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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-NINTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Thursday, 23 September 2010 — No. 135**

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

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**QUÉBEC**



The Assembly was called to order at 9.46 o'clock a.m.

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**ROUTINE PROCEEDINGS**

**Statements by Members**

Mr. MacMillan (Papineau) made a statement about Prostate Cancer Prevention Week.

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Mrs. Poirier (Hochelaga-Maisonneuve) made a statement about the 100<sup>th</sup> anniversary of Saint-Anselme school.

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Mr. Sklavounos (Laurier-Dorion) made a statement about Arthritis Awareness Day.

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Mr. Turcotte (Saint-Jean) made a statement about the 110<sup>th</sup> anniversary of the death of Mr. Félix-Gabriel Marchand, former Premier and Member for Saint-Jean.

## 23 September 2010

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Mr. Bonnardel (Shefford) made a statement about the 42<sup>nd</sup> edition of the Festival international de la chanson de Granby.

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Mr. Billette (Huntingdon) made a statement about the 125<sup>th</sup> anniversary of the Municipality of Très-Saint-Sacrement.

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Mr. Pelletier (Saint-Hyacinthe) made a statement about September, Agri-Food Month in the Saint-Hyacinthe region.

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Mr. Morin (Montmagny-L'Islet) made a statement to congratulate the Riopelle de l'Isle crowned winner of the Prix du public Caseus 2010.

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Mr. Rathé (Blainville) made a statement about the 23<sup>rd</sup> annual seminar of the Fondation Rues principales.

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Mrs. Vallée (Gatineau) made a statement about support to the Kitigan Zibi Anishinabeg community walkers for better education funding in aboriginal communities.

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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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**23 September 2010**

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The proceedings resumed at 10.08 o'clock a.m.

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Moment of reflection

### **Presenting Papers**

Mrs. Gagnon-Tremblay, Minister of International Relations, tabled the following:

The Agreement on Social Security between the Gouvernement du Québec and the Government of the Federal Republic of Germany, signed in Québec City on 20 April 2010, together with an explanatory note on the content and effects of the said agreement.

(Sessional Paper No. 1561-20100923)

She then tabled the following motion:

THAT, pursuant to section 22.3 of the *Act respecting the Ministère des Relations internationales*, the National Assembly ratify the Agreement on Social Security between the Gouvernement du Québec and the Government of the Federal Republic of Germany, signed in Québec City on 20 April 2010.

(Sessional Paper No. 1562-20100923)

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

The annual report of the Université du Québec and its institutions, for the fiscal year ended 31 May 2009.

(Sessional Paper No. 1563-20100923)

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**23 September 2010**

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

The annual management report of Urgences-santé, for the fiscal year ended 31 March 2010;

(Sessional Paper No. 1564-20100923)

The annual report of the Institut national de santé publique, for the fiscal year ended 31 March 2010.

(Sessional Paper No. 1565-20100923)

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Mr. Lessard, Minister of Municipal Affairs, Regions and Land Occupancy and Minister of Agriculture, Fisheries and Food, tabled the following:

The annual management report of the Régie des marchés agricoles et alimentaires du Québec, for the fiscal year ended 31 March 2010;

(Sessional Paper No. 1566-20100923)

The annual management report of the Régie du logement, for the fiscal year ended 31 March 2010.

(Sessional Paper No. 1567-20100923)

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Mrs. Blais, Minister responsible for Seniors, tabled the following:

The annual management report of the Conseil des aînés, for the fiscal year ended 31 March 2010.

(Sessional Paper No. 1568-20100923)

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Mr. President tabled the following:

The letter of resignation of Mr. Marcel Blanchet, Québec Chief Electoral Officer and Chairman of the Commission de la représentation électorale, dated 22 September 2010.

(Sessional Paper No. 1569-20100923)

### **Presenting Reports from Committees**

Mr. Ouimet (Marquette), committee chairman, tabled the following:

A report from the Committee on Labour and the Economy, which met on 22 September 2010 for clause-by-clause consideration of 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. The report contains one amendment to the bill.

(Sessional Paper No. 1570-20100923)

### **Presenting Petitions**

Mr. Caire (La Peltre) tabled the following:

The abstract of a petition respecting organ donation, and signed by 5160 citizens of Québec.

(Sessional Paper No. 1571-20100923)

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Mr. Khadir (Mercier) tabled the following:

The abstract of a petition respecting marine protected areas in Québec, and signed by 3589 citizens of Québec.

(Sessional Paper No. 1572-20100923)

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

The abstract of a petition respecting the closing of the Centre local de services communautaires Châteauguay service point in Sainte-Martine, and signed by 1165 citizens of Sainte-Martine and the vicinity.

(Sessional Paper No. 1573-20100923)

Mr. President gave the following directive:

DIRECTIVE FROM THE CHAIR

Under section 35 of the Standing Orders, the *sub judice* rule stipulates that no Member speaking shall refer to any matter that is under adjudication before a court of law or a quasi-judicial body, or that is the subject of an inquiry, where such reference may be prejudicial to the interests of any person or party. This rule applies to the Assembly for the duration of judicial or quasi-judicial proceedings, or of an inquiry. Given that the Inquiry Commission into the appointment process for judges to the Court of Québec, municipal courts and the Tribunal administratif du Québec is such a body by definition, the rule applies.

Considering that the impact of words pronounced in the National Assembly is not as great as in criminal matters, the *sub judice* rule is not applied as strictly. Hence, a Member may, in a general manner, refer to a matter that is the subject of an inquiry; however, when approaching the heart of the matter, a Member may not make remarks that could be prejudicial to any person or party. Each Member has the responsibility to evaluate the margin at his disposal within the exercise of the privilege of freedom of speech at the Assembly.

Finally, Standing Order 82 stipulates that a minister may decline to answer if in providing the answer sought he would contravene the *sub judice* rule. The role of the Chair is not to appreciate the refusal to answer, this decision belonging solely to the Minister.

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

An excerpt of the transcript of a televised interview with Mrs. Hivon (Joliette) and Mr. Moreau, Chief Government Whip, on 22 September 2010, within the framework of the "Larocque Lapierre" television program;

(Sessional Paper No. 1574-20100923)

The transcript of the proceedings of the Committee on the National Assembly held on 14 and 15 September 2010, concerning the examination of the preliminary report of the Commission de la représentation électorale.

(Sessional Paper No. 1575-20100923)



**23 September 2010**

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## **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

## **Motions Without Notice**

By leave of the Assembly to set aside Standing Order 185, Mr. Corbeil, Minister responsible for Aboriginal Affairs, together with Mr. Cloutier (Lac-Saint-Jean), Mr. Deltell, Leader of the Second Opposition Group, Mr. Caire (La Peltre) and Mr. Khadir (Mercier), moved:

THAT the National Assembly mark the First Nations walk between Kitigan Zibi Anishinabeg and Parliament Hill for the purpose of raising awareness and support of action on education for the First Nations;

THAT it congratulate this initiative of the partners in the Kitigan Zibi education sector, the students and the Kitigan Zibi Anishinabeg community members within the framework of the First Nations National Week of Action on Education.

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 Public Finance, to continue its public hearings within the framework of special consultations on Bill 107, An Act respecting the Agence du revenu du Québec.

**23 September 2010**

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Mr. Gendron, Third Vice-President, gave the following notice:

- the Committee on Transportation and the Environment shall hold a meeting regarding the rail network project linking several regions of Québec; a deliberative meeting for the purpose of informing its Members and preparing the hearing with the interested party; a public hearing to hear the interested party; and a deliberative meeting to rule on the observations, conclusions and recommendations following the hearing.

And, by leave of the Assembly to set aside Standing Order 143, he gave the following notice:

- the Select Committee on Dying with Dignity shall hold a deliberative meeting to continue its public hearings within the framework of a general consultation on dying with dignity.

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

Mr. Gendron, Third Vice-President, informed the Assembly that on Friday, 1 October 2010, Mr. McKay (L'Assomption) would question Mrs. Normandeau, Minister of Natural Resources and Wildlife, during an interpellation on "shale gas exploration and development".

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## **ORDERS OF THE DAY**

### **Government Bills**

#### *Passage in Principle*

Mrs. Courchesne, Minister responsible for Government Administration and Chair of the Conseil du trésor, moved, —That Bill 112, An Act authorizing the making of collective agreements with a term of more than three years in the public and parapublic sectors, do now pass in principle.

**23 September 2010**

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After debate thereon, the motion was carried and Bill 112 was accordingly passed in principle.

Mr. Fournier, Government House Leader, moved that Bill 112 be referred for clause-by-clause consideration to the Committee on Public Finance.

The motion was carried.

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Mr. Lessard, Minister of Municipal Affairs, Regions and Land Occupancy, moved, —That Bill 109, Municipal Ethics and Good Conduct Act, do now pass in principle.

After debate thereon, the motion was carried and Bill 109 was accordingly passed in principle.

Mr. Fournier, Government House Leader, moved that Bill 109 be referred for clause-by-clause consideration to the Committee on Planning and the Public Domain.

The motion was carried.

### **Debates Upon Adjournment**

By leave of the Assembly to set aside Standing Order 309, the Assembly held a debate upon adjournment on a question by Mrs. Maltais (Taschereau) addressed to Mr. Bolduc, Minister of Health and Social Services, about nurses' work conditions.

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Mr. Bolduc, Minister of Health and Social Services, moved the adjournment of the Assembly until Tuesday, 28 September 2010, at 1.45 o'clock p.m.

The motion was carried.

**23 September 2010**

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Accordingly, at 12.50 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Tuesday, 28 September 2010, at 1.45 o'clock p.m.

**YVON VALLIÈRES**

*President*