



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 12 April 2017 — No. 246

**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

Mr. Fortin (Sherbrooke) made a statement to underline the victory of the Harfangs bantam AAA hockey team from École secondaire du Triolet at the tournament of champions.

Mrs. Léger (Pointe-aux-Trembles) made a statement to underline the launching of the 2017–2020 action plan of the Comité de développement de l'est de Montréal.

Mr. Polo (Laval-des-Rapides) made a statement to underline the excellence of the gala put on by the Association régionale de basketball de Laval and to pay tribute to Mr. Luc Poitras, volunteer administrator.

Mr. Laframboise (Blainville) made a statement to pay tribute to Mr. Serge Lepage, Director General and Clerk of Sainte-Anne-des-Plaines.

Mrs. Charbonneau (Mille-Îles) made a statement to underline the Day of Pink against Bullying, Discrimination, Homophobia, Transphobia, and Transmisogyny.

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Mrs. Massé (Sainte-Marie–Saint-Jacques) made a statement to underline the 50th anniversary of the organization La Relance Jeunes et Familles (RJF).

Mrs. de Santis (Bourassa-Sauvé) made a statement to underline École secondaire Calixa-Lavallée's victory at the Pointe-de-l'Île school board's improvisation league tournament.

Mrs. Roy (Montarville) made a statement to underline the 45th anniversary of Club Richelieu Saint-Bruno.

Mrs. Simard (Charlevoix–Côte-de-Beaupré) made a statement to underline Table Agro-touristique de Charlevoix's purchase of a promotional trailer.

Mr. Bergeron (Verchères) made a statement to underline the 30th anniversary of L'Envolée, Centre d'action bénévole Sainte-Julie.

At 9.52 o'clock a.m., Mrs. Gaudreault, Second Vice-President, suspended the proceedings for a few minutes.

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

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Moment of reflection

Presenting Papers

Mrs. David, Minister responsible for Higher Education, tabled the following:

The five-year university investment plan for 2016–2021 and its frame of reference.

(Sessional Paper No. 3137-20170412)

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

The Government's reply to a petition tabled on 27 February 2017 by Mrs. Massé (Sainte-Marie–Saint-Jacques) on assessment of the metropolitan electric network (REM) project and its impacts;

(Sessional Paper No. 3138-20170412)

The Government's reply to a petition tabled on 23 March 2017 by Mr. Bourcier (Saint-Jérôme) on construction of a pedestrian crossing in front of Hôpital régional de Saint-Jérôme.

(Sessional Paper No. 3139-20170412)

Presenting Reports from Committees

Mr. Picard (Chutes-de-la-Chaudière), Committee Chair, tabled the following:

The report from the Committee on Citizen Relations, which met on 23 February, on 14 and 15 March and on 6 and 11 April 2017 for clause-by-clause consideration of Bill 115, An Act to combat maltreatment of seniors and other persons of full age in vulnerable situations. The report contains amendments to the bill.

(Sessional Paper No. 3140-20170412)

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Mr. Iracà (Papineau), Committee Chair, tabled the following:

The report from the Committee on Transportation and the Environment, which met on 11 April 2017 for clause-by-clause consideration of Bill 131, An Act to amend the Act respecting compensation measures for the carrying out of projects affecting wetlands or bodies of water. The report does not contain amendments to the bill.

(Sessional Paper No. 3141-20170412)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of the President, Mr. Legault, Leader of the Second Opposition Group, withdrew certain words deemed unparliamentary.

By leave of the Assembly to set aside Standing Order 53, Mr. Blanchette, Minister of Forests, Wildlife and Parks, tabled the following:

Copies of two photographs: one of Mr. Sylvain Roy, Member for Bonaventure, and one of Mr. Luc Blanchette, Minister of Forests, Wildlife and Parks.

(Sessional Paper No. 3142-20170412)

Motions Without Notice

Mr. Therrien (Sanguinet), together with Mr. Lefebvre (Arthabaska) and Mr. Khadir (Mercier), moved a motion concerning the granting of bonuses or an annual incentive plan to Bombardier executives; this motion could not be debated for want of unanimous consent.

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Mrs. D'Amours (Mirabel), together with Mr. Cousineau (Bertrand), Mrs. Massé (Sainte-Marie–Saint-Jacques) and Mr. Surprenant (Groulx), moved a motion concerning the future of the mining sector in the territory of Municipalité d'Oka; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 185, Mrs. St-Pierre, Minister of International Relations and La Francophonie, together with Mr. Fournier, Minister responsible for Canadian Relations and the Canadian Francophonie, Mr. Marceau (Rousseau), Mr. Bergeron (Verchères), Mr. Charette (Deux-Montagnes), Mr. Surprenant (Groulx) and Mr. Sklavounos (Laurier-Dorion), moved:

THAT, on this day, the National Assembly commemorate the 50th anniversary of the unanimous passage, on 14 April 1967, of the statute establishing an Intergovernmental Affairs Department;

THAT it recognize the contribution to advancing Québec's interests, in Canada and worldwide, made by the two entities born of this act, namely the Ministère des Relations internationales et de la Francophonie and the Secrétariat aux affaires intergouvernementales canadiennes;

THAT it express its support for strengthening Québec's international action buoyed by the Ministère des Relations internationales et de la Francophonie, through its network of government offices abroad, in keeping with Québec's International Policy;

THAT the Assembly underscore the importance of maintaining proactive Canadian relations for Québec's self-affirmation, defense of its interests and promotion of Canadian Francophonie and highlight the key role played by the Secrétariat aux affaires intergouvernementales canadiennes.

By leave of the Assembly, the motion was carried.

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Mr. Surprenant (Groulx), together with Mr. Lefebvre (Arthabaska), moved a motion concerning the remuneration of Bombardier's Chairman of the Board; this motion could not be debated for want of unanimous consent.

Notices of Proceedings in Committees

Mr. Tanguay, Deputy Government House Leader, convened the following committee:

- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 98, An Act to amend various legislation mainly with respect to admission to professions and the governance of the professional system.

ORDERS OF THE DAY

Government Bills

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 11 April 2017, on the motion moved by Mr. Coiteux, Minister of Municipal Affairs and Land Occupancy, that Bill 122, An Act mainly to recognize that municipalities are local governments and to increase their autonomy and powers, do now pass in principle.

A debate arose thereon.

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

THAT, pursuant to Standing Order 241, Bill 122, An Act mainly to recognize that municipalities are local governments and to increase their autonomy and powers, be divided into two bills, the first of which shall be entitled “An Act to amend the Act respecting land use planning and development and to amend other legislative provisions” and shall comprise sections 3, 9, 23, 24, 27, 29 to 33, 36 to 39 and 257, and the second of which shall be entitled “An Act mainly to recognize that municipalities are local governments and to increase their autonomy and powers” and shall comprise sections 1, 2, 4 to 8, 10 to 22, 25, 26, 28, 34, 35 and 40 to 257.

At 11.08 o’clock a.m., Mrs. Gaudreault, Second Vice-President, suspended the proceedings.

The proceedings resumed at 11.35 o’clock a.m.

At 11.44 o’clock a.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 and suspended the proceedings until 3.00 o’clock p.m.

Accordingly, pursuant to Standing Order 97, the debate on the motion moved by Mr. Coiteux, Minister of Municipal Affairs and Land Occupancy, was adjourned.

The proceedings resumed at 3.04 o’clock p.m.

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Business Standing in the Name of Members in Opposition

Mr. Khadir (Mercier) moved:

THAT the National Assembly ask the Government to stop funding private schools and put an end to the two-tiered education system;

THAT the National Assembly ask the Government to ensure that state funding promotes fair resource distribution, equal opportunities for students and a quality public education network.

Mr. Ouimet, First 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 46 minutes 30 seconds to the parliamentary group forming the Government; approximately 27 minutes 31 seconds to the parliamentary group forming the Official Opposition; approximately 18 minutes 59 seconds to the Second Opposition Group; and 17 minutes to the independent Members, subject to a maximum, based on the number of Members who indicated their intention to speak, of 1 minute 30 seconds each for the Member for Groulx and the Member for Vachon, and 16 minutes for the two Members of Québec solidaire. 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.

At the end of his address, Mr. Cloutier (Lac-Saint-Jean) moved:

THAT the motion moved by the Member for Mercier be amended as follows:

By replacing, in the first paragraph, the words “stop funding” by the words “review the funding of”;

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By striking out, in the first paragraph, the words “and put an end to the two-tiered education system”.

The motion, as amended, would read as follows:

THAT the National Assembly ask the Government to review the funding of private schools;

THAT the National Assembly ask the Government to ensure that state funding promotes fair resource distribution, equal opportunities for students and a quality public education network.

The debate continued on the main motion moved by Mr. Khadir (Mercier) and on the amendment motion moved by Mr. Cloutier (Lac-Saint-Jean), subject to the permission of its author.

Pursuant to Standing Order 98.1, Mr. Khadir (Mercier) refused the amendment proposed by Mr. Cloutier (Lac-Saint-Jean).

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

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

Government Bills

Passage in Principle

The Assembly resumed the debate, which had been adjourned earlier in the sitting, on the motion moved by Mr. Coiteux, Minister of Municipal Affairs and Land Occupancy, that Bill 122, An Act mainly to recognize that municipalities are local governments and to increase their autonomy and powers, do now pass in principle.

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

RULING FROM THE CHAIR

On reading the bill's provisions, we note that it contains more than one principle. While there is no denying that these principles are linked to the bill's objective, we cannot, for the purpose of applying the rules of parliamentary debate, affirm that all of the amendments the bill proposes to municipal legislation constitute a single principle. Reading and analysis of the bill show that various clusters of amendments can be grouped together and considered distinct principles contained within the bill.

The motion proposes that the bill be divided in two. The first bill would be entitled "An Act to amend the Act respecting land use planning and development and to amend other legislative provisions" and the second, "An Act mainly to recognize that municipalities are local governments and to increase their autonomy and powers". The sections included in the first bill proposed can be considered apart from the rest of Bill 122. They form a coherent whole that can stand alone from the rest of the bill.

As to the difficulties that could potentially result from parallel consideration of this principle found in a separate bill, the situation is not any different from one in which two bills move through the steps of the legislative process at the same time. Parliamentarians must carry out their role as lawmakers meticulously to ensure that the result of their work on each bill addressing the same subject is consistent. This is not a criterion that jurisprudence recognizes for the purpose of analyzing the receivability of such a motion.

Consequently, the motion meets the receivability criteria stated in jurisprudence and is declared receivable.

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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: 56 minutes 30 seconds to the parliamentary group forming the Government; 33 minutes 26 seconds to the parliamentary group forming the Official Opposition; 23 minutes 4 seconds to the Second Opposition Group; and 7 minutes to the independent Members, subject to a maximum, based on the number of Members who indicated their intention to speak, of 2 minutes each for the Member for Groulx and the Member for Vachon, and 6 minutes for the two Members of Québec solidaire. 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.

The Assembly entered upon the debate on the motion moved by Mr. Lelièvre (Gaspé).

The debate was adjourned in the name of Mr. Ouellet (René-Lévesque).

At 6.00 o'clock p.m., Mrs. Gaudreault, Second Vice-President, adjourned the Assembly until Thursday, 13 April 2017 at 9.40 o'clock a.m.

JACQUES CHAGNON

President