



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 29 October 2013 — No. 84

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

QUÉBEC

The Assembly was called to order at 1.45 o'clock p.m.

ROUTINE PROCEEDINGS

Statements by Members

Mr. Gendron (Abitibi-Ouest) made a statement to pay tribute to Mrs. Josée Théberge.

Mrs. de Santis (Bourassa-Sauvé) made a statement to congratulate the winners of La Passion d'entreprendre contest organized by the Carrefour jeunesse-emploi de Bourassa-Sauvé.

Mrs. Bouillé (Iberville) made a statement about the 45th anniversary of L'Air du temps vocal ensemble.

Mrs. Vallières (Richmond) made a statement about the 35th edition of the Salon du livre de l'Estrie.

Mrs. St-Laurent (Montmorency) made a statement about the 20th anniversary of the Association lyrique de Beauport.

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Mr. D'Amour (Rivière-du-Loup–Témiscouata) made a statement to pay tribute to the Club Optimiste de Saint-Épiphanie.

Mrs. De Courcy (Crémazie) made a statement to underline the commitment of the CSSS d'Ahuntic et Montréal-Nord volunteers.

Mr. Ratthé (Blainville) made a statement about the founding of the Club Optimiste Blainville Inspirante.

Mr. Kelley (Jacques-Cartier) made a statement to thank Dr. Stanley Vollant for all the hope fostered by the Innu Meshkenu walk.

Mr. Blanchet (Johnson) made a statement to underline the 35 years of controlled harvesting zones ("Zecs").

At 1.57 o'clock p.m., Mr. Ouimet, Third Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 2.15 o'clock p.m.

Moment of reflection

Introduction of Bills

Mr. Khadir (Mercier) moved that leave be granted to introduce the following Bill:

494 An Act to proclaim National Hepatitis C Awareness Day

The motion was carried.

Accordingly, Bill 494 was introduced in the Assembly.

Presenting Papers

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

The reply from the Government to the petition tabled on 28 May 2013 by Mrs. David (Gouin), concerning equity and the choice of school curricula offered to students with Autism Spectrum Disorders (ASD) or intellectual disabilities;
(Sessional Paper No. 1244-20131029)

The reply from the Government to the petition tabled on 30 May 2013 by Mr. Iracà (Papineau), concerning the construction of an artificial turf soccer-football field east of the city of Gatineau;
(Sessional Paper No. 1245-20131029)

The reply from the Government to the petition tabled on 30 May 2013 by Mr. Bureau-Blouin (Laval-des-Rapides), concerning Hydro-Québec's radiofrequency emitting meters;
(Sessional Paper No. 1246-20131029)

The reply from the Government to the petition tabled on 5 June 2013 by Mrs. David (Gouin), concerning the banning of type 6 plastic wrapped packaging products;
(Sessional Paper No. 1247-20131029)

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The reply from the Government to the petition tabled on 11 June 2013 by Mr. Lessard (Lotbinière-Frontenac), concerning the lowering of the speed limit at the intersection of Route 112 and Flintkote Street, in Thetford Mines;
(Sessional Paper No. 1248-20131029)

The reply from the Government to the petition tabled on 12 June 2013 by Mr. Bolduc (Mégantic), concerning the Sauvage river bridge;
(Sessional Paper No. 1249-20131029)

The reply from the Government to the petition tabled on 13 June 2013 by Mr. Marcoux (Vaudreuil), concerning an action plan to reopen exit 41 on Félix-Leclerc Highway;
(Sessional Paper No. 1250-20131029)

The reply from the Government to the petition tabled on 17 September 2013 by Mr. Le Bouyonnec (La Prairie), concerning the construction of a noise abatement wall along Highway 15/132 in La Prairie.
(Sessional Paper No. 1251-20131029)

Mr. President tabled the following:

A copy of the notice of motion by Mr. Paradis (Brome-Missisquoi), which will be placed on the *Order Paper and Notices* of Wednesday, 30 October 2013, under Business Standing in the Name of Members in Opposition.
(Sessional Paper No. 1252-20131029)

Presenting Reports from Committees

Mr. President tabled the following:

The report from the steering committee of the Committee on the National Assembly, which, on 25 October 2013, held a meeting to decide on two requests for changes in the membership of the standing committees.
(Sessional Paper No. 1253-20131029)

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By leave of the Assembly to set aside Standing Orders 121 and 127, Mrs. Poirier, First Vice-President, moved:

THAT the changes in the membership of the standing committees as provided for in the report from the steering committee of the Committee on the National Assembly be adopted;

THAT these changes take effect beginning on 25 October 2013.

The motion was carried.

Presenting Petitions

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

The abstract of a petition respecting the increase in the replacement rate of the Québec Pension Plan (QPP), and signed by 1250 citizens of Québec.
(Sessional Paper No. 1254-20131029)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mrs. Blais (Saint-Henri–Sainte-Anne) tabled the following:

Copy of a letter, dated 1 October 2013, addressed to Mr. Réjean Hébert, Minister of Health and Social Services, from Mrs. Chantal Gariépy, daughter and caregiver of Mrs. Anita Girard and president of the Comité des usagers de l'Institut de gériatrie de Montréal, concerning the cuts made in the health and social services network.

(Sessional Paper No. 1255-20131029)

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At the request of Mr. President, Mr. Lisée, Minister of International Relations, La Francophonie and External Trade, withdrew certain words deemed unparliamentary.

Deferred Divisions

The Assembly took the division, which had been deferred at the sitting of 24 October 2013, on the motion moved 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.

The motion was carried on the following vote:

(Division No. **64** in Appendix)

Yeas: **84** Nays: **26** Abstentions: **0**

Accordingly, Bill 52 was passed in principle.

Mr. Traversy, Deputy Government House Leader, moved that Bill 52 be referred for clause-by-clause consideration to the Committee on Health and Social Services.

The motion was carried.

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Cloutier, Minister for Canadian Intergovernmental Affairs, the Canadian Francophonie and Sovereignist Governance, together with Mr. Caire (La Peltrie), Mr. Khadir (Mercier) and Mr. Rathé (Blainville), moved:

THAT the National Assembly recall that the *Supreme Court Act* stipulates that three of the Supreme Court judges shall be from Québec and that they shall be appointed from among the judges of the Court of Appeal or of the Superior Court of Québec or from among practicing lawyers, members of the Québec Bar;

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THAT it recall that this constitutional guarantee preserves Québec's distinctiveness and civil law tradition and cannot be altered or otherwise modified without the consent of the National Assembly of Québec;

THAT it recall Québec's historic position that the three Québec judges on the Supreme Court should be selected from among the candidates recommended by the Attorney General of Québec to the federal government;

THAT it recall the importance of having three judges from Québec on the Supreme Court when cases that are of major importance to Québec are heard;

THAT it deplore the federal government's unilateralism with regard to the appointment of the latest Québec judge to the Supreme Court;

THAT it deplore that the decision of the Prime Minister of Canada has led to objections to the appointment of this judge, as well as to his temporary withdrawal, thereby depriving Québec of one third of its representation on the Supreme Court.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 185, Mrs. St-Pierre (Acadie), together with Mrs. Roy (Montarville), Mrs. David (Gouin) and Mr. Rathé (Blainville), moved:

THAT the National Assembly congratulate Canadian author Alice Munro, who was awarded the Nobel Prize in Literature 2013.

By leave of the Assembly, the motion was carried.

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Mr. Martel (Nicolet-Bécancour), together with Mrs. David (Gouin), moved a motion concerning the report produced in 2001 by the Ministère de l'Environnement on the storage of hazardous material by Reliance in Pointe-Claire; this motion could not be debated for want of unanimous consent.

Mr. Khadir (Mercier) moved a motion concerning the Senate of Canada; this motion could not be debated for want of unanimous consent.

Notices of Proceedings in Committees

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

- the Committee on Culture and Education, to continue its clause-by-clause consideration of Bill 45, An Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie;
- the Committee on Public Finance, to give clause-by-clause consideration to Bill 41, An Act to amend the Public Service Act mainly with respect to staffing;
- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 28, An Act to establish the new Code of Civil Procedure;
- the Committee on Health and Social Services, to continue its public hearings within the framework of special consultations on the document entitled "Autonomy for All: White Paper on the Creation of Autonomy Insurance".

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

- the Committee on Public Finance shall hold a deliberative meeting to continue organizing the order provided for in Standing Order 292 concerning the examination of the Government's budgetary policy and the evolving state of the public finances.

Information on the Proceedings of the Assembly

Following a question raised by the Official Opposition House Leader at the sitting of 24 October 2013, Mrs. Poirier, First Vice-President, gave a directive on statements made outside of parliamentary proceedings by a minister and certain unions, with regard to Members sitting in opposition, within the context of the clause-by-clause consideration of Bill 45, An Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie.

DIRECTIVE FROM THE CHAIR

The Chair wishes to point out that Members may carry out their parliamentary work as they see fit. A Parliament conducts business according to rules of procedure that ensure democratic balance within the framework of deliberations. Under these rules, the Government has significant power of initiative and Members dispose of the necessary tools to control and examine the measures proposed by the Government. Parliamentary procedures and speaking times that arise therefrom may be used freely by the Members at each stage of the consideration of a bill.

It is the purpose of Parliament. In fact, a Parliament is first and foremost a series of rights and procedures at the disposal of Members to freely debate matters that concern governance and the public interest.

In the present circumstances, the Chair cannot go beyond recalling these broad principles. Each Member of the Assembly must take responsibility for any statement or judgment he makes regarding the work of his colleagues. The same is true with regard to statements made by groups that have an interest in the proceedings of the Assembly.

While no right or privilege was violated in this case, the Chair wishes to point out the importance of the independence of the work of Members and states that it will never hesitate to intervene if it deems that this independence is threatened.

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Mr. Ouimet, Third Vice-President, informed the Assembly that on Wednesday, 30 October 2013, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mr. Paradis (Brome-Missisquoi).

This motion reads as follows:

THAT the Committee on Public Finance hear the Auditor General of Québec on Monday, 4 November 2013, beginning at 2.00 o'clock p.m., regarding his desire to implement the order given by the National Assembly last 24 September, following the adoption of a motion instructing him to analyze the economic update that will be presented by the Minister of Finance and the Economy in respect of 2013-2014;

THAT the presentation by the Auditor General of Québec last no longer than 30 minutes and the exchange with the Committee members last no longer than 90 minutes;

THAT the Committee report to the Assembly on 7 November 2013 unless the Committee decides otherwise.

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 38, An Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions, together with the amendments handed in by Mr. Bédard, Minister responsible for Government Administration and Chair of the Conseil du trésor.

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The amendments were declared in order.

After debate thereon, the amendments were carried.

The report, as amended, was concurred in.

The Assembly took into consideration the report from the Committee on Agriculture, Fisheries, Energy and Natural Resources on its clause-by-clause consideration of Bill 46, An Act to amend the Act respecting the acquisition of farm land by non-residents, together with the amendments handed in by Mr. Khadir (Mercier).

Of the ten amendments handed in by Mr. Khadir (Mercier), one amendment was declared in order.

After debate thereon, the amendment was negatived.

The report was concurred in.

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 10 October 2013, on the motion by Mrs. Ouellet, Minister of Natural Resources, for the passage in principle of Bill 43, Mining Act.

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

At the request of Mr. Traversy, Deputy Government House Leader, the division was deferred until Routine Proceedings on the next sitting day.

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At 5.13 o'clock p.m., at the request of Mr. Traversy, Deputy Government House Leader, Mrs. Poirier, First Vice-President, suspended the proceedings until 6.00 o'clock p.m.

The proceedings resumed at 6.03 o'clock p.m.

Debates Upon Adjournment

The Assembly held three debates upon adjournment:

- the first, on a question by Mrs. Blais (Saint-Henri–Sainte-Anne) to Mr. Hébert, Minister of Health and Social Services and Minister responsible for Seniors, about the cuts in nursing positions;
 - the second, on a question by Mrs. St-Pierre (Acadie) to Mr. Lisée, Minister responsible for the Montréal region, about the fact that the Minister no longer takes into consideration the opinion of municipalities and cities regarding highway widening and rebuilding projects;
 - the third, on a question by Mr. Billette (Huntingdon) to Mr. Gendron, Minister of Agriculture, Fisheries and Food, about the significant job losses in the food processing industry in recent months.
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Mr. Gendron, Minister of Agriculture, Fisheries and Food, moved the adjournment of the Assembly until Wednesday, 30 October 2013, at 9.45 o'clock a.m.

The motion was carried.

Accordingly, at 6.42 o'clock p.m., Mrs. Poirier, First Vice-President, adjourned the Assembly until Wednesday, 30 October 2013, at 9.45 o'clock a.m.

JACQUES CHAGNON

President

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APPENDIX

Recorded Divisions

On the motion moved by Mrs. Hivon, Minister for Social Services and Youth Protection:

(Division No. 64)

YEAS - 84

Beaudoin (PQ)	de Santis (QLP)	Leclair (PQ)	Rousselle (QLP)
Bédard (PQ)	Deltell (CAQ)	Legault (CAQ)	Roy (PQ)
Bergeron (PQ)	Drainville (PQ)	Léger (PQ)	(Bonaventure)
Blanchet (PQ)	Drolet (QLP)	Lelièvre (PQ)	Roy (CAQ)
Bolduc (QLP)	Dubé (CAQ)	Lévesque (CAQ)	(Montarville)
(Mégantic)	Duchesne (PQ)	Lisée (PQ)	Roy (CAQ)
Bolduc (QLP)	Duchesneau (CAQ)	Malavoy (PQ)	(Arthabaska)
(Jean-Talon)	Dufour (PQ)	Maltais (PQ)	Schneeberger (CAQ)
Bonnardel (CAQ)	Ferland (PQ)	Marois (PQ)	Spénard (CAQ)
Bouillé (PQ)	Fournier (QLP)	Martel (CAQ)	St-Arnaud (PQ)
Boulet (QLP)	Gaudreault (QLP)	McKay (PQ)	Tanguay (QLP)
Breton (PQ)	(Hull)	Moreau (QLP)	Therrien (PQ)
Bureau-Blouin (PQ)	Gaudreault (PQ)	Ouellet (PQ)	Traversy (PQ)
Caire (CAQ)	(Jonquière)	Ouimet (QLP)	Trottier (PQ)
Cardin (PQ)	Gendron (PQ)	(Fabre)	Trudel (PQ)
Carrière (QLP)	Goyer (PQ)	Pagé (PQ)	(Saint-Maurice)
Champagne (PQ)	Hébert (PQ)	Pelletier (PQ)	Trudel (CAQ)
Chapadeau (PQ)	Hivon (PQ)	(Saint-Hyacinthe)	(Charlesbourg)
Charbonneau (QLP)	Iracà (QLP)	Proulx (PQ)	Turcotte (PQ)
Claveau (PQ)	Kelley (QLP)	Ratthé (IND)	Vallée (QLP)
Cloutier (PQ)	Khadir (IND)	Reid (QLP)	Vallières (QLP)
Daneault (CAQ)	Kotto (PQ)	Richard (PQ)	Vien (QLP)
David (IND)	Larouche (PQ)	(Îles-de-la-Madeleine)	Villeneuve (PQ)
De Courcy (PQ)	Le Bouyonnec (CAQ)	Richer (PQ)	Zakaïb (PQ)

NAYS - 26

Arcand (QLP)	Dutil (QLP)	Ménard (QLP)	St-Amand (QLP)
Bergman (QLP)	Gautrin (QLP)	Morin (QLP)	St-Laurent (CAQ)
Billette (QLP)	Hamad (QLP)	Ouellette (QLP)	St-Pierre (QLP)
Blais (QLP)	Houda-Pepin (QLP)	Paradis (QLP)	Thériault (QLP)
Charlebois (QLP)	Lessard (QLP)	Poëti (QLP)	Weil (QLP)
D'Amour (QLP)	Marcoux (QLP)	Rotiroti (QLP)	
Diamond (QLP)	Marsan (QLP)	Sklavounos (QLP)	