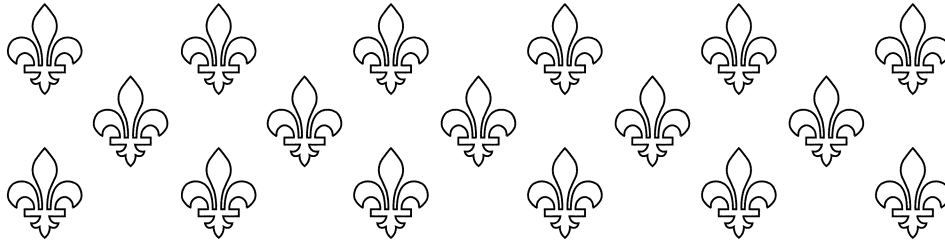


DRAFT COPY



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 23 November 2011 — No. 66

**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

Mr. Matte (Portneuf) made a statement about the Medal of the National Assembly awarded to five citizens of Portneuf.

Mr. Gaudreault (Jonquière) made a statement about persistence in school.

Mr. Chevarie (Îles-de-la-Madeleine) made a statement about the launching of the 8th edition of the campaign entitled "Dans la marge jusqu'au cou!", organized by the Coalition des associations de consommateurs du Québec.

Mrs. Beaudoin (Mirabel) made a statement about the 60 years of the District scout des Laurentides.

Mr. Picard (Chutes-de-la-Chaudière) made a statement about the 4th edition of the Chutes-Chaudière provincial ringette tournament.

23 November 2011

Mr. Bernier (Montmorency) made a statement to congratulate the various sports teams that bear the name of the Centaures de la Courvilloise.

Mr. Bérubé (Matane) made a statement about the 100th anniversary of the Caisse populaire Desjardins de Matane.

Mr. Auclair (Vimont) made a statement about the Christmas baskets campaign in Laval.

Mrs. Richard (Marguerite-D'Youville) made a statement about the 15 years of the *Pay Equity Act*.

At 9.56 o'clock a.m., Mrs. Houda-Pepin, First Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 10.10 o'clock a.m.

Moment of reflection

Introduction of Bills

Mr. Fournier, Minister of Justice, moved that leave be granted to introduce the following Bill:

23 November 2011

43 An Act to amend the Courts of Justice Act and other legislative provisions

The motion was carried.

Accordingly, Bill 43 was introduced in the Assembly.

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

494 An Act to amend the Act respecting the remuneration of elected municipal officers

The motion was carried.

Accordingly, Bill 494 was introduced in the Assembly.

Presenting Papers

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

The reply from the Government to the petition tabled on 27 October 2011 by Mr. Dufour (René-Lévesque), concerning the upgrading of the drinking water distribution system of the Langlois and Murray mobile home parks in Pointe-Lebel;

(Sessional Paper No. 832-20111123)

The reply to the written question by Mr. Bergeron (Verchères), concerning the Chemin des Patriotes – Question No. 11, *Order Paper and Notices* of 15 November 2011.

(Sessional Paper No. 833-20111123)

Presenting Reports from Committees

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

A report from the Committee on Public Finance, which met on 27 October and on 1, 3, 9, 10, 11, 15, 17, 21 and 22 November 2011 for clause-by-clause consideration of Bill 7, An Act to amend various legislative provisions concerning the financial sector. The report contains certain amendments to the bill, including one to its title.

(Sessional Paper No. 834-20111123)

Presenting Petitions

The abstracts of two petitions respecting skin cancer and artificial tanning were tabled:

- the first, being the abstract of a petition signed by 8801 citizens of Québec, by Mrs. Gaudreault (Hull);

(Sessional Paper No. 835-20111123)

- the second, being the abstract of a petition signed by 584 citizens of Québec, by Mrs. Ouellet (Vachon).

(Sessional Paper No. 836-20111123)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. St-Arnaud (Chambly) tabled the following:

Copy of a document entitled "Dons écologiques : Guide pour l'obtention du Visa fiscal – Février 2006 – Ministère du Développement durable, de l'Environnement et des Parcs".

(Sessional Paper No. 837-20111123)

23 November 2011

At the request of Mr. President, Mr. Bolduc, Minister of Health and Social Services, withdrew certain words deemed unparliamentary.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Bonnardel (Shefford), together with Mr. Bédard (Chicoutimi), Mr. Curzi (Borduas), Mr. Picard (Chutes-de-la-Chaudière), Mrs. Lapointe (Crémazie), Mr. Charette (Deux-Montagnes), Mr. Gauvreau (Groulx), Mr. Caire (La Peltre), Mr. Khadir (Mercier) and Mrs. Beaudoin (Rosemont), moved:

THAT the National Assembly underline the importance of Patrouille Secours emergency unit, which, over the past ten years, has carried out over 3500 emergency interventions on Highway 175 crossing Laurentides Park;

THAT it recall that this park has not had a Sûreté du Québec station since 1997 and that, consequently, firemen and policemen must travel from as far away as Québec City and Saguenay when an accident happens on this very busy highway;

THAT the National Assembly advocate maintaining a permanent emergency unit in order to ensure the protection of motorists circulating on Highway 175.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

Mrs. Beaudoin (Rosemont), together with Mr. Dufour (René-Lévesque), Mr. Curzi (Borduas), Mrs. Lapointe (Crémazie) and Mr. Khadir (Mercier), moved a motion concerning Bill 399, An Act to modernize the provisions relating to strikebreakers and to again amend the Labour Code; 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 40, An Act to repeal the Act to ensure the continuity of the provision of legal services within the Government and certain public bodies and to amend the Act respecting the collective bargaining plan of criminal and penal prosecuting attorneys;
- the Committee on Agriculture, Fisheries, Energy and Natural Resources, to continue its clause-by-clause consideration of Bill 27, An Act respecting the Société du Plan Nord, and of Bill 14, An Act respecting the development of mineral resources in keeping with the principles of sustainable development;
- the Committee on Labour and the Economy, to conclude its public hearings within the framework of special consultations on Bill 35, An Act to prevent, combat and punish certain fraudulent practices in the construction industry and make other amendments to the Building Act; and to continue its clause-by-clause consideration of Bill 33, An Act to eliminate union placement and improve the operation of the construction industry;
- the Committee on Public Finance, to give clause-by-clause consideration to Bill 42, An Act to amend the Supplemental Pension Plans Act in order to extend certain measures to reduce the effects of the 2008 financial crisis on plans covered by the Act.

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

- the Committee on Culture and Education shall hold a deliberative meeting for the purpose of organizing its proceedings.

ORDERS OF THE DAY

Debates on Reports from Committees

The Assembly took into consideration the report of the Committee on Labour and the Economy, which, on 1 and 2 February 2011, held public hearings during special consultations within the framework of an order of initiative on the updating of the Labour Code's anti-scab provisions; the Committee also held deliberative meetings on 8 December 2010, on 1 and 2 February, 16 March, 20 October and 1 November 2011, in relation to this order. The report contains one recommendation.

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 and 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.

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 Planning and the Public Domain on its clause-by-clause consideration of Bill 22, An Act to amend the Civil Code as regards the resiliation of a dwelling lease in certain cases.

A debate arose thereon.

23 November 2011

At 1.00 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 consideration of the report from the Committee on Planning and the Public Domain was adjourned in the name of Mrs. Poirier (Hochelaga-Maisonneuve).

The proceedings resumed at 3.01 o'clock p.m.

Business Standing in the Name of Members in Opposition

Mrs. Hivon (Joliette) moved:

THAT the National Assembly call on the Government of Québec to take steps to enable Québec to have its own criminal laws, including the Criminal Code, that will reflect the fundamental values of Quebecers.

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 her reply; 7 minutes 42 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.

23 November 2011

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

The motion was negated on the following vote:

(Division No. **59** in Appendix)

Yeas: **39** Nays: **59** Abstentions: **0**

Government Bills

Report Stage

The Assembly resumed the debate on the consideration of the report from the Committee on Planning and the Public Domain on its clause-by-clause consideration of Bill 22, An Act to amend the Civil Code as regards the resiliation of a dwelling lease in certain cases.

The debate being concluded, the report was concurred in.

Mr. Gauthrin, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 24 November 2011, at 9.45 o'clock a.m.

The motion was carried.

Accordingly, at 5.31 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Thursday, 24 November 2011, at 9.45 o'clock a.m.

JACQUES CHAGNON

President

APPENDIX

Recorded Divisions

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

(Division No. 59)

YEAS - 39

Beaudoin (<i>Mirabel</i>)	Girard	Pelletier	Simard
Bergeron	Hivon	(<i>Saint-Hyacinthe</i>)	(<i>Richelieu</i>)
Bérubé	Khadir	Pelletier	Simard
	Kotto	(<i>Rimouski</i>)	(<i>Kamouraska-Témiscouata</i>)
Champagne	Lapointe	Pinard	St-Arnaud
Cloutier	Léger	Poirier	Traversy
Cousineau	Lemay	Ratthé	Tremblay
Curzi	Malavoy	Rebello	Trottier
Drainville	Maltais	Richard	
Dufour	Marois	(<i>Marguerite-D'Youville</i>)	
Ferland	McKay	Richard	
Gaudreault	Ouellet	(<i>Duplessis</i>)	
(<i>Jonquière</i>)	Pagé	Robert	

NAYS - 59

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