



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Votes and Proceedings

of the Assembly

Monday, 18 October 2010 — No. 142

(Extraordinary Sitting)

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

QUÉBEC

Extraordinary Sitting

The Assembly was called to order at 9.06 o'clock a.m.

Moment of reflection

Mr. President tabled the following:

A letter, dated 15 October 2010, he had received from Mr. Jean Charest, Premier, asking that he take the necessary measures for the National Assembly to meet as a matter of urgency for extraordinary sittings, beginning at 9.00 o'clock a.m. on Monday, 18 October 2010, according to the calendar and timetable that will be established by the Assembly, to introduce a bill following upon the court decisions on the language of instruction as well as to carry out all of the legislative stages in its consideration.

(Sessional Paper No. 1710-20101018)

ROUTINE PROCEEDINGS

Statements by Members

Mr. Curzi (Borduas) made a statement about the French language.

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Mr. Blanchet (Drummond) made a statement about the French language.

Mr. Charette (Deux-Montagnes), in substitution for Mr. Lemay (Sainte-Marie-Saint-Jacques), made a statement about the French language.

Mrs. Richard (Marguerite-D'Youville) made a statement about the French language.

Presenting Papers

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

The report on the implementation of the *Tobacco Act 2005-2010*, September 2010.

(Sessional Paper No. 1711-20101018)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

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

Copy of a document entitled "Des idées pour mon pays – Programme du Parti québécois";

(Sessional Paper No. 1712-20101018)

Copy of a document entitled "La volonté de réussir – Programme et statuts du Parti québécois", November 1996.

(Sessional Paper No. 1713-20101018)

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Motions Without Notice

Pursuant to Standing Order 26.1, Mr. Fournier, Government House Leader, moved:

THAT in order to introduce and to consider Bill 115, An Act following upon the court decisions on the language of instruction, the Assembly fix the following hours of meeting:

THAT the Assembly shall be permitted to sit every day, beginning at 9.00 o'clock a.m., until it has completed the examination of the matter for which it was summoned or until it decides to adjourn its proceedings.

Mr. Fournier, Government House Leader, moved:

THAT, in order to introduce and complete the consideration of Bill 115, An Act following upon the court decisions on the language of instruction, the Assembly establish the exceptional legislative procedure as provided for in Standing Orders 182 to 184.2 and 257.1 to 257.10;

The President shall be permitted to suspend the proceedings at any time during the sitting, at the request of a Minister or a Deputy Government House Leader.

At 10.01 o'clock a.m., Mr. President suspended the proceedings to allow the Members to examine the text of the motions presented by Mr. Fournier, Government House Leader.

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The proceedings resumed at 10.41 o'clock a.m.

Mr. Bédard, Official Opposition House Leader, and Mrs. Roy, Second Opposition Group House Leader, raised arguments regarding the motions moved by Mr. Fournier, Government House Leader.

At 10.51 o'clock a.m., Mr. President suspended the proceedings to take the matter under advisement.

The proceedings resumed at 11.41 o'clock a.m.

Mr. President ruled as follows on the receivability of the motion to appoint the hours during which the Assembly may meet and on the motion to introduce an exceptional procedure:

RULING FROM THE CHAIR

The motions are receivable. The 3rd paragraph of Standing Order 182 provides that once the motion to introduce an exceptional procedure has been carried, any provisions of the Standing Orders that are at variance with the procedure envisaged in the motion shall, for the purposes of the consideration of the matter stated in the motion, be deemed suspended. It was therefore not necessary to provide for the suspension of the Standing Orders relating to the parliamentary calendar and timetable in the motion to introduce an exceptional procedure to avoid the Assembly being in conflict tomorrow at 1.45 o'clock p.m.

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Lastly, as regards the urgency of the situation, it is for the Assembly, upon the conclusion of the limited debate on the motions and on the matter for which it was summoned, to decide whether or not there is urgency. In any case, since the parliamentary reform, urgency no longer needs to be set forth in order to convene an extraordinary sitting.

At 11.57 o'clock a.m., Mr. President suspended the proceedings to allow the Members to examine Bill 115, An Act following upon the court decisions on the language of instruction.

The proceedings resumed at 2.07 o'clock p.m.

Limited Debate

Mr. President informed the Assembly of the allocation of speaking time for the proceedings with respect to this limited debate on the causes for which the Assembly has been summoned for extraordinary sittings and on both motions moved by the Government House Leader, namely the motion to appoint the times during which the Assembly shall meet and the motion to introduce an exceptional procedure: five minutes shall be allotted to the Member for Mercier; one minute 45 seconds shall be allotted to each of the other independent Members; eight minutes 30 seconds shall be allotted to the Members from the Second Opposition Group; the rest of the time allotted for this debate shall be shared equally by the parliamentary group forming the Government and the parliamentary group forming the Official Opposition, to wit 51 minutes 30 seconds for each of the two groups. Within this framework, any time not used by the independent Member or by the Members of the Second Opposition Group shall be redistributed equally among the parliamentary group forming the Government and the parliamentary group forming the Official Opposition; and any time not used by the parliamentary group forming the Government shall go to the parliamentary group forming the Official Opposition and vice versa. Lastly, individual addresses shall not be limited.

The debate arose thereon.

The debate being concluded, the question was put on the motion to appoint the hours during which the Assembly shall meet; a recorded division was thereupon demanded.

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The motion was carried on the following vote:

(Division No. **110** in Appendix)

Yeas: **61** Nays: **50** Abstentions: **0**

The question was then put on the motion to introduce an exceptional procedure; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **111** in Appendix)

Yeas: **61** Nays: **50** Abstentions: **0**

ORDERS OF THE DAY

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:

115 An Act following upon the court decisions on the language of instruction

The motion was carried.

Accordingly, Bill 115 was introduced in the Assembly.

Government Bills

Passage in Principle

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 Bill 115, An Act following upon the court decisions on the language of instruction, do now pass in principle.

Mr. Chagnon, Second Vice-President informed the Assembly of the allocation of speaking time for the proceedings with respect to this debate: five minutes shall be allotted to the Member for Mercier; four minutes 30 seconds shall be allotted to each of the other independent Members; 21 minutes shall be allotted to the Members from the Second Opposition Group; the rest of the time allotted for this debate shall be shared equally by the parliamentary group forming the Government and the parliamentary group forming the Official Opposition, to wit two hours 12 minutes 30 seconds for each of the two groups. Within this framework, any time not used by the independent Member or by the Members of the Second Opposition Group shall be redistributed equally among the parliamentary group forming the Government and the parliamentary group forming the Official Opposition; and any time not used by the parliamentary group forming the Government shall go to the parliamentary group forming the Official Opposition and vice versa. Lastly, individual addresses shall not be limited.

The debate arose thereon.

During her address, by leave of the Assembly to set aside Standing Order 53, 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, tabled the following:

An excerpt from the Web site of the Office of the United Nations High Commissioner for Human Rights, dated 8 September 2010, concerning the International Covenant on Civil and Political Rights.

(Sessional Paper No. 1714-20101018)

The debate continued.

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The debate being concluded, the question was put on the motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **112** in Appendix)

Yeas: **60** Nays: **48** Abstentions: **0**

Accordingly, Bill 115 was passed in principle.

Committee of the Whole

Pursuant to the order adopted previously, the Assembly resolved itself into a Committee of the Whole for the clause-by-clause consideration of Bill 115, An Act following upon the court decisions on the language of instruction.

Tuesday, 19 October 2010

Bill 115 was considered in Committee of the Whole and thereupon reported.

At 2.50 o'clock a.m. Mrs. Houda-Pepin, First Vice-President, suspended the proceedings.

The proceedings resumed at 4.55 o'clock a.m.

Report Stage

The Assembly took into consideration the report from the Committee of the Whole on its clause-by-clause consideration of Bill 115, An Act following upon the court decisions on the language of instruction, together with the amendments handed in by Mr. Rebello (La Prairie), the amendment handed in by Mr. Deltell, Leader of the Second Opposition Group, and the amendment handed in by Mr. Khadir (Mercier).

Of the five amendments by Mr. Rebello (La Prairie), four were declared out of order.

The amendment by Mr. Deltell, Leader of the Second Opposition Group, and the amendment by Mr. Khadir (Mercier) were declared in order.

Mr. Chagnon, Second Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this debate. Two minutes shall be allotted to the Member for Mercier; 38 seconds shall be allotted to each of the other two independent Members; four minutes 12 seconds shall be allotted to the members from the Second Opposition Group; the rest of the time available for this debate shall be shared equally between the parliamentary group forming the Government and the parliamentary group forming the Official Opposition, to wit 26 minutes for each of the two groups. Within this framework, any time not used by the independent Member or by the Members of the Second Opposition Group shall be redistributed equally among the parliamentary group forming the Government and the parliamentary group forming the Official Opposition. Any time not used by the parliamentary group forming the Government shall go to the parliamentary group forming the Official Opposition and vice versa. Lastly, individual addresses shall not be limited.

The debate arose thereon.

The debate being concluded, the amendments, on questions severally put thereon, were negatived.

The sections of the Bill that the Committee of the Whole had not disposed of as well as the other components of Bill 115, on questions severally put thereon, were adopted on division.

The question was put on the report; a recorded division was thereupon demanded.

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The report was concurred in on the following vote:

(Division No. **113** in Appendix)

Yeas: **60** Nays: **51** Abstentions: **0**

Passage

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 the passage of Bill 115, An Act following upon the court decisions on the language of instruction.

Mr. Chagnon, Second Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this debate. Two minutes shall be allotted to the independent Member; 38 seconds shall be allotted to each of the other two independent Members; four minutes 12 seconds shall be allotted to the Members from the Second Opposition Group; the rest of the time available for this debate shall be shared equally between the parliamentary group forming the Government and the parliamentary group forming the Official Opposition, to wit 26 minutes for each group. Within this framework, any time not used by the independent Member or by the Members of the Second Opposition Group shall be redistributed equally among the parliamentary group forming the Government and the parliamentary group forming the Official Opposition. Any time not used by the parliamentary group forming the Government shall go to the parliamentary group forming the Official Opposition and vice versa. Lastly, individual addresses shall not be limited.

The debate arose thereon.

The debate being concluded, the question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **114** in Appendix)

Yeas: **61** Nays: **54** Abstentions: **0**

Accordingly, Bill 115 was passed.

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At 7.23 o'clock a.m., the Assembly having completed the examination of the matter for which it was summoned, Mr. Gendron, Third Vice-President, adjourned the Assembly until Tuesday, 19 October 2010, at 1.45 o'clock p.m.

ROYAL ASSENT

On Friday, 8 October 2010, at 7.40 o'clock a.m., in Montmagny, in the presence of Mr. Gagnon, Director of the Secretariat of the Assembly and Delegate of the Secretary General, Honourable Pierre Duchesne, Lieutenant-Governor of Québec, was pleased to assent to the following Bill:

116 An Act concerning the acquisition of cars for the Montréal subway

YVON VALLIÈRES

President

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APPENDIX

Recorded Divisions

On the motion by Mr. Fournier, Government House Leader, to appoint the hours during which the Assembly shall meet:

(Division No. 110)

YEAS - 61

Arcand	Charlebois	James	Paradis
Auclair	Chevarie	Kelley	Pigeon
Bachand	Corbeil	L'Écuyer	Reid
(Outremont)	Courchesne	Lehouillier	Rotiroti
Bachand	D'Amour	Lessard	Simard
(Arthabaska)	Diamond	MacMillan	(Dubuc)
Beauchamp	Drolet	Mamelonet	Sklavounos
Bergman	Dubourg	Marcoux	St-Amand
Bernard	Dutil	Marsan	St-Pierre
Bernier	Fournier	Matte	Thériault
Billette	Gaudreault	Ménard	Vallée
Blais	(Hull)	Moreau	Vien
Bolduc	Gautrin	Morin	Weil
Boulet	Gignac	Normandeau	Whissell
Carrière	Gonthier	Ouellette	
Charbonneau	Hamad	Ouimet	
Charest	Huot	Paquet	

NAYS - 50

Aussant	Deltell	Lemay	Richard
Beaudoin	Doyer	Malavoy	(Marguerite-D'Youville)
(Mirabel)	Drainville	Maltais	Richard
Bédard	Dufour	Marceau	(Duplessis)
Bergeron	Ferland	Marois	Robert
Bérubé	Gaudreault	McKay	Roy
Blanchet	(Jonquière)	Ouellet	Simard
Bonnardel	Gauvreau	Pagé	(Richelieu)
Boucher	Girard	Pelletier	St-Arnaud
Champagne	Hivon	(Saint-Hyacinthe)	Traversy
Charette	Khadir	Pinard	Tremblay
Cloutier	Kotto	Poirier	Trottier
Cousineau	Leclair	Ratthé	Turcotte
Curzi	Léger	Rebello	Villeneuve

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On the motion by Mr. Fournier, Government House Leader, to introduce an exceptional procedure:

(Division No. 111)

(Identical to Division No. 110)

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On the motion 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 the passage in principle of Bill 115, An Act following upon the court decisions on the language of instruction:

(Division No. 112)

YEAS - 60

Arcand	Charlebois	Huot	Ouimet
Auclair	Chevarie	James	Paquet
Bachand	Corbeil	Kelley	Paradis
(Outremont)	Courchesne	L'Écuyer	Pigeon
Bachand	D'Amour	Lehouillier	Reid
(Arthabaska)	Diamond	Lessard	Rotiroti
Beauchamp	Drolet	MacMillan	Simard
Bergman	Dubourg	Mamelonet	(Dubuc)
Bernard	Dutil	Marcoux	Sklavounos
Bernier	Fournier	Marsan	St-Amand
Billette	Gaudreault	Matte	St-Pierre
Blais	(Hull)	Ménard	Thériault
Bolduc	Gautrin	Moreau	Vallée
Boulet	Gignac	Morin	Vien
Carrière	Gonthier	Normandeau	Weil
Charbonneau	Hamad	Ouellette	Whissell

NAYS - 48

Aussant	Drainville	Maltais	Robert
Beaudoin	Dufour	Marceau	Simard
(Mirabel)	Ferland	McKay	(Richelieu)
Bédard	Gaudreault	Ouellet	St-Arnaud
Bergeron	(Jonquière)	Pagé	Traversy
Bérubé	Gauvreau	Pelletier	Tremblay
Blanchet	Girard	(Saint-Hyacinthe)	Trottier
Boucher	Grondin	Pinard	Turcotte
Champagne	Hivon	Poirier	Villeneuve
Charette	Kotto	Ratthé	
Cloutier	Lapointe	Rebello	
Cousineau	Leclair	Richard	
Curzi	Léger	(Duplessis)	
Deltell	Lemay	Richard	
Doyer	Malavoy	(Marguerite-D'Youville)	

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On the report from the Committee of the Whole:

(Division No. 113)

YEAS - 60

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

NAYS - 51

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

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On the motion 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 the passage of Bill 115:

(Division No. 114)

YEAS - 61

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

NAYS - 54

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