



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 15 April 2015 — No. 75

President of the National Assembly:
Mr. Jacques Chagnon

QUÉBEC

The Assembly was called to order at 9.45 o'clock a.m.

ROUTINE PROCEEDINGS

Statements by Members

Mr. Hardy (Saint-François) made a statement to underline Volunteer Week.

Mr. Marceau (Rousseau) made a statement to pay tribute to the Crête family for the honorary certificate it received.

Mr. Girard (Trois-Rivières) made a statement to underline the inauguration of the Zone entrepreneuriale at the Cégep de Trois-Rivières.

Mrs. Samson (Iberville) made a statement to pay tribute to Québec's thousands of volunteers.

Mrs. Charbonneau (Mille-Îles) made a statement to underline the 25th anniversary of the *Public Curator Act* and the 70th anniversary of the Public Curator.

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Mrs. Massé (Sainte-Marie–Saint-Jacques) made a statement to support the organization La Piaule, which provides front-line services in the regions.

Mr. Billette (Huntingdon) made a statement to pay tribute to Mrs. Micheline Lemay, who retired after 31 years of service to the municipality of Saint-Michel.

Mr. Paradis (Lévis) made a statement to congratulate the winners of the Hommage bénévolat-Québec award: Les Aidants scolaires and Le Tremplin.

Mr. Fournier (Saint-Laurent) made a statement to underline the 3rd writing marathon held by CARI St-Laurent.

By leave of the Assembly to set aside Standing Order 53, he tabled the following:

Collection of texts of the 2014 writing marathon.

(Sessional Paper No. 1007-20150415)

Mrs. Maltais (Taschereau) made a statement to underline the 50th anniversary of Loisirs Saint-Sacrement.

At 9.58 o'clock a.m., Mrs. Gaudreault, Second Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 10.12 o'clock a.m.

Moment of reflection

Introduction of Bills

Mr. Hamad, Minister of Labour, Employment and Social Solidarity, moved that leave be granted to introduce the following bill:

42 An Act to group the Commission de l'équité salariale, the Commission des normes du travail and the Commission de la santé et de la sécurité du travail and to establish the Administrative Labour Tribunal

The motion was carried.

Accordingly, Bill 42 was introduced in the Assembly.

Mrs. Ouellet (Vachon) moved that leave be granted to introduce the following bill:

392 An Act respecting zero-GHG-emission motor vehicles

The motion was carried.

Accordingly, Bill 392 was introduced in the Assembly.

Presenting Papers

The President tabled the following:

A letter, dated 14 April 2015, he had received from Mr. Picard (Chutes-de-la-Chaudière) about the public hearings commencing after Routine Proceedings.
(Sessional Paper No. 1008-20150415)

Presenting Reports from Committees

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

The report from the Committee on Citizen Relations, which held public hearings on 9 February 2015 within the framework of special consultations on the reports on the activities of the Early Childhood Development Fund and those of the Société de gestion Avenir d'enfants for the fiscal years ended 31 March 2011, 2012 and 2013, and then held deliberative meetings on 9 February 2015 in relation to this mandate. The report contains observations and conclusions.
(Sessional Paper No. 1009-20150415)

Presenting Petitions

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

The abstract of a petition on maintaining and developing the Saguenay paratransit service, signed by 1,148 Saguenay paratransit users.
(Sessional Paper No. 1010-20150415)

By leave of the Assembly to set aside Standing Order 53, the Assembly proceeded to Presenting Papers.

Presenting Papers

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

The Government's reply to a written question from Mrs. Poirier (Hochelaga-Maisonneuve) on the Premier's mission to France in March 2015 – Question No. 44, *Order Paper and Notices* of 17 March 2015;

(Sessional Paper No. 1011-20150415)

The Government's reply to a written question from Mrs. Poirier (Hochelaga-Maisonneuve) on the participation of the Minister of International Relations and La Francophonie in the mission to France in March 2015 – Question No. 45, *Order Paper and Notices* of 17 March 2015;

(Sessional Paper No. 1012-20150415)

The Government's reply to a written question from Mrs. Hivon (Joliette) on the participation of the Minister of Culture and Communications in the mission to France in March 2015 – Question No. 46, *Order Paper and Notices* of 17 March 2015;

(Sessional Paper No. 1013-20150415)

The Government's reply to a written question from Mr. Gaudreault (Jonquière) on the participation of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change in the mission to France in March 2015 – Question No. 47, *Order Paper and Notices* of 17 March 2015;

(Sessional Paper No. 1014-20150415)

The Government's reply to a written question from Mr. Bérubé (Matane-Matapédia) on the participation of the Minister of Public Security in the mission to France in March 2015 – Question No. 48, *Order Paper and Notices* of 17 March 2015;

(Sessional Paper No. 1015-20150415)

The Government's reply to a written question from Mrs. Ouellet (Vachon) on the participation of the Minister for Transport and the Implementation of the Maritime Strategy in the mission to France in March 2015 – Question No. 52, *Order Paper and Notices* of 17 March 2015;

(Sessional Paper No. 1016-20150415)

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The Government's reply to a written question from Mr. Péladeau (Saint-Jérôme) on the participation of the Minister of the Economy, Innovation and Exports in the mission to France in March 2015 – Question No. 51, *Order Paper and Notices* of 17 March 2015.

(Sessional Paper No. 1017-20150415)

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. Bédard, Leader of the Official Opposition, tabled the following:

A copy of two documents, dated 31 August 2010 and 8 September 2011 respectively, entitled “Amorfix Life Sciences Ltd. – Management Proxi Circular”.

(Sessional Paper No. 1018-20150415)

Motions Without Notice

Mr. Caire (La Peltrie), together with Mrs. Massé (Sainte-Marie–Saint-Jacques), moved a motion concerning the awarding and management of public contracts in the information technologies and communications industry; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 185, Mr. Birnbaum (D'Arcy-McGee), together with Mrs. Poirier (Hochelaga-Maisonneuve), Mrs. Roy (Arthabaska) and Mrs. David (Gouin), moved:

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QUE l'Assemblée nationale souligne qu'aujourd'hui, le 15 avril 2015, est Yom Hashoah, soit la journée internationale de commémoration des victimes de l'Holocauste;

THAT the National Assembly recognize that today, 15 April 2015, is Yom Hashoah, the International Day of Commemoration in Memory of the Victims of the Holocaust.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

At the invitation of Mrs. Gaudreault, Second Vice-President, the Assembly observed a minute of silence.

Mr. Turcotte (Saint-Jean), together with Mrs. Massé (Sainte-Marie–Saint-Jacques), moved a motion concerning youth forums; this motion could not be debated for want of unanimous consent.

Mrs. Massé (Sainte-Marie–Saint-Jacques), together with Mr. Drainville (Marie-Victorin), moved a motion concerning uranium mining and nuclear power; this motion could not be debated for want of unanimous consent.

Notices of Proceedings in Committees

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

- the Committee on Public Finance, to continue the debate on the Budget Speech.

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

- the Committee on Institutions, to hold public hearings within the framework of special consultations on the draft regulation concerning the Regulation respecting change of name and of other particulars of civil status for transsexual and transgender persons.
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Mrs. Gaudreault, Second Vice-President, gave the following notice:

- the Committee on Public Administration shall meet to elect its Vice-Chair; and then, hold a deliberative meeting to examine the annual management reports of the government departments and bodies and organize its proceedings.
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ORDERS OF THE DAY

Government Bills

Report Stage

The Assembly took into consideration the report from the Committee on Transportation and the Environment on its clause-by-clause consideration of Bill 32, An Act to amend the Act respecting compensation measures for the carrying out of projects affecting wetlands or bodies of water in order to extend its application.

After debate thereon, the report was concurred in.

Government Motions

The Assembly held the debate on the motion arising from the tabling by Mrs. St-Pierre, Minister of International Relations and La Francophonie, on 17 February 2015, of the driver's licence exchange agreement between the Government of Québec and the Government of the Republic of Turkey, signed at Québec City on 24 July 2014, and at Ottawa on 15 August 2014.

This motion reads as follows:

THAT, in accordance with section 22.3 of the *Act respecting the Ministère des Relations internationales*, the National Assembly approve the driver's licence exchange agreement between the Government of Québec and the Government of the Republic of Turkey, signed at Québec City on 24 July 2014, and at Ottawa on 15 August 2014.

Mrs. Gaudreault, Second Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this limited debate: 57 minutes to the parliamentary group forming the Government; 33 minutes 32 seconds to the parliamentary group forming the Official Opposition; 23 minutes 28 seconds to the Second Opposition Group; and 6 minutes to the independent Members. Within this framework, any time not used by the independent Members or by any of the parliamentary groups shall be redistributed among the parliamentary groups in the proportions established above. Lastly, individual addresses shall not be limited.

After debate thereon, the motion was carried, and this commitment was approved.

Government Bills

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 14 April 2015, on the motion moved by Mr. Barrette, Minister of Health and Social Services, that Bill 20, An Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation, do now pass in principle.

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Mrs. Gaudreault, Second Vice-President, heard further arguments regarding the receivability of the motion to divide moved by Mr. Paradis (Lévis).

At 12.55 o'clock p.m., Mr. Gendron, Third Vice-President, suspended the proceedings until 3.00 o'clock p.m.

Accordingly, pursuant to Standing Order 97, the debate on the motion by Mr. Barrette, Minister of Health and Social Services, was adjourned.

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

Business Standing in the Name of Members in Opposition

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

THAT the National Assembly note the weak economic growth forecast by the Government of Québec in its last budget: 2% in 2015, 2% in 2016, 1.7% in 2017 and 1.6% in 2018;

THAT it recognize that Québec ranks 57th in North America for per capita GDP;

THAT it ask the Government of Québec to recognize that the projected weak economic growth will make it impossible to reduce the wealth gap between Québec and its North American neighbours and to significantly reduce the tax burden of Québec's middle class before the end of its term;

THAT it ask the Government to table an ambitious economic plan to step up Québec's economic growth before the end of its term in 2018.

Mr. Gendron, Third 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 52 minutes to the parliamentary group forming the Government; approximately 30 minutes 35 seconds to the parliamentary group forming the Official Opposition; approximately 21 minutes 25 seconds to the Second Opposition Group; and 6 minutes to the independent Members. Within this framework, any time not used by the independent Members or by any of the parliamentary groups 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 request of Mr. Ouimet, First Vice-President, Mr. Therrien (Sanguinet) withdrew certain words deemed unparliamentary.

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

The motion was negated on the following vote:

(Division No. 87 in Appendix)

Yeas: **46** Nays: **57** Abstentions: **0**

Government Bills

Passage in Principle

The Assembly resumed the debate, adjourned earlier during the current sitting, on the motion moved by Mr. Barrette, Minister of Health and Social Services, that Bill 20, An Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation, do now pass in principle.

Mr. Gendron, Third Vice-President, made his ruling on the receivability of the motion to divide moved by Mr. Paradis (Lévis).

RULING FROM THE CHAIR

On numerous occasions, 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. Jurisprudence has also established that a distinction must be made between a principle, which is an essential element of a bill, and a term, which is ancillary to this principle.

Analysis shows that Bill 20 contains more than one principle.

To begin with, the title of the bill suggests at least two distinct principles: the enactment of an “Act to promote access to family medicine and specialized medicine services” and the amendment of various legislative provisions relating to assisted procreation. Furthermore, the bill’s structure highlights these two principles.

In addition, there are no cross-references between the provisions of the new “Act to promote access to family medicine and specialized medicine services” enacted by Bill 20 and its provisions on assisted procreation.

Consequently, it is difficult to consider the assisted procreation portion as simply ancillary to the conditions of physicians’ remuneration. Rather, they are two essential elements that can be considered separately.

That being said, the mere fact that a bill contains two principles does not automatically mean that it can be divided. Each resulting portion must be coherent and able to stand alone.

In the case at hand, the motion moved by the Member for Lévis clearly seeks to divide totally distinct principles into two separate bills. Moreover, the manner in which the motion to divide separates the bill’s various elements results into two coherent bills that could stand alone because they contain no cross-references.

As previously ruled by the Chair in a similar case, certain legislative drafting methods quite clearly reveal the existence of several separate principles. This drafting technique inarguably facilitates the receivability of a motion to divide since the bill contains two distinct bills, making it difficult to argue that the two bills form a single whole. Procedurally speaking, this type of legislative drafting raises certain application-related difficulties.

In light of receivability criteria, the motion to divide is declared receivable.

Lastly, the Chair recalls that the goal of a motion to divide is to encourage Members' freedom of expression so that they can voice their thoughts and vote on each of the resulting bills rather than on a whole, when they might agree with one portion of a bill but not the other. At this point, the Chair's role is to ensure that the conditions set out in the Standing Orders are met in order to allow a debate on the matter. At the end of the debate, it will be up to the Assembly to decide whether it is appropriate to divide the bill as proposed.

Mr. Ouimet, First Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this motion to divide: 57 minutes to the parliamentary group forming the Government; 33 minutes 32 seconds to the parliamentary group forming the Official Opposition; 23 minutes 28 seconds to the Second Opposition Group; and 6 minutes to the independent Members. Within this framework, any time not used by the independent Members or by any of the parliamentary groups shall be redistributed among the parliamentary groups in the proportions established above. Lastly, individual addresses shall not be limited.

A debate arose thereon.

The debate was adjourned in the name of Mrs. Lamarre (Taillon).

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At 6.00 o'clock p.m., Mr. Ouimet, First Vice-President, adjourned the Assembly until Thursday, 16 April 2015, at 9.45 o'clock a.m.

JACQUES CHAGNON

President

APPENDIX

Recorded Divisions

On the motion moved by Mr. Legault, Leader of the Second Opposition Group:

(Division No. 87)

YEAS - 46

Bédard (PQ)	Jolin-Barrette (CAQ)	Marceau (PQ)	Roy (PQ)
Bergeron (PQ)	Laframboise (CAQ)	Martel (CAQ)	(Bonaventure)
Bérubé (PQ)	Lamarre (PQ)	Massé (IND)	Roy (CAQ)
Bonnardel (CAQ)	Lamontagne (CAQ)	Paradis (CAQ)	(Montarville)
Caire (CAQ)	Lavallée (CAQ)	(Lévis)	Samson (CAQ)
Charette (CAQ)	LeBel (PQ)	Péladeau (PQ)	Schneeberger (CAQ)
D'Amours (CAQ)	Leclair (PQ)	Picard (CAQ)	Soucy (CAQ)
David (IND)	Legault (CAQ)	Poirier (PQ)	Spénard (CAQ)
(Gouin)	Léger (PQ)	Richard (PQ)	Surprenant (CAQ)
Dufour (PQ)	Lelièvre (PQ)	Roberge (CAQ)	Therrien (PQ)
Gaudreault (PQ)	Lemay (CAQ)	Rochon (PQ)	Traversy (PQ)
(Jonquière)	Lisée (PQ)	Roy (CAQ)	Turcotte (PQ)
Hivon (PQ)	Maltais (PQ)	(Arthabaska)	Villeneuve (PQ)

NAYS - 57

Auger (QLP)	D'Amour (QLP)	Kelley (QLP)	Polo (QLP)
Barrette (QLP)	Daoust (QLP)	Leitão (QLP)	Reid (QLP)
Bernier (QLP)	David (QLP)	Lessard (QLP)	Rotiroti (QLP)
Billette (QLP)	(Outremont)	Matte (QLP)	Simard (QLP)
Blais (QLP)	Drolet (QLP)	Ménard (QLP)	(Charlevoix-Côte-de-Beaupré)
(Charlesbourg)	Dutil (QLP)	Merlini (QLP)	Sklavounos (QLP)
Blais (QLP)	Fortin (QLP)	Montpetit (QLP)	St-Denis (QLP)
(Saint-Henri-Sainte-Anne)	(Sherbrooke)	Moreau (QLP)	St-Pierre (QLP)
Blanchette (QLP)	Fortin (QLP)	Morin (QLP)	Tanguay (QLP)
Bolduc (QLP)	(Pontiac)	Nichols (QLP)	Thériault (QLP)
Boucher (QLP)	Fournier (QLP)	Ouellette (QLP)	Vallée (QLP)
Boulet (QLP)	Giguère (QLP)	Ouimet (QLP)	Vallières (QLP)
Bourgeois (QLP)	Habel (QLP)	(Fabre)	Vien (QLP)
Carrière (QLP)	Hamad (QLP)	Paradis (QLP)	Weil (QLP)
Charbonneau (QLP)	Hardy (QLP)	(Brome-Missisquoi)	
Charlebois (QLP)	Heurtel (QLP)	Plante (QLP)	
Chevarie (QLP)	Iracà (QLP)	Poëti (QLP)	