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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-NINTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Wednesday, 29 February 2012 — No. 83**

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

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**QUÉBEC**



The Assembly was called to order at 9.46 o'clock a.m.

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## **ROUTINE PROCEEDINGS**

### **Statements by Members**

Mr. Morin (Montmagny-L'Islet) made a statement to underline the inauguration of the Claude-Bécharé Pavilion at Notre-Dame-de-Fatima Hospital in La Pocatière.

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Mrs. Richard (Marguerite-D'Youville) made a statement about the 25<sup>th</sup> anniversary of the Club des retraités de Saint-Sébastien.

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Mr. Chevarie (Îles-de-la-Madeleine) made a statement about Rare Disease Day.

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Mr. Gendron (Abitibi-Ouest) made a statement about the retirement of Mr. Michel Michaud after more than 25 years of service as director general of the Amos Hospital.

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Mr. Gauvreau (Groulx) made a statement about emergency wards and hospital staff.

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Mr. Bonnardel (Shefford) made a statement to commend the work of Mr. Jocelyn Desrochers, a police officer on a mission to Haiti.

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Mr. Leclair (Beauharnois) made a statement to pay tribute to Mrs. Nicole Lalonde Asselin of Salaberry-de-Valleyfield.

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Mrs. Champagne (Champlain) made a statement to congratulate Mr. Frédéric Dion, a model of inspiration for our society.

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At 9.55 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

### **Introduction of Bills**

Mr. Bolduc, Minister of Health and Social Services, moved that leave be granted to introduce the following Bill:

59      An Act respecting the sharing of certain health information

The motion was carried.

Accordingly, Bill 59 was introduced in the Assembly.

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Mrs. James, Minister of Families, moved that leave be granted to introduce the following Bill:

45      An Act to amend the Civil Code, the Code of Civil Procedure  
and the Public Curator Act as regards the protection of persons

The motion was carried.

Accordingly, Bill 45 was introduced in the Assembly.

### **Presenting Papers**

Mrs. Beauchamp, Minister of Education, Recreation and Sports, tabled the following:

The financial statements of the Fondation universitaire de l'Université de  
Montréal, for the fiscal year ended 31 May 2010;  
(Sessional Paper No. 1056-20120229)

The financial statements of the Fondation universitaire de l'Université de  
Montréal, for the fiscal year ended 31 May 2011.  
(Sessional Paper No. 1057-20120229)

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Mr. Arcand, Minister of Sustainable Development, Environment and Parks, tabled the following:

The report from the Minister of Sustainable Development, Environment and  
Parks on the application of section 19, subsection 3, of the *Act to affirm the  
collective nature of water resources and provide for increased water resource  
protection*.  
(Sessional Paper No. 1058-20120229)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

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By leave of the Assembly to set aside Standing Orders 53 and 59, Mrs. Marois, Leader of the Official Opposition, tabled the following:

Copy of a letter, dated 13 July 2011, addressed to Mrs. Sandra Boucher, Political Advisor at the Research Service of the Official Opposition, from Mrs. Marie-José Nadeau, Executive Vice-President of Corporate Affairs and Secretary General at Hydro-Québec, concerning the contracts signed between Hydro-Québec and ArcelorMittal Mines Canada.

(Sessional Paper No. 1059-20120229)

### **Motions Without Notice**

Mrs. Poirier (Hochelaga-Maisonneuve), together with Mr. Khadir (Mercier), moved a motion concerning Mrs. Djemila Benhabib; this motion could not be debated for want of unanimous consent.

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Mr. Khadir (Mercier), together with Mrs. Lapointe (Crémazie) and Mr. Aussant (Nicolet-Yamaska), moved a motion concerning asbestos; 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 Planning and the Public Domain, to continue its clause-by-clause consideration of Bill 34, An Act to ensure the occupancy and vitality of territories;

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- 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;
- the Committee on Institutions, to continue its public hearings within the framework of special consultations on Bill 46, An Act respecting independent police investigations.

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## **ORDERS OF THE DAY**

### **Government Bills**

#### *Report Stage*

The Assembly took into consideration the report from the Committee on Public Finance on its clause-by-clause consideration of Bill 54, An Act respecting the sectoral parameters of certain fiscal measures.

After debate thereon, the report was concurred in.

### **Debates on Reports from Committees**

The Assembly took into consideration the report from the Committee on Public Finance, which, on 17, 18 and 19 October 2011, held public hearings during special consultations within the framework of an order of initiative on the examination of measures to counter the consumption of contraband tobacco; the Committee also held deliberative meetings on 25 November and 9 December 2010, on 24 March and on 17 and 19 October 2011, and on 7 and 21 February 2012 in relation to this order. The report contains seven 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: 17 minutes shall be allotted 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 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.

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At 1.01 o'clock p.m., 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**

Mrs. Ouellet (Vachon) moved:

THAT the National Assembly of Québec demand that a moratorium on exploration, development and hydraulic fracturing of shale gas be put in place immediately until a framework law on hydrocarbons has been passed.



Mr. Ouimet, Second 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; 16 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 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. Arcand, Minister of Sustainable Development, Environment and Parks, moved the following:

THAT the motion by the Member for Vachon be amended as follows: by adding, in the first line, after the word "demand", the words "the Government refuse to issue any certificates of authorization for";

By removing, in the first and second lines, the words "a moratorium on";

By adding, in the third line, after the words "fracturing of", the words "shale gas wells, unless the committee of experts on strategic environmental assessment of shale gas deems it necessary for the purpose of gaining scientific knowledge";

By removing, in the third line, after the word "fracturing", the words "of shale gas be put in place immediately until a framework law on hydrocarbons has been passed".

The motion, as amended, would read as follows:

THAT the National Assembly of Québec demand that the Government refuse to issue any certificates of authorization for exploration, development and hydraulic fracturing of shale gas wells, unless the committee of experts on strategic environmental assessment of shale gas deems it necessary for the purpose of gaining scientific knowledge.

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The debate continued on the main motion by Mrs. Ouellet (Vachon), and on the amendment by Mr. Arcand, Minister of Sustainable Development, Environment and Parks, subject to the permission of its author.

Mrs. Ouellet (Vachon) refused the amendment proposed by Mr. Arcand, Minister of Sustainable Development, Environment and Parks.

By leave of the Assembly, Mr. Bergeron (Verchères) was permitted to exercise the right of reply provided for in this debate.

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

The motion was negated on the following vote:

(Division No. **68** in Appendix)

Yeas: **38**    Nays: **57**    Abstentions: **0**

## **Government Bills**

### *Passage in Principle*

Mr. Fournier, Minister of Justice, moved, —That Bill 29, An Act to establish the Access to Justice Fund, do now pass in principle.

After debate thereon, the motion was carried and Bill 29 was accordingly passed in principle.

Mr. Fournier, Government House Leader, moved that Bill 29 be referred for clause-by-clause consideration to the Committee on Institutions.

The motion was carried.

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Mr. Fournier, Government House Leader, moved the adjournment of the Assembly until Thursday, 1 March 2012, at 9.45 o'clock a.m.

The motion was carried.

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Accordingly, at 5.37 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Thursday, 1 March 2012, at 9.45 o'clock a.m.

**JACQUES CHAGNON**

*President*

**APPENDIX**

**Recorded Divisions**

On the motion moved by Mrs. Ouellet (Vachon):

**(Division No. 68)**

**YEAS - 38**

Beaudoin	Drainville	Marois	Robert
( <i>Mirabel</i> )	Dufour	McKay	Simard
Bédard	Ferland	Pelletier	( <i>Kamouraska-Témiscouata</i> )
Bergeron	Gaudreault	( <i>Rimouski</i> )	Simard
Blanchet	( <i>Jonquière</i> )	Pelletier	( <i>Richelieu</i> )
Bonnardel	Hivon	( <i>Saint-Hyacinthe</i> )	St-Arnaud
Boucher	Kotto	Pinard	Trottier
Bouillé	Leclair	Poirier	Turcotte
Champagne	Léger	Rathé	Villeneuve
Cousineau	Malavoy	Rebello	
Deltell	Maltais	Richard	
Doyer	Marceau	( <i>Duplessis</i> )	

**NAYS - 57**

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