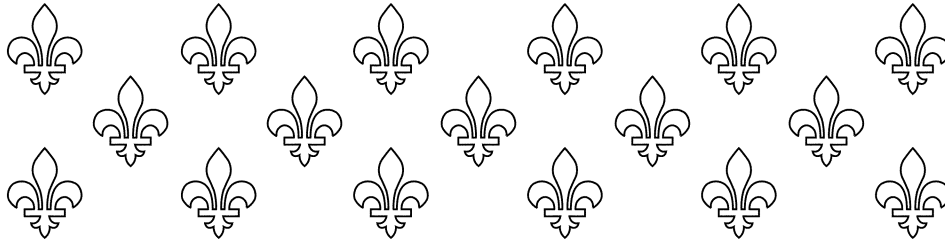


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# **NATIONAL ASSEMBLY**

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SECOND SESSION

THIRTY-NINTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Wednesday, 18 May 2011 — No. 28**

**President of the National Assembly:  
Mr. Jacques Chagnon**

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**QUÉBEC**



The Assembly was called to order at 9.45 o'clock a.m.

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**ROUTINE PROCEEDINGS**

**Statements by Members**

Mrs. St-Pierre (Acadie) made a statement about International Museum Day.

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Mr. Blanchet (Drummond) made a statement about the petition asking for the recognition and appropriate treatment of Attention Deficit Disorder with or without Hyperactivity (ADHD).

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Mrs. Beauchamp (Bourassa-Sauvé) made a statement about School Day Care Services Week.

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Mr. Ferland (Ungava) made a statement about the Rencontre régionale jeunesse Nord-du-Québec 2011.

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Mrs. Gonthier (Mégantic-Compton) made a statement about La Route des Sommets.

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Mrs. Doyer (Matapédia) made a statement about the "Personnalité des associations parascolaires" to Miss Jennifer Jean-Gagnon.

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Mrs. Gaudreault (Hull) made a statement about the 30 years of common crier Daniel Richer.

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Mrs. Malavoy (Taillon) made a statement about the 30<sup>th</sup> anniversary of Maison de jeunes Kekpart.

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By leave of the Assembly to set aside Standing Order 54.1, Mr. Gendron (Abitibi-Ouest) made a statement to pay tribute to the winner of the "Chapeau, les filles!" contest, Mrs. Valérie Chabot, of the Abitibi-Témiscamingue region.

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At 9.57 o'clock a.m., Mrs. Houda-Pepin, First Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 10.11 o'clock a.m.

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Moment of reflection

### **Presenting Papers**

Mr. Paquet, Minister for Finance, tabled the following:

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The annual report of the Organisme d'autoréglementation du courtage immobilier du Québec (OACIQ), for the fiscal year ended 31 December 2010.

(Sessional Paper No. 251-20110518)

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

The Government's answer to the petition tabled on 13 April 2011 by Mr. Bédard (Chicoutimi), concerning the salaried status for those responsible for child care.

(Sessional Paper No. 252-20110518)

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Mr. President tabled the following:

The calendar of the proceedings of the National Assembly for the 2011-2012 year.

(Sessional Paper No. 253-20110518)

### **Presenting Petitions**

Mr. Khadir (Mercier) tabled the following:

The abstract of a petition respecting dental hygienists and preventive oral health care, and signed by 5599 citizens of Québec.

(Sessional Paper No. 254-20110518)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

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### **Motions Without Notice**

Mr. Bonnardel (Shefford), together with Mrs. Maltais (Taschereau), Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier), moved a motion concerning Emergency Pre-hospital Services Week; this motion could not be debated for want of unanimous consent.

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By leave of the Assembly to set aside Standing Order 185, Mr. Dubourg (Viau), together with Mr. Charette (Deux-Montagnes), Mr. Deltell, Leader of the Second Opposition Group, Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier), moved:

THAT the National Assembly underline the 208<sup>th</sup> anniversary of the creation of the Haitian flag, that the Government of Québec reiterate its friendship and support to the Haitian people and salute the new President of the Republic of Haiti, His Excellence Mr. Michel Martelly.

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 Public Finance, to continue its clause-by-clause consideration of Bill 130, An Act to abolish the Ministère des Services gouvernementaux and the Société québécoise de récupération et de recyclage and to implement the Government's 2010-2014 Action Plan to Reduce and Control Expenditures by abolishing or restructuring certain bodies and certain funds;
- the Committee on Health and Social Services, to continue its clause-by-clause consideration of Bill 127, An Act to improve the management of the health and social services network;

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- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 94, An Act to establish guidelines governing accommodation requests within the Administration and certain institutions;
- the Committee on Transportation and the Environment, to continue its clause-by-clause consideration of Bill 89, An Act to amend the Environment Quality Act in order to reinforce compliance.

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

- the Committee on Agriculture, Fisheries, Energy and Natural Resources shall hold a deliberative meeting to discuss the observations, conclusions and recommendations within the framework of the order of initiative on oil supply security.

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## **ORDERS OF THE DAY**

### **Government Bills**

#### *Passage in Principle*

Mr. Bachand, Minister of Finance, informed the Assembly that His Honour the Lieutenant-Governor recommended to its consideration Bill 10, An Act respecting mainly the implementation of certain provisions of the Budget Speech of 17 March 2011 and the enactment of the Act to establish the Northern Plan Fund, and then moved, —That this Bill do now pass in principle.

A debate arose thereon.

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At the end of his address, Mr. Ferland (Ungava) moved the following motion to divide the said Bill:

THAT, pursuant to Standing Order 241, Bill 10, An Act respecting mainly the implementation of certain provisions of the Budget Speech of 17 March 2011 and the enactment of the Act to establish the Northern Plan Fund, be divided into two Bills, the first of which shall be entitled An Act respecting mainly the implementation of certain provisions of the Budget Speech of 17 March 2011 and shall comprise sections 1 to 35 and 37 to 343, and the second of which shall be entitled An Act to establish the Northern Plan Fund and shall comprise section 36 which introduces Schedule I.

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At 11.51 o'clock a.m., Mrs. Houda-Pepin, First Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 12.11 o'clock p.m.

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Mrs. Houda-Pepin, First Vice-President, heard arguments from all sides regarding the receivability of this motion before taking this matter under advisement.

The motion was adjourned.

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At 12.38 o'clock p.m., at the request of Mr. Gautrin, Deputy Government House Leader, Mrs. Houda-Pepin, First Vice-President, suspended the proceedings until 3.00 o'clock p.m.



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The proceedings resumed at 3.03 o'clock p.m.

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

Mr. Caire (La Peltrie) moved:

THAT the National Assembly demand that the Minister of Health and Social Services establish as soon as possible the method of funding hospitals based on activities, in accordance with the recommendations contained in the Castonguay report of February 2008 and the 2010-2011 report of the Auditor General of Québec.

Mr. Ouimet, Second Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this motion: 20 minutes shall be allotted to the mover of the motion and 10 minutes shall be allotted for his reply; 7 minutes 45 seconds shall be allotted to the Members of the Second Opposition Group; 5 minutes shall be granted to the Member for Mercier; 1 minute 37 seconds shall be allotted to each of the other independent Members; 30 minutes 30 seconds shall be allotted to the parliamentary group forming the Official Opposition; 45 minutes shall be allotted to the parliamentary group forming the Government. 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 her address, Mrs. Maltais (Taschereau) moved:

THAT the motion by the Member for La Peltrie be amended as follows: by replacing, in the fourth line, the words "based on activities", by the words "according to services rendered while ensuring quality of care,".

The motion, as amended, would read as follows:

THAT the National Assembly demand that the Minister of Health and Social Services establish as soon as possible the method of funding hospitals according to services rendered while ensuring quality of care, in accordance with the recommendations contained in the Castonguay report of February 2008 and the 2010-2011 report of the Auditor General of Québec.

The debate continued on the main motion by Mr. Caire (La Peltrie) and on the amendment by Mrs. Maltais (Taschereau), subject to the permission of its author.

At the end of his address, Mr. Marceau (Rousseau) moved:

THAT the motion by the Member for La Peltrie be amended as follows: by adding, in the fourth line, after the words "based on activities", the words "while ensuring quality of care,".

The motion, as amended, would read as follows:

THAT the National Assembly demand that the Minister of Health and Social Services establish as soon as possible the method of funding hospitals based on activities while ensuring quality of care, in accordance with the recommendations contained in the Castonguay report of February 2008 and the 2010-2011 report of the Auditor General of Québec.

The debate continued on the main motion by Mr. Caire (La Peltrie) and on the amendments by Mrs. Maltais (Taschereau) by Mr. Marceau (Rousseau), subject to the permission of its author.

At the end of his reply, Mr. Caire (La Peltrie) refused the amendment proposed by Mrs. Maltais (Taschereau) and accepted the amendment proposed by Mr. Marceau (Rousseau).

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

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The motion was negated on the following vote:

(Division No. **32** in Appendix)

Yeas: **50**   Nays: **54**   Abstentions: **0**

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

The motion was negated on the following vote:

(Division No. **33** in Appendix)

Yeas: **50**   Nays: **54**   Abstentions: **0**

## **Government Bills**

### *Passage in Principle*

Before resuming the debate on the motion by Mr. Bachand, Minister of Finance, for the passage in principle of Bill 10, An Act respecting mainly the implementation of certain provisions of the Budget Speech of 17 March 2011 and the enactment of the Act to establish the Northern Plan Fund, Mrs. Houda-Pepin, First Vice-President, gave the following ruling on the receivability of the motion to divide moved by Mr. Ferland (Ungava):

#### RULING FROM THE CHAIR

The motion to divide is receivable. Indeed, Bill 10, An Act respecting mainly the implementation of certain provisions of the Budget Speech of 17 March 2011 and the enactment of the Act to establish the Northern Plan Fund, clearly contains at least two principles.

Simply dividing a bill giving effect to the Budget Speech is not contrary to the Government's budgetary policy and it should not guide the analysis of the receivability of a motion to divide. The fact that measures that are contained in a budget speech appear in more than one bill does not constitute grounds for inadmissibility.

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The very title of the bill, the content of its explanatory notes and the general manner in which it is drafted quite evidently indicate that the part relating to the Act to establish the Northern Plan Fund cannot be considered separately from the rest of the bill. This part is entirely contained in the Schedule of the bill, a drafting technique that is without a doubt conducive to the receivability of a motion to divide.

Mr. Gendron, Third Vice-President, then informed the Assembly of the allocation of speaking time for the proceedings with respect to this limited debate: 5 minutes shall be allotted to the Member for Mercier; 1 minute 45 seconds shall be allotted to each of the other independent Members; 8 minutes 30 seconds shall be allotted to the Members of the Second Opposition Group; the remaining time shall be redistributed equally between the parliamentary group forming the Government and the parliamentary group forming the Official Opposition. 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 Assembly entered upon the limited debate on the motion to divide moved by Mr. Ferland (Ungava).

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At 5.57 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Thursday, 19 May 2011, at 9.45 o'clock a.m.

**JACQUES CHAGNON**

*President*

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**APPENDIX**

**Recorded Divisions**

On the amendment motion moved by Mr. Marceau (Rousseau):

**(Division No. 32)**

**YEAS - 50**

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

**NAYS - 54**

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

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On the main motion by Mr. Caire (La Peltrie):

**(Division No. 33)**

**YEAS - 50**

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

**NAYS - 54**

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