



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Votes and Proceedings

of the Assembly

Monday, 3 June 2019 — No. 48

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

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

ROUTINE PROCEEDINGS

Statements by Members

Mr. Lemieux (Saint-Jean) made a statement to congratulate Mrs. Véronique Tougas, named personality of the year by the Chambre de commerce et de l'industrie du Haut-Richelieu.

Mrs. Charbonneau (Mille-Îles) made a statement to underline the 50th anniversary of the 784 Saint-Vincent-de-Paul chapter of the Air Cadet League of Canada.

Mrs. Proulx (Berthier) made a statement to underline the 70th anniversary of the Association des hôtels du Grand Montréal.

Mr. Derraji (Nelligan) made a statement to pay tribute to Mrs. Debra "Debbie" Magwood, founder and executive director of the West Island Cancer Wellness Centre.

Mr. Carmant (Taillon) made a statement to underline Québec Week for the Disabled.

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Mr. Marissal (Rosemont) made a statement to underline the 20th anniversary of Technopôle Angus SEC.

Mr. Poulin (Beauce-Sud) made a statement to pay tribute to Mrs. Joanne Boivin for her 40-year career in media and communications.

Mrs. Fournier (Marie-Victorin) made a statement to underline the 50th anniversary of the Carrefour Le Moutier organization.

Mrs. Roy (Montarville) made a statement to underline the 40th anniversary of the Centre de conservation du Québec.

Mrs. Rizqy (Saint-Laurent) made a statement to underline the success of the 35th Gala Alpha of the Chambre de commerce et d'industrie de Saint-Laurent–Mont-Royal.

At 1.52 o'clock p.m., Mr. Picard, First Vice-President, suspended the proceedings for a few minutes.

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

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Moment of reflection

Introduction of Bills

The President communicated to the Assembly, and then tabled, the Law Clerk's report on the following private bill:

203 An Act respecting the establishment of a special taxation scheme for the Corporation de gestion du port de Baie-Comeau

The report states that the notice was drafted and published in accordance with the Rules for the Conduct of Proceedings governing private bills.

(Sessional Paper No. 642-20190603)

Mr. Ouellet (René-Lévesque) moved that leave be granted to introduce Private Bill 203, An Act respecting the establishment of a special taxation scheme for the Corporation de gestion du port de Baie-Comeau.

The motion was carried.

Mr. Jolin-Barrette, Government House Leader, moved that Private Bill 203 be referred to the Committee on Planning and the Public Domain for consultation and clause-by-clause consideration and that the Minister of Municipal Affairs and Housing be a member of the said Committee during its proceedings with respect to this order of reference.

The motion was carried.

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Presenting Reports from Committees

Mr. Bachand (Richmond), Committee Chair, tabled the following:

The report from the Committee on Institutions, which met on Friday, 31 May 2019, for clause-by-clause consideration of Bill 19, An Act to amend the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly following the adoption of certain fiscal measures by the Parliament of Canada. The report does not contain amendments to the bill.

(Sessional Paper No. 643-20190603)

Presenting Petitions

Mr. Gaudreault (Jonquière) tabled the following:

The abstract of a petition on reimbursing amounts overbilled by Hydro-Québec, signed by 13,590 citizens of Québec.

(Sessional Paper No. 644-20190603)

Mr. Fontecilla (Laurier-Dorion) tabled the following:

The abstract of a petition on a reform of the Régie du logement, signed by 1,530 citizens of Québec.

(Sessional Paper No. 645-20190603)

By leave of the Assembly to set aside Standing Order 63, Mr. Fontecilla (Laurier-Dorion) tabled the following:

The abstract of a petition on a reform of the Régie du logement, signed by 8,771 citizens of Québec.

(Sessional Paper No. 646-20190603)

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By leave of the Assembly to set aside Standing Order 63, Mrs. Perry Mélançon (Gaspé) tabled the following:

The abstract of a petition on increasing the budgets allocated to integrate recreational professionals in seniors' housing, signed by 420 citizens of Québec.
(Sessional Paper No. 647-20190603)

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

Motions Without Notice

Mr. Gaudreault (Jonquière), together with Mr. Polo (Laval-des-Rapides), Mrs. Lessard-Therrien (Rouyn-Noranda-Témiscamingue), Mr. Ouellette (Chomedey) and Mrs. Fournier (Marie-Victorin), moved a motion on the GNL Québec project; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 185, Mr. Lafrenière (Vachon), together with Mrs. Nichols (Vaudreuil), Mr. Leduc (Hochelaga-Maisonneuve), Mrs. Richard (Duplessis), Mr. Ouellette (Chomedey) and Mrs. Fournier (Marie-Victorin), moved:

THAT the National Assembly mark Canadian Armed Forces Day, celebrated this year on Monday, 3 June, in recognition of Québec soldiers' work;

THAT it pay tribute to the contribution of those women and men to peacekeeping and security, in our communities and elsewhere;

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THAT it highlight the crucial role they played during the recent floods, where more than 1,000 soldiers were deployed on the ground, half of them reservists, that is, citizen soldiers and community members;

THAT, lastly, the Assembly thank the 120,000 veterans, 15,000 Québec members of the Canadian Army Regular and Reserve Forces and their families for their service and their sacrifices.

By leave of the Assembly, the motion was carried.

Mr. Polo (Laval-des-Rapides), together with Mrs. Lessard-Therrien (Rouyn-Noranda–Témiscamingue), Mr. Bérubé, Leader of the Third Opposition Group, Mr. Ouellette (Chomedey) and Mrs. Fournier (Marie-Victorin), moved a motion on Parc de la Chute-Montmorency; this motion could not be debated for want of unanimous consent.

Mrs. Massé, Leader of the Second Opposition Group, together with Mr. Gaudreault (Jonquière) and Mrs. Fournier (Marie-Victorin), moved a motion on the GNL Québec project; this motion could not be debated for want of unanimous consent.

Mrs. Fournier (Marie-Victorin), together with Mrs. LeBel, Minister of Justice, and Mr. Ouellette (Chomedey), moved a motion on a constitution for Québec; this motion could not be debated for want of unanimous consent.

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Notices of Proceedings in Committees

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

- the Committee on Citizen Relations, to continue its clause-by-clause consideration of Bill 9, An Act to increase Québec's socio-economic prosperity and adequately meet labour market needs through successful immigrant integration;
- the Committee on Health and Social Services, to continue its clause-by-clause consideration of Bill 2, An Act to tighten the regulation of cannabis;
- the Committee on Planning and the Public Domain, to continue its clause-by-clause consideration of Bill 16, An Act mainly to regulate building inspections and divided co-ownership, to replace the name and improve the rules of operation of the Régie du logement and to amend the Act respecting the Société d'habitation du Québec and various legislative provisions concerning municipal affairs;
- the Committee on Culture and Education, to continue its public hearings within the framework of special consultations on Bill 5, An Act to amend the Education Act and other provisions regarding preschool education services for students 4 years of age.

Mr. Picard, First Vice-President, gave the following notice:

- The Committee on Institutions shall hold a deliberative meeting to establish its observations, conclusions and recommendations, if any, following the Chief Electoral Officer of Québec hearing.

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Information on the Proceedings of the Assembly

Mr. Proulx, Official Opposition House Leader, requested a directive on the announcement of a select committee on child prostitution.

By leave of the Assembly to set aside Standing Orders 53 and 59, Mr. Proulx, Official Opposition House Leader, tabled the following:

Copies of an article from *Le Soleil*, dated 1 June 2019, entitled *Prostitution juvénile : l'autre grand mandat* (child prostitution: the other important file) and one social network text concerning Mrs. Lise Lavallée, Member for Repentigny.
(Sessional Paper No. 648-20190603)

After having heard arguments from all sides, the President took the matter under advisement.

Mr. Picard, First Vice-President, issued his directive on the point of privilege raised by Mr. Jolin-Barrette, Government House Leader, in the 29 May 2019 sitting concerning the circumstances around the question put on the motion for the passage of Bill 7, An Act respecting certain terms of employment applicable to officers of the health and social services network.

RULING FROM THE CHAIR

The question submitted to the Chair was to determine if the presence of a minister in the House is required when the question is put at any given stage of the legislative process.

A ruling from the Chair from 1992 stated that the presence of a minister was mandatory to introduce a motion for the passage of a public bill from the Government. However, in that ruling, the Chair underlined that no provision in the Standing Orders made the presence of a minister mandatory during a debate on a stage of consideration of a bill.

In light of that decision, the Chair is of the opinion that it is when a debate begins that the minister responsible for the bill or, under Standing Order 189, another minister, must be present to initiate the debate.

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The Chair points out that this principle does not apply only for the passage of a bill. The 1992 ruling was reiterated in 1996 for the passage in principle of a bill.

Even if the presence of a minister in the House is necessary to initiate a debate at a stage in the legislative process, nothing in the Standing Orders requires a minister to be present throughout the debate. In addition, nothing in the Standing Orders requires the presence of a minister when a question is put on a motion. In fact, if the minister sponsoring the bill is absent when the question is put, the Government House Leader can always defer the division so that the minister can participate.

Although the total absence of ministers in the House during the consideration of a bill is not necessarily desirable, nothing in the Standing Orders prohibits such a situation. When debate in a stage of the legislative process begins, the minister who introduces the bill or another minister must be present in the House for the debate to be initiated. The issue is then deemed put before the Assembly, and parliamentary procedure does not require a minister to be present during the debate that follows or when the question is put.

With respect to Bill 7, the Chair notes that the Minister of Health and Social Services was present to initiate the debate on the passage of the bill, and that she in fact intervened on that occasion. The fact that no minister was subsequently present in the House when the question was put did not constitute an obstacle to proceed with the division at that stage of the bill, in terms of parliamentary procedure.

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ORDERS OF THE DAY

Government Bills

Passage in Principle

The Assembly resumed the debate, which had been adjourned on 30 May 2019, on the motion moved by Mr. Jolin-Barrette, Minister of Immigration, Diversity and Inclusiveness, that Bill 21, An Act respecting the laicity of the State, do now pass in principle.

At 5.59 o'clock p.m., Mrs. Gaudreault, Third Vice-President, suspended the proceedings until 7.30 o'clock p.m.

The proceedings resumed at 7.30 o'clock p.m.

The Assembly continued the debate on the motion moved by Mr. Jolin-Barrette, Minister of Immigration, Diversity and Inclusiveness, that Bill 21, An Act respecting the laicity of the State, do now pass in principle.

The debate being concluded, the question was put on this 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.

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Passage

Mr. Roberge, Minister of Education and Higher Education, moved the passage of Bill 12, An Act to clarify the scope of the right to free education and to allow the regulation of certain financial contributions that may be required.

A debate arose thereon.

The debate was adjourned in the name of Mrs. Rizqy (Saint-Laurent).

At 9.30 o'clock p.m., Mrs. Soucy, Second Vice-President, adjourned the Assembly until Tuesday, 4 June 2019, at 1.40 o'clock p.m.

ROYAL ASSENT

On Friday, 31 May 2019 at 9.30 o'clock a.m. in the Office of the Lieutenant-Governor, in the presence of Mrs. Durepos, Director of theittings Service and Delegate of the Secretary General, the Honourable J. Michel Doyon, Lieutenant-Governor of Québec, was pleased to assent to the following bill:

- 7 An Act respecting certain terms of employment applicable to officers of the health and social services network

FRANÇOIS PARADIS

President