

NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Votes and Proceedings

of the Assembly

Thursday, 19 September 2019 - No. 61

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

Mr. Barrette (La Pinière) made a statement to underline Public and Active Transportation Week.

Mr. Dubé (La Prairie) made a statement to underline the anniversary of the Filles du Roi's arrival in Québec.

Mr. Polo (Laval-des-Rapides) made a statement to congratulate Basketball Québec's winning teams at the National Championships.

Mrs. Lachance (Bellechasse) made a statement to congratulate Mr. Pascal Charette, founder of the Distillerie Ste-Sabine, for his creativity and entrepreneurship.

Mrs. Labrie (Sherbrooke) made a statement to underline the work of La Libellule, an organization with resources for special-needs persons.

Mrs. Dansereau (Verchères) made a statement to congratulate Miss Laura Higgins-Smith, winner of the Championnat international des jeux mathématiques et logiques.

Mr. Ouellet (René-Lévesque) made a statement to pay tribute to the resilience of passengers faced with difficulties experienced by the Société des traversiers du Québec.

Mrs. Proulx (Berthier) made a statement to underline the 25th anniversary of the Maison des jeunes Le Gros Orteil.

Mr. Lemieux (Saint-Jean) made a statement to underline the 10th anniversary of the Balade de rêve activity organized by Fondation Le Renfort Grande Ligne.

Mr. Picard (Chutes-de-la-Chaudière) made a statement to underline the 50th anniversary of École secondaire Les Etchemins.

At 9.53 o'clock a.m., Mrs. Gaudreault, 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

Introduction of Bills

Mr. Girard, Minister of Finance, moved that leave be granted to introduce the following bill:

36 An Act to amend the Companies Act concerning participation in and decision making at meetings of legal persons without share capital

The motion was carried.

Accordingly, Bill 36 was introduced in the Assembly.

Mr. Julien, Minister of Energy and Natural Resources, moved that leave be granted to introduce the following bill:

35 An Act to modernize certain rules relating to land registration and to facilitate the dissemination of geospatial information

The motion was carried.

Accordingly, Bill 35 was introduced in the Assembly.

Presenting Papers

Mr. Charette, Minister of the Environment and the Fight Against Climate Change, tabled the following:

The 2018–2019 annual management report of the Bureau d'audiences publique sur l'environnement.

(Sessional Paper No. 855-20190919)

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

The 2018–2019 annual management report of the Commission des services juridiques;

(Sessional Paper No. 856-20190919)

The 2018–2019 annual management report of the Office des professions du Québec;

(Sessional Paper No. 857-20190919)

The 2018–2019 annual management report of the Director of Criminal and Penal Prosecutions.

(Sessional Paper No. 858-20190919)

Mrs. Girault, Minister of International Relations and La Francophonie, tabled the following:

The 2018–2019 annual report of the Ministère des Relations internationales et de la Francophonie.

(Sessional Paper No. 859-20190919)

The President tabled the following:

A letter, dated 18 September 2019, he had received from Mr. Legault, Premier, informing him of the appointment of Mr. Lévesque, Member for Chauveau, as a member of the Office of the National Assembly, and the appointment of Mrs. Lavallée, Member for Repentigny, and Mr. Asselin, Member for Vanier-Les Rivières, as substitute members of the Office of the National Assembly.

(Sessional Paper No. 860-20190919)

Mr. Picard, First Vice-President, moved that these modifications to the composition of the Office of the National Assembly be adopted.

The motion was carried.

The President then tabled the following:

A letter, dated 18 September 2019, he had received from Mrs. Lise Thériault, Member for Anjou–Louis-Riel, informing him of her resignation as Chair of the Committee on Planning and the Public Domain;

(Sessional Paper No. 861-20190919)

The 2018–2019 activity report of the Ethics Commissioner; (Sessional Paper No. 862-20190919)

The 2018–2019 activity report of the Lobbyists Commissioner. (Sessional Paper No. 863-20190919)

Presenting Reports from Committees

Mrs. Thériault (Anjou-Louis-Riel), Committee Chair, tabled the following:

The report from the Committee on Culture and Education, which elected its Chair and Vice-Chair on 18 September 2019.

(Sessional Paper No. 864-20190919)

Mrs. Charbonneau (Mille-Îles), Committee Chair, tabled the following:

The report from the Committee on Planning and the Public Domain, which elected its Chair and Vice-Chair on 18 September 2019.

(Sessional Paper No. 865-20190919)

Mrs. IsaBelle (Huntingdon), Committee Chair, tabled the following:

The report from the Committee on Labour and the Economy, which held public hearings on 17 and 18 September 2019 within the framework of special consultations on Bill 33, An Act to amend the Labour Code concerning the maintenance of essential services in public services and in the public and parapublic sectors.

(Sessional Paper No. 866-20190919)

Mrs. St-Pierre (Acadie), Committee Chair, tabled the following:

The report from the Committee on Transportation and the Environment, which held public hearings on 12, 13, 14 and 15 August 2019 within the framework of special consultations on the order of initiative on issues relating to recycling and local recovery of glass. The Committee also held deliberative meetings on 12, 13, 14 and 15 August and 17 and 18 September on that order of initiative. The report contains observations, conclusions and nine recommendations.

(Sessional Paper No. 867-20190919)

Presenting Petitions

Mrs. Dorion (Taschereau) tabled the following:

The abstract of a petition on the strengthening of legislation regarding pipelines in Québec territory, signed by 74 citizens of Québec.

(Sessional Paper No. 868-20190919)

Mrs. Dorion (Taschereau) tabled the following:

The abstract of a petition on the adjustment of the debt of social assistance recipients, signed by 381 citizens of Québec.

(Sessional Paper No. 869-20190919)

Mrs. Rizqy (Saint-Laurent) tabled the following:

The abstract of a petition on security deposits required when signing apartment leases, signed by 12,202 citizens of Québec.

(Sessional Paper No. 870-20190919)

Mrs. Perry Mélançon (Gaspé) tabled the following:

The abstract of a petition on recognizing the medical device reprocessing profession, signed by 941 citizens of Québec.

(Sessional Paper No. 871-20190919)

Mrs. Massé (Sainte-Marie–Saint-Jacques) tabled the following:

The abstract of a petition on safeguarding a heritage building that formerly housed the Institut des Sourdes-muettes, signed by 844 citizens of Québec. (Sessional Paper No. 872-20190919)

The abstracts of two petitions on managing spring flooding were tabled:

 the first, being the abstract of a petition signed by 193 citizens of Québec, by Mrs. Sauvé (Fabre);

(Sessional Paper No. 873-20190919)

 the second, being the abstract of a petition signed by 119 citizens of Québec, by Mrs. Sauvé (Fabre).

(Sessional Paper No. 874-20190919)

Mrs. Fournier (Marie-Victorin) tabled the following:

The abstract of a petition on cat neutering and welfare (English and French versions), signed by 6,799 citizens of Québec.

(Sessional Paper No. 875-20190919)

Mrs. Grondin (Argenteuil) tabled the following:

The abstract of a petition on prohibiting single-use plastic items, signed by 347 citizens of Québec.

(Sessional Paper No. 876-20190919)

The President issued a directive on a question raised by the Official Opposition House Leader on 18 September 2019, regarding comments made by the Minister of the Environment and the Fight Against Climate Change on Twitter relating to the Committee on Transportation and the Environment's report within the framework of the order of initiative on the recycling and local recovery of glass. Specifically, the Official Opposition House Leader charged that the Minister had interfered in the Committee's business.

RULING FROM THE CHAIR

The Committee on Transportation and the Environment adopted an order of initiative on 9 April 2019 to examine the recycling and local recovery of glass. Under that initiative, following consultations in August, the Committee was to report to the National Assembly no later than the third day after the resumption of proceedings in September 2019.

Within the framework of this mandate, the Committee members held a deliberative meeting on Tuesday, 17 September 2019, to discuss the observations, conclusions and recommendations to be made in the report. Following that meeting, a Member of the Official Opposition complained on Twitter that the Government was imposing a report void of content by refusing to allow the Committee members to do their work.

The next day, the Minister of the Environment and the Fight Against Climate Change responded on Twitter that the Committee had a deadline to complete its report with factual observations and recommendations.

Arguments on this matter broached the discussions among Committee members during the deliberative meeting to determine the report's observations, conclusions and recommendations. In this regard, the Standing Orders state that all committee meetings, except deliberative meetings, are public (S.O. 159). Conversely, deliberative meetings are held in private. This is not to say, however, that deliberative meetings are the same as in camera meetings whose status, within the meaning of the Standing Orders, renders all evidence heard, papers received or deliberations held confidential. Under parliamentary law, "in camera" has a very specific meaning, because disclosing any information obtained during in camera meetings can constitute contempt of Parliament. The meetings in question were not held in camera. Nonetheless, deliberative meetings are not public, and the purpose of their private nature is to establish an environment in which Committee members may speak openly and frankly. The Chair relies on Committee members to conduct themselves in a manner that serves that purpose and asks that they measure the impact of their actions in public.

It should be noted that, when a committee adopts an order of initiative, no member of the Executive Council participates in its work. Only the committee's members may determine the content of the ensuing report.

Orders of initiative were introduced into the Standing Orders in 1984 to enhance the role of Parliament and its Members by giving them additional means to perform their duties more effectively and with greater independence vis-à-vis the Executive.

In light of that principle, the Minister of the Environment and the Fight Against Climate Change's tweet was ill-timed, because only the Committee could determine the content of its report and the time they should allow to find agreement on the report's observations, conclusions and recommendations.

Members of the Executive should not make comments that might hinder the independence of the Assembly and of its committees, since it is a matter of respect for the separation of powers.

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

At the request of the President, Mr. Julien, Minister of Energy and Natural Resources, withdrew certain words deemed unparliamentary.

Deferred Divisions

The Assembly took the division, which had been deferred at the sitting of 18 September 2019, on the motion moved by Mr. Leitão (Robert-Baldwin) during Business Standing in the Name of Members in Opposition.

This motion reads as follows:

THAT the National Assembly instruct the Committee on Public Finance to shed light on the protection of Quebecers' personal information held by public and private institutions and examine the advisability of tightening up the *Consumer Protection Act* in light of recent events involving, in particular, Desjardins, Capital One, Revenu Québec and Industrial Alliance;

THAT, within the framework of this mandate, the Committee hold special consultations and public hearings and that, for this purpose, it hear:

Desjardins Group Capital One Canadian Bankers Association Équifax TransUnion Autorité des marchés financiers (AMF) Benoît Boivin, Chief Information Officer, Québec Revenu Québec Office de la protection du consommateur **Option Consommateurs** Union des consommateurs Sûreté du Ouébec Service de police de la Ville de Montréal (SPVM) Canadian Security Intelligence Service (CSIS) Digital ID and Authentication Council of Canada (DIACC) **MS** Solutions **ARS** Solutions Centre d'études en droit économique (CÉDÉ)

Jean-Denis Garon, UQAM, Department of Economic Sciences

Benoit Dupont, Université de Montréal, Scientific Director of the Smart Cybersecurity Network (SERENE-RISC), and Canada Research Chair in Security and Technology Michel Carlos, specialist in fighting fraud Steve Waterhouse, expert in information security Paul Laurier, CEO of Vigiteck and former SQ investigator and any individuals or organizations it deems necessary

and any individuals or organizations it deems necessary to convene;

THAT the organization of the mandate be entrusted to the members of the Committee;

THAT the Committee report to the Assembly not later than 4 December 2019, unless the Committee decides otherwise;

THAT, lastly, this motion become an order of the Assembly.

The motion was carried on the following vote:

(Division No. 169 in Appendix)

Yeas: 44 Nays: 65 Abstentions: 0

Motions Without Notice

Mrs. Labrie (Sherbrooke), together with Mrs. Rizqy (Saint-Laurent), Mrs. Hivon (Joliette), Mr. Ouellette (Chomedey) and Mrs. Fournier (Marie-Victorin), moved a motion on the average cost of a class in Québec; this motion could not be debated for want of unanimous consent.

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Mrs. Perry Mélançon (Gaspé), together with Mr. Arcand, Leader of the Official Opposition, Mrs. Lessard-Therrien (Rouyn-Noranda–Témiscamingue), Mr. Ouellette (Chomedey) and Mrs. Fournier (Marie-Victorin), moved a motion on the Gaspésie–Îlesde-la-Madeleine region; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 185, Mrs. Blais, Minister Responsible for Seniors and Informal Caregivers, together with Mr. Fortin (Pontiac), Mr. Zanetti (Jean-Lesage), Mr. LeBel (Rimouski), Mr. Ouellette (Chomedey) and Mrs. Fournier (Marie-Victorin), moved:

THAT the National Assembly mark World Alzheimer's Day, which takes place on 21 September 2019;

THAT it acknowledge the steady increase in this progressive disease and its repercussions on the health network, on patients suffering from Alzheimer's and on their loved ones;

THAT it recognize the contribution of all the people in Québec who work to support persons with Alzheimer's disease and their loved ones.

By leave of the Assembly, the motion was carried.

Mr. Derraji (Nelligan), together with Mrs. Perry Mélançon (Gaspé), Mr. Ouellette (Chomedey) and Mrs. Fournier (Marie-Victorin), moved a motion on a French-language test and a values test for immigrants; this motion could not be debated for want of unanimous consent.

Notices of Proceedings in Committees

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

- the Committee on Agriculture, Fisheries, Energy and Natural Resources, to continue its public hearings within the framework of special consultations on Bill 34, An Act to simplify the process for establishing electricity distribution rates;
- the Committee on Citizen Relations, to continue its public hearings within the framework of special consultations on Bill 18, An Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons;
- the Committee on Transportation and the Environment, to continue its clause-by-clause consideration of Bill 17, An Act respecting remunerated passenger transportation by automobile;
- the Committee on Institutions, to undertake clause-by-clause consideration of Bill 25, An Act to amend mainly the Firearms Registration Act;
- the Committee on Culture and Education, to undertake clause-by-clause consideration of Bill 5, An Act to amend the Education Act and other provisions regarding preschool education services for students 4 years of age.

Mrs. Gaudreault, Third Vice-President, gave the following notices:

- the Committee on Agriculture, Fisheries, Energy and Natural Resources shall hold a deliberative meeting to organize the order of initiative on the impact of pesticides on public health and the environment, as well as current and future innovative alternative practices in the agriculture and food sectors, in recognition of the competitiveness of Québec's agri-food sector; then, hold a deliberative meeting to undertake its public hearings within the framework of the general consultations on the examination of the impact of pesticides on public health and the environment, as well as current and future innovative alternative practices in the agriculture and food sectors, in recognition of the competitiveness of Québec's agri-food sector; the agriculture innovative alternative practices in the agriculture and food sectors, in recognition of the competitiveness of Québec's agri-food sector;
- the Committee on Institutions shall hold a deliberative meeting to discuss the possibility of carrying out an order of initiative.

Information on the Proceedings of the Assembly

Mrs. Gaudreault, Third Vice-President, informed the Assembly that on Friday, 27 September 2019, Mr. Barrette (La Pinière) would question Mr. Dubé, Minister Responsible for Government Administration and Chair of the Conseil du trésor, during an interpellation on the CAQ Government's improvised management of the files under the responsibility of the Secrétariat du Conseil du trésor.

ORDERS OF THE DAY

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Health and Social Services on its clause-by-clause consideration of Bill 2, An Act to tighten the regulation of cannabis, together with the amendments transmitted by Mr. Carmant, Minister for Health and Social Services, and Mr. Fortin (Pontiac).

The amendments were declared in order.

A debate arose thereon.

At 1.00 o'clock p.m., Mrs. Gaudreault, Third Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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

The Assembly continued the debate on consideration of the report from the Committee on Health and Social Services on its clause-by-clause consideration of Bill 2, An Act to tighten the regulation of cannabis, together with the amendments transmitted by Mr. Carmant, Minister for Health and Social Services, and Mr. Fortin (Pontiac).

The debate being concluded, Mr. Picard, First Vice-President, put the question on the amendments.

At 3.15 o'clock p.m., Mr. Picard, First Vice-President, suspended the proceedings for a few minutes.

The proceedings resumed at 3.18 o'clock p.m.

Following a meeting with the House leaders, Mr. Picard, First Vice-President, informed the Assembly that it was agreed that the question would be put on the amendments of Mr. Fortin (Pontiac) severally.

The question was put on the first amendment to section 1 proposed by Mr. Fortin (Pontiac), and a recorded division was thereupon demanded.

At the request of Mr. Caire, Deputy Government House Leader, the divisions on the amendments proposed by Mr. Fortin (Pontiac) and Mr. Carmant, Minister for Health and Social Services, and on the report from the Committee on Health and Social Services were deferred until Routine Proceedings on the next sitting day.

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 18 September 2019, on the motion moved by Mr. Dubé, Minister Responsible for Government Administration and Chair of the Conseil du trésor, that Bill 23, An Act respecting the names and responsibilities of certain ministers and government departments and to enact the Act respecting the Ministère des Forêts, de la Faune et des Parcs, do now pass in principle.

After debate thereon, the motion was carried on division, and Bill 23 was accordingly passed in principle.

Mr. Caire, Deputy Government House Leader, moved that Bill 23 be referred to the Committee on Public Finance for clause-by-clause consideration.

The motion was carried.

Passage in Principle

Mrs. Proulx, Minister of Tourism, moved that Bill 15, An Act respecting the Société de développement et de mise en valeur du Parc olympique, do now pass in principle.

After debate thereon, the motion was carried, and Bill 15 was accordingly passed in principle.

Mr. Caire, Deputy Government House Leader, moved that Bill 15 be referred to the Committee on Labour and the Economy for clause-by-clause consideration.

The motion was carried.

Passage in Principle

Mrs. LeBel, Minister of Justice, moved that Bill 29, An Act to amend the Professional Code and other provisions in particular in the oral health and the applied sciences sectors, do now pass in principle.

A debate arose thereon.

Debates upon Adjournment

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

— the first, on a question from Mrs. Rizqy (Saint-Laurent) to Mr. Roberge, Minister of Education and Higher Education, about the CAQ Government's improvisation with regard to pre-kindergarten and its poor assessment of the cost of the classes;

- the second, on a question from Mr. Fortin (Pontiac) to Mrs. McCann, Minister of Health and Social Services, about the CAQ Government's backpedalling on its promise to reduce hospital parking prices. Mr. Bonnardel, Minister of Transport, replaced the Minister for this debate;
- the third, on a question from Mr. Barrette (La Pinière) to Mr. Bonnardel, Minister of Transport, about the CAQ Government's lack of transparency as regards the 3rd link issue.

At 6.34 o'clock p.m., Mrs. Gaudreault, Third Vice-President, adjourned the Assembly until Tuesday, 24 September 2019, at 1.40 o'clock p.m.

FRANÇOIS PARADIS

President

APPENDIX

Recorded Divisions

On the motion moved by Mr. Leitão (Robert-Baldwin) during Business Standing in the Name of Members in Opposition:

(Division No. 169)

YEAS - 44

Anglade (<i>QLP</i>) Arcand (<i>QLP</i>) Arseneau (<i>PQ</i>) Barrette (<i>QLP</i>) Benjamin (<i>QLP</i>) Bérubé (<i>PQ</i>) Birnbaum (<i>QLP</i>) Charbonneau (<i>QLP</i>) Ciccone (<i>QLP</i>) Derraji (<i>QLP</i>) Dorion (<i>QS</i>) Fortin (<i>QLP</i>) Fournier (<i>IND</i>)	Gaudreault (PQ) (Jonquière) Hivon (PQ) Kelley (QLP) Labrie (QS) LeBel (PQ) (<i>Rimouski</i>) Leduc (QS) Leitão (QLP) Lessard-Therrien (QS) Maccarone (QLP) Marissal (QS) Massé (QS)	Melançon (<i>QLP</i>) Ménard (<i>QLP</i>) Montpetit (<i>QLP</i>) Nadeau-Dubois (<i>QS</i>) Nichols (<i>QLP</i>) Ouellett (<i>PQ</i>) Ouellette (<i>IND</i>) Perry Mélançon (<i>PQ</i>) Polo (<i>QLP</i>) Rizqy (<i>QLP</i>) Robitaille (<i>QLP</i>) Rotiroti (<i>QLP</i>) Rousselle (<i>QLP</i>)	Roy (<i>PQ</i>) (<i>Bonaventure</i>) Sauvé (<i>QLP</i>) St-Pierre (<i>QLP</i>) Tanguay (<i>QLP</i>) Thériault (<i>QLP</i>) Weil (<i>QLP</i>) Zanetti (<i>QS</i>)
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NAYS - 65			
Allaire (CAQ)	Dubé (CAQ)	Lafrenière (CAQ)	Proulx (CAQ)
Asselin (CAQ)	Dufour (CAQ)	Lamontagne (CAQ)	(Côte-du-Sud)
Bachand (CAQ)	Émond (CAQ)	Lamothe (CAQ)	Proulx (CAQ)
Bélanger (CAQ)	Foster (CAQ)	LeBel (CAQ)	(Berthier)
Blais (CAQ)	Girard (CAQ)	(Champlain)	Provençal (CAQ)
(Prévost)	(Groulx)	Lecours (CAQ)	Roberge (CAQ)
Blais (CAQ)	Girard (CAQ)	(Lotbinière-Frontenac)	Rouleau (CAQ)
(Abitibi-Ouest)	(Lac-Saint-Jean)	Lecours (CAQ)	Roy (CAQ)
Bonnardel (CAQ)	Girault (CAQ)	(Les Plaines)	(Montarville)
Boulet (CAQ)	Grondin (CAQ)	Lefebvre (CAQ)	Schneeberger (CAQ)
Bussière (CAQ)	Guilbault (CAQ)	Lemay (CAQ)	Simard (CAQ)
Caire (CAQ)	Guillemette (CAQ)	Lemieux (CAQ)	Skeete (CAQ)
Campeau (CAQ)	Hébert (CAQ)	Lévesque (CAQ)	Tardif (CAQ)
Carmant (CAQ)	Isabelle (CAQ)	(Chauveau)	(Laviolette–Saint-Maurice)
Caron (CAQ)	Jacques (CAQ)	Lévesque (CAQ)	Thouin (CAQ)
Charest (CAQ)	Jeannotte (CAQ)	(Chapleau)	Tremblay (CAQ)
Charette (CAQ)	Jolin-Barrette (CAQ)	Martel (CAQ)	
Chassé (CAQ)	Julien (CAQ)	McCann (CAQ)	
Chassin (CAQ)	Lachance (CAQ)	Picard (CAQ)	
D'Amours (CAQ)	Lacombe (CAQ)	(Soulanges)	
Dansereau (CAQ)	Laframboise (CAQ)	Poulin (CAQ)	