventure,

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MRC de La Côte-de-Gaspé, MRC de La Haute-Gaspésie, MRC du  
Rocher-Percé and Municipalité des Îles-de-la-Madeleine.

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

- the Committee on Public Finance will hold a deliberative meeting for the purpose of discussing the follow-up to the order of initiative on the indexation of pension plans in the public and parapublic sectors.
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## **ORDERS OF THE DAY**

### **Private Members' Public Bills**

#### *Passage in Principle*

Mrs. Beaudoin (Rosemont) moved, —That Bill 390, An Act to proclaim Ukrainian Famine and Genocide (Holodomor) Memorial Day, do now pass in principle.

After debate thereon, the motion was carried and Bill 390 was accordingly passed in principle.

Mr. Gautrin, Deputy Government House Leader, moved that Bill 390 be referred for clause-by-clause consideration to the Committee of the Whole.

The motion was carried.

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*Committee of the Whole*

Mr. Gauthrin, Deputy Government House Leader, moved that the Assembly resolve itself into a Committee of the Whole for the clause-by-clause consideration of Bill 390, An Act to proclaim Ukrainian Famine and Genocide (Holodomor) Memorial Day.

The motion was carried.

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Bill 390 was considered in Committee of the Whole, amended, and thereupon reported.

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The report was concurred in.

*Passage*

By leave of the Assembly to set aside Standing Order 230, Mrs. Beaudoin (Rosemont) moved the passage of Bill 390, An Act to proclaim Ukrainian Famine and Genocide (Holodomor) Memorial Day.

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

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

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**Government Bills**

*Passage*

Mrs. Weil, Minister of Justice, moved the passage of Bill 83, An Act to provide a framework for mandatory state financing of certain legal services.

After debate thereon, the motion was carried and, accordingly, Bill 83 was passed.

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Mr. Gauthrin, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 3 June 2010, at 9.45 o'clock a.m.

The motion was carried.

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Accordingly, at 4.27 o'clock p.m., Mrs. Houda-Pepin, First Vice-President, adjourned the Assembly until Thursday, 3 June 2010, at 9.45 o'clock a.m.

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ROYAL ASSENT

On Wednesday, 2 June 2010, at 5.13 o'clock p.m., in the Office of the Lieutenant-Governor, in the presence of Mrs. Houda-Pepin, First Vice-President, and of Mr. Gagnon, 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:

- 58 An Act to amend the Act respecting land use planning and development and other legislative provisions concerning metropolitan communities

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- 101 An Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector

**YVON VALLIÈRES**

*President*

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**APPENDIX**

**Recorded Divisions**

On the motion moved by Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women and Minister responsible for the Application of the Charter of the French Language, for leave to introduce Bill 103:

**(Division No. 93)**

**YEAS - 65**

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

**NAYS - 45**

Aussant	Curzi	Léger	Richard
Beaudoin	Doyer	Lemay	<i>(Marguerite-D'Youville)</i>
<i>(Mirabel)</i>	Drainville	Malavoy	Robert
Beaudoin	Dufour	Maltais	Simard
<i>(Rosemont)</i>	Ferland	Marceau	<i>(Richelieu)</i>
Bédard	Gaudreault	McKay	St-Arnaud
Bergeron	<i>(Jonquière)</i>	Pelletier	Traversy
Bérubé	Gauvreau	<i>(Saint-Hyacinthe)</i>	Tremblay
Blanchet	Girard	Pelletier	Trottier
Boucher	Hivon	<i>(Rimouski)</i>	Turcotte
Bouillé	Khadir	Poirier	Villeneuve
Champagne	Kotto	Rebello	
Charrette	Lapointe	Richard	
Cloutier	Leclair	<i>(Duplessis)</i>	