



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 21 October 2015 — No. 117

President of the National Assembly:
Mr. Jacques Chagnon

QUÉBEC

The Assembly was called to order at 9.40 o'clock a.m.

ROUTINE PROCEEDINGS

Statements by Members

Mrs. Gaudreault (Hull) made a statement to underline Groupe Brigil's 30th anniversary.

Mrs. Tremblay (Chauveau) made a statement to underline Traumatic Brain Injury Awareness Week in Québec.

Mr. Martel (Nicolet-Bécancour) made a statement to pay tribute to the citizens of Bécancour on the city's 50th anniversary.

Mr. Girard (Trois-Rivières) made a statement to underline the Business Development Bank of Canada's (BDC) Small Business Week.

Mr. Lelièvre (Gaspé) made a statement to congratulate Mr. Claude Mercier and Mr. Bernard Messier on their volunteer and community work.

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Mr. Hamad (Louis-Hébert) made a statement to underline the International Day for the Eradication of Poverty.

Mr. Bonnardel (Granby) made a statement to pay tribute to Mr. Claude Viau, who initiated a “buy local” awareness campaign.

Mr. Couillard (Roberval) made a statement to congratulate Mrs. Marie-Andrée Boivin for her movie “Femmes sourdes, dites-moi”, which won awards in Rome and Toronto.

Mr. Drainville (Marie-Victorin) made a statement to pay tribute to Mrs. Jacqueline Landreville for her volunteer work.

At 9.52 o’clock a.m., Mr. Gendron, Third Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 10.00 o’clock a.m.

Moment of reflection

Introduction of Bills

Mrs. Lamarre (Taillon) moved that leave be granted to introduce the following bill:

491 An Act to put an end to accessory costs by amending various legislative provisions

The motion was carried.

Accordingly, Bill 491 was introduced in the Assembly.

Presenting Papers

Mrs. Vallée, Minister of Justice and Minister responsible for the administration of legislation respecting the professions, tabled the 2013–2014 annual reports of the following professional orders:

Ordre des agronomes du Québec	(Sessional Paper No. 1570-20151021)
Ordre des architectes du Québec	(Sessional Paper No. 1571-20151021)
Barreau du Québec	(Sessional Paper No. 1572-20151021)
Ordre des infirmières et infirmiers auxiliaires du Québec	(Sessional Paper No. 1573-20151021)
Ordre des orthophonistes et audiologistes du Québec	(Sessional Paper No. 1574-20151021)
Ordre professionnel de la physiothérapie du Québec	(Sessional Paper No. 1575-20151021)
Ordre des technologues professionnels du Québec.	(Sessional Paper No. 1576-20151021)

She then tabled the 2014–2015 annual reports of the following professional orders:

Barreau du Québec	(Sessional Paper No. 1577 -20151021)
Chambre des huissiers de justice du Québec	(Sessional Paper No. 1578 -20151021)
Collège des médecins du Québec	(Sessional Paper No. 1579 -20151021)
Ordre des architectes du Québec	(Sessional Paper No. 1580 -20151021)
Ordre des chimistes du Québec	(Sessional Paper No. 1581 -20151021)
Ordre des chiropraticiens du Québec	(Sessional Paper No. 1582 -20151021)
Ordre des comptables professionnels agréés du Québec	(Sessional Paper No. 1583 -20151021)
Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec	(Sessional Paper No. 1584 -20151021)
Ordre des conseillers et conseillères d'orientation du Québec	(Sessional Paper No. 1585 -20151021)
Ordre des dentistes du Québec	(Sessional Paper No. 1586 -20151021)
Ordre des ergothérapeutes du Québec	(Sessional Paper No. 1587 -20151021)
Ordre des évaluateurs agréés du Québec	(Sessional Paper No. 1588 -20151021)
Ordre des hygiénistes dentaires du Québec	(Sessional Paper No. 1589 -20151021)
Ordre des infirmières et infirmiers auxiliaires du Québec	(Sessional Paper No. 1590 -20151021)
Ordre des ingénieurs du Québec	(Sessional Paper No. 1591 -20151021)
Ordre des ingénieurs forestiers du Québec	(Sessional Paper No. 1592 -20151021)
Ordre des optométristes du Québec	(Sessional Paper No. 1593 -20151021)
Ordre des orthophonistes et audiologistes du Québec	(Sessional Paper No. 1594 -20151021)

Ordre des pharmaciens du Québec	(Sessional Paper No. 1595 -20151021)
Ordre des podiatres du Québec	(Sessional Paper No. 1596 -20151021)
Ordre des psychoéducateurs et psychoéducatrices du Québec	(Sessional Paper No. 1597 -20151021)
Ordre des sages-femmes du Québec	(Sessional Paper No. 1598 -20151021)
Ordre des techniciens et techniciennes dentaires du Québec	(Sessional Paper No. 1599 -20151021)
Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec	(Sessional Paper No. 1600 -20151021)
Ordre des technologues professionnels du Québec	(Sessional Paper No. 1601 -20151021)
Ordre des traducteurs, terminologues et interprètes agréés du Québec	(Sessional Paper No. 1602 -20151021)
Ordre professionnel des diététistes du Québec	(Sessional Paper No. 1603 -20151021)
Ordre professionnel des technologistes médicaux du Québec.	(Sessional Paper No. 1604 -20151021)

Mr. Moreau, Minister of Municipal Affairs and Land Occupancy, tabled the following:

The 2014–2015 annual management report of the Société d’habitation du Québec.

(Sessional Paper No. 1605-20151021)

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

The Government’s reply to a petition tabled on 16 September 2015 by Mr. Caire (La Peltre) on regulating private home childcare services;

(Sessional Paper No. 1606-20151021)

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The Government's reply to a petition tabled on 16 September 2015 by Mr. Roberge (Chambly) on increasing the wages of the directors of the Commission scolaire Marie-Victorin;

(Sessional Paper No. 1607-20151021)

The Government's reply to a petition tabled on 17 September 2015 by Mr. Roberge (Chambly) on secret ballots for strike votes in CEGEPs and universities;

(Sessional Paper No. 1608-20151021)

The Government's reply to a petition tabled on 22 September 2015 by Mrs. Gaudreault (Hull) on eliminating microbeads used in cosmetic products;

(Sessional Paper No. 1609-20151021)

The Government's reply to a petition tabled on 23 September 2015 by Mr. Gaudreault (Jonquière) on stopping overbilling and reimbursing Hydro-Québec customers.

(Sessional Paper No. 1610-20151021)

Presenting Petitions

Mr. Bonnardel (Granby) tabled the following:

The abstract of a petition on support for families in the Montérégie region with one or more disabled children, signed by 133 citizens of Québec.

(Sessional Paper No. 1611-20151021)

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. Martel (Nicolet-Bécancour) tabled the following:

A copy of Gouvernement du Québec Order in Council 139-2015, dated 25 February 2015, on maintaining essential services within certain public services in case of a strike.

(Sessional Paper No. 1612-20151021)

The President gave a directive in response to a question raised by the Deputy Government House Leader on 6 October 2015 concerning written questions that were made public before being published in the *Order Paper and Notices*.

DIRECTIVE FROM THE CHAIR

Jurisprudence is silent on whether the content of written questions placed on the *Order Paper and Notices* may be disclosed before the *Order Paper and Notices* is published. However, decisions have been handed down on whether a bill can be made public before it is introduced in the Assembly.

In this regard, jurisprudence is clear: a Member may inform citizens of a bill's broad policy directions, but, as the Chair has already mentioned, the Members—not the journalists—must be the first to be informed of a bill's details, despite our great respect for the fundamental role journalists play in our democracy.

While a Member may definitely disclose the subject of a bill he or she intends to introduce and even release a broad outline, he or she must bear in mind that the Members of the National Assembly must be the first to be informed of the actual wording of the bills they are called to vote on. It is a matter of respect for the legislator's role.

With regard to written questions placed on the *Order Paper and Notices*, there are no precedents dealing specifically with whether the content of such questions may be disclosed. Given that written questions must be placed on the *Order Paper and Notices* and that the *Order Paper and Notices* is confidential until published, the text of a written question may not be disclosed before the *Order Paper and Notice's* publication. This way, all Members—Cabinet members and others—receive this information at the same time. However, as in the case of a bill, nothing prevents a Member from discussing the subject matter of a written question.

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Motions Without Notice

Mr. Cloutier (Lac-Saint-Jean), together with Mrs. David (Gouin), moved a motion proposing that the Minister of Education, Higher Education and Research visit Commission scolaire de Montréal schools; this motion could not be debated for want of unanimous consent.

Mr. Jolin-Barrette (Borduas), together with Mr. Bédard (Chicoutimi), moved a motion concerning the findings of the in-house inquiry conducted by the Director of Criminal and Penal Prosecutions into the SharQc trial; this motion could not be debated for want of unanimous consent.

Mr. Blais, Minister of Education, Higher Education and Research, together with Mr. Roberge (Chambly), moved a motion concerning opening childcare services on days on which teachers are on strike; this motion could not be debated for want of unanimous consent.

Mrs. Massé (Sainte-Marie–Saint-Jacques), together with Mr. Traversy (Terrebonne), moved a motion concerning Canada’s contribution to the fight against climate change; this motion could not be debated for want of unanimous consent.

Notices of Proceedings in Committees

Mr. Sklavounos, Deputy Government House Leader, convened the following committees:

- the Committee on Transportation and the Environment, to continue its public hearings within the framework of special consultations on a consultation document on reducing greenhouse gas emissions entitled “Cible de réduction d’émissions de gaz à effet de serre du Québec pour 2030”;

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- the Committee on Health and Social Services, to continue its clause-by-clause consideration of Bill 20, An Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation;
 - the Committee on Institutions, to continue its clause-by-clause consideration of Bill 51, An Act mainly to make the administration of justice more efficient and fines for minors more deterrent;
 - the Committee on Agriculture, Fisheries, Energy and Natural Resources, to continue its clause-by-clause consideration of Bill 54, An Act to improve the legal situation of animals.
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Mr. Gendron, Third Vice-President, gave the following notice:

- the Committee on Public Administration shall hold a deliberative meeting to prepare the hearing of the Institut de tourisme et d'hôtellerie du Québec on its administrative management and the hearing of the Commission de la fonction publique on its administrative management and financial commitments.
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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 39, An Act to give effect to the Update on Québec's Economic and Financial Situation presented on 2 December 2014 and to amend various legislative provisions.

After debate thereon, the report was concurred in on division.

Passage

Mr. Blanchette, Minister for Mines, moved the passage of Bill 55, An Act respecting transparency measures in the mining, oil and gas industries.

After debate thereon, the motion was carried on division and, accordingly, Bill 55 was passed.

At 11.57 o'clock a.m., at the request of Mr. Sklavounos, Deputy Government House Leader, and by leave of the Assembly to set aside Standing Order 20, Mr. Gendron, Third Vice-President, suspended the proceedings until 3.00 o'clock p.m.

The proceedings resumed at 3.03 o'clock p.m.

Business Standing in the Name of Members in Opposition

Mr. Bérubé (Matane-Matapédia) moved:

THAT the National Assembly declare that the recent stay of proceedings against five members of the Hell's Angels in the SharQc trial is a fiasco that undermines the credibility of the "mega-trial" formula, which is considered an important tool in fighting organized crime;

THAT it note that, in his ruling, Justice James L. Brunton criticized Director of Criminal and Penal Prosecutions (DCPP) prosecutors;

THAT it also note that Québec police forces worked for years to gather enough evidence to bring serious charges against these highly criminalized individuals and that the Québec State devoted substantial financial resources to this effort;

THAT it acknowledge that this fiasco has occurred just as the Liberal Government decided to eliminate 40% of the prosecutors who fight organized crime, and that the Liberal Government did not keep its promise to reinvest in resources for the Director of Criminal and Penal Prosecutions;

THAT it stress how extremely serious this situation is, that an in-house DCPP inquiry alone will not restore Quebecers' confidence and that it is the duty of the Minister of Justice, who bears ultimate responsibility for the administration of justice in Québec, to order an independent inquiry;

THAT, lastly, following this inquiry, the National Assembly demand that the Minister of Justice testify before a parliamentary committee to explain the reasons that brought the SharQc trial to a halt and that, at this time, the Minister table a plan of remedial measures to be implemented within the justice system so that similar situations do not occur in future.

Mrs. Gaudreault, Second Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this limited debate: 10 minutes to the mover of the motion for his reply; approximately 51 minutes 30 seconds to the parliamentary group forming the Government; approximately 30 minutes 30 seconds to the parliamentary group forming the Official Opposition; approximately 21 minutes to the Second Opposition Group; and 7 minutes to the independent Members, subject to a maximum of 2 minutes for the Member for Arthabaska. Within this framework, any time not used by the independent Members or by a parliamentary group shall be redistributed among the parliamentary groups in the proportions established above. Lastly, individual addresses shall not be limited.

A debate arose thereon.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Jolin-Barrette (Borduas) tabled the following:

A copy of a memorandum, dated 23 September 2015, addressed to the staff of the Directeur des poursuites criminelles et pénales by Mrs. Annick Murphy, DCCP Director, concerning review of the administrative structure of the Directeur des poursuites criminelles et pénales.

(Sessional Paper No. 1613-20151021)

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

The motion was negated on the following vote.

(Division No. **138** in Appendix)

Yeas: **40** Nays: **55** Abstentions: **0**

Mr. Sklavounos, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 22 October 2015 at 9.40 o'clock a.m.

The motion was carried.

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Accordingly, at 5.19 o'clock p.m., Mrs. Gaudreault, Second Vice-President, adjourned the Assembly until Thursday, 22 October 2015 at 9.40 o'clock a.m.

ROYAL ASSENT

On Wednesday, 21 October 2015 at 4.05 o'clock p.m. in the Office of the Lieutenant-Governor, in the presence of Mrs. David, Minister of Culture and Communications, Mr. Fortin (Sherbrooke) and Mr. Bourgeois (Abitibi-Est), Delegates of the Premier, and of Mr. Arsenault, Director of Parliamentary Proceedings and Delegate of the Secretary General, the Honourable Julie Dutil, Administrator of the Government of Québec, was pleased to assent to the following bills:

- 13 An Act to give effect to the Budget Speech delivered on 4 June 2014 and to various other fiscal measures
- 48 An Act to modernize the governance of Conservatoire de musique et d'art dramatique du Québec
- 55 An Act respecting transparency measures in the mining, oil and gas industries

JACQUES CHAGNON

President

APPENDIX

Recorded Divisions

On the motion moved by Mr. Bérubé (Matane-Matapédia):

(Division No. 138)

YEAS - 40

Bédard (<i>PQ</i>)	Kotto (<i>PQ</i>)	Massé (<i>IND</i>)	Soucy (<i>CAQ</i>)
Bérubé (<i>PQ</i>)	Laframboise (<i>CAQ</i>)	Ouellet (<i>PQ</i>)	Spénard (<i>CAQ</i>)
Bonnardel (<i>CAQ</i>)	Lamarre (<i>PQ</i>)	Pagé (<i>PQ</i>)	Surprenant (<i>CAQ</i>)
Caire (<i>CAQ</i>)	Lavallée (<i>CAQ</i>)	Paradis (<i>CAQ</i>)	Therrien (<i>PQ</i>)
Cloutier (<i>PQ</i>)	Leclair (<i>PQ</i>)	(<i>Lévis</i>)	Traversy (<i>PQ</i>)
Cousineau (<i>PQ</i>)	Legault (<i>CAQ</i>)	Poirier (<i>PQ</i>)	Turcotte (<i>PQ</i>)
D'Amours (<i>CAQ</i>)	Léger (<i>PQ</i>)	Roberge (<i>CAQ</i>)	Villeneuve (<i>PQ</i>)
Drainville (<i>PQ</i>)	Lelièvre (<i>PQ</i>)	Rochon (<i>PQ</i>)	
Gaudreault (<i>PQ</i>)	Lemay (<i>CAQ</i>)	Roy (<i>CAQ</i>)	
(<i>Jonquière</i>)	Lisée (<i>PQ</i>)	(<i>Montarville</i>)	
Hivon (<i>PQ</i>)	Maltais (<i>PQ</i>)	Samson (<i>CAQ</i>)	
Jolin-Barrette (<i>CAQ</i>)	Marceau (<i>PQ</i>)	Schneeberger (<i>CAQ</i>)	

NAYS - 55

Arcand (<i>QLP</i>)	Daoust (<i>QLP</i>)	Leitão (<i>QLP</i>)	Rotiroti (<i>QLP</i>)
Auger (<i>QLP</i>)	David (<i>QLP</i>)	Lessard (<i>QLP</i>)	Simard (<i>QLP</i>)
Barrette (<i>QLP</i>)	(<i>Outremont</i>)	Matte (<i>QLP</i>)	(<i>Dubuc</i>)
Billette (<i>QLP</i>)	de Santis (<i>QLP</i>)	Ménard (<i>QLP</i>)	Simard (<i>QLP</i>)
Birnbaum (<i>QLP</i>)	Drolet (<i>QLP</i>)	Merlini (<i>QLP</i>)	(<i>Charlevoix-Côte-de-Beaupré</i>)
Blais (<i>QLP</i>)	Fortin (<i>QLP</i>)	Montpetit (<i>QLP</i>)	Sklavounos (<i>QLP</i>)
Blanchette (<i>QLP</i>)	(<i>Pontiac</i>)	Moreau (<i>QLP</i>)	St-Denis (<i>QLP</i>)
Bolduc (<i>QLP</i>)	Fortin (<i>QLP</i>)	Morin (<i>QLP</i>)	Tanguay (<i>QLP</i>)
Boulet (<i>QLP</i>)	(<i>Sherbrooke</i>)	Nichols (<i>QLP</i>)	Thériault (<i>QLP</i>)
Bourgeois (<i>QLP</i>)	Fournier (<i>QLP</i>)	Ouellette (<i>QLP</i>)	Tremblay (<i>QLP</i>)
Carrière (<i>QLP</i>)	Giguère (<i>QLP</i>)	Paradis (<i>QLP</i>)	Vallée (<i>QLP</i>)
Charbonneau (<i>QLP</i>)	Girard (<i>QLP</i>)	(<i>Brome-Missisquoi</i>)	Vien (<i>QLP</i>)
Charlebois (<i>QLP</i>)	Hamad (<i>QLP</i>)	Plante (<i>QLP</i>)	Weil (<i>QLP</i>)
Chevarie (<i>QLP</i>)	Hardy (<i>QLP</i>)	Poëti (<i>QLP</i>)	
Coiteux (<i>QLP</i>)	Heurtel (<i>QLP</i>)	Proulx (<i>QLP</i>)	
D'Amour (<i>QLP</i>)	Iracà (<i>QLP</i>)	Reid (<i>QLP</i>)	