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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Tuesday, 20 October 2015 — No. 116**

**President of the National Assembly:**  
**Mr. Jacques Chagnon**

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**QUÉBEC**



The Assembly was called to order at 1.40 o'clock p.m.

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**ROUTINE PROCEEDINGS**

**Statements by Members**

Mrs. de Santis (Bourassa-Sauvé) made a statement to pay tribute to young Malyk Bonnet for his act of bravery.

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Mr. Bérubé (Matane-Matapédia) made a statement to congratulate Richard Poirier et Frères Électrique, construction company of the year for the Bas-Saint-Laurent–Gaspésie–Les Îles region.

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Mr. Iracà (Papineau) made a statement to pay tribute to Mr. William Cameron for his volunteer work.

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Mr. Paradis (Lévis) made a statement to pay tribute to the Centre de pédiatrie sociale de Lévis and its initiator, Mrs. Maude Julien.

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Mr. Proulx (Jean-Talon) made a statement to pay tribute to Mr. René Bureau for his contribution to mineralogy and genealogy.

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Mrs. Massé (Sainte-Marie–Saint-Jacques) made a statement to support the financial assistance application filed by the organization Parents jusqu’au bout!

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Mrs. Simard (Charlevoix–Côte-de-Beaupré) made a statement to pay tribute to Mr. Antoine Suzor-Fortier, an environmental entrepreneur honoured at the Gala d’excellence de la Coopérative de développement régional Québec-Appalaches.

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Mrs. Samson (Iberville) made a statement to underline the work of the organizers of various agro-tourism sector events.

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Mr. Arcand (Mont-Royal) made a statement to underline Mont-Royal municipal councillor Mr. John Miller’s 20 years in municipal politics.

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Mr. Gendron (Abitibi-Ouest) made a statement to congratulate Mr. Marc Lemay on being inducted into the Canadian Cycling Hall of Fame.

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At 1.53 o’clock p.m., Mrs. Gaudreault, Second Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 2.01 o’clock p.m.

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Moment of reflection

### **Presenting Papers**

Mrs. David, Minister of Culture and Communications, tabled the following:

The 2014–2015 annual management report of the Bibliothèque et Archives nationales du Québec;

(Sessional Paper No. 1544-20151020)

The 2014–2015 annual report of the Musée d'art contemporain de Montréal;

(Sessional Paper No. 1545-20151020)

The 2014–2015 annual report of the Musée national des beaux-arts du Québec;

(Sessional Paper No. 1546-20151020)

The 2014–2015 annual management report of the Société de développement des entreprises culturelles;

(Sessional Paper No. 1547-20151020)

The 2014–2015 annual report of the Musées de la civilisation.

(Sessional Paper No. 1548-20151020)

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

The 2014 annual activity report of the Direction de l'indemnisation des victimes d'actes criminels (IVAC).

(Sessional Paper No. 1549-20151020)

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Mr. Coiteux, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor, tabled the following:

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The 2014–2015 annual report of the Société québécoise des infrastructures.  
(Sessional Paper No. 1550-20151020)

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Mrs. Charlebois, Minister for Rehabilitation, Youth Protection and Public Health, tabled the following:

A report on the impact of the Youth Protection Act entitled “L’évaluation des impacts de la Loi sur la protection de la jeunesse : Qu’en est-il huit ans plus tard?”.

(Sessional Paper No. 1551-20151020)

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Mr. Blanchette, Minister for Mines, tabled the following:

The 2014–2015 annual activity report of the Société nationale de l’amiante.  
(Sessional Paper No. 1552-20151020)

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

The Government’s reply to a petition tabled on 10 June 2015 by Mr. Bonnardel (Granby) on support for families with one or more disabled children;

(Sessional Paper No. 1553-20151020)

The Government’s reply to a petition tabled on 11 June 2015 by Mrs. Hivon (Joliette) on modifications to the Regulation respecting financial assistance for education expenses for parents who are students;

(Sessional Paper No. 1554-20151020)

The Government’s reply to a petition tabled on 15 September 2015 by Mr. Jolin-Barrette (Borduas) on introducing parking fees at the Centre local de services communautaires des Patriotes de Beloeil;

(Sessional Paper No. 1555-20151020)

The Government's reply to petitions tabled on 16 and 22 September 2015 by Mrs. Massé (Sainte-Marie–Saint-Jacques) on the “alcohol does not equal consent” awareness campaign;

(Sessional Paper No. 1556-20151020)

The Government's reply to a petition tabled on 16 September 2015 by Mr. Cloutier (Lac-Saint-Jean) on requiring all Québec court rulings to be handed down in or translated into French;

(Sessional Paper No. 1557-20151020)

The Government's reply to a petition tabled on 16 September 2015 by Mr. LeBel (Rimouski) on Bill 28 and a request for amendments concerning medical experts;

(Sessional Paper No. 1558-20151020)

The Government's reply to petitions tabled on 17 and 20 September 2015 by Mr. LeBel (Rimouski) on recognizing the rights of severely-injured traffic accident victims;

(Sessional Paper No. 1559-20151020)

The Government's reply to a petition tabled on 22 September 2015 by Mr. Lisée (Rosemont) on integrating children with disabilities, special needs or learning disabilities into schools;

(Sessional Paper No. 1560-20151020)

The Government's reply to petitions tabled on 16 and 22 September 2015 by Mr. Traversy (Terrebonne), Mr. Lisée (Rosemont) and Mrs. David (Gouin) on financial support for the parents of heavily disabled children;

(Sessional Paper No. 1561-20151020)

The reply to a written question from Mr. Turcotte (Saint-Jean) on work on the laboratories at the Hôpital du Haut-Richelieu – Question No. 79, *Order Paper and Notices* of 15 September 2015.

(Sessional Paper No. 1562-20151020)

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The President tabled the following four decisions of the Office of the National Assembly, dated 1 October 2015:

- Decision 1817 concerning the Règlement modifiant le Règlement sur les allocations aux députés et aux titulaires de cabinet et sur les sommes versées à des fins de recherche et de soutien (regulation to amend the regulation respecting allowances to Members and parliamentary office holders and respecting the amounts granted for research and support);  
(Sessional Paper No. 1563-20151020)
- Decision 1818 concerning the Règlement modifiant le Règlement sur les allocations aux députés et aux titulaires de cabinet et sur les sommes versées à des fins de recherche et de soutien (regulation to amend the regulation respecting allowances to Members and parliamentary office holders and respecting the amounts granted for research and support);  
(Sessional Paper No. 1564-20151020)
- Decision 1819 concerning the Règlement modifiant le Règlement sur la gestion financière et administrative (regulation to amend the regulation respecting financial and administrative management);  
(Sessional Paper No. 1565-20151020)
- Decision 1820 concerning the Règlement accordant le remboursement des frais de voyage de trois membres de parti politique (regulation authorizing the reimbursement of travel expenses of three political party members).  
(Sessional Paper No. 1566-20151020)

He then tabled the following:

A copy of the notice of motion by Mr. Bérubé (Matane-Matapédia) to be placed on the *Order Paper and Notices* of Wednesday, 21 October 2015 under Business Standing in the Name of Members in Opposition.

(Sessional Paper No. 1567-20151020)

### **Presenting Reports from Committees**

Mr. Spénard (Beauce-Nord), Committee Vice-Chair, tabled the following:

The report from the Committee on Public Finance, which met on 8 October 2015 for clause-by-clause consideration of Bill 39, An Act to give effect to the Update on Québec's Economic and Financial Situation presented on 2 December 2014 and to amend various legislative provisions. The report contains amendments to the bill.

(Sessional Paper No. 1568-20151020)



### **Presenting Petitions**

Mr. Paradis (Lévis) tabled the following:

The abstract of a petition on the public sector psychologists' attraction and retention premium, signed by 3,382 citizens of Québec.  
(Sessional Paper No. 1569-20151020)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

### **Motions Without Notice**

By leave of the Assembly to set aside Standing Order 185, Mrs. St-Pierre, Minister of International Relations and La Francophonie, together with Mrs. David, Minister of Culture and Communications, Mrs. Poirier (Hochelaga-Maisonneuve), Mrs. Samson (Iberville) and Mrs. Massé (Sainte-Marie–Saint-Jacques), moved:

THAT the National Assembly mark the 10th anniversary of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions and that it highlight the leading role that Québec's experts, civil society and the Québec Government have played in developing, passing and ratifying this Convention;

THAT the National Assembly applaud the Québec Government's third contribution to the International Fund for Cultural Diversity, which aims to foster the emergence of dynamic cultural sectors in developing countries;

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THAT the National Assembly reaffirm the importance it places on furthering the Convention's principles and objectives within various international forums and on its implementation in the digital environment;

THAT, lastly, the National Assembly reaffirm the essential nature of State support for Québec culture, which promotes the diversity of cultural expressions in a spirit of dialogue, respect and openness toward other cultures.

By leave of the Assembly, the motion was carried.

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Mr. Bergeron (Verchères) moved a motion concerning the services offered by ferries reporting to the Société des traversiers du Québec; this motion could not be debated for want of unanimous consent.

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Mr. Martel (Nicolet-Bécancour) moved a motion concerning the Québec-Lévis and Sorel-Tracy-Saint-Ignace-de-Loyola ferries' right to strike; this motion could not be debated for want of unanimous consent.

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Mrs. David (Gouin), together with Mr. Bonnardel, Second Opposition Group House Leader, moved a motion concerning proportional representation during the next federal election; 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 committees:

- the Committee on Health and Social Services, to continue its clause-by-clause consideration of 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;
- the Committee on Agriculture, Fisheries, Energy and Natural Resources, to undertake clause-by-clause consideration of Bill 54, An Act to improve the legal situation of animals;
- the Committee on Institutions, to continue its clause-by-clause consideration of Bill 51, An Act mainly to make the administration of justice more efficient and fines for minors more deterrent.

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

- the Committee on Transportation and the Environment, to continue its public hearings within the framework of special consultations on a consultation document on reducing greenhouse gas emissions entitled “Cible de réduction d’émissions de gaz à effet de serre du Québec pour 2030”.

### **Information on the Proceedings of the Assembly**

In response to a question raised on 8 October 2015 by Mr. Drainville, Official Opposition House Leader, Mr. Gendron, Third Vice-President, handed down a directive on statements made by a Minister in committee and outside parliamentary proceedings about Members from the Official Opposition within the framework of the clause-by-clause consideration of 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.

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**DIRECTIVE FROM THE CHAIR**

With regard to comments made in committee, parliamentary jurisprudence has consistently established that when presiding, the Committee Chair has the same powers and duties as the President of the National Assembly and therefore has full authority to make rulings. This same jurisprudence has established that the Chair of the Assembly shall not interfere in committee proceedings or give a directive on a ruling made in committee.

With regard to comments made in committee proceedings, the Committee Chair alone has the power to rule on these statements.

With regard to comments made outside parliamentary proceedings in a media scrum and reported in newspaper articles, the Chair of the Assembly recalls the principle stating that its jurisdiction does not extend to remarks made outside the National Assembly Chamber.

That said, the Chair of the Assembly reiterates that, in our democratic system, the Government has various parliamentary tools at its disposal to have the bills it introduces in the Assembly passed. The Standing Orders also provide for mechanisms enabling Members in Opposition to express their views on a bill. They are entitled to use these mechanisms legitimately, regardless of whether doing so prolongs the bill's consideration. In other words, the Members are vested with full independence for carrying out their duties.

Mrs. Gaudreault, Second Vice-President, informed the Assembly that on Wednesday, 21 October 2015, during Business Standing in the Name of Members in Opposition, a debate would be held on the motion moved by Mr. Bérubé (Matane-Matapédia).

This motion reads as follows:

THAT the National Assembly declare that the recent stay of proceedings against five members of the Hell's Angels in the SharQc trial is a fiasco that undermines the credibility of the "mega-trial" formula, which is considered an important tool in fighting organized crime;

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THAT it note that, in his ruling, Justice James L. Brunton criticized Director of Criminal and Penal Prosecutions (DCPP) prosecutors;

THAT it also note that Québec police forces worked for years to gather enough evidence to bring serious charges against these highly criminalized individuals and that the Québec State devoted substantial financial resources to this effort;

THAT it acknowledge that this fiasco has occurred just as the Liberal Government decided to eliminate 40% of the prosecutors who fight organized crime, and that the Liberal Government did not keep its promise to reinvest in resources for the Director of Criminal and Penal Prosecutions;

THAT it stress how extremely serious this situation is, that an in-house DCPP inquiry alone will not restore Quebecers' confidence and that it is the duty of the Minister of Justice, who bears ultimate responsibility for the administration of justice in Québec, to order an independent inquiry;

THAT, lastly, following this inquiry, the National Assembly demand that the Minister of Justice testify before a parliamentary committee to explain the reasons that brought the SharQc trial to a halt and that, at this time, the Minister table a plan of remedial measures to be implemented within the justice system so that similar situations do not occur in future.

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## ORDERS OF THE DAY

### Government Bills

#### *Passage*

Mr. Leitão, Minister of Finance, moved the passage of Bill 13, An Act to give effect to the Budget Speech delivered on 4 June 2014 and to various other fiscal measures.

After debate thereon, the motion was carried on division and, accordingly, Bill 13 was passed.

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At 3.22 o'clock p.m., at the request of Mrs. Vien, Deputy Government House Leader, Mrs. Gaudreault, Second Vice-President, suspended the proceedings until 4.15 o'clock p.m.

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The proceedings resumed at 4.16 o'clock p.m.

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#### *Report Stage*

The Assembly took into consideration the report from the Committee on Agriculture, Fisheries, Energy and Natural Resources on its clause-by-clause consideration of Bill 55, An Act respecting transparency measures in the mining, oil and gas industries.

After debate thereon, the report was concurred in on division.

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At 4.46 o'clock p.m., at the request of Mrs. Vien, Deputy Government House Leader, Mr. Gendron, Third Vice-President, suspended the proceedings until 6.00 o'clock p.m.

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### **Debates upon Adjournment**

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

- the first, on a question from Mr. Turcotte (Saint-Jean) to Mr. Blais, Minister of Education, Higher Education and Research, about the future of community education centres;
  - the second, on a question from Mr. Jolin-Barrette (Borduas) to Mrs. Vallée, Minister of Justice, about the need to hold a parliamentary committee on the resources allocated to the Directeur des poursuites criminelles et pénales and the government's plan to fight organized crime.
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Mrs. Vien, Deputy Government House Leader, moved the adjournment of the Assembly until Wednesday, 21 October 2015 at 9.40 o'clock a.m.

The motion was carried.

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Accordingly, at 6.25 o'clock p.m., Mr. Gendron, Third Vice-President, adjourned the Assembly until Wednesday, 21 October 2015 at 9.40 o'clock a.m.

**JACQUES CHAGNON**

*President*