



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 5 October 2011 — No. 48

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

QUÉBEC

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

ROUTINE PROCEEDINGS

Statements by Members

Mrs. Gaudreault (Hull) made a statement to pay homage to Mr. Marcel D'Amour.

Mr. Kotto (Bourget) made a statement to pay homage to Mr. Jean-Guy Moreau.

Mr. Chevarie (Îles-de-la-Madeleine) made a statement about World Breastfeeding Day.

Mr. Gendron (Abitibi-Ouest) made a statement about Henri-Massé Building, which will be inaugurated by the FTQ Abitibi-Témiscamingue.

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Mr. Curzi (Borduas) made a statement about the outstanding number of medals won by the Club de canoë-kayak Otterburn, of Otterburn Park, at the recent Canadian championships.

Mr. Huot (Vanier) made a statement to congratulate the Diamants de Québec.

Mr. Gaudreault (Jonquière) made a statement about Public Education Week.

Mr. Lehouillier (Lévis) made a statement about revitalizing old neighbourhoods.

Mrs. Champagne (Champlain) made a statement about the next generation of farmers.

Mr. Bachand (Outremont) made a statement to pay homage to Mr. Pierre Dansereau.

At 9.58 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 10.09 o'clock a.m.

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Moment of reflection

Introduction of Bills

Mr. Picard (Chutes-de-la-Chaudière) moved that leave be granted to introduce the following Bill:

195 An Act to amend the Act respecting Access to documents held by public bodies and the Protection of personal information

The motion was carried.

Accordingly, Bill 195 was introduced in the Assembly.

Presenting Papers

Mr. Simard, Minister for Natural Resources and Wildlife, tabled the following:

The annual report of the Fondation de la faune du Québec, for the fiscal year ended 31 March 2011;

(Sessional Paper No. 582-20111005)

The agreement concerning the conservation and enhancement of Atlantic salmon and sea-run brook trout on the Moisie River and its tributaries.

(Sessional Paper No. 583-20111005)

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

The Government's answer to the petition tabled on 19 May 2011 by Mr. Caire (La Peltrie) concerning the secondary levels at L'Odyssee school in Val-Bélair;

(Sessional Paper No. 584-20111005)

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The Government's answer to the petition tabled on 19 May 2011 by Mr. Boucher (Johnson), concerning services offered to students with learning difficulties;
(Sessional Paper No. 585-20111005)

The Government's answer to the petition tabled on 24 May 2011 by Mrs. Richard (Marguerite-D'Youville), concerning services offered to students with learning difficulties;
(Sessional Paper No. 586-20111005)

The Government's answer to the petition tabled on 2 June 2011 by Mr. Simard (Kamouraska-Témiscouata), concerning a dialysis centre at La Pocatière hospital;
(Sessional Paper No. 587-20111005)

The Government's answer to the petitions tabled on 7 June 2011 by Mr. Villeneuve (Berthier), concerning health services in Brandon;
(Sessional Paper No. 588-20111005)

The Government's answer to the petition tabled on 7 June 2011 by Mr. Khadir (Mercier), concerning the modification of the Charte de la Ville de Montréal;
(Sessional Paper No. 589-20111005)

The Government's answer to the petition tabled on 8 June 2011 by Mr. Simard (Kamouraska-Témiscouata), concerning the closing of the emergency ward of Saint-Jean-Port-Joli;
(Sessional Paper No. 590-20111005)

The Government's answer to the petition tabled on 9 June 2011 by Mr. Rathé (Blainville), concerning property taxes.
(Sessional Paper No. 591-20111005)

Presenting Reports from Committees

Mrs. Malavoy (Taillon), committee chairman, tabled the following:

A report from the Committee on Planning and the Public Domain, which, on 22 and 27 September and on 4 October 2011, held public hearings within the framework of special consultations on Bill 22, An Act to amend the Civil Code as regards the resiliation of a dwelling lease in certain cases.
(Sessional Paper No. 592-20111005)

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Mr. Bachand (Arthabaska), committee chairman, tabled the following:

A report from the Committee on Public Finance, which, on 4 October 2011, held public hearings within the framework of special consultations on Bill 23, An Act to amend various pension plans in the public sector.

(Sessional Paper No. 593-20111005)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Deferred Divisions

The Assembly took the division, which had been deferred at the sitting of 4 October 2011, on the motion by Mr. Simard, Minister for Natural Resources and Wildlife, for the passage in principle of Bill 14, An Act respecting the development of mineral resources in keeping with the principles of sustainable development.

The motion was carried on the following vote:

(Division No. **47** in Appendix)

Yeas: **59** Nays: **47** Abstentions: **0**

Accordingly, Bill 14 was passed in principle.

Mr. Gauthrin, Deputy Government House Leader, moved that Bill 14 be referred for clause-by-clause consideration to the Committee on Agriculture, Fisheries, Energy and Natural Resources.

The motion was carried.

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Motions Without Notice

Mrs. Beauchamp, Deputy Premier, after consultation with Mrs. Marois, Leader of the Official Opposition, Mr. Deltell, Leader of the Second Opposition Group, and the independent Members, moved:

THAT, pursuant to sections 526 and 528 of the *Election Act* (R.S.Q., c. E-3.3), Mr. Bruno Jean be appointed commissioner of the Commission de la représentation électorale for a term of five years beginning on 6 October 2011.

Mrs. Beauchamp, Deputy Premier, then tabled the following:

The curriculum vitae of Mr. Bruno Jean and an excerpt from the *Election Act*.
(Sessional Paper No. 594-20111005)

The question being put on the motion, a recorded division was taken as required for the application of section 526 of the *Election Act*.

The motion was carried on the following vote:

(Division No. 48 in Appendix)

Yeas: **107** Nays: **0** Abstentions: **0**

Mrs. Malavoy (Taillon), together with Mr. Khadir (Mercier), moved a motion concerning the training of teachers and national history research; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Orders 84.1 and 185, Mrs. Beauchamp, Minister of Education, Recreation and Sports, together with Mr. Gaudreault (Jonquière), Mrs. Roy (Lotbinière), Mr. Curzi (Borduas), Mr. Picard (Chutes-de-la-Chaudière), Mrs. Lapointe (Crémazie), Mr. Caire (La Peltrie), Mr. Khadir (Mercier) and Mr. Aussant (Nicolet-Yamaska), moved:

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THAT the National Assembly mark World Teachers' Day, and invite all of the population of Québec to pay tribute to the remarkable work carried out by the thousands of devoted individuals who actively take part in developing the citizens of tomorrow.

By leave of the Assembly, the motion was carried.

Mr. Khadir (Mercier), together with Mr. Dufour (René-Lévesque), Mr. Curzi (Borduas), Mrs. Lapointe (Crémazie) and Mr. Aussant (Nicolet-Yamaska), moved a motion concerning temporary employment agencies and the *Act respecting labour standards*; this motion could not be debated for want of unanimous consent.

Notices of Proceedings in Committees

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

- the Committee on Agriculture, Fisheries, Energy and Natural Resources, to give clause-by-clause consideration to Bill 14, An Act respecting the development of mineral resources in keeping with the principles of sustainable development.
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Mrs. Houda-Pepin, First Vice-President, gave the following notices:

- the Committee on Agriculture, Fisheries, Energy and Natural Resources shall hold a deliberative meeting to decide on the follow-up to be given to the order of initiative on oil supply security;

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- the Committee on Transportation and the Environment shall hold a deliberative meeting to determine the observations, conclusions and recommendations concerning the evaluation report on the pilot project with regard to photo radar devices and red light camera systems;
- the Committee on Health and Social Services shall hold a deliberative meeting to concur in the report on midwifery and the report on the hearings with the health and social services agencies, to decide on the follow-up to the order on homelessness, and to decide on whether it shall examine certain petitions.

ORDERS OF THE DAY

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Citizen Relations on its clause-by-clause consideration of Bill 25, An Act to prohibit the resale of tickets at a price above that authorized by the producer of the event (*modified title*).

After debate thereon, the report was concurred in.

Debates on Reports from Committees

The Assembly took into consideration the report of the Committee on Planning and the Public Domain, which, on 28 October 2010, met to examine the policy directions, activities and management of the Régie du logement; and held deliberative meetings on 28 October 2010 and on 16 March 2011 concerning this order. The report contains four recommendations.

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Mrs. Houda-Pepin, First Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this limited debate: 8 minutes 24 seconds shall be allotted to the Members of the Second Opposition Group; 10 minutes shall be granted to the independent Members; the rest of the time set aside for this debate shall be shared 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 debate arose thereon.

At 12.58 o'clock p.m., Mrs. Houda-Pepin, First Vice-President, suspended the proceedings until 3.00 o'clock p.m.

Consequently, in pursuance of Standing Order 97, the debate on the report of the Committee on Planning and the Public Domain was adjourned.

The proceedings resumed at 3.00 o'clock p.m.

Business Standing in the Name of Members in Opposition

Mr. Aussant (Nicolet-Yamaska) moved:

THAT the National Assembly affirm that the best interests of Québec as well as the rights and powers of the National Assembly must be protected within the framework of the Canada-Europe Comprehensive Economic and Trade Agreement negotiations;

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THAT it ask the Government of Québec to instruct its representatives to ensure that all appropriate interventions be carried out, particularly with regard to the protection of cultural and linguistic diversity, protection of the environment, the development of natural resources and the National Assembly's power to adopt public policies in the general interest of the population of Québec;

THAT it may examine the text of the Agreement and comment thereon before it is signed, within the framework of a parliamentary committee.

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; 10 minutes shall also be allotted to the mover of the motion for his reply; 7 minutes 42 seconds shall be allotted to the Members of the Second Opposition Group; 10 minutes shall be granted to the other independent Members; 27 minutes shall be granted to the parliamentary group forming the Official Opposition; 45 minutes shall be granted 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 his address, Mr. Marceau (Rousseau) moved:

THAT the motion by the Member for Nicolet-Yamaska be amended as follows: by replacing, in the ninth line, the words "THAT it may examine the text of the Agreement and comment thereon before it is signed, within the framework of a parliamentary committee" by the words "THAT it examine the text of the preliminary agreement, that a parliamentary committee be held in order to hear Messrs. Pierre-Marc Johnson and Steve Verheul, negotiating respectively for Québec and Canada within the framework of this agreement, before the next round of negotiations scheduled for the end of October and that it comment thereon before the signing of the Agreement";

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The motion, as amended, would read as follows:

THAT the National Assembly affirm that the best interests of Québec as well as the rights and powers of the National Assembly must be protected within the framework of the Canada-Europe Comprehensive Economic and Trade Agreement negotiations;

THAT it ask the Government of Québec to instruct its representatives to ensure that all appropriate interventions be carried out, particularly with regard to the protection of cultural and linguistic diversity, protection of the environment, the development of natural resources and the National Assembly's power to adopt public policies in the general interest of the population of Québec;

THAT it examine the text of the preliminary agreement, that a parliamentary committee be held in order to hear Messrs. Pierre-Marc Johnson and Steve Verheul, negotiating respectively for Québec and Canada within the framework of this agreement, before the next round of negotiations scheduled for the end of October and that it comment thereon before the signing of the Agreement.

Mr. Aussant (Nicolet-Yamaska) accepted the amendment proposed by Mr. Marceau (Rousseau).

The debate continued on the main motion by Mr. Aussant (Nicolet-Yamaska) and on the amendment motion by Mr. Marceau (Rousseau).

At the end of his address, Mr. Gauthrin (Verdun) moved:

THAT the motion by the Member for Nicolet-Yamaska be amended as follows: by replacing, in the fifth line, the words "Canada-Europe" by the words "Canada-European Union";

By replacing, in the fourteenth line, the words "THAT it may" by the words "THAT the Members of the National Assembly may";

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By removing, in the fourteenth line, the words "the text of";

By replacing, in the fifteenth and sixteenth lines, the words "and comment thereon before it is signed, within the framework of a parliamentary committee" by the words "pursuant to the provisions of the Act respecting the Ministère des Relations internationales".

The motion, as amended, would read as follows:

THAT the National Assembly affirm that the best interests of Québec as well as the rights and powers of the National Assembly must be protected within the framework of the Canada-European Union Comprehensive Economic and Trade Agreement negotiations;

THAT it ask the Government of Québec to instruct its representatives to ensure that all appropriate interventions be carried out, particularly with regard to the protection of cultural and linguistic diversity, protection of the environment, the development of natural resources and the National Assembly's power to adopt public policies in the general interest of the population of Québec;

THAT the Members of the National Assembly may examine the Agreement, pursuant to the provisions of the Act respecting the Ministère des Relations internationales.

Mr. Aussant (Nicolet-Yamaska) refused the amendment proposed by Mr. Gauthier (Verdun).

The debate continued on the main motion by Mr. Aussant (Nicolet-Yamaska) and on the amendment motion by Mr. Marceau (Rousseau).

The debate being concluded, the question was put on the amendment motion by Mr. Marceau (Rousseau). The amendment motion was negatived.

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The question was put on the motion by Mr. Aussant (Nicolet-Yamaska). The motion was negatived.

Debates on Reports from Committees

The Assembly continued the debate on the report of the Committee on Planning and the Public Domain, which, on 28 October 2010, met to examine the policy directions, activities and management of the Régie du logement; and held deliberative meetings on 28 October 2010 and on 16 March 2011 concerning this order. The report contains four recommendations.

The debate expired and, pursuant to Standing Order 95, no question was put.

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Culture and Education on its clause-by-clause consideration of Bill 82, Cultural Heritage Act.

After debate thereon, the report was concurred in.

Mr. Gauthrin, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 6 October 2011, at 9.45 o'clock a.m.

The motion was carried.

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Accordingly, at 5.53 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Thursday, 6 October 2011, at 9.45 o'clock a.m.

ROYAL ASSENT

On Wednesday, 5 October 2011, at 3.50 o'clock p.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Gagnon, Director of the Research Service and Delegate of the Secretary General, the Honourable Pierre Duchesne, Lieutenant-Governor of Québec, was pleased to assent to the following Bill:

- 89 An Act to amend the Environment Quality Act in order to reinforce compliance

JACQUES CHAGNON

President

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APPENDIX

Recorded Divisions

On the motion by Mr. Simard, Minister for Natural Resources and Wildlife:

(Division No. 47)

YEAS - 59

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

NAYS - 47

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

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On the motion by Mrs. Beauchamp, Deputy Premier:

(Division No. 48)

YEAS - 107

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