



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 16 November 2017 — No. 294

**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. Busque (Beauce-Sud) made a statement to underline the Chaudière-Appalaches Centre d'aide et de lutte contre les agressions à caractère sexuel's first awareness and prevention campaign.

Mr. LeBel (Rimouski) made a statement to underline the 30th anniversary of the organization Accueil-Maternité de Rimouski.

Mr. Morin (Côte-du-Sud) made a statement to underline the 25th anniversary of the company Promo-Plastik Coopérative de travailleurs.

Mr. Jolin-Barrette (Borduas) made a statement to underline the 15th anniversary of the Cercle de Fermières au Pied du Mont.

Mrs. Simard (Charlevoix-Côte-de-Beaupré) made a statement to pay tribute to Father Jean Moisan, volunteer radio host at CIHO-FM.

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Mrs. Massé (Sainte-Marie–Saint-Jacques) made a statement inviting Quebecers to make a contribution to the “Touski persiste!” crowdfunding campaign.

Mr. H. Plante (Maskinongé) made a statement to underline the inauguration of the Maison Laurianne-Elliott-Martel in Saint-Paulin.

Mrs. Soucy (Saint-Hyacinthe) made a statement to pay tribute to Mr. Fernand Grégoire for his social commitment within the MRC des Maskoutains.

Mrs. Charlebois (Soulanges) made a statement to underline National Child Day.

Mr. Bergeron (Verchères) made a statement to underline the 35th anniversary of the Maison des jeunes de Verchères.

At 9.51 o'clock a.m., Mr. Gendron, Third Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 10.01 o'clock a.m.

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Moment of reflection

The President handed down a ruling on requests for a directive made by the Official Opposition House Leader on 31 October 2017 in the wake of the events surrounding the arrest of the Member for Chomedey and the seizure of documents and material in his possession by Québec's anti-corruption unit (UPAC) on 25 October 2017.

DIRECTIVE FROM THE CHAIR

First and foremost, it is important to reiterate the fundamental character of the principle of separation of the powers of State. The Supreme Court of Canada has reasserted this principle every time it has had to rule on legislative assemblies' recognized parliamentary privilege, whose goal is precisely to protect the independence of the State's legislative branch.

The corollary of the collective recognition of legislative assemblies' independence is the privilege of freedom of speech conferred individually on all Members so that they can fully exercise their functions without fear of being threatened, hindered or limited in their ability to express their viewpoints in the context of parliamentary proceedings. This fundamental principle, whose origins lie in Article 9 of the British 1689 *Bill of Rights and* which enshrines parliamentarians' freedom of speech and debate, is the cornerstone on which our parliamentary system is built.

The Chair recalls that parliamentary privilege has constitutional status recognized by the courts and that it is, to some extent, a departure from common law. The rights and immunities it confers on assemblies and their members are designed to allow them to perform their legislative, deliberative and government oversight functions efficiently and without interference. The Supreme Court has, in fact, recognized that autonomy is therefore not conferred on parliamentarians merely as a sign of respect but because such autonomy from outsiders is necessary to enable Parliament and its members to get their job done. The independence of the Assembly and its Members is also codified in the *Act respecting the National Assembly*, in particular the preamble and sections 42, 43 and 44.

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The special status granted parliamentarians takes various forms. In addition to parliamentary privilege per se, the *Act respecting Access to documents held by public bodies and the Protection of personal information* also testifies to the sensitivity of issues related to performance of a Member's duties. The *Act respecting Access* creates a system that reconciles two fundamental principles of our democracy—access to information and Members' independence—and provides for a special system where Members can choose whether they consent to having their documents made accessible. This limited right of access shows the legislator's intention to protect the free exercise of parliamentary functions from inappropriate and arbitrary pressure, by giving the Member responsibility for the decision not to disclose, in relation both to the National Assembly and the public, and by defining a sphere of confidentiality in the Member's work.

The principle of Members' independence is therefore of the utmost importance in our legal system. Both parliamentary privilege and the special system provided for in the *Act respecting Access*, more specifically with regard to protecting confidential elements that Members may hold in exercising their parliamentary functions, are elements guaranteeing Members great freedom in exercising their functions. Consequently, it is normal that in instances where a Member's working documents or tools that may contain such confidential information are seized, the Chair, as the guardian of the rights and privileges of the Assembly and all of its Members, is particularly appalled.

No one is claiming that parliamentarians are above the law or not subject to justice. Members do not have immunity with regard to penal or criminal offences that they may commit as citizens. Nevertheless, to preserve their independence and ensure their power to fully and efficiently exercise their roles as Members, they must be able to count on certain guarantees that are necessary for the exercise of their functions. The Chair recalls that parliamentary privilege is concerned with functions rather than individuals. It protects the proceedings of the House and the right of Members to take part in those proceedings and to speak freely. But it does not confer general immunity on Members; nor does it provide Members with greater personal rights than attach to other people.

In other words, a Member may, like anyone else, be arrested by the police. However, certain particularities as to how the arrest is carried out must be strictly observed. Arresting a Member must not be taken lightly.

Admittedly, the British parliamentary law that applies to the National Assembly does not shield Members from the application of common law. The Chair recalls that, in many jurisdictions around the world, Members may not be prosecuted for actions performed in the context of parliamentary activities. This immunity also extends to extra-parliamentary activities, unless it is removed by the Member's peers.

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The Chair wishes to emphasize that, not currently being called upon to rule on a point of privilege or contempt but rather to rule on requests for directives concerning upholding the Assembly's rights and privileges, the Chair will rule on the various requests from that perspective.

“Has the President always been notified by the legal authorities when a Member is arrested?”

There is a certain custom in other legislative assemblies that the House must be notified when one of its Members is arrested and faces penal or criminal charges. The reasons for this practice are easy to understand. It is normal that when a legislative assembly is sitting, it be notified of the arrest and detention of one of its Members. This requirement is justified by the assembly's paramount right to the presence of its Members.

This same logic underlies the exemption from jury duty, from being called as a witness and immunity from arrest in civil matters that Members enjoy. In other words, although not exempt from the application of justice, Members enjoy a special status so that the necessary balance in proper functioning of the Government is ensured.

That being said, at the National Assembly, the practice of informing the House in the event of a Member's arrest has not been consistently followed in the past. Sometimes, the President or Secretary General was notified of such arrests and sometimes they were not. We cannot claim consistency in this area. However, it is clear that the Assembly should be informed of the arrest of one of its Members, particularly if the arrest prevents the Member from participating in parliamentary proceedings.

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The goal of this practice is not to interfere with the administration of justice, but to ensure the necessary deference to Parliament, the supreme governance body of a democratic State. More specifically, in the case at hand, it would have been best to notify Parliament that the Member for Chomedey and Chair of the Committee on Institutions had been arrested. The morning of the arrest, the Member was chairing the Committee for the clause-by-clause consideration of Bill 139, An Act to group the Office Québec/Wallonie-Bruxelles pour la jeunesse, the Office Québec-Amériques pour la jeunesse and the Office Québec-Monde pour la jeunesse. He was scheduled to chair another Committee session in the afternoon for the same order of reference.

It was during the lunch break that the Member for Chomedey was called outside Parliament to be arrested. For reasons which are unknown, it was decided to arrest him on a day when the Committee on Institutions was sitting. Despite the fact that it was considered urgent enough to arrest the Member for Chomedey on a Committee sitting day, no charges have yet been laid against him. It is not for the Chair to say how law enforcement officers should do their job. However, when the arrest of a Member, in this case a Committee Chair, disrupts the functioning of parliamentary proceedings, people may have suspicions, as is, in fact, the case.

The manner and timing of the arrest of the Member for Chomedey and Chair of the Committee on Institutions raises legitimate questions, especially since the Committee had just completed the public hearings on Bill 107, An Act to increase the jurisdiction and independence of the Anti-Corruption Commissioner and the Bureau des enquêtes indépendantes and expand the power of the Director of Criminal and Penal Prosecutions to grant certain benefits to cooperating witnesses, and was scheduled to begin the bill's clause-by-clause consideration.

By calling the Member for Chomedey and Chair of the Committee on Institutions outside Parliament on a Committee sitting day, we are within our rights to expect that it was urgent for action to be taken and that the Assembly authorities would be notified that one of its Members would be unable to exercise his parliamentary functions. This is simply a matter of respect for the National Assembly.

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With all due respect for the work of the police and for the sound administration of justice, the Chair still has doubts about the manner in which the arrest occurred. These doubts are further reinforced by the fact that UPAC has not indicated that it is aware that this is a special situation—as if arresting the Chair of the parliamentary committee to which UPAC is answerable is of little concern and as if the arrest and, in particular, the manner in which it occurred raise no doubts regarding the necessary and fragile balance that underlies organization of the State.

For these reasons, the Chair asks that, in future, police forces systematically inform it in the event a Member is arrested, especially if the arrest prevents the Member from taking part in parliamentary proceedings.

“Have the legal authorities violated a Member’s privileges if they do not promptly lay charges following the Member’s arrest?”

It is not the President of the National Assembly’s place to set deadlines to be met in such matters. However, as the guardian of the rights and privileges of the Assembly and its Members, the Chair asks that police work be done in a manner that upholds Members’ rights, disrupts parliamentary proceedings as little as possible and raises no questions as to whether an arrest may be related to a Member’s parliamentary functions.

In addition, an excessive lapse of time between an arrest and charges being laid could have political consequences for a Member of the Assembly. Parliamentarians are elected for a legislature which lasts four years, with some exceptions. When a general election is approaching, a long delay in laying charges against a Member whose integrity has been assailed may cause him harm. In a political context where image and public perception are fundamental, it is hard to imagine that a Member against whom such charges are pending could participate in the democratic process without paying the political price. Such a situation would be inequitable and profoundly unfair.

“Is the President’s authorization necessary to search Members’ cell phones and computers? Are these devices considered extensions of a Member’s National Assembly office and covered by the same parliamentary privilege?”

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I should point out that it is not for the President of the National Assembly to authorize police officers to conduct a search. This is the purview of the courts. Once this authorization has been given, if the searches take place on National Assembly premises, the President must decide whether to allow access to the parliamentary precincts.

This situation results from the fact that legislative assemblies are not accessible as a matter of course and that strangers can be expelled from any part of the Assembly. An assembly's right to control access to its precincts has been recognized by the Supreme Court of Canada as a constitutional right necessary for the efficient functioning of the Assembly. Although parliamentary privilege does not generally prevent the application of criminal or penal law within the precincts of the Assembly, the police do not automatically have access to the Assembly since police intervention may hinder the Assembly's functioning and, as a result, breach the privilege of regulating internal affairs without external interference. Thus, police forces may not enter the precincts of the Assembly without the President's prior authorization.

In this context, the President must cooperate in the proper administration of justice, to the extent that such administration respects parliamentary privilege and does not prevent or hinder the proper functioning of the Assembly or exercise of the Members' functions. As a result, in general, the President authorizes police forces to enter Parliament to conduct their search when these principles are upheld. However, the President ensures that the police officers have a search warrant and that only the documents covered by that warrant are seized. The same approach applies when the President receives a request to send documents or an order to transmit documents about a Member from police authorities.

Moreover, in the context of a search within the parliamentary precincts, the President's role does not stop at the doors of Parliament but extends to protecting the Members' rights by ensuring that one of his representatives accompanies the police officers conducting the search at all times.

With respect to the seizure of documents and material found outside the parliamentary precincts, it is important to know that just because the police seize a document or device does not necessarily mean that it can be used as evidence.

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Under the privilege of freedom of speech and the tenet of the Assembly's exclusive jurisdiction over its own affairs, certain documents seized or information to which electronic materials seized give access may be covered by parliamentary privilege.

For that reason, like cases involving seizing documents located inside a law firm or in the possession of someone else with a confidentiality privilege, if a police investigation concerns a Member's documents or material, a special procedure must be followed. Although few judicial decisions have ruled specifically on searches involving Members, the interests at stake seem just as important as questions involving Members' parliamentary privileges and the protection of confidential information that Members hold in connection with their parliamentary functions.

Under the same circumstances, the Chair's concern, as the guardian of the privileges of all Members, is to ensure that guarantees be required when dealing with elected officials of the National Assembly, since they are entitled to expect that their privileges will be taken into account and upheld. Members play a fundamental role in our democratic society, and they have been granted privileges in order to play that role. The foundations of our democratic society must not be weakened.

In addition to the courts, authors of constitutional law have also confirmed the importance of confidentiality in relation to documents used by Members in their functions.

Once documents or material belonging to a Member are seized, they must be sealed, to avoid violating the Member's privileges. Then, a protocol must be implemented so that documents covered by privilege can be separated from those that are not: only the latter may be used by police authorities. The President of the Assembly or a person representing the President must be able to actively participate in this operation.

Note that there is no exhaustive list of documents covered by parliamentary privilege since it is essential they not be crystallized into an overly rigid definition unable to evolve over time and preventing the necessary case-by-case analysis.

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The Chair reiterates that Members are in no way exempt from criminal law and that they may be subject to searches. However, if parliamentary privilege applies, the justice system must take it into account.

The Chair also deems it deplorable that UPAC did not bother to communicate with the Chair to share its intentions as to how it plans to analyze the seized documents.

“Does the fact that a police force misleads a Member, resulting in him being unable to fulfill his parliamentary duties, constitute a breach of parliamentary privilege? Does tricking or misleading a Member to get him out of the parliamentary precincts in order to serve him constitute contempt of Parliament?”

On Wednesday, 25 October 2017, the Assembly was sitting and the Committee on Institutions, then chaired by the Member for Chomedey, was scheduled to meet all day. However, because the Member was arrested, he was unable to return to Parliament in the afternoon to chair the Committee’s deliberations.

According to the principles mentioned earlier, the police clearly could not have arrested the Member for Chomedey in mid Assembly sitting or during a meeting of the Committee he chaired. To do so, they would have had to obtain the President’s prior authorization.

Whether we call it a “trap” or a “trick” is not overly important. However, using a ploy to get a Member to leave the parliamentary precincts in order to arrest him, as reported, is rather disturbing. It virtually amounts to doing indirectly what the police did not have the authority to do directly... and this is a problem.

Was the procedure employed by UPAC, using subterfuge to get a Member to leave parliamentary proceedings, really necessary? Moreover, should UPAC not have consulted the parliamentary authorities before arresting the Member for Chomedey, if only to inquire about the particularities to be respected in relation to his status as a Member of the National Assembly? Although these questions have still not been answered, we can confirm that the methods UPAC used in this case show a lack of consideration for the Assembly and its Members.

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If it was deemed so urgent to arrest a Committee Chair in mid meeting, why proceed in this manner? Why was the Member lured outside the parliamentary precincts using trickery? If it was so urgent, why not have arrested him and seized his documents and materials in the National Assembly? Was it to avoid the parliamentary procedure that requires the authorization of the National Assembly's President? Or to avoid having to submit a search warrant to the President so he could ensure that the warrant complied with the applicable rules? Clearly, doubts remain.

“Is electronic surveillance of a Member outside the parliamentary precincts considered a form of harassment, obstruction, molestation or intimidation of that Member? What specific measures must police forces take under these circumstances to respect the separation of powers between the executive and legislative branches?”

The Speaker of the House of Commons of Canada has, in the past, ruled that electronic surveillance of a Member outside the parliamentary precincts could be considered a form of harassment, obstruction, molestation or intimidation of that Member.

At the Legislative Assembly of British Columbia, a committee mandated to investigate the RCMP's alleged interception of a minister's communications concluded that the RCMP's actions constituted a violation of parliamentary immunity as well as disregard for the Assembly's authority.

At the Yukon Legislative Assembly, when it was discovered that the Minister of Justice's phone line had been under electronic surveillance, a committee on privileges was mandated to conduct a similar investigation. After extensive consideration of the issue, the committee argued, in its recommendations, that electronic surveillance of parliamentarians' phone lines constitutes a violation of parliamentary immunity and should be considered as disregarding the Assembly's authority. The committee added that the fact that the RCMP did not notify the President of its intention to electronically monitor a Member's phone line also constituted disregard for the Assembly's authority.

If such an electronic surveillance procedure were used against a Member of the National Assembly in a manner that is illegal, abusive or meant to exert undue pressure on the Member, the situation would clearly fall into the sphere of parliamentary privilege. In fact, if communications directly related to proceedings of the House or of one of its committees were recorded, there is very little, if any, doubt that it would be deemed contempt of Parliament.

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When a court authorizes an electronic surveillance procedure, the communications likely to be recorded would clearly include numerous conversations unrelated to the subject of the investigation but related to the Member's work. This aspect, which addresses the very essence of the independence of Members' work, is very troubling.

This ties in with the notion of confidentiality, which surrounds the documents used by Members in the exercise of their functions and the sources of information that enable them to play their parliamentary oversight role effectively. We would not want to see a situation where citizens, fearing that the confidentiality of what they might tell a Member could not be guaranteed, might refrain from contacting the Member for that reason.

The Chair notes that where electronic surveillance is concerned, a directive from the Attorney General of Québec states that a specific request is required in the case of categories of functions that hold certain privileges. This applies to lawyers, judges, senators, Members of Parliament of the House of Commons of Canada and Members of the National Assembly.

The Chair would like to draw a parallel with the situation that occurred when the media revealed that journalists had been subject to electronic surveillance by the police. The Assembly held an urgent debate on the subject, during which all parliamentarians who took the floor expressed concern over the potentially negative effects of such surveillance on democratic life. The Chair also notes that, since then, the Government of Québec has formed an inquiry commission to shed light on these revelations and that the Federal Government has adopted the *Journalistic Sources Protection Act* to address these concerns. The confidentiality of Members' communications must enjoy a level of protection that is at least as high as that of journalists.

What comes next?

Without going into the details of ongoing exchanges with UPAC, the Chair points out that, on 3 November 2017, it sent UPAC a letter stating its concerns and requesting that UPAC not look at the data contained in the devices seized from the Member for Chomedey until the Chair has been assured that the protocol implemented ensures that the principle of parliamentary privilege will be upheld.

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Given the manner in which the Member for Chomedey was arrested; given that, unlike the case of a seizure in the Assembly, the President was not given the search warrant; given that the Member for Chomedey was the Chair of the Committee on Institutions at the time; given that the Committee on Institutions has parliamentary powers over UPAC; given that the Member for Chomedey was arrested as the Committee was about to begin clause-by-clause consideration of Bill 107, An Act to increase the jurisdiction and independence of the Anti-Corruption Commissioner and the Bureau des enquêtes indépendantes and expand the power of the Director of Criminal and Penal Prosecutions to grant certain benefits to cooperating witnesses, it is critical to ensure that no information seized is related to exercise of the Member for Chomedey's parliamentary functions.

The Chair reiterates that this directive does not prevent the Member for Chomedey from facing legal proceedings for actions he may have taken outside the scope of his parliamentary functions, if applicable. By this directive, the Chair exercises its most fundamental responsibility of ensuring the rights and privileges of the Assembly and its Members. The Chair of the National Assembly is the guardian of the democratic rights of citizens, who are entitled to expect that their elected representatives will exercise their functions independently, without threat, obstruction or intimidation of any kind whatsoever.

It is important that all possible means be taken to dispel any potential doubts in this regard. The Chair therefore invites UPAC to show respect for the National Assembly and asks for its cooperation in finding a much-needed way to move forward to maintain the high democratic standards necessary for the State to operate and to ensure that there is absolutely no doubt that these same standards are being upheld.

The President then tabled the following directive:

The directive from the Chair on questions raised by the Official Opposition House Leader concerning parliamentarians' rights and privileges where police work is concerned.

(Sessional Paper No. 3809-20171116)

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Introduction of Bills

Mrs. Charlebois, Minister for Rehabilitation, Youth Protection, Public Health and Healthy Living, moved that leave be granted to introduce the following bill:

157 An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions

The motion was carried.

Accordingly, Bill 157 was introduced in the Assembly.

Presenting Papers

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

The 2018–2021 strategic plan of the Conseil de gestion de l'assurance parentale.
(Sessional Paper No. 3810-20171116)

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

The 2016–2017 annual report on applying the complaint review procedure and improving service quality of the Centre hospitalier universitaire de Québec-Université Laval (CHU).

(Sessional Paper No. 3811-20171116)

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

The financial statements of the Fondation universitaire de l'École des hautes études commerciales de Montréal for the fiscal year ended 31 May 2017;
(Sessional Paper No. 3812-20171116)

The financial statements of the Fondation universitaire de l'Université de Montréal for the fiscal year ended 31 May 2017;
(Sessional Paper No. 3813-20171116)

The financial statements of the university foundation of the Royal Institution for the Advancement of Learning (McGill University) for the fiscal year ended 31 May 2017.
(Sessional Paper No. 3814-20171116)

Mr. Blanchette, Minister of Forests, Wildlife and Parks, tabled the following:

The 2016 annual report of the Inuit Hunting, Fishing and Trapping Support Program.
(Sessional Paper No. 3815-20171116)

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

The 2016–2017 annual management plan of the Commission d'accès à l'information du Québec.
(Sessional Paper No. 3816-20171116)

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

The Government's reply to a petition tabled on 4 October 2017 by Mr. Khadir (Mercier) on introducing in-school exercise classes for school children.

(Sessional Paper No. 3817-20171116)

The President tabled the following:

A letter, dated 15 November 2017, he had received from Mr. Philippe Couillard, Premier, asking that the President take the necessary measures for the National Assembly to meet for extraordinary sittings, beginning at 7.00 o'clock p.m. on Thursday, 16 November 2017, according to the calendar and timetable to be determined by the Assembly, to permit introduction of a bill to ensure continued provision of engineering services within the Government and allow continued negotiation and renewal of the collective agreement of the employees who provide those services and to carry out all stages of the bill's consideration.

(Sessional Paper No. 3818-20171116)

Presenting Petitions

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

The abstract of a petition on reimbursing the cost of glucose meters with built-in test strips, signed by 1,107 citizens of Québec.

(Sessional Paper No. 3819-20171116)

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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 reimbursing the cost of glucose meters with built-in test strips, signed by 418 citizens of Québec.

(Sessional Paper No. 3820-20171116)

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. Charette (Deux-Montagnes) tabled the following:

A copy of a letter, dated 3 May 2017, to Mr. Sébastien Proulx, Minister of Education, Recreation and Sports, from Mrs. Valérie Fournier, about language classes available to students with learning disabilities.

(Sessional Paper No. 3821-20171116)

By leave of the Assembly to set aside Standing Order 53, Mrs. Vallée, Minister of Justice, tabled the following:

A copy of a document containing a list of notes for speeches given by the Minister of Justice since 23 April 2014, entitled “Liste des notes d’allocutions prononcées par la ministre de la Justice depuis le 23 avril 2014”;

(Sessional Paper No. 3822-20171116)

A bundle of documents concerning a request for access to information about the list of notes for public speeches given by the Minister of Justice since 23 April 2014.

(Sessional Paper No. 3823-20171116)

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Deferred Divisions

The Assembly took the division, which had been deferred at the sitting of 15 November 2017, on the motion moved by Mr. Jolin-Barrette (Borduas) during Business Standing in the Name of Members in Opposition.

This motion reads as follows:

THAT the National Assembly ask the Federal Government to defer the cannabis legalization currently scheduled to come into force on 1 July 2018 until at least 1 July 2019.

The motion was carried on the following vote:

(Division No. **391** in Appendix)

Yeas: **97** Nays: **2** Abstentions: **0**

Motions Without Notice

Mr. Paradis (Lévis), together with Mrs. Hivon (Joliette), Mrs. Massé (Sainte-Marie–Saint-Jacques), Mr. Lelièvre (Gaspé) and Mr. Surprenant (Groulx), moved a motion to hold a parliamentary committee on broadening the scope of legislation on medical assistance in dying; this motion could not be debated for want of unanimous consent.

Pursuant to Standing Order 146, Mr. Tanguay, Deputy Government House Leader, moved:

THAT, within the framework of the consideration of Bill 141, An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions, the Committee on Public Finance hold special consultations and public hearings on 7 December 2017 and on 17 and 18 January 2018;

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THAT, for this purpose, the Committee hear the following:

Mouvement Desjardins
Autorité des marchés financiers
Regroupement des cabinets de courtage
d'assurance du Québec
Canadian Life and Health Insurance Association
Corporation des assureurs directs de dommages
du Québec
Insurance Bureau of Canada
Barreau du Québec
Quebec Association of Consultants for Services
to Seniors
Mortgage Professionals Canada
Fédération de l'Âge d'Or du Québec
Coalition des associations de consommateurs du
Québec
Mouvement d'éducation et de défense des
actionnaires
Organisme d'autoréglementation du courtage
immobilier du Québec
Chambre d'assurance de dommages
Chambre de sécurité financière
Option Consommateur
The Investment Funds Institute of Canada
Order of Chartered Professional Accountants
Québec Federation of Real Estate Boards
Council of Professionals in Financial Services
Union des consommateurs
Conseil interprofessionnel du Québec
Corporation des thanatologues du Québec
Institut québécois de planification financière
Groupe de recherche en droit des services
financiers (GRDSF, Université Laval)
Canadian Bankers Association
Investment Industry Regulatory Organization of
Canada
Auditor General of Québec;

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THAT a period of 12 minutes be set aside for opening statements, allocated as follows: 6 minutes to the parliamentary group forming the Government, 3 minutes 30 seconds to the parliamentary group forming the Official Opposition, and 2 minutes 30 seconds to the Second Opposition Group;

THAT the presentation by each individual or organization last no longer than 10 minutes and the exchange with the Committee members last no longer than 35 minutes, allocated as follows: 17 minutes 30 seconds to the parliamentary group forming the Government, 10 minutes 30 seconds to the Official Opposition, and 7 minutes to the Second Opposition Group;

THAT the Minister of Finance be a member of the said Committee during its proceedings with respect to this order of reference.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 185, Mr. Bérubé, Official Opposition House Leader, together with Mr. Barrette, Minister of Health and Social Services, Mr. Paradis (Lévis), Mr. Nadeau-Dubois (Gouin), Mr. Lelièvre (Gaspé) and Mr. Surprenant (Groulx), moved:

THAT the National Assembly mark November 19 as International Men's Day and, more specifically, Québec Prostate Cancer Awareness Day;

THAT it reiterate that prostate cancer is the most widespread form of cancer among men in Québec;

THAT, every day, 12 Québec men are diagnosed with prostate cancer and approximately 890 die from this disease every year;

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THAT it highlight the efforts of PROCURE, a charitable organization, which is dedicated exclusively to fighting prostate cancer through research, awareness, education and support and which reinvests all of the funds it raises in Québec.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

Mrs. Massé (Sainte-Marie–Saint-Jacques), together with Mrs. Léger (Pointe-aux-Trembles), Mr. Caire (La Peltrie), Mr. Lelièvre (Gaspé) and Mr. Surprenant (Groulx), moved a motion concerning the State’s engineers; 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 committees:

- the Committee on Health and Social Services, to continue its clause-by-clause consideration of Bill 148, An Act to regulate generic medication procurement by owner pharmacists and to amend various legislative provisions;
- the Committee on Citizen Relations, to continue its clause-by-clause consideration of Bill 143, An Act to improve the educational quality and foster the harmonious development of educational childcare services;
- the Committee on Culture and Education, to hold public hearings within the framework of special consultations on Bill 151, An Act to prevent and fight sexual violence in higher education institutions.

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

- the Committee on Institutions shall hold a deliberative meeting to discuss the observations, conclusions and recommendations, if any, following the Chief Electoral Officer of Québec hearing.

Information on the Proceedings of the Assembly

Mr. Gendron, Third Vice-President, informed the Assembly that on Friday, 24 November 2017, Mrs. Lavallée (Repentigny) would question Mrs. David, Minister responsible for the Status of Women, during an interpellation on concrete solutions to combat sexual violence and better support victims.

ORDERS OF THE DAY

Government Bills

Passage in Principle

Mrs. Tremblay, Minister for Transport, moved that Bill 147, An Act concerning the prohibition against bringing certain actions related to the operation of off-highway vehicles on trails forming part of the interregional network, do now pass in principle.

After debate thereon, the motion was carried, and Bill 147 was accordingly passed in principle.

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Mr. Tanguay, Deputy Government House Leader, moved that Bill 147 be referred to the Committee on Transportation and the Environment for clause-by-clause consideration.

The motion was carried.

At 12.54 o'clock p.m., at the request of Mr. Tanguay, Deputy Government House Leader, Mr. Gendron, Third Vice-President, suspended the proceedings until 3.00 o'clock p.m.

The proceedings resumed at 3.01 o'clock p.m.

Passage in Principle

Mr. Leitão, Minister of Finance, moved that Bill 146, An Act to give effect mainly to fiscal measures announced in the Budget Speech delivered on 28 March 2017, do now pass in principle.

After debate thereon, the motion was carried on division, and Bill 146 was accordingly passed in principle.

Mrs. Vien, Deputy Government House Leader, moved that Bill 146 be referred to the Committee on Public Finance for clause-by-clause consideration.

The motion was carried.

At 3.32 o'clock p.m., at the request of Mrs. Vien, Deputy Government House Leader, Mr. Ouimet, First Vice-President, suspended the proceedings until 6.00 o'clock p.m.

16 November 2017

Debates Upon Adjournment

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

- the first, on a question from Mr. Ouellet (René-Lévesque) to Mr. Arcand, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor, about the labour dispute with Québec Government engineers. Mr. Leitão, Minister of Finance, replaced the Minister for this debate;
- the second, on a question from Mr. Leclair (Beauharnois) to Mr. Arcand, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor, about the labour dispute with the State's engineers. Mr. Leitão, Minister of Finance, replaced the Minister for this debate;
- the third, on a question from Mr. Marceau (Rousseau) to Mr. Leitão, Minister of Finance, about cannabis taxation.

At 6.30 o'clock p.m., Mrs. Gaudreault, Second Vice-President, adjourned the Assembly until Tuesday, 21 November 2017 at 1.40 o'clock p.m.

JACQUES CHAGNON

President

16 November 2017

APPENDIX

Recorded Divisions

On the motion moved by Mr. Jolin-Barrette (Borduas):

(Division No. 391)

YEAS – 97

Anglade (PLQ)	Fortin (PLQ)	Leitão (PLQ)	Rochon (PQ)
Arcand (PLQ)	(Pontiac)	Lelièvre (IND)	Rotiroti (PLQ)
Auger (PLQ)	Fortin (PLQ)	Lisée (PQ)	Rousselle (PLQ)
Barrette (PLQ)	(Sherbrooke)	Maltais (PQ)	Roy (PQ)
Bergeron (PQ)	Fournier (PLQ)	Marceau (PQ)	(Bonaventure)
Bernier (PLQ)	(Saint-Laurent)	Martel (CAQ)	Samson (CAQ)
Bérubé (PQ)	Fournier (PQ)	Matte (PLQ)	Sauvé (PLQ)
Birnbaum (PLQ)	(Marie-Victorin)	Melançon (PLQ)	Schneeberger (CAQ)
Blais (PLQ)	Giguère (PLQ)	Ménard (PLQ)	Simard (PLQ)
Blanchette (PLQ)	Girard (PLQ)	Merlini (PLQ)	(Dubuc)
Bolduc (PLQ)	Guilbault (CAQ)	Montpetit (PLQ)	Simard (PLQ)
Bonnardel (CAQ)	Hardy (PLQ)	Moreau (PLQ)	(Charlevoix–Côte-de-Beaupré)
Boucher (PLQ)	Heurtel (PLQ)	Morin (PLQ)	Sklavounos (IND)
Boulet (PLQ)	Hivon (PQ)	Nichols (PLQ)	Soucy (CAQ)
Busque (PLQ)	Huot (PLQ)	Ouellet (PQ)	St-Denis (PLQ)
Caire (CAQ)	Iracà (PLQ)	(René-Lévesque)	Surprenant (IND)
Carrière (PLQ)	Jean (PQ)	Pagé (PQ)	Tanguay (PLQ)
Charbonneau (PLQ)	Jolin-Barrette (CAQ)	Paradis (CAQ)	Thériault (PLQ)
Charette (CAQ)	Kelley (PLQ)	(Lévis)	Traversy (PQ)
Charlebois (PLQ)	Kotto (PQ)	Plante (PLQ)	Tremblay (PLQ)
Chevarie (PLQ)	Laframboise (CAQ)	Poëti (PLQ)	Turcotte (PQ)
Coiteux (PLQ)	Lamarre (PQ)	Poirier (PQ)	Vallée (PLQ)
Cousineau (PQ)	Lamontagne (CAQ)	Polo (PLQ)	Vallières (PLQ)
D'Amour (PLQ)	Lavallée (CAQ)	Proulx (PLQ)	Vien (PLQ)
David (PLQ)	LeBel (PQ)	Reid (PLQ)	Weil (PLQ)
de Santis (PLQ)	Leclair (PQ)	Richard (PQ)	
Drolet (PLQ)	Lefebvre (CAQ)	Roberge (CAQ)	

NAYS - 2

Massé (IND)

Nadeau-Dubois (IND)