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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-NINTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Thursday, 17 May 2012 — No. 109**

*(Extraordinary Sitting)*

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

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**QUÉBEC**



*Extraordinary Sitting*

The Assembly was called to order at 8.11 o'clock p.m.

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Moment of reflection

Mr. President tabled the following:

A letter, dated 17 May 2012, he had received from Mr. Jean Charest, Premier, asking that he take the necessary measures for the National Assembly to meet for extraordinary sittings, beginning at 8.00 o'clock p.m. on Thursday, 17 May 2012, according to the calendar and timetable that will be established by the Assembly, to permit the introduction of a bill aiming to enable students to receive instruction from the postsecondary institutions they attend, as well as to carry out all of the stages of its consideration.

(Sessional Paper No. 1329-20120517)

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**ROUTINE PROCEEDINGS**

**Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

**Motions Without Notice**

Pursuant to Standing Order 26.1, Mr. Fournier, Government House Leader, moved:

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THAT, in order to permit the introduction of Bill 78, An Act to enable students to receive instruction from the postsecondary institutions they attend, as well as to carry out all of the stages of its consideration, the Assembly appoint the hours of meeting as follows:

The Assembly shall be permitted to sit every day, beginning at 8.00 o'clock p.m., until it has completed the examination of the matter for which it was summoned or until it decides to adjourn its proceedings.

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Pursuant to Standing Order 26.1, Mr. Fournier, Government House Leader, moved:

THAT, in order to permit the introduction of Bill 78, An Act to enable students to receive instruction from the postsecondary institutions they attend, as well as to carry out all of the stages of its consideration, the Assembly establish the exceptional legislative procedure as provided for in Standing Orders 182 to 184.2 and 257.1 to 257.10;

The President shall be permitted to suspend the proceedings at any time during the sitting, at the request of a Minister or a Deputy Government House Leader.

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At 9.01 o'clock p.m., Mr. President suspended the proceedings to allow the Members to examine the text of the motions presented by Mr. Fournier, Government House Leader.

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The proceedings resumed at 9.26 o'clock p.m.

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Mr. Bédard, Official Opposition House Leader, made comments regarding the motions moved by Mr. Fournier, Government House Leader.

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At 9.30 o'clock p.m., Mr. President suspended the proceedings to allow the Members to examine Bill 78, An Act to enable students to receive instruction from the postsecondary institutions they attend.

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The proceedings resumed at 11.05 o'clock p.m.

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### **Limited Debate**

Mr. President informed the Assembly of the allocation of speaking time for the proceedings with respect to this limited debate on the causes for which the Assembly has been summoned for extraordinary sittings and on both motions moved by the Government House Leader, namely the motion to appoint the times during which the Assembly shall meet and the motion to introduce an exceptional procedure: 16 minutes shall be granted to the independent Members who wish to be heard, with no more than 5 minutes being allotted per Member; the rest of the time 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. Any time not used by the parliamentary group forming the Government will be transferred to the parliamentary group forming the Official Opposition, and vice versa. Finally, individual addresses shall not be limited.

The debate arose thereon.

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**Friday, 18 May 2012**

The debate being concluded, the question was put on the motion to appoint the hours during which the Assembly shall meet; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **93** in Appendix)

Yeas: **60**    Nays: **48**    Abstentions: **0**

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The question was then put on the motion to introduce an exceptional procedure; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **94** in Appendix)

Yeas: **60**    Nays: **48**    Abstentions: **0**

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## **ORDERS OF THE DAY**

### **Introduction of Bills**

Mrs. Courchesne, Minister of Education, Recreation and Sports, moved that leave be granted to introduce the following Bill:

78      An Act to enable students to receive instruction from the  
postsecondary institutions they attend

**1280**

The motion was carried on division.

Accordingly, Bill 78 was introduced in the Assembly.

### **Government Bills**

#### *Passage in Principle*

Mrs. Courchesne, Minister of Education, Recreation and Sports, moved, —That Bill 78, An Act to enable students to receive instruction from the postsecondary institutions they attend, do now pass in principle.

Mrs. Houda-Pepin, First Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this debate: 35 minutes shall be granted to the independent Members who wish to be heard, with no more than 12 minutes 30 seconds being allotted per Member; the rest of the time 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. Any time not used by the parliamentary group forming the Government will be transferred to the parliamentary group forming the Official Opposition, and vice versa. Finally, individual addresses shall not be limited.

The debate arose thereon.

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

The motion was carried on the following vote:

(Division No. **95** in Appendix)

Yeas: **64**    Nays: **41**    Abstentions: **0**

Accordingly, Bill 78 was passed in principle.

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*Committee of the Whole*

The Assembly resolved itself into a Committee of the Whole for the clause-by-clause consideration of Bill 78, An Act to enable students to receive instruction from the postsecondary institutions they attend.

During his address, at the request of Mr. Gendron, Third Vice-President, Mr. Khadir (Mercier) withdrew certain words deemed unparliamentary.

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Bill 78 was considered in Committee of the Whole, amended and thereupon reported.

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At 12.01 o'clock p.m., Mr. Gendron, Third Vice-President, suspended the proceedings.

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The proceedings resumed at 2.09 o'clock p.m.

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*Report Stage*

The Assembly took into consideration the report from the Committee of the Whole on its clause-by-clause consideration of Bill 78, An Act to enable students to receive instruction from the postsecondary institutions they attend, together with the amendments handed in by Mrs. Courchesne, Minister of Education, Recreation and Sports, and by Mr. Caire (La Peltrie).



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The amendments handed in by Mrs. Courchesne, Minister of Education, Recreation and Sports, and by Mr. Caire (La Peltrie) were declared in order.

Mr. Gendron, Third Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this debate: 10 minutes shall be granted to the independent Members who wish to be heard, with no more than 5 minutes being allotted per Member; the rest of the time 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. Any time not used by the parliamentary group forming the Government will be transferred to the parliamentary group forming the Official Opposition, and vice versa. Finally, individual addresses shall not be limited.

The debate arose thereon.

The debate being concluded, the amendments handed in by Mrs. Courchesne Minister of Education, Recreation and Sports, on questions severally put thereon, were carried on division.

The amendments handed in by Mr. Caire (La Peltrie), on questions severally put thereon, were negatived.

The sections as amended, the sections of the Bill that the Committee of the Whole had not disposed of as well as the other components of Bill 78, on questions severally put thereon, were adopted on division.

The question was put on the report; a recorded division was thereupon demanded.

The report as amended was concurred in on the following vote:

(Division No. **96** in Appendix)

Yeas: **69**    Nays: **48**    Abstentions: **0**

*Passage*

Mrs. Courchesne, Minister of Education, Recreation and Sports, moved the passage of Bill 78, An Act to enable students to receive instruction from the postsecondary institutions they attend.

Mr. Ouimet, Second Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this debate: 10 minutes shall be granted to the independent Members who wish to be heard, with no more than 5 minutes being allotted per Member; the rest of the time 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. Any time not used by the parliamentary group forming the Government will be transferred to the parliamentary group forming the Official Opposition, and vice versa. Finally, individual addresses shall not be limited.

The debate arose thereon.

During the debate, Mrs. Courchesne, Minister of Education, Recreation and Sports, moved that Bill 78 be referred to a Committee of the Whole for the consideration of an amendment that she specified.

This motion was carried.

Mrs. Courchesne, Minister of Education, Recreation and Sports, moved that the Assembly then resolve itself into a Committee of the Whole.

The motion was carried.

Accordingly, the Assembly resolved itself into a Committee of the Whole.

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The amendment by Mrs. Courchesne, Minister of Education, Recreation and Sports, was considered and then carried on division in Committee of the Whole.

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Bill 78, as amended, was reported to the Assembly, which concurred in the Committee's report on division.

The debate continued on the motion for the passage of Bill 78.

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

The motion was carried on the following vote:

(Division No. **97** in Appendix)

Yeas: **68**    Nays: **48**    Abstentions: **0**

Accordingly, Bill 78 was passed.

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At 5.20 o'clock p.m., the Assembly having completed the examination of the matter for which it was summoned, Mr. Ouimet, Second Vice-President, adjourned the Assembly until Tuesday, 22 May 2012, at 1.45 o'clock p.m.

#### **ROYAL ASSENT**

On Friday, 18 May 2012, at 5.40 o'clock p.m., in the Office of the Lieutenant-Governor, in the presence of Mr. Arsenault, Director of Parliamentary Proceedings and Delegate of the Secretary General, the Honourable Pierre Duchesne, Lieutenant-Governor of Québec, was pleased to assent to the following Bill:

78      An Act to enable students to receive instruction from the postsecondary institutions they attend

**JACQUES CHAGNON**

*President*

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**APPENDIX**

**Recorded Divisions**

On the motion by Mr. Fournier, Government House Leader, to appoint the hours during which the Assembly shall meet:

**(Division No. 93)**

**YEAS - 60**

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

**NAYS - 48**

Aussant	Deltell	Malavoy	Robert
Beaudoin	Doyer	Maltais	Simard
(Mirabel)	Drainville	Marceau	(Kamouraska-Témiscouata)
Bédard	Dufour	Marois	St-Arnaud
Bergeron	Ferland	McKay	Traversy
Bérubé	Gaudreault	Ouellet	Tremblay
Blanchet	(Jonquière)	Pelletier	Trottier
Boucher	Gauvreau	(Rimouski)	Turcotte
Bouillé	Girard	Pelletier	Villeneuve
Caire	Hivon	(Saint-Hyacinthe)	
Champagne	Khadir	Picard	
Charette	Kotto	Poirier	
Cloutier	Leclair	Ratthé	
Cousineau	Léger	Richard	
Curzi	Lemay	(Marguerite-D'Youville)	

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On the motion by Mr. Fournier, Government House Leader, to introduce an exceptional procedure:

**(Division No. 94)**

**YEAS - 60**

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

**NAYS - 48**

Aussant	Deltell	Malavoy	Robert
Beaudoin	Doyer	Maltais	Simard
(Mirabel)	Drainville	Marceau	(Kamouraska- Témiscouata)
Bédard	Dufour	Marois	St-Arnaud
Bergeron	Ferland	McKay	Traversy
Bérubé	Gaudreault	Ouellet	Tremblay
Blanchet	(Jonquière)	Pelletier	Trottier
Boucher	Gauvreau	(Rimouski)	Turcotte
Bouillé	Girard	Pelletier	Villeneuve
Caire	Hivon	(Saint-Hyacinthe)	
Champagne	Khadir	Picard	
Charette	Kotto	Poirier	
Cloutier	Leclair	Rathé	
Cousineau	Léger	Richard	
Curzi	Lemay	(Marguerite- D'Youville)	

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On the motion by Mrs. Courchesne, Minister of Education, Recreation and Sports, for the passage in principle of Bill 78, An Act to enable students to receive instruction from the postsecondary institutions they attend:

**(Division No. 95)**

**YEAS - 64**

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

**NAYS - 41**

Beaudoin	Drainville	Malavoy	Richard
(Mirabel)	Dufour	Maltais	(Marguerite-D'Youville)
Bédard	Ferland	Marceau	Robert
Bergeron	Gaudreault	Marois	Simard
Bérubé	(Jonquière)	McKay	(Kamouraska-Témiscouata)
Blanchet	Gauvreau	Ouellet	St-Arnaud
Boucher	Girard	Pagé	Traversy
Bouillé	Hivon	Pelletier	Tremblay
Champagne	Kotto	(Rimouski)	Trottier
Cloutier	Leclair	Pelletier	Turcotte
Cousineau	Léger	(Saint-Hyacinthe)	
Doyer	Lemay	Poirier	

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On the report from the Committee of the Whole:

**(Division No. 96)**

**YEAS - 69**

Arcand	Charette	Hamad	Pigeon
Arsenault	Charlebois	Huot	Rathé
Auclair	Chevarie	James	Rebello
Bachand	Corbeil	Kelley	Reid
(Arthabaska)	Courchesne	L'Écuyer	Rotiroti
Bachand	D'Amour	Lehouillier	Roy
(Outremont)	Deltell	Lessard	Simard
Bergman	Diamond	MacMillan	(Dubuc)
Bernard	Drolet	Mamelonet	Sklavounos
Bernier	Dubourg	Marcoux	St-Amand
Billette	Dutil	Marsan	St-Pierre
Blais	Fournier	Matte	Thériault
Bolduc	Gagnon-Tremblay	Ménard	Vallée
Bonnardel	Gaudreault	Moreau	Vallières
Boulet	(Hull)	Morin	Vien
Caire	Gautrin	Ouellette	Weil
Carrière	Gignac	Paquet	
Charbonneau	Gonthier	Paradis	
Charest	Grondin	Picard	

**NAYS - 48**

Aussant	Drainville	Malavoy	Richard
Beaudoin	Dufour	Maltais	(Duplessis)
(Mirabel)	Ferland	Marceau	Robert
Bédard	Gaudreault	Marois	Simard
Bergeron	(Jonquière)	McKay	(Kamouraska- Témiscouata)
Bérubé	Gauvreau	Ouellet	Simard
Blanchet	Girard	Pagé	(Richelieu)
Boucher	Hivon	Pelletier	St-Arnaud
Bouillé	Khadir	(Saint-Hyacinthe)	Traversy
Champagne	Kotto	Pelletier	Tremblay
Cloutier	Lapointe	(Rimouski)	Trottier
Cousineau	Leclair	Pinard	Turcotte
Curzi	Léger	Poirier	Villeneuve
Doyer	Lemay	Richard	
		(Marguerite- D'Youville)	

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On the motion by Mrs. Courchesne, Minister of Education, Recreation and Sports, for the passage of Bill 78, An Act to enable students to receive instruction from the postsecondary institutions they attend:

**(Division No. 97)**

**YEAS - 68**

Arcand	Charest	Gonthier	Paquet
Arsenault	Charette	Grondin	Picard
Auclair	Charlebois	Hamad	Pigeon
Bachand	Chevarie	Huot	Ratthé
(Arthabaska)	Corbeil	James	Rebello
Bachand	Courchesne	Kelley	Reid
(Outremont)	D'Amour	L'Écuyer	Rotiroti
Bergman	Deltell	Lehouillier	Roy
Bernard	Diamond	Lessard	Simard
Bernier	Drolet	MacMillan	(Dubuc)
Billette	Dubourg	Mamelonet	Sklavounos
Blais	Dutil	Marcoux	St-Amand
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Bonnardel	Gagnon-Tremblay	Matte	Thériault
Boulet	Gaudreault	Ménard	Vallée
Caire	(Hull)	Moreau	Vallières
Carrière	Gautrin	Morin	Vien
Charbonneau	Gignac	Ouellette	Weil

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Bergeron	(Jonquière)	McKay	(Kamouraska-Témiscouata)
Bérubé	Gauvreau	Ouellet	Simard
Blanchet	Girard	Pagé	(Richelieu)
Boucher	Hivon	Pelletier	St-Arnaud
Bouillé	Khadir	(Saint-Hyacinthe)	Traversy
Champagne	Kotto	Pelletier	Tremblay
Cloutier	Lapointe	(Rimouski)	Trottier
Cousineau	Leclair	Pinard	Turcotte
Curzi	Léger	Poirier	Villeneuve
Doyer	Lemay	Richard	
		(Marguerite-D'Youville)	