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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-NINTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Thursday, 20 October 2011 — No. 52**

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

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**QUÉBEC**



The Assembly was called to order at 9.47 o'clock a.m.

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## **ROUTINE PROCEEDINGS**

### **Statements by Members**

Mrs. Beauchamp (Bourassa-Sauvé) made a statement to underline the feat accomplished by Diane Roy, paralympic athlete.

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Mr. Kotto (Bourget) made a statement about the 20<sup>th</sup> anniversary of the Programme d'information sur le travail et la recherche d'emploi de Montréal.

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Mrs. Gonthier (Mégantic-Compton) made a statement about National Week for Community Action Visibility.

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Mr. Pelletier (Saint-Hyacinthe) made a statement about the 150<sup>th</sup> anniversary of the founding of the Sisters Adorers of the Precious Blood.

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

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Mr. McKay (L'Assomption) made a statement about Québec Week for Waste Reduction.

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Mr. Billette (Huntingdon) made a statement to underline Québec Week for Waste Reduction.

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Mrs. Bouillé (Iberville) made a statement to pay homage to Mr. Luc Mercier.

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Mr. Morin (Montmagny-L'Islet) made a statement to underline the winners and finalists of the 10<sup>th</sup> edition of the Soirée Hommage aux bénévoles en loisir et en sport de la Chaudière-Appalaches.

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

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Moment of reflection

**Presenting Papers**

Mr. Vallières, Minister responsible for the Reform of Democratic Institutions and Access to Information, tabled the following:

The activity report including the audited financial statements of the Centre de la francophonie des Amériques, for the fiscal year ended 31 March 2011.  
(Sessional Paper No. 702-20111020)

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Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, tabled the following:

The annual management report of the Office québécois de la langue française, for the fiscal year ended 31 March 2011.  
(Sessional Paper No. 703-20111020)

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

The reply from the Government to the petitions tabled on 2 and 9 June 2011 by Mrs. Bouillé (Iberville), concerning financial support for the victims of the Richelieu River and Lake Champlain floods;  
(Sessional Paper No. 704-20111020)

The reply from the Government to the petitions tabled on 8 June and 20 September 2011 by Mr. Gaudreault (Jonquière), concerning the application for recognition of an adoption;  
(Sessional Paper No. 705-20111020)

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The reply from the Government to the petition tabled on 21 September 2011 by Mrs. Léger (Pointe-aux-Trembles), concerning the operating standards applied in dog pounds and shelters.

(Sessional Paper No. 706-20111020)

### **Presenting Reports from Committees**

Mr. Marsan (Robert-Baldwin), committee chairman, tabled the following:

A report from the Committee on Culture and Education, which, on 21 and 28 May 2010, within the framework of an order of initiative, examined the phenomenon of dropping out of school while focussing on valuing education and on the actions implemented in the various regions of Québec; then, on 9 April, 27 October, 17 and 24 November 2009, on 25 March, 13, 21, 28 May, 10 June and 11 November 2010 and on 15 March and 27 May 2011, the Committee held deliberative meetings in relation to this order. This report contains 11 recommendations.

(Sessional Paper No. 707-20111020)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Order 53, Mr. Fournier, Minister of Justice, tabled the following:

Copy of an excerpt from the document entitled "Les commissions d'enquête : nature, mandat et limites constitutionnelles, par Dominique Rousseau".

(Sessional Paper No. 708-20111020)

At the request of Mr. President, Mrs. Maltais (Taschereau) withdrew certain words deemed unparliamentary.

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**Deferred Divisions**

The Assembly took the division, which had been deferred during Business Standing in the Name of Members in Opposition at the sitting of 19 October 2011, on the motion moved by Mrs. Hivon (Joliette). This motion reads as follows:

THAT the National Assembly demand the withdrawal of the provisions of federal Bill C-10 that go against the interests of Québec and Québec values as regards justice, including those concerning the treatment of young offenders.

The motion was carried on the following vote:

(Division No. **50** in Appendix)

Yeas: **103**    Nays: **0**    Abstentions: **0**

**Motions Without Notice**

Mrs. Roy, Second Opposition Group House Leader, together with Mr. Bergeron (Verchères), Mr. Curzi (Borduas), Mr. Picard (Chutes-de-la-Chaudière), Mrs. Lapointe (Crémazie), Mr. Gauvreau (Groulx), Mr. Caire (La Peltrie), Mr. Khadir (Mercier), Mr. Aussant (Nicolet-Yamaska) and Mrs. Beaudoin (Rosemont), moved a motion concerning the *Act respecting public inquiry commissions*; 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. Mamelonet (Gaspé), together with Mr. Bérubé (Matane), Mr. Bonnardel (Shefford), Mr. Curzi (Borduas), Mr. Picard (Chutes-de-la-Chaudière), Mrs. Lapointe (Crémazie), Mr. Caire (La Peltrie), Mr. Aussant (Nicolet-Yamaska) and Mrs. Beaudoin (Rosemont), moved:

WHEREAS the agreement between the federal government and the provincial government providing for the creation of Forillon Park stated the responsibilities for carrying out the project as follows: Québec committed to return the required lands, free and clear of interests, to the federal government, and the latter committed to establishing a national park, once the territory was free of inhabitants;

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WHEREAS, in 1970 the Government of Québec conducted a massive expropriation of the territory, forcing some 225 families to leave and additionally seizing some 1500 lands or portions of land;

WHEREAS the appropriation methods and procedures employed at the time were widely denounced by the various legal bodies, namely the Régie des services publics and the Cour d'appel du Québec, as being abusive, disrespectful of human rights and inhuman, thus causing serious prejudice to the expropriated persons;

WHEREAS the rulings given by the courts also granted important increases that, in some cases, were three times the amounts established originally to the expropriated persons who had contested the compensation that had been offered;

WHEREAS, following the court rulings and the recommendations from the Public Protector, the Government of Québec accepted fault in 1975 and that it agreed to grant compensation adjustments of up to 50 % to all expropriated persons who had accepted a settlement before the Court of Appeal ruling;

WHEREAS in 1973, the federal government changed its policies by removing the prohibition of maintaining human presence in its future national parks;

WHEREAS, recognizing the then federal government's share of responsibility in the treatment of expropriated persons, on 14 February 2011, the House of Commons unanimously carried a motion to officially apologize to the expropriated persons of Forillon Park for "the abusive expropriation that they suffered";

WHEREAS Québec, through its Members, must draw lessons from this unfortunate event, that it must take part in an honourable reconciliation with the persons expropriated and their descendants and that it must reassure the population of Québec of its desire to not repeat such a mistake in the future.



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Be it resolved:

THAT the National Assembly presents its official apology to the expropriated persons of Forillon Park for the abusive expropriation they suffered and that the President of the National Assembly forward to the representatives of the expropriated persons and their descendants and official copy of the Journal des débats reporting the adoption of this motion.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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By leave of the Assembly to set aside Standing Order 185, Mr. Kotto (Bourget), together with Mrs. St-Pierre, Minister of Culture, Communications and the Status of Women, Mr. Deltell, Leader of the Second Opposition Group, Mr. Curzi (Borduas) and Mr. Khadir (Mercier), moved:

THAT the National Assembly of Québec underline the 60<sup>th</sup> anniversary of the Théâtre du Nouveau Monde and that it recognize the important contribution of this theatrical institution to the cultural life of Montreal and Québec as a whole;

THAT it pay homage to its founders, Messrs. Jean Gascon, Jean-Louis Roux, Guy Hoffman, Georges Groulx, André Gascon, Robert Gadouas and Éloi de Grandmont.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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By leave of the Assembly to set aside Standing Order 185, Mrs. Lapointe (Crémazie), together with Mr. Bachand, Minister of Finance, Mr. Turcotte (Saint-Jean), Mr. Bonnardel (Shefford), Mr. Curzi (Borduas), Mr. Picard (Chutes-de-la-Chaudière), Mr. Caire (La Peltrie), Mr. Khadir (Mercier), Mr. Aussant (Nicolet-Yamaska) and Mrs. Beaudoin (Rosemont), moved:

THAT the National Assembly congratulate the Chantier de l'économie sociale and its President, Mrs. Nancy Neamtan, for organizing the International Forum on the Social and Solidarity Economy, which is bringing together 1200 representatives of 70 countries this week in Montreal to discuss measures to place the economy at the service of men and women and whose initiative is in line with part of the demands made by the Occupy Wall Street movement.

By leave of the Assembly, the motion was carried.

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Mr. Drainville (Marie-Victorin) moved a motion concerning the awarding of shipbuilding contracts; 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 Committees:

- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 9, An Act to enhance the regulation of the verification carried out for licence purposes and otherwise amend the Private Security Act;
- the Committee on Agriculture, Fisheries, Energy and Natural Resources, to continue its clause-by-clause consideration of Bill 14, An Act respecting the development of mineral resources in keeping with the principles of sustainable development;

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- the Committee on Health and Social Services, to continue its clause-by-clause consideration of Bill 16, An Act to amend various legislative provisions concerning health and social services in order, in particular, to tighten up the certification process for residences for the elderly;
- the Committee on Labour and the Economy, to hold public hearings within the framework of special consultations on Bill 33, An Act to eliminate union placement and improve the operation of the construction industry;
- the Committee on Public Finance, to hold public hearings within the framework of special consultations on Bill 7, An Act to amend various legislative provisions concerning the financial sector.

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

- the Committee on Labour and the Economy shall hold a deliberative meeting to discuss the observations, conclusions and recommendations following the special consultations and public hearings held within the framework of the order of initiative on the updating of the Labour Code's anti-scab provisions;
- the Select Committee on Dying with Dignity shall hold a deliberative meeting to continue drafting its report.

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

Mr. Gendron, Third Vice-President, informed the Assembly that on Friday, 28 October 2011, Mr. Trottier (Roberval) would question Mr. Gignac, Minister of Natural Resources and Wildlife, during an interpellation on "Québec's forestry companies and workers".

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## ORDERS OF THE DAY

### Government Bills

#### *Passage*

Mr. Fournier, Minister of Justice, moved the passage 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 motion was carried and, accordingly, Bill 25 was passed.

#### *Passage in Principle*

Mr. Gignac, Minister of Natural Resources and Wildlife, informed the Assembly that His Honour the Lieutenant-Governor recommended to its consideration Bill 27, An Act respecting the Société du Plan Nord, and then moved, —That this Bill do now pass in principle.

After debate thereon, the motion was carried and Bill 27 was accordingly passed in principle.

Mrs. Boulet, Minister of Employment and Social Solidarity, moved that Bill 27 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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Mrs. Boulet, Minister of Employment and Social Solidarity, moved the adjournment of the Assembly until Tuesday, 25 October 2011, at 1.45 o'clock p.m.

The motion was carried.

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Accordingly, at 12.18 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Tuesday, 25 October 2011, at 1.45 o'clock p.m.

**JACQUES CHAGNON**

*President*

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APPENDIX

Recorded Divisions

On the motion moved by Mrs. Hivon (Joliette):

(Division No. 50)

YEAS - 103

Arcand	Cousineau	L'Écuyer	Reid
Auclair	Curzi	Léger	Richard
Bachand	D'Amour	Lehouillier	<i>(Duplessis)</i>
<i>(Outremont)</i>	Deltell	Lemay	Richard
Bachand	Diamond	Lessard	<i>(Marguerite-D'Youville)</i>
<i>(Arthabaska)</i>	Doyer	MacMillan	Rotiroti
Beauchamp	Drainville	Malavoy	Roy
Beaudoin	Drolet	Maltais	Simard
<i>(Rosemont)</i>	Dubourg	Mamelonet	<i>(Dubuc)</i>
Bergeron	Dufour	Marceau	Simard
Bergman	Dutil	Marcoux	<i>(Kamouraska-Témiscouata)</i>
Bernard	Ferland	Marois	Simard
Bernier	Fournier	Marsan	<i>(Richelieu)</i>
Bérubé	Gagnon-Tremblay	Matte	Sklavounos
Billette	Gaudreault	McKay	St-Amand
Blais	<i>(Hull)</i>	Ménard	St-Arnaud
Bolduc	Gautrin	Morin	St-Pierre
Bonnardel	Gignac	Ouellet	Thériault
Boucher	Gonthier	Ouellette	Traversy
Bouillé	Grondin	Paquet	Tremblay
Boulet	Hamad	Pelletier	Trottier
Caire	Hivon	<i>(Saint-Hyacinthe)</i>	Turcotte
Carrière	Huot	Pelletier	Vallée
Charbonneau	James	<i>(Rimouski)</i>	Vallières
Charest	Kelley	Picard	Vien
Charlebois	Khadir	Pigeon	Weil
Chevarie	Kotto	Pinard	Whissell
Corbeil	Lapointe	Poirier	
Courchesne	Leclair	Ratthé	