

FIRST SESSION

FORTIETH LEGISLATURE

# **Votes and Proceedings**

of the Assembly

Wednesday, 23 October 2013 — No. 82

President of the National Assembly: Mr. Jacques Chagnon

**QUÉBEC** 

Fleurant.

The Assembly was called to order at 9.45 o'clock a.m.						
ROUTINE PROCEEDINGS						
Statements by Members						
Mr. Pelletier (Saint-Hyacinthe) made a statement about the 75 <sup>th</sup> anniversary of La Survivance.						
Mrs. Ménard (Laporte) made a statement to pay tribute to the municipal councillors who are leaving politics.						
Mr. Billette (Huntingdon) made a statement about the Val-Jean 2013 Woman Farmer of the Year, Mrs. Sara Patenaude.						
Mrs. Trudel (Charlesbourg) made a statement about the 25 <sup>th</sup> anniversary of Aînés regroupés de Charlesbourg.						
Mrs. Bouillé (Iberville) made a statement to pay tribute to Sister Huguette						

Mr. Bergman (D'Arcy-McGee) made a statement to congratulate the mayor of Côte-Saint-Luc.
Mr. Picard (Chutes-de-la-Chaudière) made a statement about the Guignolée, an expression of sharing with people in need.
Mr. Poëti (Marguerite-Bourgeoys) made a statement about the Société de Saint-Vincent de Paul.
Mr. Bergeron (Verchères) made a statement about the 30 <sup>th</sup> anniversary of the Maison des jeunes de Contrecoeur.
Mrs. Proulx (Sainte-Rose) made a statement about the Association québécoise des retraité(e)s des secteurs public et parapublic.
At 9.56 o'clock a.m., Mr. Ouimet, Third Vice-President, suspended the proceedings for a few minutes.
The proceedings resumed at 10.16 o'clock a.m.

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Moment of reflection

#### **Statements by Ministers**

Mr. Cloutier, Minister for Canadian Intergovernmental Affairs, the Canadian Francophonie and Sovereignist Governance, made a statement about the reaffirmation of the fundamental principles of society and of Québec democracy.

Mr. Moreau, Official Opposition House Leader, commented on behalf of the Official Opposition.

Mr. Caire (La Peltrie) commented on behalf of the Second Opposition Group.

By leave of the Assembly to set aside Standing Order 56, Mrs. David (Gouin) commented on the ministerial statement.

By leave of the Assembly to set aside Standing Orders 53 and 185, Mrs. Marois, Premier, together with Mr. Legault, Leader of the Second Opposition Group, Mrs. David (Gouin) and Mr. Ratthé (Blainville), moved:

THAT the National Assembly of Québec reaffirm and unanimously proclaim the fundamental principles set forth in the Act respecting the exercise of the fundamental rights and prerogatives of the Québec people and the Québec State;

THAT the National Assembly reaffirm that Quebecers have the right to decide their future and to determine their political status;

THAT the National Assembly reaffirm that when Quebecers are consulted by way of a referendum under the *Referendum Act*, the applicable democratic rule is that of absolute majority, namely 50 % of the valid votes cast plus one;

THAT the National Assembly reaffirm that the National Assembly of Québec alone has the power and capacity to establish the terms and conditions for the holding of a referendum in accordance with the *Referendum Act*, including the wording of the referendum question;

THAT the National Assembly reaffirm that no other parliament or government may reduce the powers, authority, sovereignty or legitimacy of the National Assembly, or impose constraint on the democratic will of the Québec people to determine its own future;

THAT the National Assembly condemn the intrusion by the Government of Canada into Québec's democracy by seeking to invalidate the impugned provisions of the *Act respecting the exercise of the fundamental rights and prerogatives of the Québec people and the Québec State*;

THAT the National Assembly call on the Government of Canada to refrain from intervening and challenging the *Act respecting the exercise of the fundamental rights and prerogatives of the Québec people and the Québec State* in the Superior Court of Québec.

The question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **62** in Appendix)

Yeas: 114 Nays: 0 Abstentions: 0

#### **Introduction of Bills**

Mrs. Roy (Montarville) moved that leave be granted to introduce the following Bill:

492 Charter of Secularism

The motion was carried.

Accordingly, Bill 492 was introduced in the Assembly.

#### **Presenting Papers**

Mr. Gendron, Minister of Agriculture, Fisheries and Food, tabled the following:

The 2012-2013 annual management report of the Régie des marchés agricoles et alimentaires du Québec.

(Sessional Paper No. 1194-20131023)

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Mr. St-Arnaud, Minister of Justice and Minister responsible for the administration of legislation respecting the professions, tabled the following 2011-2012 annual reports:

Ordre des acupuncteurs du Québec

(Sessional Paper No. 1195-20131023)

Ordre des administrateurs agréés du Québec

(Sessional Paper No. 1196-20131023)

Ordre des architectes du Québec

(Sessional Paper No. 1197-20131023)

Ordre des audioprothésistes du Québec

(Sessional Paper No. 1198-20131023)

Ordre des chimistes du Québec

(Sessional Paper No. 1199-20131023)

Ordre des comptables en management accrédités du Québec

(Sessional Paper No. 1200-20131023)

Ordre des comptables généraux accrédités du Québec

(Sessional Paper No. 1201-20131023)

Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec

(Sessional Paper No. 1202-20131023)

Ordre des conseillers et conseillères d'orientation du Québec

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(Sessional Paper No. 1203-20131023)

Ordre professionnel des diététistes du Québec

(Sessional Paper No. 1204-20131023)

Ordre des évaluateurs agréés du Québec

(Sessional Paper No. 1205-20131023)

Chambre des huissiers de justice du Québec

(Sessional Paper No. 1206-20131023)

Ordre des hygiénistes dentaires du Québec

(Sessional Paper No. 1207-20131023)

Ordre des infirmières et infirmiers auxiliaires du Québec

(Sessional Paper No. 1208-20131023)

Ordre des ingénieurs du Québec

(Sessional Paper No. 1209-20131023)

Ordre des ingénieurs forestiers du Québec

(Sessional Paper No. 1210-20131023)

Ordre professionnel des inhalothérapeutes du Québec

(Sessional Paper No. 1211-20131023)

Ordre des médecins vétérinaires du Québec

(Sessional Paper No. 1212-20131023)

Ordre des opticiens d'ordonnances du Québec

(Sessional Paper No. 1213-20131023)

Ordre des optométristes du Québec

(Sessional Paper No. 1214-20131023)

Ordre des orthophonistes et audiologistes du Québec

(Sessional Paper No. 1215-20131023)

Ordre des pharmaciens du Québec

(Sessional Paper No. 1216-20131023)

Ordre professionnel de la physiothérapie du Québec

(Sessional Paper No. 1217-20131023)

Ordre des psychoéducateurs et psychoéducatrices du Québec

(Sessional Paper No. 1218-20131023)

Ordre des psychologues du Québec

(Sessional Paper No. 1219-20131023)

Ordre des techniciennes et techniciens dentaires du Québec

(Sessional Paper No. 1220-20131023)

Ordre professionnel des technologistes médicaux du Québec

(Sessional Paper No. 1221-20131023)

Ordre des technologues en imagerie médicale et

en radio-oncologie du Québec

(Sessional Paper No. 1222-20131023)

Ordre des traducteurs, terminologues et interprètes

agréés du Québec

(Sessional Paper No. 1223-20131023)

Ordre des travailleurs sociaux et des thérapeutes

conjugaux et familiaux du Québec

(Sessional Paper No. 1224-20131023)

Ordre des urbanistes du Québec

(Sessional Paper No. 1225-20131023)

He then tabled the following:

The 2010-2011 annual report of the Ordre des administrateurs agréés du Québec; (Sessional Paper No. 1226-20131023)

The 2011-2012 annual report of the Collège des médecins du Québec; (Sessional Paper No. 1227-20131023)

The 2012-2013 annual management report of the Tribunal administratif du Québec;

(Sessional Paper No. 1228-20131023)

The 2012-2013 annual management report of the Société québécoise d'information juridique.

(Sessional Paper No. 1229-20131023)

#### **Presenting Reports from Committees**

Mrs. Bouillé (Iberville), committee chairman, tabled the following:

A report from the Committee on Agriculture, Fisheries, Energy and Natural Resources, which met on 22 October 2013 for clause-by-clause consideration of Bill 46, An Act to amend the Act respecting the acquisition of farm land by non-residents. The report contains an amendment to the bill.

(Sessional Paper No. 1230-20131023)

#### **Presenting Petitions**

By leave of the Assembly to set aside Standing Order 63, Mr. Deltell (Chauveau), on behalf of Mr. Marcotte (Portneuf), tabled the following:

The abstract of a petition respecting the safety-conscious design of the intersection of Commerciale Street and Highway 138 in Donnacona, and signed by 1757 citizens of Québec.

(Sessional Paper No. 1231-20131023)

#### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Gaudreault, Minister of Transport, withdrew certain words deemed unparliamentary.

At 11.16 o'clock a.m., Mr. President suspended the proceedings for a few minutes.

The proceedings resumed at 11.24 o'clock a.m.

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By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Dubé (Lévis) tabled the following:

Copy of a letter, dated 17 October 2013, addressed to Mrs. Émilie Bevan, Clerk of the Committee on Public Finance, from Mr. Jean-François Gibeault, Executive Director of the Minister of Finance and the Economy, concerning the order of the Committee on Public Finance with regard to the quarterly examination of the Government's budgetary policy and of the evolution of public finance.

(Sessional Paper No. 1232-20131023)

#### **Motions Without Notice**

By leave of the Assembly to set aside Standing Order 185, Mr. Drolet (Jean-Lesage), together with Mrs. Zakaïb, Minister for Industrial Policy and the Banque de développement économique du Québec, Mr. Le Bouyonnec (La Prairie), Mr. Khadir (Mercier) and Mr. Ratthé (Blainville), moved:

THAT the National Assembly underline Small Business Week, which was held from 14 to 20 October 2013;

THAT it recognize the important contribution of small and medium-sized businesses to the economic fabric of Québec.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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Mr. Le Bouyonnec (La Prairie), together with Mr. Drolet (Jean-Lesage) and Mr. Ratthé (Blainville), moved a motion concerning the results of a study published by the Canadian Federation of Independent Business; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 185, Mr. Khadir (Mercier), together with Mr. Dutil (Beauce-Sud), Mr. Deltell (Chauveau) and Mr. Ratthé (Blainville), moved:

THAT the National Assembly welcome the parliamentarians' unanimous adoption, last June, of an act establishing fixed-date elections in Ouébec;

THAT the National Assembly remind the parties that, in so doing, they have established that the time when election dates were determined according to party interests is a thing of the past, as stated in the press release issued by the Minister responsible for Democratic Institutions last 14 June.

By leave of the Assembly, the motion was carried.

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By leave of the Assembly to set aside Standing Orders 84.1 and 185, and pursuant to Standing Order 146, Mr. St-Arnaud, Deputy Government House Leader, together with Mr. Dubé (Lévis), Mr. Khadir (Mercier) and Mr. Ratthé (Blainville), moved:

THAT the National Assembly instruct the Committee on Public Finance to hear the chief executive officer and the president of the board of directors of the Fonds de solidarité FTQ on Tuesday, 5 November 2013, for a period of five hours, to present measures to improve its governance, more particularly the changes introduced in 2009, as well as the Autorité des marchés financiers:

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

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

THAT the presentation by the head officers of the Fonds de solidarité last no longer than 40 minutes and the exchange with the Committee members last no longer than 140 minutes;

THAT the time set aside for the party forming the Government be of 64 minutes and the time set aside for the opposition Members be of 76 minutes;

THAT the presentation by the Autorité des marchés financiers last no longer than 30 minutes and the exchange with the Committee members last no longer than 90 minutes;

THAT the time set aside for the party forming the Government be of 41 minutes and the time set aside for the opposition Members be of 49 minutes;

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 Labour 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 Committee:

— the Committee on Institutions, to continue its clause-by-clause consideration of Bill 28, An Act to establish the new Code of Civil Procedure.

And, by leave of the Assembly to set aside Standing Order 143, he convened the following Committee:

— the Committee on Health and Social Services, to hold public hearings within the framework of special consultations on the document entitled "Autonomy for All: White Paper on the Creation of Autonomy Insurance".

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

— the Committee on Labour and the Economy shall hold a deliberative meeting to discuss the possibility of carrying out an order of initiative;

the Committee on Public Administration shall hold a deliberative meeting to prepare the hearing on intellectual disabilities and pervasive developmental disorders; it shall then hold a public meeting to hear the Ministère de la Santé et des Services sociaux, the Montréal and Montérégie health and social services agencies, the Centre de santé et de services sociaux de Rivière-du-Loup as well as the Centre de réadaptation en déficience intellectuelle et en troubles envahissants du développement de Montérégie-Est; and finally, it shall hold a deliberative meeting to discuss the observations, conclusions and recommendations, if any, following these hearings.

#### Information on the Proceedings of the Assembly

By leave of the Assembly to set aside Standing Orders 20 and 298, Mr. Ouimet, Third Vice-President, informed the Assembly that the interpellation scheduled for Thursday, 24 October 2013 between Mr. Dubé (Lévis) and Mr. Bédard, Minister responsible for Government Administration and Chair of the Conseil du trésor, on "the Government's mismanagement of public expenditure", will be held on Thursday, 31 October 2013, from 1.00 o'clock p.m. to 3.00 o'clock p.m.

#### ORDERS OF THE DAY

#### **Government Bills**

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 22 October 2013, on the motion by Mrs. Hivon, Minister for Social Services and Youth Protection, for the passage in principle of Bill 52, An Act respecting end-of-life care.

At 1.00 o'clock p.m., Mr. Ouimet, Third Vice-President, suspended the proceedings until 3.00 o'clock p.m.

Accordingly, in pursuance of Standing Order 97, the debate on the motion by Mrs. Hivon, Minister for Social Services and Youth Protection, was adjourned.

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The proceedings resumed at 3.02 o'clock p.m.

#### **Business Standing in the Name of Members in Opposition**

Mr. Tanguay (LaFontaine) moved:

THAT the National Assembly reiterate its full confidence in the Commission des droits de la personne et des droits de la jeunesse, an agency that is independent of the government;

THAT it demand that the Parti Québécois government formally commit, in its bill on a charter of Québec values, to respecting the rights and freedoms of all Quebecers, as guaranteed by the Québec Charter of Human Rights and Freedoms adopted unanimously by the National Assembly in 1975.

Mr. Ouimet, 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 his reply; approximately 43 minutes 39 seconds shall be allotted to the parliamentary group forming the Government; approximately 38 minutes 48 seconds shall be allotted to the parliamentary group forming the Official Opposition; approximately 14 minutes 33 seconds shall be allotted to the Second Opposition Group; and 6 minutes shall be allotted to the independent Members. Within this framework, any time not used by the independent Members or by any of the parliamentary groups shall be redistributed among the parliamentary groups in proportion to their representation in the Assembly. Lastly, individual addresses shall not be limited.

#### 23 October 2013

After debate thereon, the question was put on this motion; a recorded division was thereupon demanded.

The motion was carried on the following vote:

(Division No. **63** in Appendix)

Yeas: 105 Nays: 0 Abstentions: 0

#### **Government Bills**

Passage in Principle

The Assembly resumed the debate, which had been adjourned earlier in today's sitting, on the motion by Mrs. Hivon, Minister for Social Services and Youth Protection, for the passage in principle of Bill 52, An Act respecting end-of-life care.

5.59 o'clock p.m., Mr. Cousineau, Second Vice-President, adjourned the Assembly until Thursday, 24 October 2013, at 9.45 o'clock a.m.

### **JACQUES CHAGNON**

President

### **APPENDIX**

### **Recorded Divisions**

On the motion by Mrs. Marois, Premier, together with Mr. Legault, Leader of the Second Opposition Group, Mrs. David (Gouin) and Mr. Ratthé (Blainville):

## (Division No. 62)

### **YEAS - 114**

Arcand (QLP)	Diamond (QLP)	Lessard (QLP)	Richer (PQ)
Beaudoin $(PQ)$	Drainville $(PQ)$	Lisée (PQ)	Rotiroti (QLP)
Bergeron $(PQ)$	Drolet (QLP)	Malavoy $(PQ)$	Rousselle ( <i>QLP</i> )
Bergman (QLP)	Dubé (CAQ)	Maltais (PQ)	Roy(PQ)
Bérubé (PQ)	Duchesne $(PQ)$	Marceau (PQ)	(Bonaventure)
Billette (QLP)	Dufour (PQ)	Marcoux (QLP)	Roy(CAQ)
Blais (QLP)	Dutil (QLP)	Marois (PQ)	(Montarville)
Blanchet (PQ)	Ferland $(PQ)$	Marsan (QLP)	Roy(CAQ)
Bolduc (QLP)	Fournier (QLP)	Martel (CAQ)	(Arthabaska)
(Mégantic)	Gadoury-Hamelin (PQ)	McKay (PQ)	Schneeberger (CAQ)
Bolduc (QLP)	Gaudreault (PQ)	Ménard (QLP)	Sklavounos (QLP)
(Jean-Talon)	(Jonquière)	Moreau (QLP)	Spénard (CAQ)
Bonnardel (CAQ)	Gaudreault (QLP)	Morin (QLP)	St-Amand (QLP)
Bouillé (PQ)	(Hull)	Ouellet $(PQ)$	St-Arnaud (PQ)
Boulet (QLP)	Gautrin (QLP)	Ouellette (QLP)	St-Laurent (CAQ)
Breton $(PQ)$	Gendron (PQ)	Ouimet (QLP)	St-Pierre ( <i>QLP</i> )
Bureau-Blouin (PQ)	Goyer $(PQ)$	(Fabre)	Tanguay (QLP)
Caire (CAQ)	Hamad (QLP)	Pagé (PQ)	Thériault (QLP)
Cardin $(PQ)$	Hébert (PQ)	Paradis (QLP)	Therrien $(PQ)$
Carrière ( <i>QLP</i> )	Hivon $(PQ)$	Pelletier $(PQ)$	Traversy $(PQ)$
Champagne (PQ)	Houda-Pepin (QLP)	(Saint-Hyacinthe)	Trottier $(PQ)$
Chapadeau (PQ)	Iracà (QLP)	Pelletier $(PQ)$	Trudel ( $CAQ$ )
Charbonneau (QLP)	James (QLP)	(Rimouski)	(Charlesbourg)
Charlebois (QLP)	Kelley (QLP)	Picard (CAQ)	Trudel $(PQ)$
Claveau (PQ)	Khadir (IND)	Poëti (QLP)	(Saint-Maurice)
Cloutier $(PQ)$	Kotto (PQ)	Proulx $(PQ)$	Turcotte ( $PQ$ )
D'Amour (QLP)	Larouche (PQ)	Ratthé (IND)	Vallée ( <i>QLP</i> )
Daneault (CAQ)	Le Bouyonnec (CAQ)	Reid (QLP)	Vallières ( <i>QLP</i> )
David (IND)	Leclair $(PQ)$	Richard (PQ)	Vien (QLP)
De Courcy $(PQ)$	Legault ( <i>CAQ</i> )	(Duplessis)	Villeneuve $(PQ)$
de Santis (QLP)	Léger (PQ)	Richard (PQ)	Weil (QLP)
Deltell (CAQ)	Lelièvre (PQ)	(Îles-de-la-Madeleine)	Zakaïb (PQ)

## On the motion by Mr. Tanguay (LaFontaine):

## (Division No. 63)

YEAS - 105							
Arcand (QLP)	Drainville ( $PQ$ )	Maltais (PQ)	Roy(PQ)				
Beaudoin $(PQ)$	Drolet (QLP)	Marceau $(PQ)$	(Bonaventure)				
Bergeron $(PQ)$	Dubé (CAQ)	Marcoux (QLP)	Roy (CAQ)				
Bergman (QLP)	Duchesne $(PQ)$	Marois $(PQ)$	(Montarville)				
Bérubé (PQ)	Dufour $(PQ)$	Marsan (QLP)	Roy (CAQ)				
Billette (QLP)	Dutil ( <i>QLP</i> )	Martel (CAQ)	(Arthabaska)				
Blais (QLP)	Ferland (PQ)	McKay(PQ)	Sklavounos (QLP)				
Blanchet (PQ)	Fournier (QLP)	Ménard (QLP)	Spénard (CAQ)				
Bolduc (QLP)	Gadoury-Hamelin (PQ)	Moreau (QLP)	St-Amand (QLP)				
(Mégantic)	Gaudreault (PQ)	Morin (QLP)	St-Arnaud (PQ)				
Bolduc (QLP)	(Jonquière)	Ouellette ( <i>QLP</i> )	St-Laurent (CAQ)				
(Jean-Talon)	Gaudreault (QLP)	Ouimet (QLP)	St-Pierre ( <i>QLP</i> )				
Bonnardel (CAQ)	(Hull)	(Fabre)	Tanguay (QLP)				
Bouillé (PQ)	Gautrin (QLP)	Pagé (PQ)	Thériault (QLP)				
Breton $(PQ)$	Gendron $(PQ)$	Paradis (QLP)	Therrien $(PQ)$				
Bureau-Blouin (PQ)	Goyer $(PQ)$	Pelletier $(PQ)$	Traversy $(PQ)$				
Caire $(CAQ)$	Hébert (PQ)	(Rimouski)	Trudel ( $CAQ$ )				
Cardin $(PQ)$	Hivon (PQ)	Pelletier $(PQ)$	(Charlesbourg)				
Carrière ( <i>QLP</i> )	Houda-Pepin (QLP)	(Saint-Hyacinthe)	Trudel $(PQ)$				
Champagne $(PQ)$	Iracà (QLP)	Picard (CAQ)	(Saint-Maurice)				
Chapadeau (PQ)	Kelley (QLP)	Poëti (QLP)	Turcotte ( $PQ$ )				
Charbonneau (QLP)	Kotto $(PQ)$	Proulx $(PQ)$	Vallée (QLP)				
Charlebois (QLP)	Larouche ( <i>PQ</i> )	Ratthé (IND)	Vien (QLP)				
Claveau (PQ)	Le Bouyonnec (CAQ)	Reid (QLP)	Villeneuve ( <i>PQ</i> )				
Cloutier $(PQ)$	Leclair (PQ)	Richard (PQ)	Weil (QLP)				
D'Amour ( <i>QLP</i> )	Legault (CAQ)	(Duplessis)	Zakaïb ( <i>PQ</i> )				
Daneault ( $CAQ$ )	Léger (PQ)	Richard (PQ)					
De Courcy $(PQ)$	Lelièvre $(PQ)$	(Îles-de-la-Madeleine)					
de Santis (QLP)	Lessard (QLP)	Richer $(PQ)$					
Deltell ( $CAQ$ )	Lisée (PQ)	Rotiroti (QLP)					
Diamond (QLP)	Malavoy $(PQ)$	Rousselle ( <i>QLP</i> )					