



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 11 June 2013 — No. 64

President of the National Assembly:
Mr. Jacques Chagnon

QUÉBEC

The Assembly was called to order at 1.46 o'clock p.m.

ROUTINE PROCEEDINGS

Statements by Members

Mr. Cloutier (Lac-Saint-Jean), on behalf of Mr. Lisée (Rosemont), made a statement about the death of the former Prime Minister of the French Republic, Mr. Pierre Mauroy.

Mrs. Vallières (Richmond) made a statement to underline the 65th anniversary of the Club optimiste de Sherbrooke.

Mrs. de Santis (Bourassa-Sauvé) made a statement about the 50th anniversary of the Civil Liberties Union.

Mr. Spénard (Beauce-Nord) made a statement to congratulate Mr. Jean-Philippe Pelchat-Gagnon, winner of a LOJIQ 2013 award.

11 June 2013

Mr. Turcotte (Saint-Jean) made a statement to underline the television success of Les Appendices comedy group.

Mr. Rousselle (Vimont) made a statement to pay tribute to Mr. Richard Choquette.

Mrs. Roy (Montarville) made a statement to underline the recipient of the Medal of the National Assembly, Dr. Pierre Brisson.

Mr. Iracà (Papineau) made a statement to pay tribute to boxer Gaétan Hart.

Mr. Richer (Argenteuil) made a statement about the 30 years of the Carrefour des femmes de Lachute.

By leave of the Assembly to set aside Standing Order 54.1, Mr. Drolet (Jean-Lesage) made a statement to pay tribute to Mr. André Hébert.

At 1.58 o'clock p.m., Mr. Ouimet, Third Vice-President, suspended the proceedings for a few minutes.

11 June 2013

The proceedings resumed at 2.13 o'clock p.m.

Moment of reflection

Introduction of Bills

Mr. Gendron, Minister of Agriculture, Fisheries and Food, moved that leave be granted to introduce the following Bill:

46 An Act to amend the Act respecting the acquisition of farm land
by non-residents

The motion was carried.

Accordingly, Bill 46 was introduced in the Assembly.

Presenting Papers

Mr. Bédard, Minister responsible for Government Administration and Chair of the Conseil du trésor, tabled the following:

The 2012 annual management report of the Commission administrative des régimes de retraite et d'assurances (CARRA).
(Sessional Paper No. 818-20130611)

Mrs. Ouellet, Minister of Natural Resources, tabled the following:

The 2012-2013 annual report of the Régie de l'énergie.
(Sessional Paper No. 819-20130611)

11 June 2013

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

The report on the application of the *Sustainable Development Act*.
(Sessional Paper No. 820-20130611)

Mr. Bergeron, Minister of Public Security, tabled the following:

The 2012-2015 strategic plan of the Sûreté du Québec.
(Sessional Paper No. 821-20130611)

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

The reply from the Government to the petition tabled on 30 April 2013 by Mr. Lessard (Lotbinière-Frontenac), concerning the abolition of the tax adjustment measure.
(Sessional Paper No. 822-20130611)

Mr. President tabled the following:

The 2012-2013 activity report of the Lobbyists Commissioner of Québec.
(Sessional Paper No. 823-20130611)

Presenting Petitions

Mrs. St-Amand (Trois-Rivières) tabled the following:

The abstract of a petition respecting the financing of regulated private daycares, and signed by 2522 citizens of Québec.
(Sessional Paper No. 824-20130611)

11 June 2013

By leave of the Assembly to set aside Standing Order 63, Mrs. Richard (Duplessis) tabled the following:

The abstract of a petition respecting priority to the recruitment of workers in proximity to North Shore construction sites, and signed by 936 citizens of Québec.

(Sessional Paper No. 825-20130611)

By leave of the Assembly to set aside Standing Order 63, Mr. Lessard (Lotbinière-Frontenac) tabled the following:

The abstract of a petition respecting the lowering of the speed limit at the intersection of Route 112 and Flinkote Street, in Thetford Mines, and signed by 103 citizens of the riding of Lotbinière-Frontenac.

(Sessional Paper No. 826-20130611)

By leave of the Assembly to set aside Standing Order 63, the abstracts of three petitions respecting the adequate financing of public education in Québec were tabled:

- the first, being the abstract of a petition signed by 3855 citizens of Québec, by Mrs. Beaudoin (Mirabel);
(Sessional Paper No. 827-20130611)
 - the second, being the abstract of a petition signed by 3856 citizens of Québec, by Mrs. Charbonneau (Mille-Îles);
(Sessional Paper No. 828-20130611)
 - the third, being the abstract of a petition signed by 3855 citizens of Québec, by Mrs. David (Gouin).
(Sessional Paper No. 829-20130611)
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11 June 2013

By leave of the Assembly to set aside Standing Order 63, the abstracts of two petitions respecting the financing of independent community organizations were tabled:

- the first, being the abstract of a petition signed by 765 citizens of Taillon and of Québec, by Mr. Turcotte (Saint-Jean);
(Sessional Paper No. 830-20130611)
- the second, being the abstract of a petition signed by 1158 citizens of the riding of Sanguinet and of Québec, by Mr. Therrien (Sanguinet).
(Sessional Paper No. 831-20130611)

Complaints of Breach of Privilege or Contempt and Personal Explanations

Mr. President handed down a ruling on the point of privilege raised by the Second Opposition Group House Leader on 28 May 2013, in which he submitted that a breach of privilege arose from advertising messages and information disseminated by several school boards inviting parents to register their children for full-time kindergarten for 4-year-olds in September 2013, while Bill 23, An Act to amend the Education Act concerning certain educational services for students under five years of age, is still under consideration at the National Assembly.

RULING FROM THE CHAIR

It has already been established by jurisprudence that acting on legislative provisions still under consideration at the National Assembly may constitute contempt of Parliament. In this particular case, to determine whether the school boards have committed *prima facie* contempt of Parliament, the Chair must assess whether the advertising and information in question discredit the role of the Assembly and its Members.

Everything indicates that, in setting up a full-time kindergarten program for 4-year-olds, the school boards concerned are indeed acting on the provisions of Bill 23. However, none of the messages or information disseminated refer to the role of the Assembly or its Members in connection with the passage of Bill 23.

As regards Commission scolaire de Rouyn-Noranda, it cannot clearly be inferred from the wording used in its press release that Bill 23 is in force. The Chair would therefore be hard pressed to conclude that the school board committed *prima facie* contempt of Parliament by issuing the press release since the press release does not suggest that Bill 23 has immediate force of law. It would, however, have been preferable for the school board to refer to Bill 23 and the Assembly's role in the press release and thus show greater concern for clarity for the public's sake and greater deference to the Assembly and its Members.

The situation is different for Commission scolaire des Chênes and Commission scolaire de la Vallée-des-Tisserands. The information disseminated by these school boards readily suggests that kindergarten programs for 4-year-olds are already in place within their schools and, consequently, that the provisions of Bill 23 under which these programs may be offered are in immediate effect. No reference is made to the Assembly's role as regards discussing and passing Bill 23. The Chair must therefore find that these two school boards have committed *prima facie* contempt of Parliament.

In light of this, the Chair would issue a reminder about the importance of including an explicit reference to the role of the Assembly and its Members in any advertising or communication of information about a measure provided for in a bill under consideration at the Assembly. It should be clearly stated that the planned measures will be implemented subject to passage of the bill by the National Assembly.

Lastly, the Chair indicated that it is now for the Second Opposition Group House Leader to establish whether he wishes to continue the procedure and move the motions as required by Standing Order 324.

Following the decision given by the President, Mr. Deltell, Second Opposition Group House Leader, indicated that in the event that both school boards acknowledged their mistake by sending a letter to that effect to the Assembly, the matter would be considered closed.

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. Moreau, Official Opposition House Leader, tabled the following:

11 June 2013

Copy of a letter, dated 22 November 2009, addressed to Mr. Renaud Lachance, Auditor General of Québec, from Mr. Florent Gagné, Québec Deputy Minister of Transport from 2003 to 2006, concerning a situation that arose in 2004 and described in paragraph 4.96 of chapter 4 of the Report from the Auditor General of Québec to the National Assembly for 2009-2010.

(Sessional Paper No. 832-20130611)

Motions Without Notice

Mr. Iracà (Papineau), together with Mrs. David (Gouin), moved a motion concerning a framework to allow the largest possible number of young people to take part in and play soccer; this motion could not be debated for want of unanimous consent.

Mrs. Roy (Montarville) moved a motion concerning a mandate to the Committee on Culture and Education on the services and resources offered to students with learning difficulties in Québec's school system; this motion could not be debated for want of unanimous consent.

Mrs. Malavoy, Minister of Education, Recreation and Sports, together with Mrs. David (Gouin), moved a motion concerning the suspension of the Fédération de soccer du Québec; this motion could not be debated for want of unanimous consent.

Mr. Khadir (Mercier) moved a motion concerning the projected rate increase for heritage pool electricity set by law at 2.79¢/kWh; 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. Vallières (Richmond), together with Mrs. Malavoy, Minister of Education, Recreation and Sports, Mr. Hébert, Minister responsible for the Estrie region, Mr. Reid (Orford), Mrs. Trudel (Charlesbourg) and Mr. Khadir (Mercier), moved:

11 June 2013

THAT the National Assembly highlight the holding of the Canada Games in Sherbrooke from August 2 to 17;

THAT it salute the work of the organization and of the 5,000 volunteers involved, as well as the key role played by the city;

THAT it wish good luck to all the participants and encourage Quebecers to go cheer for these high-level athletes.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Orders 84.1 and 185, Mr. Gaudreault (Jonquière), together with Mr. Bédard (Chicoutimi), Mr. Cloutier (Lac-Saint-Jean), Mr. Trottier (Roberval), Mr. Claveau (Dubuc), Mrs. Charlebois (Soulanges), Mr. Schneeberger (Drummond–Bois-Francis) and Mrs. David (Gouin), moved:

THAT the National Assembly mark the 175th anniversary of the Saguenay–Lac-Saint-Jean region, which has, since its founding in 1838, carved out a strong and rich identity thanks to the pride, creativity and joie de vivre of its people;

THAT it recall the events that have defined the history of Saguenay–Lac-Saint-Jean and contributed to enriching its renowned and legendary heritage, particularly in the cultural sphere;

THAT the Assembly recognize the hard work of those who have built this region and left their imprint on its political, economic, social and religious history and who have enabled the region to shine beyond its borders, especially through its dynamic and booming tourism industry;

THAT it take note of the vigour of those involved in the development of the forestry, pulp and paper and aluminum industries, which has been made possible by the presence of natural and hydroelectric resources in the region;

11 June 2013

THAT it invite all Quebeckers to this magnificent kingdom to take part in the festivities and discover the riches of this must-see destination during the 175th anniversary of the founding of Saguenay–Lac-Saint-Jean; and

THAT it acknowledge the excellent work accomplished by the celebration's organization team and its various partners and wish them all a wonderful 175th anniversary.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Orders 84.1 and 185, Mrs. Proulx (Sainte-Rose), together with Mrs. Gaudreault (Hull), Mrs. St-Laurent (Montmorency) and Mrs. David (Gouin), moved:

THAT the National Assembly support the campaign put on by the French Canada branch of Amnesty International under the slogan “J’aime mon corps, J’aime mes droits” (I like my body, I like my rights) by speaking out against forced early marriages, which strip thousands of children around the world of their rights every day.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

By leave of the Assembly to set aside Standing Order 84.1 and pursuant to Standing Order 146, Mr. Traversy, Deputy Government House Leader, moved:

THAT, within the framework of the examination of Bill 28, An Act to establish the new Code of Civil Procedure, the Committee on Institutions hold special consultations on 10, 11 and 13 September 2013, and that, for this purpose, it hear the following groups:

Chambre des notaires
Chambre des huissiers de justice
Institut de médiation et d'arbitrage du Québec
Réseau pour une approche transformative du conflit
Confédération des organismes familiaux du Québec
Observatoire du droit à la justice de l'Université de Montréal
Me Denis Ferland, Professor at Laval University
Public Curator
Office de la protection du consommateur
Jeune Barreau de Québec
Association du Jeune Barreau de Montréal
Conseil des syndics de faillites
Commission des droits de la personne
Barreau du Québec – Comité procédure civile
Barreau du Québec – Comité droit familial
Barreau du Québec – Comité recours civil

THAT a period of 15 minutes be set aside for opening statements;

THAT the time set aside for the party forming the Government and for the party forming the Official Opposition for opening statements be of 6 minutes each and the time set aside for the Second Opposition Group be of 3 minutes;

THAT the presentation by the Barreau du Québec last no longer than 30 minutes and the exchange with the Committee members last no longer than 150 minutes;

THAT the time set aside for the party forming the Government be of 69 minutes and the time set aside for the opposition Members be of 81 minutes;

THAT the presentation by each of the other groups last no longer than 10 minutes and the exchange with the Committee members last no longer than 50 minutes;

THAT the time set aside for the party forming the Government be of 24 minutes and the time set aside for the opposition Members be of 26 minutes;

11 June 2013

THAT a period of 15 minutes be set aside for closing statements allocated in the same manner as for the opening statements;

THAT the Minister of Justice be a member of the said Committee during its proceedings with respect to this order of reference.

By leave of the Assembly, the motion was carried.

Notices of Proceedings in Committees

Mr. Traversy, Deputy Government House Leader, convened the following Committees:

- the Committee on Planning and the Public Domain, to hear the interested parties and give clause-by-clause consideration to the following Private Bills, in the order indicated hereafter: Bill 209, An Act respecting the possibility for municipal founders to stand surety for the Société d'Économie Mixte de l'Est de la Couronne Sud (SÉMECS) inc.; Bill 205, An Act respecting Ville de Châteauguay; Bill 206, An Act respecting Municipalité régionale de comté des Basques; Bill 208, An Act concerning the possibility for municipal founders to stand surety for the Société d'économie mixte d'énergie renouvelable de la région de Rivière-du-Loup inc.; Bill 204, An Act respecting various by-laws of Ville de Brossard and various by-laws of Ville de Longueuil applicable to the borough of Brossard;
- the Committee on Culture and Education, to continue its clause-by-clause consideration of Bill 23, An Act to amend the Education Act concerning certain educational services for students under five years of age;
- the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 25, An Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012;

11 June 2013

- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 3, An Act to amend the Election Act for the purpose of establishing fixed-date elections;
- the Committee on Health and Social Services, to continue its public hearings within the framework of special consultations on the management of the Centre hospitalier de l'Université de Montréal by the current director general.

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

- the Committee on Health and Social Services shall hold a deliberative meeting to establish the observations, conclusions and recommendations, if any, of the Committee report following the special consultations on the management of the Centre hospitalier de l'Université de Montréal by the current director general;
- the Committee on Public Administration shall hold a deliberative meeting to organize its proceedings.

ORDERS OF THE DAY

Debates on Reports from Committees

The Assembly resumed the debate, which had been adjourned on 7 June 2013, on the report from the Committee on Health and Social Services, which, on 29 and 30 January as well as on 20 February 2013, examined the annual management reports of the Bas-Saint-Laurent, Mauricie et Centre-du-Québec, Chaudière-Appalaches, Estrie and Outaouais health and social services agencies from 2007-2008 to 2011-2012 and of the Capitale-Nationale from 2009-2010 to 2011-2012. The report contains five recommendations.

11 June 2013

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

Mr. Traversy, Deputy Government House Leader, moved the adjournment of the Assembly until Wednesday, 12 June 2013, at 9.45 o'clock a.m.

The motion was carried.

Accordingly, at 4.38 o'clock p.m., Mr. Ouimet, Third Vice-President, adjourned the Assembly until Wednesday, 12 June 2013, at 9.45 o'clock a.m.

JACQUES CHAGNON

President