



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 27 February 2019 — No. 19

**President of the National Assembly:
Mr. François Paradis**

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

ROUTINE PROCEEDINGS

Statements by Members

Mrs. McCann (Sanguinet) made a statement to underline the visit of members of the Partenaires neuro, maladies neurologiques évolutives group to the National Assembly.

Mr. Birnbaum (D'Arcy-McGee) made a statement to pay tribute to Mrs. Doreen Cons for her 35 years of volunteer work.

Mr. Lévesque (Chauveau) made a statement to pay tribute to Mr. Helder Duarte, head coach of the women's Rouge et Or soccer team.

Mr. Leitão (Robert-Baldwin) made a statement to pay tribute to Mr. Auguste Choquette for his political involvement.

Mr. Campeau (Bourget) made a statement to underline Groupe vocal Turbulence's 30th anniversary.

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Mrs. Ghazal (Mercier) made a statement to applaud the work of the Nos ateliers artist collective.

Mrs. Proulx (Côte-du-Sud) made a statement to underline the holding of La Coop fédérée's annual general meeting.

Mr. Ouellette (Chomedey) made a statement to pay tribute to Mr. Hratch Der Sarkissian, recipient of the Medal of the National Assembly.

Mrs. Hébert (Saint-François) made a statement to congratulate the Centre d'initiatives en agriculture de la région de Coaticook for its dynamism.

Mrs. Roy (Montarville) made a statement to underline the retirement of Mr. Jean-Marie Villeneuve, photographer.

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

The proceedings resumed at 10.02 o'clock a.m.

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Moment of reflection

Presenting Papers

Mrs. Laforest, Minister of Municipal Affairs and Housing, tabled the following:

The 2017–2018 annual report of the James Bay Regional Administration;
(Sessional Paper No. 394-20190227)

The 2017–2018 financial statements of the James Bay Regional Administration.
(Sessional Paper No. 395-20190227)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Motions Without Notice

Mrs. Fournier (Marie-Victorin), together with Mr. Barrette (La Pinière), Mrs. Ghazal (Mercier) and Mr. Ouellette (Chomedey), moved a motion on the Deux-Montagnes and Mascouche railway lines; this motion could not be debated for want of unanimous consent.

Mrs. Lessard-Therrien (Rouyn-Noranda–Témiscamingue), together with Mr. Ouellette (Chomedey), moved a motion on pesticide use in agriculture; this motion could not be debated for want of unanimous consent.

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By leave of the Assembly to set aside Standing Order 185, Mrs. LeBel, Minister of Justice, together with Mr. Tanguay (LaFontaine), Mrs. Hivon (Joliette), Mr. Leduc (Hochelaga-Maisonneuve) and Mr. Ouellette (Chomedey), moved:

THAT the National Assembly mark the Young Bar of Montréal's 120th anniversary, which was celebrated on 4 November 2018;

THAT it recognize the volunteer legal consulting and information services made available to various segments of the population;

THAT it thank the volunteers, committee members, former chairs and administrators who have contributed to the Young Bar of Montréal's success;

THAT, lastly, it encourage the Young Bar of Montréal to continue working to improve access to justice and contribute to the common good.

By leave of the Assembly, the motion was carried.

By leave of the Assembly to set aside Standing Order 185, Mr. Benjamin (Viau), together with Mr. Jolin-Barrette, Minister of Immigration, Diversity and Inclusiveness, Mrs. Fournier (Marie-Victorin), Mr. Fontecilla (Laurier-Dorion) and Mr. Ouellette (Chomedey), moved:

THAT the National Assembly highlight Black History Month and the International Decade for People of African Descent, proclaimed by the UN General Assembly in December 2014 to protect and promote the rights of people of African descent and to recognize their participation in enriching other cultures;

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THAT it recall the deep roots put down by people from Black communities, who settled in Québec over four centuries ago, as well as their commitment to making Québec a prosperous, egalitarian, inclusive society;

THAT it especially highlight the historic election, in 1976, of Mr. Jean Alfred, the first Black Member to sit in this Assembly;

THAT it note that, according to the Canadian Human Rights Commission, crimes against Black persons remain the most common hate crimes based on race or ethnic origin;

THAT it recall that, in March 2018, the Secrétariat à la jeunesse developed a strategy for youths from Black communities in partnership with the Black community organizations gathered at the Black Youth Socio-Economic Development Summit;

THAT it recognize the importance of working toward a more egalitarian society, among other things, by implementing measures to fight all forms of discrimination and exclusion that members of Black communities suffer;

THAT, lastly, the National Assembly support the goals of the International Decade for People of African Descent and invite it to work with Black community stakeholders to find lasting solutions designed to improve the quality of life of the people the proclamation targets.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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Notices of Proceedings in Committees

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

- the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 3, An Act to establish a single school tax rate;
- the Committee on Labour and the Economy, to continue its public hearings within the framework of special consultations on Bill 10, An Act to amend the Pay Equity Act mainly to improve the pay equity audit process.

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

- the Committee on Citizen Relations, to continue its public hearings within the framework of special consultations on Bill 9, An Act to increase Québec's socio-economic prosperity and adequately meet labour market needs through successful immigrant integration.

Mrs. Soucy, Second Vice-President, gave the following notice:

- the Committee on Institutions shall hold a deliberative meeting to discuss the possibility of carrying out two orders of initiative.
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ORDERS OF THE DAY

Government Bills

Passage in Principle

Mrs. Guilbault, Minister of Public Security, moved that Bill 8, An Act to amend the Civil Protection Act concerning financial assistance, do now pass in principle.

After debate thereon, the motion was carried, and Bill 8 was accordingly passed in principle.

Mr. Schneeberger, Deputy Government House Leader, moved that Bill 8 be referred to the Committee on Institutions for clause-by-clause consideration.

The motion was carried.

The Assembly resumed the debate, which had been adjourned on 26 February 2019, on the motion moved by Mrs. Guilbault, Minister of Public Security, that Bill 1, An Act to amend the rules governing the appointment and dismissal of the Anti-Corruption Commissioner, the Director General of the Sûreté du Québec and the Director of Criminal and Penal Prosecutions, do now pass in principle.

At the end of his address, Mr. Kelley (Jacques-Cartier) moved the following motion to divide the said Bill:

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THAT, pursuant to Standing Order 241, Bill 1, An Act to amend the rules governing the appointment and dismissal of the Anti-Corruption Commissioner, the Director General of the Sûreté du Québec and the Director of Criminal and Penal Prosecutions, be divided into two bills, the first of which shall be entitled “An Act to amend the rules governing the appointment and dismissal of the Anti-Corruption Commissioner and the Director General of the Sûreté du Québec” and shall comprise sections 1 to 8, the second paragraph of section 12 and sections 13, 14 and 16, and the second of which shall be entitled “An Act to amend the rules governing the appointment and dismissal of the Director of Criminal and Penal Prosecutions” and shall comprise sections 9 to 11, the first paragraph of section 12 and sections 13, 15 and 16.

At 11.58 o'clock a.m., Mrs. Soucy, Second Vice-President, suspended the proceedings.

The proceedings resumed at 12.11 o'clock p.m.

At 12.24 o'clock p.m., after hearing arguments from all sides regarding the receivability of the motion to divide, Mrs. Soucy, 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 Mrs. Guilbault, Minister of Public Security, was adjourned.

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The proceedings resumed at 3.00 o'clock p.m.

Business Standing in the Name of Members in Opposition

Mr. Bérubé, Leader of the Second Opposition Group, moved:

THAT the National Assembly ask the Government to
abolish the Ethics and Religious Culture course.

Mr. Picard, 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; 49 minutes 15 seconds to the parliamentary group forming the Government; 28 minutes 23 seconds to the parliamentary group forming the Official Opposition; 21 minutes 4 seconds to the Second Opposition Group; 9 minutes 47 seconds to the Third Opposition Group; and 1 minute 30 seconds to the independent Member. Within this framework, any time not used by the independent Member 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 beginning of his address, Mr. Roberge, Minister of Education and Higher Education, moved:

THAT the motion moved by the Leader of the Second
Opposition Group be amended as follows:

By replacing, in the second line, the word “abolish” by
the words “conduct an in-depth review of”.

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The motion, as amended, would read as follows:

THAT the National Assembly ask the Government to conduct an in-depth review of the Ethics and Religious Culture course.

The debate continued on the main motion moved by Mr. Bérubé, Leader of the Second Opposition Group, and on the amendment motion moved by Mr. Roberge, Minister of Education and Higher Education, subject to the permission of its author.

Pursuant to Standing Order 98.1, Mr. Bérubé, Leader of the Second Opposition Group, refused the amendment proposed by Mr. Roberge, Minister of Education and Higher Education.

At the end of her address, Mrs. David (Marguerite-Bourgeoys) moved:

THAT the motion moved by the Leader of the Second Opposition Group be amended as follows:

By replacing, in the second line, the word “abolish” by the words “continue reviewing”;

By adding, in the second line, the words “as begun by the previous Government” after the word “course”.

The motion, as amended, would read as follows:

THAT the National Assembly ask the Government to continue reviewing the Ethics and Religious Culture course as begun by the previous Government.

The debate continued on the main motion moved by Mr. Bérubé, Leader of the Second Opposition Group, and on the amendment motion moved by Mrs. David (Marguerite-Bourgeoys), subject to the permission of its author.

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Pursuant to Standing Order 98.1, Mr. Bérubé, Leader of the Second Opposition Group, refused the amendment proposed by Mrs. David (Marguerite-Bourgeoys).

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

At the request of Mr. Schneeberger, 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 Mrs. Guilbault, Minister of Public Security, that Bill 1, An Act to amend the rules governing the appointment and dismissal of the Anti-Corruption Commissioner, the Director General of the Sûreté du Québec and the Director of Criminal and Penal Prosecutions, do now pass in principle.

Mrs. Soucy, Second Vice-President, ruled on the receivability of the motion to divide moved by Mr. Kelley (Jacques-Cartier).

RULING FROM THE CHAIR

Parliamentary jurisprudence has recognized that, for a motion to divide to be declared receivable, a bill must contain more than one principle and each bill resulting from the division must be coherent, complete and able to stand alone.

The Chair has also mentioned on numerous occasions that analysis of a motion to divide's receivability should not be based on the bill's purpose but should consider the bill's provisions to determine whether the bill contains more than one principle.

In light of these criteria, and having read and analyzed the bill's provisions, the Chair has ascertained the existence of more than one principle in the bill.

As stated by parliamentary jurisprudence, it is not because principles may be grouped under a single theme that they are to be considered simply terms within a single broader principle.

Once it has been determined that a bill contains more than one principle, the Chair must determine if the way the sections are divided among the different bills resulting from the division generates separate bills that are coherent and can be considered independently.

The motion to divide proposes that the bill be divided in two. The first bill would concern the Anti-Corruption Commissioner and the Director General of the Sûreté du Québec, while the second would concern the Director of Criminal and Penal Prosecutions.

The Chair notes that both bills resulting from the division are coherent, complete and able to stand alone.

While it is true that sections 13 and 16 of the bill would be found in both of the bills resulting from the division, jurisprudence has established that this does not render the motion out of order since the sections in question discuss terms that are compatible with the principles found in each of the divided parts.

Given the aforementioned, the Chair concludes that the motion to divide meets the criteria established by jurisprudence.

Consequently, the motion to divide is declared receivable.

Mrs. Soucy, 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: 59 minutes 15 seconds to the parliamentary group forming the Government; 35 minutes 4 seconds to the parliamentary group forming the Official Opposition; 12 minutes 6 seconds to the Second Opposition Group; 12 minutes 6 seconds to the Third Opposition Group; and 1 minute 30 seconds to the independent Member. Within this framework, any time not used by the independent Member 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. Kelley (Jacques-Cartier).

The debate was adjourned in the name of Mr. Tanguay (LaFontaine).

At 5.59 o'clock p.m., Mrs. Soucy, Second Vice-President, adjourned the Assembly until Thursday, 28 February 2019 at 9.40 o'clock a.m.

FRANÇOIS PARADIS

President