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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Wednesday, 16 March 2016 — No. 152**

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

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**QUÉBEC**



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

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## ROUTINE PROCEEDINGS

### Statements by Members

Mr. Girard (Trois-Rivières) made a statement to underline the 30th anniversary of the Jeune Chambre de commerce de la Mauricie.

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Mr. Bérubé (Matane-Matapédia) made a statement to underline the launching of the Centre matapédien d'études collégiales' ambassador project.

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Mrs. Vallières (Richmond) made a statement to underline the campaign to combat sexual violence "If it's not yes, it's no".

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Mr. Charette (Deux-Montagnes) made a statement to invite citizens to support the fight against cancer during Daffodil Month (April).

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Mr. Habel (Sainte-Rose) made a statement to underline a Curé-Antoine-Labelle secondary school student's contribution to the fight against epilepsy.

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Mrs. David (Gouin) made a statement to underline the 20th anniversary of the organization Imprime-Emploi.

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Mr. Hardy (Saint-François) made a statement to underline the contribution made by the community organization Sercovie.

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Mr. Lemay (Masson) made a statement to underline Mrs. Antoinette Yvoni's 102nd birthday.

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Mr. Giguère (Saint-Maurice) made a statement to congratulate Mr. René-Jean Grondin, who was honoured at the Gala reconnaissance de l'action bénévole for his volunteer work.

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Mr. Lisée (Rosemont) made a statement to underline "Semaine québécoise de la déficience intellectuelle".

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At 9.52 o'clock a.m., Mr. Gendron, Third Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 10.00 o'clock a.m.

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Moment of reflection

### **Introduction of Bills**

Mr. Jolin-Barrette (Borduas) moved that leave be granted to introduce the following bill:

596 An Act to amend the Civil Code to make judicial remedies for victims of sexual aggression imprescriptible

The motion was carried.

Accordingly, Bill 596 was introduced in the Assembly.

### **Presenting Papers**

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

The Government's reply to a petition tabled on 9 February 2016 by Mr. Kotto (Bourget) on funding paratransit services for disabled persons;  
(Sessional Paper No. 2009-20160316)

The Government's reply to a petition tabled on 18 February 2016 by Mr. Bergeron (Verchères) on reinstating the income replacement indemnity for injured workers age 65 or older.  
(Sessional Paper No. 2010-20160316)

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The President tabled the following:

A Commonwealth Day message from Her Majesty Queen Elizabeth II.  
(Sessional Paper No. 2011-20160316)

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**Presenting Petitions**

Mr. Pagé (Labelle) tabled the following:

The abstract of a petition on reinvesting in quality educational childcare services, signed by 45,616 citizens of Québec.

(Sessional Paper No. 2012-20160316)

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Mrs. Roy (Arthabaska) tabled the following:

The abstract of a petition on opposition to Bill 64, Firearms Registration Act, signed by 42,023 citizens of Québec.

(Sessional Paper No. 2013-20160316)

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Mr. Marceau (Rousseau) tabled the following:

The abstract of a petition on remunerating and recognizing the expertise of non-unionized professionals in Québec's Ministère des Finances, signed by 100 non-unionized professionals from Québec's Ministère des Finances.

(Sessional Paper No. 2014-20160316)

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Mrs. D'Amours (Mirabel) tabled the following:

The abstract of a petition on designating Remembrance Day a statutory holiday, signed by 407 citizens of Québec.

(Sessional Paper No. 2015-20160316)

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

The abstract of a petition on reinvesting in quality educational childcare services, signed by 202,860 citizens of Québec.

(Sessional Paper No. 2016-20160316)

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By leave of the Assembly to set aside Standing Order 63, Mrs. Roy (Arthabaska) tabled the following:

The abstract of a petition on opposition to Bill 64, Firearms Registration Act, signed by 16,493 citizens of Québec.

(Sessional Paper No. 2017-20160316)

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

### **Motions Without Notice**

Mr. Gaudreault (Jonquière), together with Mr. Khadir (Mercier), moved a motion concerning the Building Canada Fund–Québec; this motion could not be debated for want of unanimous consent.

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Mr. Paradis (Lévis), together with Mr. Lisée (Rosemont), Mrs. David (Gouin) and Mrs. Roy (Arthabaska), moved a motion concerning the provincial financial support given to the parents of children with severe disabilities; 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. St-Pierre, Minister of International Relations and La Francophonie, together with Mr. Kotto (Bourget), Mr. Charette (Deux-Montagnes) and Mrs. David (Gouin), moved:

THAT the National Assembly mark International Francophonie Day, that it reaffirm its attachment to promoting the French language, to the values of democracy and justice and to the institutions of La Francophonie the world over;

THAT it express its commitment to mobilizing La Francophonie to promote gender equality, fight climate change and prevent radicalization leading to violence and extremism, while preparing the 16th Summit of La Francophonie to be held in Antananarivo, Madagascar;

THAT it recall that Québec is a full-fledged member of the International Organisation of La Francophonie;

THAT the National Assembly reaffirm that the French fact is a fundamental characteristic of Québec and Canadian identity;

THAT, lastly, the National Assembly recall that the survival of the French language outside Québec must be a priority and that we must work together to this end.

By leave of the Assembly, a debate arose thereon.

The debate being concluded, the motion was carried.

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Mr. Khadir (Mercier), together with Mr. Turcotte (Saint-Jean), moved a motion concerning funding for community organizations; this motion could not be debated for want of unanimous consent.

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### Notices of Proceedings in Committees

Mr. Sklavounos, 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 the Green Paper on social acceptability entitled “Orientations du ministère de l’Énergie et des Ressources naturelles en matière d’acceptabilité sociale”;
- the Committee on Culture and Education, to continue its public hearings within the framework of special consultations on Bill 86, An Act to modify the organization and governance of school boards to give schools a greater say in decision-making and ensure parents’ presence within each school board’s decision-making body;
- the Committee on Labour and the Economy, to continue its clause-by-clause consideration of Bill 70, An Act to allow a better match between training and jobs and to facilitate labour market entry;
- the Committee on Citizen Relations, to continue its clause-by-clause consideration of Bill 77, Québec Immigration Act;
- the Committee on Transportation and the Environment, to continue its clause-by-clause consideration of Bill 76, An Act to modify the organization and governance of shared transportation in the Montréal metropolitan area.

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

- the Committee on Transportation and the Environment shall hold a deliberative meeting to discuss the possibility of examining petitions.

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### Information on the Proceedings of the Assembly

The President gave a directive in response to a question raised by the Second Opposition Group House Leader, on 8 March 2016, concerning nine written questions placed on the *Order Paper and Notices* of 10 February 2016 for which the Government gave a single answer on 25 February 2016.

#### DIRECTIVE FROM THE CHAIR

One of the National Assembly's principal roles is to exercise oversight powers with respect to the actions of the executive branch. Oral question period is one of the means Members can use to play this role and to question the Government on its behaviour. Oral question period is governed by a clearly defined framework with a set of rules that have been the object of many rulings from the Chair.

The Standing Orders provide another means for scrutinizing government action through the use of written questions—to which the provisions pertaining to oral questions apply, except as otherwise provided. The rules and jurisprudence established under Standing Orders 79 and 81 applicable to oral question period also apply to written questions and answers. In this context, the Chair has, in the past, pointed out that while an answer must be confined to the subject matter of the question, the Chair cannot stipulate a required level of detail for a Minister's answer, provided that the answer concerns the subject on which the Minister was questioned.

Although the rules pertaining to oral questions also apply to written questions, except as otherwise provided, the latter, given their very nature, are aimed at delving deeper into a given issue. In most cases, the information a Member seeks to obtain through a written question requires a more specific, detailed response and is not really compatible with the context of oral question period, which addresses current issues and whose duration is limited due to the fact that both questions and answers are very brief. This is why Standing Order 313 stipulates that questions whose answers require a certain amount of research must be placed on the *Order Paper and Notices*.

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There is little jurisprudence concerning written questions and the Chair has never before ruled on whether the number of answers must necessarily coincide with the number of questions or on the degree to which the answers must be developed. However, a review of jurisprudence reveals that this is not the first time that the Government has given a single answer in response to several written questions. In cases where the answer concerned many questions, the reply sometimes involves several documents, which, when combined, totalled hundreds of pages.

Consequently, National Assembly practice and customs do not deem providing a single answer to several written questions irregular, showing that the effectiveness of exercising parliamentary oversight is not measured so much by the number of written answers provided as by their content. It is not the Chair's responsibility to demand that a Minister's reply provide a certain degree of detail since parliamentary procedure gives the Chair no further powers in this regard. As soon as the Chair sees that an answer addresses the subject matter of a question asked, no point of order can be raised based on the opinion that a Minister's answer is unsatisfactory. In this regard, the Geoffrion Standing Orders already specified that it is not the President's role to judge the value of an answer.

Because the Chair may not stipulate the degree of detail required for an oral answer during oral question period, it would be difficult for the Chair to stipulate the amount of research and degree of detail required when the Government replies to written questions. It is well established that the Government determines the content of the answers it gives, in keeping with the subject matter.

That said, given that the purpose of a written question may be to obtain information that requires research and given that there is no deadline for responding, it is reasonable to expect that a response will be sufficiently developed. The Chair recalls that parliamentary oversight is fundamental in a democratic society and that it is also one of the Members' main duties. As the guardian of the Members' rights, the Chair is responsible for ensuring that the Members are able to play their role effectively. Given that the Chair's role is limited in this respect, it hopes that all recognize the importance of parliamentary oversight, in this case with respect to written questions. Moreover, in the House of Commons of Canada, the purpose of written questions on the *Order Paper* is to obtain detailed, extensive or technical information relating to a given public affair from the Government.

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In the case at hand, the Chair notes that the Government's answer addressed the subject matter of the questions put to it, that is, the Government Maritime Strategy's 2015–2020 action plan. The Chair has limited powers to determine whether this answer could have dealt more extensively with each point raised in the Member's nine questions. Since the Member does not seem satisfied with the answer given, the Member can place the questions on the Assembly's *Order Paper and Notices* again. As is true for oral question period, there is no limit to the number of questions a Member can ask about a given subject. Moreover, dissatisfied Members can opt to use other means of parliamentary oversight provided for in the Standing Orders.

However, jurisprudence has established that when the Government House Leader tables a document that he or she identifies as the response to a written question, this is sufficient for the question to be withdrawn from the *Order Paper and Notices*, regardless of its content. The Chair has no discretionary power to determine whether a question on the *Order Paper and Notices* should be withdrawn or not. In this case, the removal of the nine questions was, therefore, consistent with practice.

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#### ORDERS OF THE DAY

At 11.40 o'clock a.m., at the request of Mr. Sklavounos, Deputy Government House Leader, and by leave of the Assembly to set aside Standing Order 20, Mr. Gendron, Third Vice-President, suspended the proceedings until 3.00 o'clock p.m.

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The proceedings resumed at 3.02 o'clock p.m.

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**Business Standing in the Name of Members in Opposition**

Mrs. Roy (Montarville) moved:

THAT the National Assembly acknowledge that Québec benefits socially and economically from immigration when its volume reflects our reception and integration capacity;

THAT it note that many municipal, community and economic sector stakeholders are concerned by our present inability to receive, integrate and francize all of the immigrants admitted to Québec;

THAT it ask the Government to take the current context into account and not raise immigration thresholds.

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 her reply; approximately 51 minutes 30 seconds to the parliamentary group forming the Government; approximately 30 minutes 30 seconds to the parliamentary group forming the Official Opposition; approximately 21 minutes to the Second Opposition Group; and 7 minutes to the independent Members, subject to a maximum of 2 minutes to the Member for Arthabaska. Within this framework, any time not used by the independent Members 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 end of her address, Mrs. Weil, Minister of Immigration, Diversity and Inclusiveness, moved:

THAT the motion moved by the Member for Montarville be amended as follows:

By adding, in the third line, after the word “capacity”, the words “and that immigration makes a fundamental contribution to the sustainability and vitality of the French language”;

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THAT the second and third paragraphs be removed and replaced by the following paragraph: “THAT the Committee on Citizen Relations hold a general consultation on the guidelines to be proposed by the Government for long-term immigration planning, as provided for under section 3.0.0.1 of the *Act respecting Immigration to Québec*.”

The motion, as amended, would read as follows:

THAT the National Assembly acknowledge that Québec benefits socially and economically from immigration when its volume reflects our reception and integration capacity and that immigration makes a fundamental contribution to the sustainability and vitality of the French language;

THAT the Committee on Citizen Relations hold a general consultation on the guidelines to be proposed by the Government for long-term immigration planning, as provided for under section 3.0.0.1 of the *Act respecting Immigration to Québec*.

The debate continued on the main motion moved by Mrs. Roy (Montarville) and on the amendment motion moved by Mrs. Weil, Minister of Immigration, Diversity and Inclusiveness, subject to the permission of its author.

At the end of his address, Mr. Kotto (Bourget) moved:

THAT the motion moved by the Member for Montarville be amended as follows:

By adding the following paragraph after the second paragraph: “THAT it ask the Government to present serious analyses of Québec’s economic, social and linguistic situations that will enable it to determine its reception and integration capacity and thus the immigration levels that would be beneficial for both the host society and the newcomers;”;

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By modifying the third paragraph by replacing the words “to take the current context into account and not raise immigration thresholds” by the words “to refrain from modifying immigration thresholds before the end of the parliamentary consultations on this issue”.

The motion, as amended, would read as follows:

THAT the National Assembly acknowledge that Québec benefits socially and economically from immigration when its volume reflects our reception and integration capacity;

THAT it note that many municipal, community and economic sector stakeholders are concerned by our present inability to receive, integrate and francize all of the immigrants admitted to Québec;

THAT it ask the Government to present serious analyses of Québec’s economic, social and linguistic situations that will enable it to determine its reception and integration capacity and thus the immigration levels that would be beneficial for both the host society and the newcomers;

THAT it ask the Government to refrain from modifying immigration thresholds before the end of the parliamentary consultations on this issue.

The debate continued on the main motion moved by Mrs. Roy (Montarville) and on the amendment motions moved by Mrs. Weil, Minister of Immigration, Diversity and Inclusiveness, and by Mr. Kotto (Bourget), subject to the permission of its author.

During her address, Mrs. David (Gouin) moved:

THAT the motion moved by the Member for Montarville be amended as follows:

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By adding, at the end of the last paragraph, the words “, unless additional resources are announced for immigrant integration and unless adapted francization measures are deployed in the workplace and in the places where outreach to immigrant women occurs.”

The motion, as amended, would read as follows:

THAT the National Assembly acknowledge that Québec benefits socially and economically from immigration when its volume reflects our reception and integration capacity;

THAT it note that many municipal, community and economic sector stakeholders are concerned by our present inability to receive, integrate and francize all of the immigrants admitted to Québec;

THAT it ask the Government to take the current context into account and not raise immigration thresholds, unless additional resources are announced for immigrant integration and unless adapted francization measures are deployed in the workplace and in the places where outreach to immigrant women occurs.

The debate continued on the main motion moved by Mrs. Roy (Montarville) and on the amendment motions moved by Mrs. Weil, Minister of Immigration, Diversity and Inclusiveness, by Mr. Kotto (Bourget) and by Mrs. David (Gouin), subject to the permission of its author.

At the request of Mr. Ouimet, First Vice-President, Mr. Caire (La Peltrie) withdrew certain words deemed unparliamentary.

At the request of Mr. Ouimet, First Vice-President, Mr. Polo (Laval-des-Rapides) twice withdrew certain words deemed unparliamentary.

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Pursuant to Standing Order 98.1, Mrs. Roy (Montarville) refused the amendments proposed by Mrs. Weil, Minister of Immigration, Diversity and Inclusiveness, Mr. Kotto (Bourget) and Mrs. David (Gouin).

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

At the request of Mr. Sklavounos, Deputy Government House Leader, the division was deferred until Routine Proceedings on the next sitting day.

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Mr. Sklavounos, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 17 March 2016 at 9.40 o'clock a.m.

The motion was carried.

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Accordingly, at 5.02 o'clock p.m., Mr. Ouimet, First Vice-President, adjourned the Assembly until Thursday, 17 March 2016 at 9.40 o'clock a.m.

**JACQUES CHAGNON**

*President*

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