



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 21 September 2010 — No. 133

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

QUÉBEC

The Assembly was called to order at 1.47 o'clock p.m.

ROUTINE PROCEEDINGS

Statements by Members

Mrs. Blais (Saint-Henri–Sainte-Anne) made a statement about the International Day of the Deaf.

Mr. Gendron (Abitibi-Ouest) made a statement to congratulate Mr. Guy Nolet for his 30 years of service at the city of Amos.

Mr. Lessard (Frontenac) made a statement about Les Grands Prix de la ruralité Day and Evening.

Mr. Bérubé (Matane) made a statement about Labrador.

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Mr. Hamad (Louis-Hébert) made a statement to mark the 2010 Semaine des transports collectifs et actifs.

Mrs. Beaudoin (Mirabel) made a statement about La Petite Maison de Pointe-Calumet.

Mr. Chevarie (Îles-de-la-Madeleine) made a statement about artist Georges Langford.

Mr. Kotto (Bourget) made a statement to congratulate the Coopérative funéraire de l'île de Montréal.

Mr. Lehouillier (Lévis) made a statement about Mr. Denis Villeneuve for his film *Incendies*, winner of the Best Canadian Feature Film Award at the Toronto International Film Festival.

At 1.59 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 2.15 o'clock p.m.

Moment of reflection

At the request of Mr. President, the Assembly observed a moment of reflection in memory of Mr. Jean Gaulin, husband of Mrs. Monique Richard, Member for Marguerite-D'Youville, of Mrs. Fleurette Gilbert, mother of Mr. Sylvain Gaudreault, Member for Jonquière, of Mrs. Annette Frenette Gauvreau, mother of Mr. René Gauvreau, Member for Groulx, of Mr. Marcel Trottier and Mrs. Françoise Niquet Trottier, father and mother of Mr. Denis Trottier, Member for Roberval, and of Mr. Léonce Cantin, employee of the National Assembly.

Mr. President tabled the following:

A letter, dated 9 August 2010, he had received from Mr. Jacques Dupuis, Member for Saint-Laurent, informing him of his resignation;
(Sessional Paper No. 1511-20100921)

A letter, dated 12 August 2010, he had received from Mr. Charest, Premier, informing him of the appointment of Mr. Robert Dutil, Member for Beauce-Sud, as Deputy Government House Leader;
(Sessional Paper No. 1512-20100921)

A letter, dated 3 September 2010, he had received from Mr. Claude Béchard, Member for Kamouraska-Témiscouata, informing him of his resignation.
(Sessional Paper No. 1513-20100921)

Mr. President communicated to the Assembly and tabled the following:

A letter, dated 12 July 2010, addressed to Mr. François Côté, Secretary General of the National Assembly, from Mr. Marcel Blanchet, Chief Electoral Officer of Québec, in relation to the by-election held on 5 July 2010 in the Electoral Division of Vachon and proclaiming Mrs. Martine Ouellet the candidate returned;
(Sessional Paper No. 1514-20100921)

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A letter, dated 20 September 2010, addressed to Mr. François Côté, Secretary General of the National Assembly, from Mr. Marcel Blanchet, Chief Electoral Officer of Québec, in relation to the by-election held on 13 September 2010 in the Electoral Division of Saint-Laurent and proclaiming Mr. Jean-Marc Fournier the candidate returned.

(Sessional Paper No. 1515-20100921)

He then tabled the following:

A letter, dated 20 September 2010, he had received from Mr. Charest, Premier, informing him of the appointment of Mr. Jean-Marc Fournier, Member for Saint-Laurent, as Government House Leader;

(Sessional Paper No. 1516-20100921)

A letter, dated 15 September 2010, he had received from Mrs. Marois, Leader of the Official Opposition, informing him of the appointment of Mr. Bertrand St-Arnaud, Member for Chambly, as Deputy Opposition House Leader.

(Sessional Paper No. 1517-20100921)

At the invitation of Mr. President, Mrs. Marois, Leader of the Official Opposition, and Mrs. Léger, Chief Opposition Whip, welcomed the new Member for Vachon, Mrs. Martine Ouellet.

At the invitation of Mr. President, Mr. Charest, Premier, and Mr. Moreau, Chief Government Whip, then welcomed the new Member for Saint-Laurent, Mr. Jean-Marc Fournier.

Motions Without Notice

By leave of the Assembly, Mr. Charest, Premier, together with Mrs. Marois, Leader of the Official Opposition, Mr. Deltell, Leader of the Second Opposition Group, Mr. Khadir (Mercier), Mr. Picard (Chutes-de-la-Chaudière) and Mr. Caire (La Peltrie), moved:

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THAT the National Assembly express its deepest condolences to the family and friends of Mr. Claude Béchar and pay him a final tribute in recognition of his outstanding and unconditional commitment to the people of the electoral division of Kamouraska-Témiscouata and to all Quebecers; also in recognition of the courage he displayed in his difficult battle with cancer.

A debate arose thereon.

The debate being concluded, the motion was carried.

At the invitation of Mr. President, the Assembly observed a minute of silence.

At the invitation of Mr. President, the Assembly heard addresses welcoming the new Members. Mrs. Marois, Leader of the Official Opposition, Mr. Deltell, Leader of the Second Opposition Group, Mr. Khadir (Mercier) and Mr. Charest, Premier, made a few comments.

Mrs. Ouellet (Vachon) took the floor.

Mr. Fournier (Saint-Laurent) then took the floor.

Finally, Mr. President welcomed the new Members.

Presenting Papers

Mr. Bolduc, Minister of Health and Social Services, tabled the following:

The annual report on the implementation of the complaints examination procedure and the improvement of services of the Centre régional de santé et de services sociaux de la Baie-James, for the fiscal year ended 31 March 2010;
(Sessional Paper No. 1518-20100921)

The annual management report of the Régie de l'assurance maladie du Québec, for the fiscal year ended 31 March 2010.
(Sessional Paper No. 1519-20100921)

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

The Government's answers to two petitions tabled by Mr. Bergeron (Verchères) on 20 April 2010:

The first, concerning access to public thoroughfares by right-hand-drive vehicles in Québec;

(Sessional Paper No. 1520-20100921)

The second, concerning access by light vehicles to public thoroughfares in Québec;

(Sessional Paper No. 1521-20100921)

The Government's answer to petitions tabled by Mr. Diamond (Maskinongé) and Mrs. St-Amand (Trois-Rivières) on 20 April 2010, and by Mr. Ouimet (Marquette) and Mr. Diamond (Maskinongé) on 21 April 2010, concerning taxes on the payrolls of small and medium-sized businesses;

(Sessional Paper No. 1522-20100921)

The Government's answer to a petition tabled by Mrs. Léger (Pointe-aux-Trembles) on 13 May 2010, concerning a request for financial compensation accorded to informal caregivers and volunteers working within community organizations;

(Sessional Paper No. 1523-20100921)

Answer to a written question by Mr. Turcotte (Saint-Jean), concerning the boundaries of the waters in the domain of the State on the Richelieu River – Question No. 47, *Order Paper and Notices* of 9 June 2010.

(Sessional Paper No. 1524-20100921)

Mr. President tabled the following:

The report of the Chief Electoral Officer on the implementation of section 90.5 of the *Act respecting elections and referendums in municipalities*, within the framework of the municipal election held on 6 June 2010 in the borough of Rivière-des-Prairies–Pointe-aux-Trembles;

(Sessional Paper No. 1525-20100921)

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The report of the Chief Electoral Officer on the implementation of section 490 of the *Election Act* within the framework of the by-election held on 5 July 2010 in the Electoral Division of Vachon;

(Sessional Paper No. 1526-20100921)

The detailed report of the official results of the by-election held on 5 July 2010 in the Electoral Division of Vachon;

(Sessional Paper No. 1527-20100921)

Two letters he had received respectively on 16 and 17 June 2010, the first from Mr. Noël A. Kinsella, Speaker of the Senate of Canada, and the second from Mr. Peter Milliken, Speaker of the House of Commons, in answer to the motion carried unanimously by the National Assembly on 27 May 2010, concerning the bill to create the Canadian Securities Commission, the text of which motion was forwarded by the speakers to Mrs. Josée Verner, Minister of Intergovernmental Affairs;

(Sessional Paper No. 1528-20100921)

A letter, dated 22 June 2010, he had received from Mrs. Josée Verner, Minister of Intergovernmental Affairs, President of the Queen's Privy Council for Canada, and Minister for La Francophonie, in answer to the motion carried unanimously by the National Assembly on 19 May 2010, concerning women's right to abortion;

(Sessional Paper No. 1529-20100921)

The activity and management report of the Commission des droits de la personne et des droits de la jeunesse, for the fiscal ended 31 March 2010;

(Sessional Paper No. 1530-20100921)

A letter, dated 27 August 2010, he had received from Mr. Gaétan Cousineau, president of the Commission des droits de la personne et des droits de la jeunesse, concerning the resignation of a Committee member, Mr. Pierre Michaud.

(Sessional Paper No. 1531-20100921)

Mr. President then tabled the following Decisions from the Office of the National Assembly, dated 10 June 2010:

Decision 1529 concerning the regulation to amend the regulation respecting the financial resources granted to the Select Committee on Dying with Dignity (Règlement modifiant le Règlement sur les ressources financières attribuées à la Commission spéciale sur la question de mourir dans la dignité);

(Sessional Paper No. 1532-20100921)

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Decision 1530 concerning the regulation respecting the transfer of appropriations from Programmes 1 and 2 to Programme 3 and from programme 1 to programme 2 of the 2009-2010 budget (Règlement concernant les virements de crédits des programmes 1 et 2 au programme 3 et du programme 1 au programme 2 du budget de l'exercice financier 2009-2010);

(Sessional Paper No. 1533-20100921)

Decision 1531 concerning the regulation to amend the regulation respecting the administrative organization plan of the National Assembly (Règlement modifiant le Règlement sur le plan d'organisation administrative de l'Assemblée nationale);

(Sessional Paper No. 1534-20100921)

Decision 1532 concerning the regulation respecting the appointment of a library director (Règlement concernant la nomination d'une directrice de la Bibliothèque);

(Sessional Paper No. 1535-20100921)

Decision 1533 concerning the regulation respecting the promotion of the director of interparliamentary and international relations (Règlement concernant la promotion du directeur des relations interparlementaires et internationales);

(Sessional Paper No. 1536-20100921)

Decision 1534 concerning the regulation respecting the appointment of the special advisor to the President and of the Secretary General of the National Assembly (Règlement concernant la nomination du conseiller spécial auprès du président et du secrétaire général de l'Assemblée nationale);

(Sessional Paper No. 1537-20100921)

The new seating plan of the National Assembly, dated 21 September 2010;

(Sessional Paper No. 1538-20100921)

Copy of the notice of motion by Mr. Bédard (Chicoutimi) which will be placed on the *Order Paper and Notices* of Wednesday, 22 September 2010, under Business Standing in the Name of Members in Opposition.

(Sessional Paper No. 1539-20100921)

Presenting Reports from Committees

Mr. Pinard (Saint-Maurice), committee vice-chairman, tabled the following:

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A report from the Committee on Agriculture, Fisheries, Energy and Natural Resources, which, on 12, 13, 18, 19 and 20 May 2010, on 17, 18, 19, 24 and 25 August 2010, and on 7 September 2010, held public hearings within the framework of a general consultation on Bill 79, An Act to amend the Mining Act.
(Sessional Paper No. 1540-20100921)

Mr. President tabled the following:

A report from the Committee on the National Assembly, which, on 14 and 15 September 2010, examined the preliminary report of the Commission de la représentation électorale.

(Sessional Paper No. 1541-20100921)

Presenting Petitions

Mrs. Beaudoin (Mirabel) tabled the following:

The abstract of a petition respecting the protection of the Oka region against all mining development projects, and signed by 1089 citizens of Québec.

(Sessional Paper No. 1542-20100921)

Mr. Drainville (Marie-Victorin) tabled the following:

The abstract of a petition respecting the coverage of female bioidentical hormone therapy by the Régie de l'assurance maladie du Québec, and signed by 1882 citizens of Québec.

(Sessional Paper No. 1543-20100921)

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

21 September 2010

The abstract of a petition respecting the labour dispute at the Journal de Montréal, and signed by 21,759 citizens of Québec.

(Sessional Paper No. 1544-20100921)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Order 53, Mrs. Normandeau, Minister of Natural Resources and Wildlife, tabled the following:

A letter, dated 21 September 2010, addressed to Mrs. Normandeau, Minister of Natural Resources and Wildlife, from Mrs. Marie-José Nadeau, Executive Vice-President of Corporate Affairs and Secretary General of Hydro-Québec, concerning the list of contracts granted within the framework of construction projects in compliance with Hydro-Québec's policy.

(Sessional Paper No. 1545-20100921)

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

Copy of an excerpt from the Journal des débats, concerning the independence of the Attorney General in the Hell's Angels trial.

(Sessional Paper No. 1546-20100921)

At the request of Mr. President, Mr. Fournier, Government House Leader, withdrew certain words deemed unparliamentary.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Sklavounos (Laurier-Dorion), together with Mrs. Beaudoin (Rosemont), Mr. Deltell, Leader of the Second Opposition Group, Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier), moved:

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THAT the National Assembly express its deepest condolences to the Pakistani people as well as to Quebecers of Pakistani origin and particularly to the families stricken by the floods that occurred since the beginning of the monsoon;

THAT it share in its grief with regard to the loss of life, the injured and disaster victims;

THAT it mark the population's remarkable courage facing the hardships that it must overcome, and;

THAT it assure the Pakistani people as well as Quebecers of Pakistani origin of its solidarity.

By leave of the Assembly, the motion was carried.

Mr. Curzi (Borduas), together with Mr. Khadir (Mercier), moved a motion concerning the Société Saint-Jean-Baptiste de Montréal and the Mouvement Montréal français; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 84.1 and pursuant to Standing Order 146, Mr. Fournier, Government House Leader, moved:

THAT the Committee on Planning and the Public Domain, within the framework of the examination of Bill 109, Municipal Ethics and Good Conduct Act, hold special consultations and public hearings on 7, 8, 10 and 21 September 2010 in Louis-Hippolyte-LaFontaine Room and, for this purpose, hear the following groups:

Union des municipalités du Québec
Fédération québécoise des municipalités
Ville de Montréal
Ville de Québec
Ville de Laval
Ville de Gatineau

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Ville de Longueuil
Ville de Sherbrooke
Ville de Saguenay
Ville de Lévis
Ville de Trois-Rivières
Ville de Terrebonne
Association des officiers municipaux du Québec
Association des directeurs municipaux du Québec
Association des directeurs généraux municipaux du Québec
Syndicat des fonctionnaires municipaux de Montréal
Syndicat des professionnelles et des professionnels municipaux de Montréal
Syndicat des cols bleus regroupés de Montréal
Syndicat des fonctionnaires municipaux de Québec
Syndicat des employés manuels de la Ville de Québec
Alliance des professionnels et des professionnelles de la Ville de Québec
Syndicat canadien de la fonction publique
René Villemure, Institut québécois d'éthique appliquée
Luc Bégin, directeur, Institut d'éthique appliquée de l'Université Laval
Denis Saint-Martin, professeur, Université de Montréal
Michel Dion, professeur and ethnics specialist, Université de Sherbrooke
Lobbyists Commissioner of Québec

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 15 minutes and the exchange with the members of the Committee shall last no more than 45 minutes, 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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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;

The Minister of Municipal Affairs, Regions and Land Occupancy 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.

By leave of the Assembly to set aside Standing Order 84.1 and pursuant to Standing Order 146, Mr. Fournier, Government House Leader, moved:

THAT the Committee on Public Finance, within the framework of the examination of Bill 107, An Act respecting the Agence du revenu du Québec, hold special consultations and public hearings on 22 and 28 September 2010 and, for this purpose, hear the following groups:

Canadian Federation of Independent Business
Fédération des Chambres de commerce
Syndicat des professionnelles et professionnels du
gouvernement du Québec
Ordre des comptables agréés du Québec
Front d'action populaire en réaménagement urbain
Association des juristes de l'État
Barreau du Québec
Canadian Bar Association
Syndicat de la fonction publique du Québec
Corporation des comptables généraux accrédités
Conseil du patronat
Union des consommateurs du Québec
Commission de la fonction publique
Fédération des associations de familles monoparentales
et recomposées du Québec

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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;

The Minister of Revenue 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.

Notices of Proceedings in Committees

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

- the Committee on Culture and Education, to continue its public hearings within the framework of a general consultation on Bill 103, An Act to amend the Charter of the French language and other legislative provisions;
- the Committee on Planning and the Public Domain, to conclude its public hearings within the framework of special consultations on Bill 109, Municipal Ethics and Good Conduct Act.

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

- the Committee on Planning and the Public Domain shall hold a deliberative meeting for the purpose of determining whether the Committee shall examine a petition.

Information on the Proceedings of the Assembly

Mr. Chagnon, Second Vice-President, informed the Assembly that on Wednesday, 22 September 2010, 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 direct the Committee on Institutions to shed light on the inconsistency between the testimony by Me Denis Roy of the Premier's office before the Attorney General of Québec in the Hell's Angels mega-trial and the answer given by the Premier in the National Assembly on 23 October 2003:

"... and if he is asking us whether or not I intervened, if I took action, or anyone from my office, concerning any matter that is before the courts, the answer, of course, is no";

THAT it hear all persons it shall deem necessary, particularly the Premier, Mr. Stéphane Bouchard, Me Denis Roy and Me Marc Bellemare.

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ORDERS OF THE DAY

Government Bills

Passage in Principle

Mrs. Thériault, Minister of Labour, moved, —That Bill 111, An Act to amend the Act respecting labour standards in order to facilitate reciprocal enforcement of decisions ordering the payment of a sum of money, do now pass in principle.

After debate thereon, the motion was carried and Bill 111 was accordingly passed in principle.

Mr. Dutil, Deputy Government House Leader, moved that Bill 111 be referred for clause-by-clause consideration to the Committee on Labour and the Economy.

The motion was carried.

At 5.06 o'clock p.m., at the request of Mr. Dutil, Deputy Government House Leader, Mr. Chagnon, Second Vice-President, suspended the proceedings until 6.00 o'clock p.m.

The proceedings resumed at 6.01 o'clock p.m.

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Debates Upon Adjournment

The Assembly held a debate upon adjournment on a question by Mr. Gaudreault (Jonquière) addressed to Mrs. Normandeau, Minister of Natural Resources and Wildlife, about Hydro-Québec contracts.

Mrs. Normandeau, Minister of Natural Resources and Wildlife, moved the adjournment of the Assembly until Wednesday, 22 September 2010, at 9.45 o'clock a.m.

The motion was carried.

Accordingly, at 6.14 o'clock p.m., Mr. Chagnon, Second Vice-President, adjourned the Assembly until Wednesday, 22 September 2010, at 9.45 o'clock a.m.

ROYAL ASSENT

On Saturday, 12 June 2010, at 8.50 o'clock a.m., in the Office of the Lieutenant-Governor, in the presence 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 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

YVON VALLIÈRES

President

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