



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Votes and Proceedings

of the Assembly

Tuesday, 18 February 2014 — No. 108

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

QUÉBEC

The Assembly was called to order at 1.47 o'clock p.m.

ROUTINE PROCEEDINGS

Statements by Members

Mrs. Richard (Îles-de-la-Madeleine) made a statement about the 30th anniversary of Denise-Leblanc Campus of the Cégep de la Gaspésie et des Îles.

Mr. Drolet (Jean-Lesage) made a statement about the Winter World Masters Games 2015, which will be held in Québec City.

Mr. Richer (Argenteuil) made a statement to congratulate Mr. Mark Weightman.

Mrs. de Santis (Bourassa-Sauvé) made a statement to pay tribute to Mr. Yves Ryan.

Mr. Lévesque (Vanier-Les Rivières) made a statement to pay tribute to Mrs. Lucie Fortin, 2014 recipient of the Prix engagement social Fernand-Dufour.

18 February 2014

Mrs. David (Gouin) made a statement about Projet Villeray in the east end and the outstanding work to integrate newcomers.

Mrs. Vallières (Richmond) made a statement about the 30th anniversary of Élite Chrysler Dodge Saint-Élie.

Mrs. St-Laurent (Montmorency) made a statement about the 25th anniversary of the Chevaliers de Colomb de la Nativité de Beauport.

Mr. Iracà (Papineau) made a statement to pay tribute to Mr. Janick Lambert.

Mrs. Malavoy (Taillon) made a statement about her "Coup de cœur 2014" awarded to Action-Services aux proches aidants de Longueuil.

At 2.00 o'clock p.m., Mr. Cousineau, Second Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 2.08 o'clock p.m.

Moment of reflection

18 February 2014

Introduction of Bills

Mrs. De Courcy, Minister of Immigration and Cultural Communities and Minister responsible for the Charter of the French language, moved that leave be granted to introduce the following Bill:

71 An Act respecting immigration to Québec

The motion was carried.

Accordingly, Bill 71 was introduced in the Assembly.

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

74 An Act to amend the Educational Childcare Act

The motion was carried.

Accordingly, Bill 74 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 report on the implementation of the *Integrity in Public Contracts Act*.
(Sessional Paper No. 1543-20140218)

18 February 2014

Mr. Marceau, Minister of Finance and the Economy, tabled the following:

The 2012-2013 activity report of the Société de financement des infrastructures locales du Québec;

(Sessional Paper No. 1544-20140218)

The 2012-2013 annual management report of Revenu Québec.

(Sessional Paper No. 1545-20140218)

Mr. Lisée, Minister of International Relations, La Francophonie and External Trade, tabled the following:

The 2012-2013 joint annual report of Les Offices jeunesse internationaux du Québec (LOJIQ).

(Sessional Paper No. 1546-20140218)

Mrs. Léger, Minister of Families, tabled the following:

The 2012-2013 report on the activities of the Fonds pour le développement des jeunes enfants and on those of the Société de gestion Avenir d'enfants.

(Sessional Paper No. 1547-20140218)

Mr. Hébert, Minister of Health and Social Services, tabled the following:

The health accounts for 2011-2012, 2012-2013 and 2013-2014.

(Sessional Paper No. 1548-20140218)

18 February 2014

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

The reply from the Government to the written question by Mr. Sklavounos (Laurier-Dorion), concerning the Québec-Alberta joint working group on oil – Question No. 22, *Order Paper and Notices* of 6 November 2013.
(Sessional Paper No. 1549-20140218)

Mr. President tabled the following:

A copy of a letter, dated 13 February 2014, he had sent to Mr. Michel Samson, Acting Auditor General of Québec, in reply to his request to invite the members of the Committee on Public Administration and the members of the Committee on Public Finance to an information session;
(Sessional Paper No. 1550-20140218)

A copy of the notice of motion by Mr. Le Bouyonnec (La Prairie), which will be placed on the *Order Paper and Notices* of Wednesday, 19 February 2014, under Business Standing in the Name of Members in Opposition.
(Sessional Paper No. 1551-20140218)

By leave of the Assembly to set aside Standing Order 59, Mr. Moreau, Official Opposition House Leader, tabled the following:

A copy of a letter, dated 22 January 2014, sent to Mr. Pierre Marsan, Member for Robert-Baldwin, from Mr. Dave Kimpton, lawyer with the legal services branch of the Chief Electoral Officer of Québec, concerning a letter of solicitation addressed to the Association Sépharade de la Banlieue Ouest de Montréal.
(Sessional Paper No. 1552-20140218)

Presenting Reports from Committees

Mr. Hamad (Louis-Hébert), committee chairman, tabled the following:

The report from the Committee on Labour and the Economy, which, on 10 February 2014, held public hearings within the framework of special consultations on the inappropriate use of public funds by Tourisme Montréal. The Committee also held deliberative meetings on 5 December 2013 and on 10 and 11 February 2014 with reference to this order. The report contains five recommendations.

(Sessional Paper No. 1553-20140218)

Mr. Ferland (Ungava), committee chairman, tabled the following:

The report from the Committee on Institutions, which met on 8, 9, 22, 23, 24, 29 and 31 October, on 4, 5, 6, 11, 12, 14, 19, 20, 21, 22, 25 and 26 November and on 5 December 2013, on 9, 10, 17, 24 and 31 January as well as on 10, 11, 12, 14 and 17 February 2014, for clause-by-clause consideration of Bill 28, An Act to establish the new Code of Civil Procedure. The report contains certain amendments to the bill.

(Sessional Paper No. 1554-20140218)

Presenting Petitions

Mr. Kelley (Jacques-Cartier) tabled the following:

The abstract of a petition respecting the financing of the West Montreal Readaptation Centre (WMRC), and signed by 1361 citizens of Québec.

(Sessional Paper No. 1555-20140218)

18 February 2014

Mr. Caire (La Peltrie) tabled the following:

The abstract of a petition respecting opposition to the proposed reserved lanes on Henri-IV Highway in Québec City, and signed by 22,357 citizens of Québec.

(Sessional Paper No. 1556-20140218)

Mr. Martel (Nicolet-Bécancour) tabled the following:

The abstract of a petition respecting an amendment to the *Act respecting financial services cooperatives*, and signed by 377 citizens of Québec.

(Sessional Paper No. 1557-20140218)

By leave of the Assembly to set aside Standing Order 63, the abstracts of three petitions respecting a modification to the *Tobacco Act* to protect young people were tabled:

- the first, being the abstract of a petition signed by 1113 citizens of Québec, by Mr. Schneeberger (Drummond–Bois-Francs);
(Sessional Paper No. 1558-20140218)
 - the second, being the abstract of a petition signed by 1250 citizens of Québec, by Mr. Richer (Argenteuil);
(Sessional Paper No. 1559-20140218)
 - the third, being the abstract of a petition signed by 1420 citizens of Québec, by Mr. Breton (Sainte-Marie–Saint-Jacques).
(Sessional Paper No. 1560-20140218)
-

By leave of the Assembly to set aside Standing Order 63, Mr. Legault (L'Assomption) tabled the following:

18 February 2014

The abstract of a petition respecting the continuation of services at the CLSC Meilleur in L'Épiphanie, and signed by 3933 citizens of Québec.

(Sessional Paper No. 1561-20140218)

—————

By leave of the Assembly to set aside Standing Order 63, the abstracts of two petitions respecting a modification to the *Tobacco Act* to protect young people were tabled:

- the first, being the abstract of a petition signed by 1000 citizens of Québec, by Mr. Moreau (Châteauguay);
(Sessional Paper No. 1562-20140218)
- the second, being the abstract of a petition signed by 1014 citizens of Québec, by Mr. Pelletier (Rimouski).
(Sessional Paper No. 1563-20140218)

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:

A document entitled "Resource assessment of the Macasty Formation in certain petroleum and natural gas holdings on Anticosti Island for Petrolia Inc. and Corridor Resources Inc., as of 1 June 2011".

(Sessional Paper No. 1564-20140218)

Motions Without Notice

By leave of the Assembly to set aside Standing Order 185, Mr. Ouimet (Fabre), together with Mr. St-Arnaud, Minister of Justice, Mrs. St-Laurent (Montmorency), Mrs. David (Gouin), Mr. Rathé (Blainville) and Mrs. Houda-Pepin (La Pinière), moved:

18 February 2014

THAT the National Assembly underline the 100th anniversary of the Jeune Barreau de Québec, a non-profit organization which acts in the best interest of its members, lawyers in practice for 10 years or less;

THAT it recall that the Jeune Barreau de Québec is a voice of youth that enables its parent organizations, such as the Conseil du Barreau de Québec and the Conseil général du Barreau du Québec, to engage in change-oriented thinking.

By leave of the Assembly, the motion was carried.

Mr. Spénard (Beauce-Nord) moved a motion concerning a decision taken by Beauce-Etchemin School Board on the practice of interscholastic sports; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 185, Mrs. Houda-Pepin (La Pinière), together with Mr. Lisée, Minister of International Relations, La Francophonie and External Trade, Mr. Marcoux (Vaudreuil), Mr. Le Bouyonnec (La Prairie), Mrs. David (Gouin) and Mr. Ratthé (Blainville), moved:

THAT the National Assembly applaud the extraordinary journey of the Tunisian people, its parliamentarians and its civil society who are fighting for democracy leading to the adoption of a new constitution that rejects fundamentalism and enshrines civil liberties and gender equality.

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 public hearings within the framework of a general consultation on Bill 60, Charter affirming the values of State secularism and religious neutrality and of equality between women and men, and providing a framework for accommodation requests.

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

- the Committee on Transportation and the Environment, to continue its public hearings within the framework of special consultations on Bill 37, An Act to prohibit certain shale natural gas exploration and production activities.

Mr. Cousineau, Second Vice-President, gave the following notice:

- the Committee on Health and Social Services shall continue its public hearings within the framework of special consultations on the living conditions of adults staying in residential and long-term care centres; it shall then hold a deliberative meeting to discuss the possibility of examining certain petitions; and lastly, it shall hold a deliberative meeting to organize the order of initiative on the living conditions of adults staying in residential and long-term care centres.

Information on the Proceedings of the Assembly

Mr. Cousineau, Second Vice-President, informed the Assembly that on Wednesday, 19 February 2014, during Business Standing in the Name of Members in Opposition, a debate will be held on the motion by Mr. Le Bouyonnec (La Prairie).

18 February 2014

This motion reads as follows:

THAT the Committee on Public Finance shed light on the circumstances surrounding the \$2,999,999.70 investment in July 2008 by the FTQ Solidarity Fund in Capital BLF and that, for this purpose, the Committee hear the former president and chief executive officer of Capital BLF, Mr. Claude Blanchet, as well as any person it may deem necessary to summon;

THAT the presentation by Mr. Claude Blanchet last no longer than 15 minutes and the exchanges with the Committee members last no longer than 3 hours;

THAT the presentation by each of the other speakers, if any, last no longer than 10 minutes and the exchanges with the Committee members last no longer than 80 minutes;

THAT the Committee report to the Assembly no later than 18 March 2014, unless the Committee decides otherwise;

Lastly, that this motion become an order of the Assembly.

18 February 2014

ORDERS OF THE DAY

Debates on Reports from Committees

The Assembly resumed the debate, which had been adjourned on 13 February 2014, on the consideration of the report from the Committee on Health and Social Services, which, on 20 and 21 August 2013, held public hearings within the framework of special consultations on the statutory order under section 77 of the *Tobacco Act* concerning the examination of the report on the implementation of the *Tobacco Act* for 2005-2010. The report contains three recommendations.

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

The Assembly took into consideration the report from the Committee on Culture and Education, which, on 24 October 2013, examined the 2012-2016 strategic plan and the policy directions, activities and administrative management of the Société de télédiffusion du Québec (Télé-Québec). The report contains three recommendations.

Mr. Cousineau, Second Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this debate: 50 minutes 26 seconds shall be allotted to the parliamentary group forming the Government; 45 minutes 46 seconds shall be allotted to the parliamentary group forming the Official Opposition; 16 minutes 49 seconds shall be allotted to the Second Opposition Group; and 7 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.

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

Debates Upon Adjournment

At 6.00 o'clock p.m., the Assembly held two debates upon adjournment:

- the first, on a question by Mrs. Ménard (Laporte) to Mr. Marceau, Minister of Finance and the Economy, about the tabling, with full transparency, of the expenditure budget so that Quebecers know which services will be cut to meet the commitments made by the Minister of Finance and the Economy in New York. Mr. Bédard, Minister responsible for Government Administration and Chair of the Conseil du trésor, replaced the Minister of Finance and the Economy for this debate;
- the second, on a question by Mrs. Vallée (Gatineau) to Mrs. Hivon, Minister for Social Services and Youth Protection, about the tabling, by the Minister for Social Services and Youth Protection, of the overall picture of the deployment of palliative care throughout Québec territory before the vote is held on Bill 52.

By leave of the Assembly to set aside Standing Order 53, Mrs. Hivon, Minister for Social Services and Youth Protection, tabled the following:

A document entitled "Tableau du nombre de lits dédiés en soins palliatifs au Québec – 2012-2013".

(Sessional Paper No. 1565-20140218)

At 6.23 o'clock p.m., Mrs. Poirier, First Vice-President, suspended the proceedings until 7.30 o'clock p.m.

The proceedings resumed at 7.32 o'clock p.m.

Government Motions

Mr. St-Arnaud, Minister of Justice, informed the Assembly that His Honour the Lieutenant-Governor recommended to its consideration the following motion and then moved:

THAT the National Assembly:

- I Concur in the position and justifications given by the Government and stipulated in its answer, tabled before the National Assembly on 11 February 2014, to the report from the Committee on the remuneration of judges for 2013-2016, tabled before the National Assembly on 8 October 2013, as amended by an addendum also tabled before the National Assembly on 12 November 2013;

- II Concerning the judges of the Court of Québec:
 - Approve recommendations ii, vi and vii by specifying, with regard to recommendation vii, that the partial reimbursement of disbursements for experts and representational expenses incurred by the Québec judges' conference is granted without admissions as to the authority of the committee to make such a recommendation and as to the evaluation of the amount established by the committee for reimbursement purposes;

 - Amend recommendation i relating to the salary of the judges of the Court of Québec, in such manner that the salary of these judges be established as follows:
 - as at 1 July 2013: a 2.6 % increase, namely 1.0 % to partially offset the difference between inflation and the salary increases during the previous period plus 1.6 % for the cost of living index from 2012 to 2013, for an annual salary of \$236,722;
 - as at 1 July 2014: increase according to cost of living index;
 - as at 1 July 2015: increase according to cost of living index;

- Amend recommendation iii by ensuring that the modifications will enter into force at the earliest opportunity following the adoption of the resolution by the National Assembly;
- Reject recommendations iv and v;

III Concerning the judges of the Montréal, Québec and Laval municipal courts:

- Approve recommendations ii and v by specifying, with regard to recommendation v, that the partial reimbursement of disbursements for experts and representational expenses incurred by the Québec judges' conference is granted without admissions as to the authority of the committee to make such a recommendation and as to the evaluation of the amount established by the committee for reimbursement purposes;
- Amend recommendation i relating to the salary of the judges of the municipal courts of Montréal, Québec and Laval, in such manner that the salary of these judges be established as follows:
 - as at 1 July 2013: a 2.6 % increase, namely 1.0 % to partially offset the difference between inflation and the salary increases during the previous period plus 1.6 % for the cost of living index from 2012 to 2013, for an annual salary of \$201,532;
 - as at 1 July 2014: increase according to cost of living index;
 - as at 1 July 2015: increase according to cost of living index;
- Amend recommendation iii by ensuring that the modifications will enter into force at the earliest opportunity following the adoption of the resolution by the National Assembly and by specifying that the Act respecting municipal courts does not provide for the return to work of these retired judges;
- Reject recommendation iv;

IV Concerning municipal judges paid per sitting:

- Approve recommendation iv by specifying that the partial reimbursement of disbursements for experts and representational expenses incurred by the municipal judges' conference is granted without admissions as to the authority of the committee to make such a recommendation and as to the evaluation of the amount established by the committee for reimbursement purposes;
- Amend the part of recommendation i relating to the maximum salary in such manner that the maximum annual salary of these judges be established as follows:
 - as at 1 July 2013: a 2.6 % increase, namely 1.0 % to partially offset the difference between inflation and the salary increases during the previous period plus 1.6 % for the cost of living index from 2012 to 2013, for an annual salary of \$201,532;
 - as at 1 July 2014: increase according to cost of living index;
 - as at 1 July 2015: increase according to cost of living index;
- Amend the part of recommendation i that concerns the wage grid and recommendation ii that concerns compensation for the lack of pension and insurance plans, by deferring their entry into force until 1 July 2014, but by granting, as at 1 July 2013, a 1.6 % increase in the current rate for sittings, in such manner that the wage grid per sitting of these judges be established as follows:

2013-2014

Sitting	Current rate	Increase	Recommended rate	Compensation
Less than 2 hours	\$641	+ 1.6 %	\$651	+ 13 %
2 to 5 hours	\$855	+ 1.6 %	\$869	+ 13 %
More than 5 hours	\$1710	+ 1.6 %	\$1737	+ 13 %

18 February 2014

2014-2015

Sitting	New rate	Increase	Compensation
Less than 2 hours	\$597	+ CPI	+ 23.2 %
2 hours to less than 3 hours	\$711	+ CPI	+ 23.2 %
3 to 5 hours	\$797	+ CPI	+ 23.2 %
More than 5 hours	\$1594	+ CPI	+ 23.2 %

2015-2016

Sitting	Rate	Increase	Compensation
Less than 2 hours	\$597 + CPI	+ CPI	+ 23.2 %
2 hours to less than 3 hours	\$711 + CPI	+ CPI	+ 23.2 %
3 to 5 hours	\$797 + CPI	+ CPI	+ 23.2 %
More than 5 hours	\$1594 + CPI	+ CPI	+ 23.2 %

- Reject recommendation iii;

V Concerning presiding justices of the peace:

- Approve recommendation ii relating to pension and insurance plans by specifying that, as regards the mandatory consultation process recommended by the committee, this prior consultation of the committee be limited to the following:
 - Pension plan:
 - if benefits are reduced or if there is a tightening of the plan's eligibility rules;

- if cost sharing is modified or if the rules to determine the premium rate are reviewed and that these modifications result in an increase in the contribution of participants;
- Insurance plans:
 - if cost sharing is reviewed and that increases the contribution of participants;
 - if the restructuring of insurance plans decreases the overall value of these insurance plans;
- Approve recommendation iv by specifying that the terms and conditions for the reimbursement of installation, use and maintenance costs of an alarm system will be determined by the Government;
- Approve recommendations v and vi by specifying, with regard to recommendation vi, that the partial reimbursement of disbursements for experts and representational expenses incurred by the Québec conference of presiding justices of the peace is granted without admissions as to the authority of the committee to make such a recommendation and as to the evaluation of the amount established by the committee for reimbursement purposes;
- Amend recommendation i as follows:
 - a) That the salary of presiding justices of the peace appointed after 4 May 2005 be established as follows:
 - as at 1 July 2013: a 13.79 % increase, namely 12.0 % to catch up plus 1.6 % for the cost of living index from 2012 to 2013, for an annual salary of \$137,792;
 - as at 1 July 2014: increase according to cost of living index;
 - as at 1 July 2015: increase according to cost of living index;

b) That the salary of presiding justices of the peace appointed before June 2004 be established as follows:

- as at 1 July 2013: an annual salary of \$137,792;
 - as at 1 July 2014: increase according to cost of living index;
 - as at 1 July 2015: increase according to cost of living index;
- Reject recommendation iii.

A debate arose thereon.

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

A document entitled "Coût de la rémunération des juges de la cour du Québec et des juges de paix magistrats".

(Sessional Paper No. 1566-20140218)

The debate being concluded, the motion was carried.

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Health and Social Services on its clause-by-clause consideration of Bill 52, An Act respecting end-of-life care.

The debate was adjourned in the name of Mr. Bolduc (Mégantic).

18 February 2014

At 9.29 o'clock p.m., Mr. Ouimet, Third Vice-President, adjourned the Assembly until Wednesday, 19 February 2014, at 9.45 o'clock a.m.

JACQUES CHAGNON

President