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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-NINTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Wednesday, 20 October 2010 — No. 144**

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

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**QUÉBEC**



The Assembly was called to order at 9.44 o'clock a.m.

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**ROUTINE PROCEEDINGS**

**Statements by Members**

Mrs. Blais (Saint-Henri–Sainte-Anne) made a statement about Habitat for Humanity.

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Mrs. Beaudoin (Mirabel) made a statement about Expo-Concert de Mirabel, 20 years serving visual arts.

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Mr. Morin (Montmagny-L'Islet) made a statement to underline the induction of Simon Painchaud into Québec's agriculture hall of fame.

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Mr. Gendron (Abitibi-Ouest) made a statement to pay homage to Mrs. Jocelyne Caron.

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Mr. Ouellette (Chomedey) made a statement about Rima Habib, Fondation Armand-Frappier scholarship holder.

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Mr. Boucher (Johnson) made a statement to underline the performance of Québec's athletes at the Commonwealth Games.

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Mr. Drolet (Jean-Lesage) made a statement about Co-op Week.

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Mr. Aussant (Nicolet-Yamaska) made a statement to pay homage to a writer-composer-performer of Nicolet, Mr. Guillaume Beaulac.

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Mr. Bachand (Outremont) made a statement about the First World Statistics Day.

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At 9.55 o'clock a.m., Mr. Chagnon, Second 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

**Introduction of Bills**

Mr. Fournier, Minister responsible for the Reform of Democratic Institutions and Access to Information, moved that leave be granted to introduce the following Bill:

118 An Act respecting the financing of political parties

The motion was carried.

Accordingly, Bill 118 was introduced in the Assembly.

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Mr. Fournier, Minister responsible for the Reform of Democratic Institutions and Access to Information, moved that leave be granted to introduce the following Bill:

120 An Act respecting political party leadership campaigns

The motion was carried.

Accordingly, Bill 120 was introduced in the Assembly.

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Mr. Fournier, Minister responsible for the Reform of Democratic Institutions and Access to Information, moved that leave be granted to introduce the following Bill:

119 An Act respecting the election process

The motion was carried.

Accordingly, Bill 119 was introduced in the Assembly.

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**Presenting Papers**

Mrs. Normandeau, Minister responsible for Canadian Intergovernmental Affairs and the Canadian Francophonie, tabled the following:

The activities report of the Centre de la francophonie des Amériques, for the fiscal year ended 31 March 2010.

(Sessional Paper No. 1770-20101020)

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Mr. Fournier, Minister of Justice, tabled the following:

The annual management report of the Directeur des poursuites criminelles et pénales, for the fiscal year ended 31 March 2010.

(Sessional Paper No. 1771-20101020)

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Mr. Bachand, Minister of Revenue, tabled the following:

An update, dated June 2010, of the information files utilisation plan;

(Sessional Paper No. 1772-20101020)

The activity report of the Ministère du Revenu stemming from the comparison, pairing or cross-matching of information files contained in the utilization plan, for the fiscal year ended 31 March 2010.

(Sessional Paper No. 1773-20101020)

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Mrs. Boulet, Minister of Employment and Social Solidarity, tabled the following:

The activity report of the Comité consultatif de lutte contre la pauvreté et l'exclusion sociale, for the fiscal year ended 31 March 2010.

(Sessional Paper No. 1774-20101020)

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Mr. Hamad, Minister of Transport, tabled the following:

The evaluation report on the pilot project with regard to photo radar devices and red light camera systems.

(Sessional Paper No. 1775-20101020)

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

The annual report of the Immobilière Société d'habitation du Québec, for the fiscal year ended 31 December 2009.

(Sessional Paper No. 1776-20101020)

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Mr. Dutil, Minister of Public Security, tabled the following:

The annual report of the Comité de déontologie policière, for the fiscal year ended 31 March 2010;

(Sessional Paper No. 1777-20101020)

The annual management report of the Régie des alcools, des courses et des jeux, for the fiscal year ended 31 March 2010.

(Sessional Paper No. 1778-20101020)

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Mrs. Weil, Minister of Immigration and Cultural Communities, tabled the following:

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

(Sessional Paper No. 1779-20101020)

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Mrs. Thériault, Minister of Labour, tabled the following:

The annual management report of the Commission des lésions professionnelles, for the fiscal year ended 31 March 2010.

(Sessional Paper No. 1780-20101020)

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Mrs. Vien, Minister for Social Services, tabled the following:

A document entitled "*L'évaluation des impacts de la nouvelle Loi sur la protection de la jeunesse au Québec — Programme Actions concertées – Rapport synthèse*".

(Sessional Paper No. 1781-20101020)

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

The Government's answer to petitions tabled on 27 May 2010 by Mr. Turcotte (Saint-Jean), Mr. Drainville (Marie-Victorin) and Mrs. Lapointe (Crémazie), concerning the construction of residential and long-term care centres (CHSLD) in the Montérégie;

(Sessional Paper No. 1782-20101020)

The Government's answer to petitions tabled on 2 and 9 June 2010 by Mr. Khadir (Mercier), concerning the treatment of injured workers by the Commission de la santé et de la sécurité du travail and certain health-care professionals;

(Sessional Paper No. 1783-20101020)

The Government's answer to a petition tabled on 10 June 2010 by Mr. Gaudreault (Jonquière), concerning the rectification of the trajectory of the Chemin du Quai in Lac Kénogami in the Saguenay.

(Sessional Paper No. 1784-20101020)

### **Presenting Reports from Committees**

Mrs. Doyer (Matapédia), committee chairman, tabled the following:



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A report from the Committee on Transportation and the Environment, which, on 23 September 2010, held public hearings within the framework of the examination of Petition No. 1245-20100429, concerning the project for a railway network to serve various regions of Québec, the TransQuébec Express; and then held deliberative meetings on 25 May, 23 September and 6 October 2010, in reference to this mandate. The report contains recommendations.

(Sessional Paper No. 1785-20101020)

### **Presenting Petitions**

By leave of the Assembly to set aside Standing Order 63, 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 3717 citizens of Oka, neighbouring municipalities and Québec.

(Sessional Paper No. 1786-20101020)

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

The abstract of a petition respecting Bill 107, An Act respecting the Agence du revenu du Québec, and signed by 2768 citizens of Québec.

(Sessional Paper No. 1787-20101020)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mrs. Marois, Leader of the Official Opposition, withdrew certain words deemed unparliamentary.

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**Motions Without Notice**

By leave of the Assembly to set aside Standing Order 185, Mr. Bédard (Chicoutimi), together with Mr. Hamad, Minister of Transport, Mr. Grondin (Beauce-Nord), Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier), moved:

THAT the National Assembly demand that the Federal Government respect the commitment it made in 2002 to pay for 50 % of the costs of the construction of Highway 175 linking Québec City and Saguenay.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 185, Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, together with Mr. Blanchet (Drummond), Mr. Deltell, Leader of the Second Opposition Group, Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier), moved:

THAT, within the framework of the fifth anniversary of the adoption by UNESCO of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, the National Assembly reiterate its support to this Convention and urge that it be ratified by the largest number of countries possible;

THAT it underline the holding in Québec City, on 2 and 3 February 2011, of the Interparliamentary Conference on the Diversity of Cultural Expressions jointly organized by the National Assembly of Québec, the Assemblée parlementaire de la Francophonie, in partnership with the Organisation internationale de la Francophonie and UNESCO.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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### Notices of Proceedings in Committees

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

- the Committee on Institutions, to continue its public hearings within the framework of a general consultation on Bill 94, An Act to establish guidelines governing accommodation requests within the Administration and certain institutions.

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

- the Committee on Agriculture, Fisheries, Energy and Natural Resources shall continue its public hearings within the framework of the order of initiative on oil supply security.

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### ORDERS OF THE DAY

#### Government Bills

##### *Passage*

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

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

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

*Passage in Principle*

The Assembly resumed the debate, which had been adjourned on Wednesday, 29 September 2010, on the motion by Mr. Simard, Minister for Natural Resources and Wildlife, for the passage in principle of Bill 79, An Act to amend the Mining Act.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Traversy (Terrebonne) tabled the following:

Copy of a letter, dated 16 September 2010, addressed to Mr. Mathieu Traversy, Member for Terrebonne, signed by Mr. Daniel Pilon, Directeur General of the MRC Les Moulins, concerning support to the FQM brief.

(Sessional Paper No. 1788-20101020)

At 1.00 o'clock p.m., Mr. Chagnon, Second Vice-President, suspended the proceedings until 3.00 o'clock p.m.

Accordingly, pursuant to Standing Order 97, the debate on the motion by Mr. Simard, Minister for Natural Resources and Wildlife, was adjourned in the name of Mr. Leclair (Beauharnois).

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The proceedings resumed at 3.07 o'clock p.m.

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**Business Standing in the Name of Members in Opposition**

Mr. Drainville (Marie-Victorin) moved:

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THAT the National Assembly of Québec demand that the Government of Canada immediately suspend the authorization to conduct seismic surveys in the Gulf of St. Lawrence granted on 4 October 2010 by the Canada-Newfoundland and Labrador Offshore Petroleum Board;

THAT it demand that the Government of Québec take all of the necessary measures, including legal recourse, in order that this authorization be suspended and that Québec's natural resources found in the Gulf of St. Lawrence be kept from all development by the province of Newfoundland and Labrador.

Mr. Gendron, Third Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this motion: 10 minutes shall be allotted to the mover of the motion for his reply, 5 minutes shall be allotted to the Member for Mercier; 1 minute and 37 seconds shall be allotted to each of the other independent Members; 7 minutes and 42 seconds shall be allotted to the Second Opposition Group; the remaining time shall be shared equally among the parliamentary group forming the Government and the Members of the parliamentary group forming the Official Opposition, that is, 47 minutes for each of the two parliamentary groups; within this framework, any time not used by the independent Members or by the Members of the Second Opposition Group shall be redistributed equally between 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.

At the end of his address, Mr. Chevarie (Îles-de-la-Madeleine) moved:

THAT the motion by the Member for Marie-Victorin be amended as follows: by replacing, in the first, second, third and fourth lines, the words "demand that the Government of Canada immediately suspend the authorization to conduct seismic surveys in the Gulf of St. Lawrence" by the words "ask the Federal Government, the Government of Newfoundland and Labrador as well as the Canada-Newfoundland and Labrador Offshore Petroleum Board to wait for the results of the strategic environmental assessments requested by the Government of Québec before issuing any permit for seismic surveys and drilling as regards the Old Harry structure and suspend the current authorizations";

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By removing, in the fourth, fifth and sixth lines, the words "granted on 4 October 2010 by the Canada-Newfoundland and Labrador Offshore Petroleum Board";

By replacing, in the seventh line, the words "That it demand that" by the words "That the National Assembly ask";

By replacing, in the seventh line, the word "take" by the words "to take";

By replacing, in the eighth and ninth lines, the words "necessary measures, including legal recourse, in order that this authorization be suspended and" by the words "measures at its disposal in order";

By replacing, in the eleventh line, the words "be kept" by the words "be reserved for it";

By removing, in the eleventh and twelfth lines, the words "all development by the province of Newfoundland and Labrador".

The motion, as amended, would read as follows:

THAT the National Assembly of Québec ask the Federal Government, the Government of Newfoundland and Labrador as well as the Canada-Newfoundland and Labrador Offshore Petroleum Board to wait for the results of the strategic environmental assessments requested by the Government of Québec before issuing any permit for seismic surveys and drilling as regards the Old Harry structure and suspend the current authorizations;

THAT the National Assembly ask the Government of Québec to take all of the measures at its disposal in order that Québec's natural resources found in the Gulf of St. Lawrence be reserved for it.

The debate continued on the main motion by Mr. Drainville (Marie-Victorin) and on the amendment by Mr. Chevarie (Îles-de-la-Madeleine), subject to the permission of its author.

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At the end of his address, Mr. Drainville (Marie-Victorin) accepted the amendment proposed by Mr. Chevarie (Îles-de-la-Madeleine).

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

The amendment motion was carried on the following vote:

(Division No. **115** in Appendix)

Yeas: **111**    Nays: **0**    Abstentions: **0**

The question was then put on the motion as amended; a recorded division was thereupon demanded.

The motion, as amended, was carried on the following vote:

(Division No. **116** in Appendix)

Yeas: **111**    Nays: **0**    Abstentions: **0**

## **Government Bills**

### *Passage in Principle*

The Assembly resumed the debate on the motion by Mr. Simard, Minister for Natural Resources and Wildlife, for the passage in principle of Bill 79, An Act to amend the Mining Act.

By leave of the Assembly, the debate was adjourned.

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Mr. Gauthrin, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 21 October 2010, at 9.45 o'clock a.m.

The motion was carried.

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Accordingly, at 5.53 o'clock p.m., Mrs. Houda-Pepin, First Vice-President, adjourned the Assembly until Thursday, 21 October 2010, at 9.45 o'clock a.m.

**YVON VALLIÈRES**

*President*



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APPENDIX

Recorded Divisions

On the amendment motion by Mr. Chevarie (Îles-de-la-Madeleine):

(Division No. 115)

YEAS - 111

Arcand	Cousineau	Leclair	Pigeon
Auclair	Curzi	L'Écuyer	Pinard
Bachand	D'Amour	Léger	Poirier
(Outremont)	Deltell	Lehouillier	Ratthé
Bachand	Diamond	Lemay	Rebello
(Arthabaska)	Doyer	Lessard	Reid
Beauchamp	Drainville	MacMillan	Richard
Beaudoin	Drolet	Malavoy	(Marguerite- D'Youville)
(Rosemont)	Dubourg	Maltais	Richard
Beaudoin	Dufour	Mamelonet	(Duplessis)
(Mirabel)	Dutil	Marceau	Robert
Bédard	Ferland	Marcoux	Rotiroti
Bergeron	Fournier	Marois	Roy
Bergman	Gaudreault	Marsan	Simard
Bernard	(Jonquière)	Matte	(Richelieu)
Bernier	Gaudreault	McKay	Simard
Bérubé	(Hull)	Ménard	(Dubuc)
Billette	Gautrin	Moreau	Sklavounos
Blais	Gauvreau	Morin	St-Amand
Bonnardel	Gignac	Normandeau	St-Arnaud
Boucher	Girard	Ouellet	St-Pierre
Boulet	Gonthier	Ouellette	Thériault
Carrière	Grondin	Ouimet	Traversy
Champagne	Hamad	Pagé	Tremblay
Charbonneau	Hivon	Paquet	Trottier
Charette	Huot	Paradis	Vallée
Charlebois	James	Pelletier	Vien
Chevarie	Kelley	(Saint-Hyacinthe)	Villeneuve
Cloutier	Khadir	Pelletier	Weil
Corbeil	Kotto	(Rimouski)	Whissell
Courchesne	Lapointe	Picard	

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On the motion moved by Mr. Drainville (Marie-Victorin), as amended:

**(Division No. 116)**

*(Identical to Division No. 115)*