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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Thursday, 29 September 2016 — No. 192**

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

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**QUÉBEC**



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

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## **ROUTINE PROCEEDINGS**

### **Statements by Members**

Mrs. Simard (Charlevoix–Côte-de-Beaupré) made a statement to underline the arthritis awareness day held by The Arthritis Society.

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Mrs. Richard (Duplessis) made a statement to congratulate Mr. Charles Paquet, silver medallist at the Junior Triathlon World Championships.

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Mr. Ouellette (Chomedey) made a statement to congratulate Mr. John Galianos, recipient of the Medal of the National Assembly.

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Mrs. D'Amours (Mirabel) made a statement to pay tribute to automobile accident victim Ms. Catherine Binette and her mother, Mrs. Carole Paiement, for their courage and determination.

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Mrs. Tremblay (Chauveau) made a statement to underline the 30th anniversary of the organization Aide à la communauté et services à domicile.

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Mr. Morin (Côte-du-Sud) made a statement to invite the public to discover La Pocatière's outdoor labyrinth.

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Mr. Bonnardel (Granby) made a statement to underline the 15th anniversary of Granby's Groupe Actions Solutions Pauvreté.

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Mr. D'Amour (Rivière-du-Loup—Témiscouata) made a statement to pay tribute to businessman Mr. Jacques Pomerleau.

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Mr. LeBel (Rimouski) made a statement to underline International Day of Older Persons.

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At 9.50 o'clock a.m., Mr. Gendron, Third Vice-President, suspended the proceedings for a few minutes.

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

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Moment of reflection

**Presenting Papers**

Mr. Arcand, Minister of Energy and Natural Resources, tabled the following:

The proposed amendments to Bill 106, An Act to implement the 2030 Energy Policy and to amend various legislative provisions;  
(Sessional Paper No. 2492-20160929)

A letter he had received from Mr. Gérard Guay, President of the Chambre des notaires du Québec, dated 27 September 2016, regarding media coverage of Bill 106.

(Sessional Paper No. 2493-20160929)

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Mrs. Vallée, Minister of Justice, tabled the following:

The 2015–2016 annual management report of the Office de la protection du consommateur.

(Sessional Paper No. 2494-20160929)

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Mr. Blais, Minister of Employment and Social Solidarity, tabled the following:

The 2015–2016 annual management report of the Ministère du Travail, de l'Emploi et de la Solidarité sociale;

(Sessional Paper No. 2495-20160929)

The 2015–2016 annual management report of the Commission des partenaires du marché du travail;

(Sessional Paper No. 2496-20160929)

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The 2015–2016 activity report of the Fonds de développement et de reconnaissance des compétences de la main-d'œuvre.

(Sessional Paper No. 2497-20160929)

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Mrs. Vien, Minister responsible for Labour, tabled the following:

The annual management report of the Commission des lésions professionnelles for the period 1 April to 31 December 2015;

(Sessional Paper No. 2498-20160929)

The activity report of the Tribunal administratif du Québec for the period 1 January to 31 March 2016.

(Sessional Paper No. 2499-20160929)

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Mrs. de Santis, Minister responsible for Access to Information and the Reform of Democratic Institutions, tabled the following:

The 2016 five-year report of the Commission d'accès à l'information du Québec.

(Sessional Paper No. 2500-20160929)

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

The Government's reply to petitions tabled on 24 May 2016 by Mr. Pagé (Labelle) on supporting public home childcare services;

(Sessional Paper No. 2501-20160929)

The Government's reply to a petition tabled on 24 May 2016 by Mr. Morin (Côte-du-Sud) on giving precedence to fighting illiteracy.

(Sessional Paper No. 2502-20160929)

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Mr. Ouimet, First Vice-President, tabled the following:

The 2015–2016 annual activity report of the Québec Ombudsman (French and English versions);

(Sessional Paper No. 2503-20160929)

The 2015–2016 annual management report of the Québec Ombudsman;

(Sessional Paper No. 2504-20160929)

The 2015–2016 annual management report of the Directeur général des élections du Québec and the Commission de la représentation électorale du Québec;

(Sessional Paper No. 2505-20160929)

A letter, dated 27 September 2016, to Mr. Jacques Chagnon, President of the National Assembly, from Mr. Robert Tremblay-Paquin, member of the Commission d'accès à l'information, informing the President of his resignation in October 2016.

(Sessional Paper No. 2506-20160929)

### **Presenting Reports from Committees**

Mr. Ouellette (Chomedey), Committee Chair, tabled the following:

The report from the Committee on Institutions, which met on 28 September 2016 to hear the Québec Lobbyists Commissioner on the report on non-profit organizations being subject to lobbying framework rules, as provided for in Bill 56, entitled “Étude sur l’assujettissement de tous les organismes à but non lucratif aux règles d’encadrement du lobbyisme, tel que prévu au projet de loi n° 56, Loi sur la transparence en matière de lobbyisme”.

(Sessional Paper No. 2507-20160929)

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Mr. Reid (Orford), Committee Chair, tabled the following:

The report from the Committee on Transportation and the Environment, which met on 27 and 28 September 2016 for clause-by-clause consideration of Bill 104, An Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions. The report contains amendments to the bill.

(Sessional Paper No. 2508-20160929)

### **Presenting Petitions**

Mr. Leclair (Beauharnois) tabled the following:

The abstract of a petition on heavy vehicle traffic on Boulevard Monseigneur-Langlois in Salaberry-de-Valleyfield, signed by 1,124 citizens of Québec.

(Sessional Paper No. 2509-20160929)

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By leave of the Assembly to set aside Standing Order 63, Mr. Leclair (Beauharnois) tabled the following:

The abstract of a petition on heavy vehicle traffic on Boulevard Monseigneur-Langlois in Salaberry-de-Valleyfield, signed by 6,931 citizens of Québec.

(Sessional Paper No. 2510-20160929)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.



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**Motions Without Notice**

By leave of the Assembly to set aside Standing Order 185, Mr. Charette (Deux-Montagnes), together with Mr. Bergeron (Verchères) and Mrs. Massé (Sainte-Marie–Saint-Jacques), moved:

THAT the National Assembly denounce the Federal Government's intention to reduce the increase in federal health transfers from 6% to 3% beginning in 2017–2018 and that the Assembly demand that the Federal Government keep its campaign promise to renegotiate federal health transfers with the provinces, reminding it that health falls under exclusive provincial jurisdiction.

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

The motion was carried on the following vote:

(Division No. **236** in Appendix)

Yeas: **105**    Nays: **0**    Abstentions: **0**

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By leave of the Assembly to set aside Standing Order 185, Mrs. Charbonneau, Minister responsible for Seniors and Anti-Bullying, together with Mr. LeBel (Rimouski), Mr. Paradis (Lévis) and Mrs. Massé (Sainte-Marie–Saint-Jacques), moved:

THAT the National Assembly mark International Day of Older Persons, held every year on 1 October;

THAT it take the opportunity, on this day, to recognize the valuable resource seniors constitute for our society;

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THAT it highlight the outstanding contribution made by these women and men, who built Québec as we know it today.

By leave of the Assembly, the motion was carried.

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Mrs. Maltais (Taschereau), together with Mr. Jolin-Barrette (Borduas) and Mrs. Massé (Sainte-Marie–Saint-Jacques), moved a motion concerning the Minister of Transport, Sustainable Mobility and Transport Electrification; this motion could not be debated for want of unanimous consent.

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Mrs. Massé (Sainte-Marie–Saint-Jacques), together with Mr. Leclair (Beauharnois), moved a motion concerning the expansion of oil sand production and transport; 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 Culture and Education, to undertake clause-by-clause consideration of Bill 105, An Act to amend the Education Act;
- the Committee on Public Finance, to conclude its public hearings within the framework of special consultations on Bill 108, An Act to facilitate oversight of public bodies' contracts and to establish the Autorité des marchés publics;

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- the Committee on Planning and the Public Domain, to continue its clause-by-clause consideration of Bill 110, An Act respecting the process of negotiation of collective agreements and the settlement of disputes in the municipal sector.

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 continue its public hearings within the framework of special consultations on Bill 99, An Act to amend the Youth Protection Act and other provisions.
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Mr. Gendron, Third Vice-President, gave the following notices:

- the Committee on Citizen Relations shall hold a deliberative meeting to organize its proceedings on the order of initiative on women's place in politics;
  - the Committee on Institutions shall hold a public meeting to continue its public hearings within the framework of special consultations within the framework of the examination of the report on the implementation of the *Code of ethics and conduct of the Members of the National Assembly*.
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**ORDERS OF THE DAY**

At 11.07 o'clock a.m., at the request of Mr. Sklavounos, Deputy Government House Leader, Mr. Gendron, Third Vice-President, suspended the proceedings until the expiry of the time limit for receiving notices for debates upon adjournment.

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The proceedings resumed at 11.10 o'clock a.m.

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At 11.11 o'clock a.m., at the request of Mr. Sklavounos, Deputy Government House Leader, and by leave of the Assembly, Mr. Gendron, Third Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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The proceedings resumed at 15.02 o'clock p.m.

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## Government Bills

### *Passage in Principle*

Mr. Arcand, Minister of Energy and Natural Resources, informed the Assembly that the Honourable J. Michel Doyon, Lieutenant-Governor of Québec, recommended Bill 106, An Act to implement the 2030 Energy Policy and to amend various legislative provisions, for its consideration, and then moved that this Bill do now pass in principle.

A debate arose thereon.

At the end of his address, Mr. Therrien (Sanguinet) moved the following motion to divide the said Bill:

THAT, pursuant to Standing Order 241, Bill 106, An Act to implement the 2030 Energy Policy and to amend various legislative provisions, be divided into four bills:

The first of which shall be entitled “An Act respecting Transition énergétique Québec” and shall comprise sections 1 and 24, except the words “(2) sections 11 to 14, which come into force on the date of coming into force of the rules of procedure applicable to mediation adopted by the Régie de l’énergie under section 113 of the Act respecting the Régie de l’énergie (chapter R-6.01), as amended by section 16; and (3) Chapter IV, which comes into force on the date of coming into force of the first regulation that replaces, after *(insert the date of assent to this Act)*, the Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1), except sections 38 to 44, 110 to 112, 235 and 249, which come into force on the date to be set by the Government.”;

The second of which shall be entitled “An Act respecting governance of the Régie de l’énergie and renewal of energy supply to consumers” and shall comprise sections 2 to 19 and 24, except the words “(1) Chapter I, which comes into force on 1 April 2017, except sections 1, 2, 6, 22 to 24, 27 to 29, 32 to 38, 40 to 42, 44, 47, 48 and 79, which come into force on (*insert the date that is 30 days after the date of assent to this Act*); (3) Chapter IV, which comes into force on the date of coming into force of the first regulation that replaces, after (*insert the date of assent to this Act*), the Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1), except sections 38 to 44, 110 to 112, 235 and 249, which come into force on the date to be set by the Government.”;

The third of which shall be entitled “An Act respecting financing of the electric infrastructure for a shared transportation project” and shall comprise sections 20, 21, 22 and 24, except the words “, except (1) Chapter I, which comes into force on 1 April 2017, except sections 1, 2, 6, 22 to 24, 27 to 29, 32 to 38, 40 to 42, 44, 47, 48 and 79, which come into force on (*insert the date that is 30 days after the date of assent to this Act*); (2) sections 11 to 14, which come into force on the date of coming into force of the rules of procedure applicable to mediation adopted by the Régie de l’énergie under section 113 of the Act respecting the Régie de l’énergie (chapter R-6.01), as amended by section 16; and (3) Chapter IV, which comes into force on the date of coming into force of the first regulation that replaces, after (*insert the date of assent to this Act*), the Regulation respecting petroleum, natural gas and underground reservoirs (chapter M-13.1, r. 1), except sections 38 to 44, 110 to 112, 235 and 249, which come into force on the date to be set by the Government.”;

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The fourth of which shall be entitled the “Petroleum Resources Act” and shall comprise sections 23 and 24, except the words “(1) Chapter I, which comes into force on 1 April 2017, except sections 1, 2, 6, 22 to 24, 27 to 29, 32 to 38, 40 to 42, 44, 47, 48 and 79, which come into force on *(insert the date that is 30 days after the date of assent to this Act)*; (2) sections 11 to 14, which come into force on the date of coming into force of the rules of procedure applicable to mediation adopted by the Régie de l’énergie under section 113 of the Act respecting the Régie de l’énergie (chapter R-6.01), as amended by section 16;”.

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At 4.22 o’clock p.m., Mr. Ouimet, First Vice-President, suspended the proceedings.

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The proceedings resumed at 4.38 o’clock p.m.

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At 4.45 o’clock p.m., after hearing arguments from all sides regarding the receivability of the motion to divide, Mrs. Gaudreault, Second Vice-President, took the matter under advisement.

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The proceedings resumed at 5.39 o’clock p.m.

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Mrs. Gaudreault, Second Vice-President, ruled on the receivability of the motion to divide moved by Mr. Therrien (Sanguinet).

#### RULING FROM THE CHAIR

The bill contains more than one principle. It begins by enacting two distinct laws, a legislative drafting technique that inarguably facilitates the receivability of a motion to divide. In addition, the four bills that would result from the motion to divide correspond to four separate chapters of the bill, also an indication that they are concepts that can stand alone.

More specifically, the first law enacted establishes a legal person who will contribute to “energy transition, innovation and efficiency”. The second law enacted governs the “development of petroleum resources”. In light of the criteria established by jurisprudence, these two enacted laws must be considered two separate, essential elements not simply two terms within a single broader principle. Two other distinct principles are identified in the motion to divide. One amends the *Act respecting the Régie de l’énergie* concerning the distribution of renewable natural gas, promoting the use of mediation and allowing the Régie to hold public information and consultation sessions. The other discusses the proposed electrification of shared transportation services. Once again, while the subject matter is still energy-related, these different amendments are not simply terms and can be considered separately.

Lastly, the motion divides the section that concerns the provisions of coming into force. Amending the content of a section is established practice in parliamentary jurisprudence in order to render a motion to divide receivable.

Consequently, the motion meets the receivability criteria inherent in a motion to divide and is declared receivable.

Mrs. Gaudreault, Second Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to the limited debate on this motion to divide: 57 minutes to the parliamentary group forming the Government; 33 minutes 15 seconds to the parliamentary group forming the Official Opposition; 23 minutes 45 seconds to the Second Opposition Group; and 6 minutes to the independent Members. 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.



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The Assembly entered upon the debate on the motion to divide moved by Mr. Therrien (Sanguinet).

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At 6.00 o'clock p.m., Mrs. Gaudreault, Second Vice-President, adjourned the Assembly until Tuesday, 4 October 2016 at 1.40 o'clock p.m.

**JACQUES CHAGNON**

*President*

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## APPENDIX

### Recorded Divisions

On the motion moved by Mr. Charette (Deux-Montagnes), together with Mr. Bergeron (Verchères) and Mrs. Massé (Sainte-Marie–Saint-Jacques):

#### (Division No. 236)

#### YEAS - 105

Anglade ( <i>QLP</i> )	Fortin ( <i>QLP</i> )	Lisée ( <i>PQ</i> )	Roy ( <i>PQ</i> )
Arcand ( <i>QLP</i> )	( <i>Sherbrooke</i> )	Maltais ( <i>PQ</i> )	( <i>Bonaventure</i> )
Auger ( <i>QLP</i> )	Fortin ( <i>QLP</i> )	Marceau ( <i>PQ</i> )	Samson ( <i>CAQ</i> )
Bergeron ( <i>PQ</i> )	( <i>Pontiac</i> )	Martel ( <i>CAQ</i> )	Sauvé ( <i>QLP</i> )
Bernier ( <i>QLP</i> )	Fournier ( <i>QLP</i> )	Massé ( <i>IND</i> )	Schneeberger ( <i>CAQ</i> )
Bérubé ( <i>PQ</i> )	Gaudreault ( <i>PQ</i> )	Matte ( <i>QLP</i> )	Simard ( <i>QLP</i> )
Billette ( <i>QLP</i> )	( <i>Jonquière</i> )	Ménard ( <i>QLP</i> )	( <i>Charlevoix–Côte-de-Beaupré</i> )
Birnbaum ( <i>QLP</i> )	Giguère ( <i>QLP</i> )	Merlini ( <i>QLP</i> )	Simard ( <i>QLP</i> )
Blais ( <i>QLP</i> )	Girard ( <i>QLP</i> )	Morin ( <i>QLP</i> )	( <i>Dubuc</i> )
Blanchette ( <i>QLP</i> )	Habel ( <i>QLP</i> )	Nichols ( <i>QLP</i> )	Sklavounos ( <i>QLP</i> )
Bolduc ( <i>QLP</i> )	Hamad ( <i>QLP</i> )	Ouellet ( <i>PQ</i> )	Soucy ( <i>CAQ</i> )
Bonnardel ( <i>CAQ</i> )	Hardy ( <i>QLP</i> )	( <i>Vachon</i> )	Spénard ( <i>CAQ</i> )
Boucher ( <i>QLP</i> )	Huot ( <i>QLP</i> )	Ouellette ( <i>QLP</i> )	St-Denis ( <i>QLP</i> )
Boulet ( <i>QLP</i> )	Iracà ( <i>QLP</i> )	Pagé ( <i>PQ</i> )	Surprenant ( <i>CAQ</i> )
Bourgeois ( <i>QLP</i> )	Jean ( <i>PQ</i> )	Paradis ( <i>QLP</i> )	Tanguay ( <i>QLP</i> )
Busque ( <i>QLP</i> )	Jolin-Barrette ( <i>CAQ</i> )	( <i>Brome-Missisquoi</i> )	Thériault ( <i>QLP</i> )
Caire ( <i>CAQ</i> )	Kelley ( <i>QLP</i> )	Picard ( <i>CAQ</i> )	Therrien ( <i>PQ</i> )
Carrière ( <i>QLP</i> )	Kotto ( <i>PQ</i> )	Plante ( <i>QLP</i> )	Traversy ( <i>PQ</i> )
Charbonneau ( <i>QLP</i> )	Laframboise ( <i>CAQ</i> )	Poëti ( <i>QLP</i> )	Tremblay ( <i>QLP</i> )
Charette ( <i>CAQ</i> )	Lamarre ( <i>PQ</i> )	Poirier ( <i>PQ</i> )	Turcotte ( <i>PQ</i> )
Charlebois ( <i>QLP</i> )	Lamontagne ( <i>CAQ</i> )	Polo ( <i>QLP</i> )	Vallée ( <i>QLP</i> )
Chevarie ( <i>QLP</i> )	Lavallée ( <i>CAQ</i> )	Proulx ( <i>QLP</i> )	Vallières ( <i>QLP</i> )
Coiteux ( <i>QLP</i> )	LeBel ( <i>PQ</i> )	Reid ( <i>QLP</i> )	Vien ( <i>QLP</i> )
Couillard ( <i>QLP</i> )	Leclair ( <i>PQ</i> )	Richard ( <i>PQ</i> )	Villeneuve ( <i>PQ</i> )
Cousineau ( <i>PQ</i> )	Legault ( <i>CAQ</i> )	Roberge ( <i>CAQ</i> )	Weil ( <i>QLP</i> )
D'Amour ( <i>QLP</i> )	Léger ( <i>PQ</i> )	Rochon ( <i>PQ</i> )	
D'Amours ( <i>CAQ</i> )	Leitão ( <i>QLP</i> )	Rotiroti ( <i>QLP</i> )	
David ( <i>QLP</i> )	Lelièvre ( <i>PQ</i> )	Rousselle ( <i>QLP</i> )	
( <i>Outremont</i> )	Lemay ( <i>CAQ</i> )	Roy ( <i>CAQ</i> )	
de Santis ( <i>QLP</i> )	Lessard ( <i>QLP</i> )	( <i>Montarville</i> )	