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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-SECOND LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Tuesday, 1 December 2020 — No. 148**

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

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The Assembly was called to order at 1:40 p.m.

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## **ROUTINE PROCEEDINGS**

### **Statements by Members**

Mr. Bachand (Richmond) made a statement to pay tribute to Ms. Sylvie Bureau for her 20-year career in municipal politics.

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Ms. Robitaille (Bourassa-Sauvé) made a statement to invite citizens to encourage Montréal-Nord merchants during the holidays.

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Mr. Girard (Lac-Saint-Jean) made a statement to pay tribute to Ms. Manon Girard for her social and community involvement.

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Ms. Melançon (Verdun) made a statement to applaud the food aid organizations in the Verdun riding.

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Ms. IsaBelle (Huntingdon) made a statement to pay tribute to Mr. Paul Viau, outgoing prefect of the Jardins-de-Napierville regional county municipality.

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Mr. Marissal (Rosemont) made a statement to underline the 15th anniversary of the Toxique Trottoir street theatre company.

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Ms. Proulx (Berthier) made a statement to underline the work of the owners of the Pourvoirie Saint-Zénon.

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Mr. Chassin (Saint-Jérôme) made a statement to pay tribute to the health network staff in the Saint-Jérôme riding for their efforts in the fight against COVID-19.

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Mr. Tardif (Rivière-du-Loup–Témiscouata) made a statement to congratulate Ms. Lucie Dumont, award recipient at the Gala Top Personnalités Metro.

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Ms. Sauvé (Fabre) made a statement to underline the 30th anniversary of the Maison de la famille de Laval-Ouest.

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At 1:51 p.m., Mr. Picard, First Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 2:06 p.m.

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Moment of reflection

**Presenting Papers**

Mr. Jolin-Barrette, Government House Leader, tabled the following on behalf of Ms. Guilbault, Minister of Public Security:

The 2019–2020 annual management report of the École nationale de police du Québec;

(Sessional Paper No. 2124-20201201)

The 2019–2020 annual management report of the École nationale des pompiers du Québec.

(Sessional Paper No. 2125-20201201)

He then tabled the following on behalf of Mr. Dubé, Minister of Health and Social Services:

The 2018–2019 annual report of the Cree Board of Health and Social Services of James Bay;

(Sessional Paper No. 2126-20201201)

The 2019–2020 annual report of the Cree Board of Health and Social Services of James Bay.

(Sessional Paper No. 2127-20201201)

He then tabled the following on behalf of Mr. Bonnardel, Minister of Transport:

The 2020–2025 strategic plan of the Société des traversiers du Québec.

(Sessional Paper No. 2128-20201201)

He then tabled the following on behalf of Mr. Dufour, Minister of Forests, Wildlife and Parks:

The 2019 annual report of the Inuit Hunting, Fishing and Trapping Support Program.

(Sessional Paper No. 2129-20201201)

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Lastly, he tabled the following:

The reply to a written question from Ms. Lessard-Therrien (Rouyn-Noranda-Témiscamingue) on eliminating the Practical Bow Test – Question No. 177, *Order Paper and Notices* of 28 October 2020;

(Sessional Paper No. 2130-20201201)

The reply to a written question from Mr. LeBel (Rimouski) on the allocation of investments under the Canada-Quebec Housing Agreement – Question No. 178, *Order Paper and Notices* of 29 October 2020;

(Sessional Paper No. 2131-20201201)

The reply to a written question from Mr. Roy (Bonaventure) on the state of the forestry sector in the Laurentides and Outaouais regions following the Fortress plant closure in Thurso – Question No. 180, *Order Paper and Notices* of 12 November 2020;

(Sessional Paper No. 2132-20201201)

The reply to a written question from Mr. Roy (Bonaventure) on the predictability of forestry planning in the context of the economic recovery – Question No. 181, *Order Paper and Notices* of 12 November 2020.

(Sessional Paper No. 2133-20201201)

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The President tabled the following:

The 2019–2020 annual activity report of the Fondation Jean-Charles-Bonenfant.

(Sessional Paper No. 2134-20201201)

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### **Presenting Reports from Committees**

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

The report from the Committee on Culture and Education, which held public hearings on 24, 25 and 26 November 2020 within the framework of special consultations on Bill 69, An Act to amend the Cultural Heritage Act and other legislative provisions;

(Sessional Paper No. 2135-20201201)

The report from the Committee on Culture and Education, which held public hearings on 26, 27, 28, 29 and 30 August 2019 within the framework of special consultations on the order of initiative on the future of news media. The report contains observations and 20 recommendations.

(Sessional Paper No. 2136-20201201)

### **Complaints of Breach of Privilege or Contempt and Personal Explanations**

At the request of the President, Ms. Proulx, Minister for Regional Economic Development, withdrew certain unparliamentary remarks made during the 24 November 2020 Oral Questions and Answers.

### **Oral Questions and Answers**

The Assembly proceeded to Oral Question Period.

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**Motions Without Notice**

Ms. Hivon (Joliette), together with Mr. Marissal (Rosemont), Mr. Ouellette (Chomedey) and Ms. Fournier (Marie-Victorin), moved a motion on the Canadian government's economic statement of 30 November 2020; 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, Mr. Jolin-Barrette, Minister of Justice, together with Mr. Leduc (Hochelaga-Maisonneuve), Ms. Hivon (Joliette), Mr. Ouellette (Chomedey) and Ms. Fournier (Marie-Victorin), moved:

THAT, on the occasion of Victims and Survivors of Crime Week, the National Assembly express its unwavering support for all victims and survivors of crime;

THAT it underscore how important it is for victims and their loved ones to have access to adequate resources and assistance in order to start a healing process and return to their normal lives, to the extent possible;

THAT it recall that despite the major shortcomings brought to light in the Québec compensation plan for victims of crime over the past 15 years, the plan has never been extensively reformed;

THAT the Government commit to tabling such a reform no later than June 2021;

THAT, lastly, it reiterate the need for the Québec government to address the needs of victims by ensuring adequate, consistent and equitable support.



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The question was put on this motion; in accordance with the motion carried by the Assembly on 20 October 2020, a vote was held in accordance with the procedure for recorded divisions.

The motion was carried on the following vote:

(Division No. **625** in Appendix)

Yeas: **121** Nays: **0** Abstentions: **0**

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Ms. St-Pierre (Acadie), together with Ms. Labrie (Sherbrooke), Mr. Roy (Bonaventure), Mr. Ouellette (Chomedey) and Ms. Fournier (Marie-Victorin), moved a motion on the COVID-19 pandemic's impacts on mental health in the higher education network; 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, Ms. Ghazal (Mercier), together with Mr. Arseneau (Îles-de-la-Madeleine) and Ms. Fournier (Marie-Victorin), moved:

THAT the National Assembly highlight the International Day of Solidarity with the Palestinian People, which has been observed on 29 November every year since 1977;

THAT it reaffirm Québec's unwavering support for a negotiated solution between the two parties embodying both the Palestinians' right to self-determination and the creation of a viable state and Israel's need to live in peace within secure, recognized borders.

The question was put on this motion; in accordance with the motion carried by the Assembly on 20 October 2020, a vote was held in accordance with the procedure for recorded divisions.

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The motion was carried on the following vote:

(Division No. **626** in Appendix)

Yeas: **121** Nays: **0** Abstentions: **0**

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Ms. Fournier (Marie-Victorin), together with Mr. Barrette (La Pinière), Mr. Fontecilla (Laurier-Dorion) and Mr. Ouellette (Chomedey), moved a motion on the moratorium on removals ordered by the Canada Border Services Agency; this motion could not be debated for want of unanimous consent.

#### **Notices of Proceedings in Committees**

Mr. Jolin-Barrette, Government House Leader, convened the following committees:

- the Committee on Public Finance, to continue the debate on the economic update, in accordance with the motion carried by the Assembly on 17 March 2020;
- the Committee on Public Finance, to continue its clause-by-clause consideration of Bill 66, An Act respecting the acceleration of certain infrastructure projects;
- the Committee on Transportation and the Environment, to continue its clause-by-clause consideration of Bill 71, An Act respecting off-highway vehicles;
- the Committee on Citizen Relations, to continue its clause-by-clause consideration of Bill 70, An Act to protect persons from conversion therapy provided to change their sexual orientation, gender identity or gender expression;

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- the Committee on Planning and the Public Domain, to continue its clause-by-clause consideration of Bill 67, An Act to establish a new development regime for the flood zones of lakes and watercourses, to temporarily grant municipalities powers enabling them to respond to certain needs and to amend various provisions.

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**ORDERS OF THE DAY**

At 3:06 p.m., the President suspended the proceedings for a few minutes.

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The proceedings resumed at 3:15 p.m.

**Government Bills**

*Passage in Principle*

Mr. Jolin-Barrette, Minister of Justice, moved that Bill 75, An Act to improve justice accessibility and efficiency, in particular to address consequences of the COVID-19 pandemic, do now pass in principle.

The debate being concluded, the question was put on this motion; at 5:59 p.m., in accordance with the motion carried by the Assembly on 20 October 2020, Ms. Soucy, Second Vice-President, suspended the proceedings for no longer than 10 minutes so that a recorded division could be held.

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The proceedings resumed at 6:01 p.m.

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A vote was held in accordance with the procedure for recorded divisions.

The motion was carried on the following vote:

(Division No. **627** in Appendix)

Yeas: **121** Nays: **0** Abstentions: **0**

Accordingly, Bill 75 was passed in principle.

Mr. Caire, Deputy Government House Leader, moved that Bill 75 be referred to the Committee on Institutions for clause-by-clause consideration.

The question was put on this motion; in accordance with the motion carried by the Assembly on 20 October 2020, a vote was held in accordance with the procedure for recorded divisions.

The motion was carried on the following vote:

(Division No. **628** in Appendix)

Yeas: **119** Nays: **0** Abstentions: **0**

At 6:03 p.m., Ms. Soucy, Second Vice-President, suspended the proceedings until 7:30 p.m.

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The proceedings resumed at 7:30 p.m.

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*Passage in Principle*

The Assembly resumed the debate, which had been adjourned on 26 November 2020, on the motion moved by Ms. Guilbault, Minister of Public Security, that Bill 72, An Act to amend various legislative provisions concerning mainly bodies in the field of public safety, do now pass in principle.

A debate arose thereon.

At the end of his address, Mr. Birnbaum (D'Arcy-McGee) moved the following motion to divide the said Bill:

THAT, pursuant to Standing Order 241, Bill 72, An Act to amend various legislative provisions concerning mainly bodies in the field of public safety, be divided into two bills:

The first of which shall be entitled “An Act to amend various legislative provisions concerning the Commission québécoise des libérations conditionnelles and the manner for appointing investigators of specialized police forces”, and shall comprise sections 1 to 50 and 66, except the words “except sections 52 and 53, which come into force on the date of coming into force of section 27 of the Act respecting liquor permits (chapter P-9.1), enacted by section 2 of the Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages (2018, chapter 20)”;

The second of which shall be entitled “An Act to amend various legislative provisions concerning liquor permits and alcoholic beverages”, and shall comprise sections 51 to 65 and 66.

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At 7:48 p.m., Ms. Gaudreault, Third Vice-President, suspended the proceedings for a few minutes.

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The proceedings resumed at 8:04 p.m.

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At 8:23 p.m., after hearing arguments from all sides regarding the receivability of the motion to divide, Ms. Gaudreault, Third Vice-President, took the matter under advisement and suspended the proceedings.

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The proceedings resumed at 9:11 p.m.

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Ms. Gaudreault, Third Vice-President, ruled on the receivability of the motion to divide moved by Mr. Birnbaum (D'Arcy-McGee).

### **RULING FROM THE CHAIR**

Parliamentary jurisprudence has established that, for a motion to divide to be declared receivable, two conditions must be met. First, a bill must contain more than one principle. Second, each bill resulting from the division must be coherent, complete and able to stand alone.

The Chair has also mentioned on numerous occasions that the principle is an essential element of a bill, whereas the terms are ancillary elements. It is important that the bill's principle or principles not be confused with the area to which it applies.

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There is also an important distinction between a principle and an area of state responsibility that is under a minister's authority. The fact that the bill concerns that particular area of activity does not necessarily imply that this bill contains only one principle.

The government also sometimes introduces a bill called an omnibus bill, which aims to incorporate various amendments relating to the same area. The government's intention may then be to efficiently respond to various amendment requests. However, the Standing Orders make no provision that a motion to divide is out of order because the bill's author calls it an omnibus bill. In fact, the bill's author's intention is not in itself a receivability criterion that the Chair must take into account. The Chair must instead abide by the Standing Orders and parliamentary jurisprudence and base its analysis primarily on the provisions of the bill.

After reading and analyzing the bill, the Chair notes that the provisions contained in each chapter of the bill deal with different subjects, respectively investigators of specialized police forces, the Commission québécoise des libérations conditionnelles and liquor permits. Jurisprudence has established that this type of structure is a clear indication that the bill contains multiple principles.

Lastly, the bills proposed by the motion are separate, coherent and can be considered independently.

Given the aforementioned, the Chair declares that the motion to divide is receivable.

Ms. Gaudreault, Third Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to the limited debate on this motion to divide: 58 minutes 30 seconds to the parliamentary group forming the Government; 34 minutes 51 seconds to the parliamentary group forming the Official Opposition; 12 minutes 27 seconds to the Second Opposition Group; 11 minutes 12 seconds to the Third Opposition Group; and 1 minute 30 seconds to each independent Member. However, if only one independent Member takes part in the debate, that Member's speaking time is 2 minutes. Within this framework, any time not used by an independent Member or by a parliamentary group shall be redistributed among the parliamentary groups in the proportions established above. Lastly, individual addresses shall not be limited.

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The Assembly entered upon the debate on the motion to divide moved by Mr. Birnbaum (D'Arcy-McGee).

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At 9:30 p.m., Ms. Gaudreault, Third Vice-President, adjourned the Assembly until Wednesday, 2 December 2020 at 9:40 a.m.

**FRANÇOIS PARADIS**

*President*



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APPENDIX

Recorded Divisions

On the motion moved by Mr. Jolin-Barrette, Minister of Justice, together with Mr. Leduc (Hochelaga-Maisonneuve), Ms. Hivon (Joliette), Mr. Ouellette (Chomedey) and Ms. Fournier (Marie-Victorin):

(Division No. 625)

YEAS - 121

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

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On the motion moved by Ms. Ghazal (Mercier), together with Mr. Arseneau (Îles-de-la-Madeleine) and Ms. Fournier (Marie-Victorin):

**(Division No. 626)**

*(Identical to Division No. 625)*

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On the motion moved by Mr. Jolin-Barrette, Minister of Justice:

**(Division No. 627)**

*(Identical to Division No. 625)*

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On the motion moved by Mr. Caire, Deputy Government House Leader:

(Division No. 628)

YEAS - 119

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