



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 8 October 2014 — No. 29

**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. D'Amour (Rivière-du-Loup–Témiscouata) made a statement to pay tribute to pioneers in maple syrup production Mr. Adrien Dumont and Mr. Roland Patry.

Mrs. Poirier (Hochelaga-Maisonneuve) made a statement to pay tribute to Mr. Robert Cadotte.

Mrs. Thériault (Anjou–Louis-Riel) made a statement to underline Fire Prevention Week.

Mr. Roberge (Chambly) made a statement to congratulate the Club Trifort de Chambly.

Mr. Matte (Portneuf) made a statement to pay tribute to the winners of the Prix de reconnaissance des bénévoles en matière de véhicules hors route.

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Mr. Villeneuve (Berthier) made a statement to congratulate the Comité ZIP du lac Saint-Pierre, which was honoured for its achievements.

Mr. Morin (Côte-du-Sud) made a statement to underline the inauguration of the Montmagny municipal library.

Mr. Martel (Nicolet-Bécancour) made a statement to pay tribute to Sister Gabrielle Granger.

Mr. Leitão (Robert-Baldwin) made a statement to underline the involvement of Mr. Akshay Grover in the Childhood Cancer Canada Foundation.

Mr. Drolet (Jean-Lesage) made a statement to underline the Journée québécoise des centres communautaires de loisir.

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

The proceedings resumed at 10.13 o'clock a.m.

Moment of reflection

Presenting Papers

Mrs. Thériault, Minister of Public Security, tabled the following:

The 2013–2014 annual report of the Bureau de la sécurité privée.
(Sessional Paper No. 420-20141008)

Mr. Fournier, Minister responsible for Access to Information and the Reform of Democratic Institutions, tabled the following:

The 2013–2014 annual management report of the Commission d'accès à l'information du Québec.
(Sessional Paper No. 421-20141008)

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

The 2013–2014 annual management report of the Tribunal administratif du Québec.
(Sessional Paper No. 422-20141008)

Mr. Bolduc, Minister of Education, Recreation and Sports, tabled the following:

The 2013–2014 annual management report of the Institut national des mines.
(Sessional Paper No. 423-20141008)

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Mr. Poëti, Minister of Transport, tabled the following:

The agreement on the release of personal information between the Ministère de la Santé et des Services sociaux and the Société de l'assurance automobile du Québec, accompanied by the opinion of the Commission d'accès à l'information du Québec.

(Sessional Paper No. 424-20141008)

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

The reply from the Government to the petition tabled on 23 September 2014 by Mr. Traversy (Terrebonne) concerning amendments to the legislation on psychological harassment in the workplace.

(Sessional Paper No. 425-20141008)

Answer to a written question by Mr. Villeneuve (Berthier) concerning the effects of neonicotinoid pesticides — Question No. 8, *Order Paper and Notices* of 16 September 2014.

(Sessional Paper No. 426-20141008)

Presenting Reports from Committees

Mr. Cousineau (Bertrand), committee chairman, tabled the following:

The report from the Committee on Labour and the Economy, which met on 1, 2 and 7 October 2014 to give clause-by-clause consideration to Bill 8, An Act to amend the Labour Code with respect to certain employees of farming businesses. The report contains certain amendments to the bill.

(Sessional Paper No. 427-20141008)

Mrs. Hivon (Joliette), committee vice-chair, tabled the following:

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The report from the Committee on Health and Social Services, which met on 7 October 2014 to elect the committee vice-chairman.

(Sessional Paper No. 428-20141008)

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, Mr. Bérubé (Matane-Matapédia), together with Mrs. Thériault, Minister of Public Security, and Mrs. Massé (Sainte-Marie–Saint-Jacques), moved:

THAT the National Assembly ask the Government of Québec to clearly express its intention of maintaining a firearms registry in Québec, in accordance with Québec's approach, which favours prevention, based on experience and science.

By leave of the Assembly, the motion was carried.

Mr. Roberge (Chambly) moved a motion concerning the 2 November 2014 school elections; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 185, Mr. Barrette, Minister of Health and Social Services, together with Mrs. Lamarre (Taillon), Mr. Caire (La Peltrie) and Mr. Khadir (Mercier), moved:

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THAT the National Assembly underline World Organ Donation and Transplantation Day, held each year on 17 October;

THAT it reiterate that organ donations are generous acts that can save lives or make persons suffering from serious illnesses healthy again.

By leave of the Assembly, the motion was carried.

Mrs. Massé (Sainte-Marie–Saint-Jacques), together with Mr. LeBel (Rimouski), moved a motion concerning the Canada Revenue Agency attribution rules for registration as a charity; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 84.1 and in accordance with Standing Order 146, Mr. Sklavounos, Deputy Government House Leader, moved:

THAT, within the framework of the examination of Bill 11, An Act respecting the Société du Plan Nord, the Committee on Agriculture, Fisheries, Energy and Natural Resources hold special consultations and public hearings on 20, 22, 23, 24, 27 and 28 October 2014, in the Louis-Hippolyte-LaFontaine Room and that, for this purpose, it hear the following groups:

Fédération des Chambres de commerce du Québec
Coalition Plein Gaz
Canadian Boreal Initiative
Union des municipalités du Québec
The Grand Council of the Crees
The Innu Nation (9 communities)
The Naskapi Nation of Kawawachikamach

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The Assembly of the First Nations of Québec and Labrador
Québec Native Women Inc.
Conseil du patronat du Québec
Conférence régionale des élus du Nord-du-Québec and the
Kativik Regional Government
Conférence régionale des élus de la Côte-Nord
Conférence régionale des élus de la Baie-James
Association québécoise de la production d'énergie renouvelable
CanWEA
Quebec Forest Industry Council
Quebec Mineral Exploration Association
Société de développement de la Baie-James
Makivik Corporation
Fédération québécoise des municipalités
Association minière du Québec
Fraser Institute
Université Laval (Institut nordique)
Canadian Parks and Wilderness Society – Québec Chapter
Chambre de commerce et d'industrie de Rouyn-Noranda
Chambre de commerce de Sept-Îles
Ville de Sept-Îles
Ville de Lebel-sur-Quévillon
Ville de Port-Cartier
Comité sectoriel de main-d'œuvre de l'industrie sur le
développement des mines
Confédération des syndicats nationaux
Fédération des travailleurs et travailleuses du Québec
Conseil régional de l'environnement Côte-Nord
Municipalité régionale de comté de Minganie
Ville de Fermont
Coalition pour que le Québec ait meilleure mine;

THAT a period of 12 minutes be set aside for opening statements, allocated as follows: 6 minutes to the parliamentary group forming the Government, 3 minutes 30 seconds to the parliamentary group forming the Official Opposition and 2 minutes 30 seconds to the Second Opposition Group;

THAT the presentation by each of the groups last no longer than 10 minutes and the exchange with the committee members last no longer than 35 minutes, allocated as follows: that the time set aside for the group forming the Government be 17 minutes 30 seconds, that the time set aside for the Official Opposition be 10 minutes 30 seconds and that the time set aside for the Second Opposition Group be 7 minutes;

THAT the Minister of Energy and Natural Resources be a member of the Committee during its proceedings.

The debate being concluded, the motion was carried.

Notices of Proceedings in Committees

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

- the Committee on Planning and the Public Domain, to continue its clause-by-clause consideration of Bill 3, An Act to foster the financial health and sustainability of municipal defined benefit pension plans.

Mrs. Gaudreault, Second Vice-President, gave the following notice:

- the Committee on Public Administration shall hold a deliberative meeting for the purpose of organizing its proceedings on prescription drugs and pharmaceutical services; it shall then hold a public meeting to hear the Ministère de la Santé et des Services sociaux, the Centre de santé et de services sociaux Alphonse-Desjardins and the Santa Cabrini hospital on chapter 6 of the Auditor General's spring 2014 report concerning prescription drugs and pharmaceutical services; and finally, it shall hold a deliberative meeting to discuss the observations, conclusions and recommendations following the hearings.

ORDERS OF THE DAY

Government Bills

Passage in Principle

Mr. Coiteux, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor, moved that Bill 12, An Act respecting the implementation of recommendations by the pension committee of certain pension plans in the public sector and amending various legislative provisions, do now pass in principle.

After debate thereon, the motion was carried and Bill 12 was accordingly passed in principle.

Mr. Sklavounos, Deputy Government House Leader, moved that Bill 12 be referred for clause-by-clause consideration to the Committee on Public Finance.

The motion was carried.

At 11.27 o'clock a.m., at the request of Mr. Sklavounos, Deputy Government House Leader, Mrs. Gaudreault, Second Vice-President, suspended the proceedings until 3.00 o'clock p.m.

The proceedings resumed at 3.03 o'clock p.m.

Business Standing in the Name of Members in Opposition

Mr. Bonnardel (Granby) moved:

THAT the National Assembly ask the Government to extend the provisions of the *Code of ethics and conduct of the Members of the National Assembly* and that no Member or member of his or her immediate family be able, in any way, to hold, directly or indirectly, the majority of shares or a controlling interest in a media company.

Following a meeting with the House leaders, Mr. Gendron, Third Vice-President, informed the Assembly of the allocation of speaking time for the proceedings with respect to this motion: 10 minutes shall be allotted to the mover of the motion for his reply; approximately 52 minutes to the parliamentary group forming the Government; approximately 30 minutes and 10 seconds to the parliamentary group forming the Official Opposition; approximately 21 minutes and 50 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.

Mr. Gendron, Third Vice-President, tabled the following:

A letter, dated 8 October 2014, addressed to Mr. Michel Bonsaint, Secretary General of the National Assembly, from Mr. Pierre Karl Péladeau, Member for Saint-Jérôme, concerning his withdrawal from the sitting examining the motion moved by the Member for Granby during Business Standing in the Name of Members in Opposition.

(Sessional Paper No. 429-20141008)

Mr. Péladeau (Saint-Jérôme) made a statement in accordance with section 25 of the *Code of ethics and conduct of the Members of the National Assembly*.

The debate on the motion moved by Mr. Bonnardel (Granby) arose thereon.

During his address, Mr. Caire (La Peltrie) moved:

THAT the motion by the Member for Granby be amended as follows: by replacing the wording of the motion by the wording that follows:

“THAT the National Assembly ask the Government to extend the provisions of the *Code of ethics and conduct of the Members of the National Assembly* and that no Member or member of his or her immediate family be able, in any way, to hold, directly or indirectly, the majority of shares or a controlling interest in a media company;

THAT the National Assembly instruct the Committee on Institutions to hold consultations to examine these provisions or to use any other legislative means the Committee deems necessary;

THAT, for that purpose, the Committee hear all persons and groups it deems necessary to convene;

THAT the organization of the mandate be entrusted to the members of the Committee;

LASTLY, that the Committee report to the Assembly not later than 19 November 2014, unless the Committee decides otherwise.”

The debate continued on the main motion by Mr. Bonnardel (Granby) and on the amendment by Mr. Caire (La Peltrie), subject to the permission of its author.

Mrs. Maltais, Official Opposition House Leader, raised a point of order regarding the admissibility of the amendment motion moved by the Member for La Peltrie.

Mr. Gendron, Third Vice-President, took the matter under advisement.

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In accordance with Standing Order 98.1, Mr. Bonnardel (Granby) accepted the amendment proposed by Mr. Caire (La Peltrie).

Mr. Gendron, Third Vice-President, gave a ruling on the point of order raised by the Official Opposition House Leader concerning the receivability of the amendment motion moved by the Member for La Peltrie.

RULING FROM THE CHAIR

In the course of the 2009 reform, the Standing Orders were amended to provide that Wednesday motions could only be amended with the permission of the motion's author. The purpose of this amendment was to ensure that the author of the Wednesday motion maintains control of the wording of his or her motion. The Member can therefore, by a mere refusal, decide that the motion will not be amended. This concept does not apply to debates on other motions and is an exception to the general principle stating that all motions may be amended.

However, even if the author of the motion grants his or her permission to make an amendment, this does not mean that all general principles regarding an amendment's receivability are set aside. Standing Order 197 provides that amendments must be relevant to the subject matter of the motion and must not reverse its principle or add a new one.

To decide whether an amendment is receivable, the principle of the main question must first be identified. Here, the principle consists in asking the Government to extend the provisions of the *Code of ethics and conduct of the Members of the National Assembly* to Members who hold shares or a controlling interest in a media company.

Nowhere in the main motion is there any question of referring the matter to a parliamentary committee. The question is unrelated to the main motion. An amendment motion must not raise a new question that can only be examined by presenting a separate motion after giving advance notice.

Consequently, as this amendment introduces a new principle, it must be declared out of order.

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The debate continued on the motion by Mr. Bonnardel (Granby).

At the request of Mr. Ouimet, First Vice-President, Mr. Bonnardel (Granby) withdrew certain words deemed unparliamentary.

The debate being concluded, the question was put on the motion; 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.

Mr. Sklavounos, Deputy Government House Leader, moved the adjournment of the Assembly until Thursday, 9 October 2014, at 9.45 o'clock a.m.

The motion was carried.

Accordingly, at 5.01 o'clock p.m., Mr. Ouimet, First Vice-President, adjourned the Assembly until Thursday, 9 October 2014, at 9.45 o'clock a.m.

JACQUES CHAGNON

President