



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Votes and Proceedings

of the Assembly

Wednesday, 17 November 2004 — No. 104

**President of the National Assembly:
Mr. Michel Bissonnet**

QUÉBEC

The Assembly was called to order at 10.02 o'clock a.m.

ORDERS OF THE DAY

Business Standing in the Name of Members in Opposition

Mr. Arseneau (Îles-de-la-Madeleine) moved:

THAT the National Assembly call upon the Liberal Government to introduce as soon as possible a policy concerning the mandatory labelling of food containing genetically modified organisms (GMOs) as well as a support programme aiming to assist the agricultural producers and processors of Québec in this approach.

Following a meeting with the House leaders, Mr. Cusano, First Vice-President, announced the allocation of speaking time for the proceedings with respect to this motion: ten minutes shall be allotted for a reply by its mover and ten minutes shall be set aside for the independent Members; the two parliamentary groups shall share equally the rest of the time allotted for this debate; within this framework, any time not used by a parliamentary group may be added to that of the other group, while any time not used by the independent Members will be redistributed equally amongst the two parliamentary groups, and individual addresses shall not be limited.

And debate arising on the motion by Mr. Arseneau (Îles-de-la-Madeleine);

During her speech, Mrs. Gauthier, Minister of Agriculture, Fisheries and Food, moved:

THAT the motion by the Member for Îles-de-la-Madeleine be amended by adding, in the second line, after the words "to introduce", the words "in keeping with its Canadian partners and".

17 November 2004

The motion, as amended, would read as follows:

THAT the National Assembly call upon the Liberal Government to introduce in keeping with its Canadian partners and as soon as possible a policy concerning the mandatory labelling of food containing genetically modified organisms (GMOs) as well as a support programme aiming to assist the agricultural producers and processors of Québec in this approach.

The debate continued on the main motion by Mr. Arseneau (Îles-de-la-Madeleine) and on the amendment by Mrs. Gauthier, Minister of Agriculture, Fisheries and Food, subject to the receivability of the latter, which Mr. Cusano, First Vice-President, took under advisement.

Mr. Cusano, First Vice-President, rendered his ruling on the receivability of the amendment motion.

RULING FROM THE CHAIR

The amendment motion is receivable as it does not alter the nature of the main motion, nor does it deny or contradict its principle. It simply has the effect of broadening the debate.

The debate continued on the main motion by Mr. Arseneau (Îles-de-la-Madeleine) and on the amendment motion by Mrs. Gauthier, Minister of Agriculture, Fisheries and Food.

During his speech, Mr. Thériault (Masson) moved:

THAT the amendment by the Minister of Agriculture, Fisheries and Food be subamended by adding, after the words "Canadian partners", the words "without subjecting its action thereto".

17 November 2004

The amendment motion, as subamended, would read as follows:

THAT the motion by the Member for Îles-de-la-Madeleine be amended by adding, in the second line, after the words "to introduce", the words "in keeping with its Canadian partners without subjecting its action thereto and".

The motion by the Member for Îles-de-la-Madeleine, as amended and subamended, would read as follows:

THAT the National Assembly call upon the Liberal Government to introduce in keeping with its Canadian partners without subjecting its action thereto and as soon as possible a policy concerning the mandatory labelling of food containing genetically modified organisms (GMOs) as well as a support programme aiming to assist the agricultural producers and processors of Québec in this approach.

The debate continued on the main motion by Mr. Arseneau (Îles-de-la-Madeleine), on the amendment by Mrs. Gauthier, Minister of Agriculture, Fisheries and Food, and on the subamendment by Mr. Thériault (Masson), subject to the receivability of the latter, which Mr. Cusano, First Vice-President, took under advisement.

Mr. Cusano, First Vice-President, rendered his ruling on the receivability of the subamendment motion.

RULING FROM THE CHAIR

The subamendment motion is receivable as it does not alter the nature of the amendment motion, nor does it deny or contradict its principle. This principle, which is to be in keeping with the Canadian partners, still remains. What is added is simply that the Government's action must not be subjected to being in keeping therewith.

The debate continued on the main motion by Mr. Arseneau (Îles-de-la-Madeleine), on the amendment motion by Mrs. Gauthier, Minister of Agriculture, Fisheries and Food, and on the subamendment motion by Mr. Thériault (Masson).

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

The motion was negatived.

17 November 2004

The question was put on the amendment motion; a recorded division was thereupon demanded.

At the request of Mrs. Lamquin-Éthier, Deputy Government House Leader, the divisions on the amendment motion by Mrs. Gauthier, Minister of Agriculture, Fisheries and Food, and on the motion by Mr. Arseneau (Îles-de-la-Madeleine) were deferred until Routine Proceedings later on in today's sitting.

At 12.01 o'clock p.m., Mr. Cusano, First Vice-President, suspended the proceedings until 2.00 o'clock p.m.

The proceedings resumed at 2.14 o'clock p.m.

Moment of reflection

ROUTINE PROCEEDINGS

Presenting Papers

Mrs. Gagnon-Tremblay, Deputy Premier and Minister of International Relations, tabled the following:

The annual management report of the Ministère des Relations internationales for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1391-20041117)

17 November 2004

Mr. Chagnon, Minister of Public Security, tabled the following:

The annual management report of the Régie des alcools, des courses et des jeux for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1392-20041117)

The annual management report of the Bureau du Coroner for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1393-20041117)

The annual management report of the Commissaire à la déontologie policière for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1394-20041117)

The annual management report of the École nationale des pompiers du Québec for the fiscal year ended 31 March 2004.

(Sessional Paper No. 1395-20041117)

Mr. Hamad, Minister of Natural Resources, Wildlife and Parks, tabled the following:

A document entitled "The Energy Sector in Québec, Context, Issues and Questions".

(Sessional Paper No. 1396-20041117)

By leave of the Assembly to set aside Standing Orders 53 and 188, Mr. Dupuis, Government House Leader, moved:

THAT the Committee on Labour and the Economy, within the framework of the document entitled "The Energy Sector in Québec, Context, Issues and Questions", hold special consultations and hearings on 1 and 2 December 2004 and that, for this purpose, it hear the following experts:

Wednesday, 1 December 2004

3.00 p.m. to 3.15 p.m. Opening statements by the
parliamentary group forming the
Government

17 November 2004

3.15 p.m. to 3.30 p.m. Opening statements by the Opposition Members
3.30 p.m. to 4.30 p.m. Pierre Fortin
4.30 p.m. to 5.30 p.m. Joseph A. Doucet

Thursday, 2 December 2004

11.00 a.m. to 12.00 p.m. Alain Webster
12.00 p.m. to 1.00 p.m. Gaëtan Lafrance
3.00 p.m. to 4.00 p.m. Jean-Marc Carpentier
4.00 p.m. to 5.00 p.m. Pierre-André Bourque
5.00 p.m. to 5.15 p.m. Closing statements by the Opposition Members
5.15 p.m. to 5.30 p.m. Closing statements by the parliamentary group forming the Government

The Minister of Natural Resources, Wildlife and Parks shall be a member of the said Committee during its proceedings with respect to this order of reference.

The motion was carried.

And, by leave of the Assembly to set aside Standing Orders 53 and 188, Mr. Dupuis, Government House Leader, moved:

THAT the Committee on Labour and the Economy, within the framework of the document entitled "The Energy Sector in Québec, Context, Issues and Questions", hold a general consultation and public hearings beginning on 25 January 2005;

THAT all briefs be submitted to the Secretariat of Committees no later than 4 January 2005;

A period of 30 minutes shall be allotted for the opening statements, which time period shall be divided as follows: 15 minutes to the parliamentary group forming the Government and 15 minutes to the Opposition Members;

17 November 2004

The presentation by each group shall last no more than 20 minutes and the exchange with the members of the Committee shall last no more than 40 minutes, which time shall be shared equally among the members of the parliamentary group forming the Government and the Opposition Members;

The Minister of Natural Resources, Wildlife and Parks shall be a member of the said Committee during its proceedings with respect to this order of reference.

The motion was carried.

Presenting Petitions

Mrs. Lemieux, Official Opposition House Leader, tabled the following:

The abstract of a petition respecting the modernization of Notre-Dame street in Montréal, and signed by 133 citizens from the riding of Bourget.

(Sessional Paper No. 1397-20041117)

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

The abstract of a petition respecting the preservation of a free, public CEGEP network and signed by 57,027 citizens of Québec.

(Sessional Paper No. 1398-20041117)

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

The abstract of a petition respecting the price of gasoline, and signed by 7325 citizens of Québec.

(Sessional Paper No. 1399-20041117)

17 November 2004

Oral Questions and Answers

The Assembly proceeded to Oral Question Period.

By leave of the Assembly to set aside Standing Order 59, Mr. Côté (Dubuc) tabled the following:

Copy of a communiqué, dated 1 October 2004, issued by the Ordre des pharmaciens du Québec, for the attention of all Québec pharmacists, concerning the code of ethics and professional conduct.

(Sessional Paper No. 1400-20041117)

By leave of the Assembly to set aside Standing Order 59, Mr. Charbonneau (Borduas) tabled the following:

An analysis document on the privatization of prisons, dated November 2004, prepared by the Association des services de réhabilitation sociale du Québec (ASRSQ).

(Sessional Paper No. 1401-20041117)

Deferred Divisions

The Assembly took the division, which had been deferred at the sitting of 16 November 2004, on the motion by Mr. Marsan (Robert-Baldwin). This motion reads as follows:

THAT the National Assembly mark World Diabetes Day.

The motion was carried on the following vote:

(Division No. **119** in Appendix)

Yeas: **109** Nays: **0** Abstentions: **0**

17 November 2004

The Assembly then took the division, which had been deferred at the sitting of 16 November 2004, on the motion moved by Mrs. Lamquin-Éthier, Deputy Government House Leader. This motion reads as follows:

THAT the Committee on Labour and the Economy examine the draft regulation on pay equity in enterprises where there are no predominantly male job classes, pursuant to section 114 of the *Pay Equity Act*;

THAT the Minister of Labour be a member of the said Committee during its proceedings with respect to this order of reference.

The motion was carried on the following vote:

(Division No. **120** in Appendix)

Yeas: **109** Nays: **0** Abstentions: **0**

Before taking the remaining deferred divisions, the Official Opposition House Leader raised a point of order in which she requested that the Chair clarify the result of the vote by a show of hands held this morning on the subamendment moved by the Member for Masson, during the debate on the motion by the Member for Îles-de-la-Madeleine and on the amendment motion by the Minister of Agriculture, Fisheries and Food moved during Business Standing in the Name of Members in Opposition.

RULING FROM THE CHAIR

During a vote by a show of hands, those representing the groups present in the Assembly indicate to the Chair how their group intends to vote. When the question was put to the subamendment motion by the Member for Masson, the Chief Opposition Whip said "carried" while the Deputy Government House Leader said "on division", thus signifying the intention of the parliamentary group forming the Government to vote against the subamendment. The motion was therefore negatived, in accordance with the intentions expressed when the question was put.

17 November 2004

The Assembly then took the divisions, which had been deferred during Business Standing in the Name of Members in Opposition earlier in today's sitting, on the motion by Mr. Arseneau (Îles-de-la-Madeleine) and on the amendment motion moved by Mrs. Gauthier, Minister of Agriculture, Fisheries and Food.

The Assembly took the division on the amendment motion by Mrs. Gauthier, Minister of Agriculture, Fisheries and Food. This motion reads as follows:

THAT the motion by the Member for Îles-de-la-Madeleine be amended by adding, in the second line, after the words "to introduce", the words "in keeping with its Canadian partners and".

The motion was carried on the following vote:

(Division No. **121** in Appendix)

Yeas: **68** Nays: **41** Abstentions: **0**

The Assembly then took the division on the motion by Mr. Arseneau (Îles-de-la-Madeleine), as amended. This motion reads as follows:

THAT the National Assembly call upon the Liberal Government to introduce in keeping with its Canadian partners and as soon as possible a policy concerning the mandatory labelling of food containing genetically modified organisms (GMOs) as well as a support programme aiming to assist the agricultural producers and processors of Québec in this approach.

The motion was carried on the following vote:

(Division No. **122** in Appendix)

Yeas: **68** Nays: **41** Abstentions: **0**

17 November 2004

Motions Without Notice

Mrs. Gagnon-Tremblay, Deputy Premier, Minister of International Relations and Minister responsible for La Francophonie, moved a motion concerning Québec's participation at the 10th summit of the heads of State and Government of the Francophonie; this motion could not be debated for want of unanimous consent.

By leave of the Assembly to set aside Standing Order 185, Mr. Chagnon, Minister of Public Security, and Mr. Boulerice (Sainte-Marie–Saint-Jacques) jointly moved:

THAT the National Assembly mark the 35th anniversary of the Université du Québec à Montréal (UQAM) as well as its important contribution to the development of Québec.

By leave of the Assembly under Standing Order 84, the motion was carried.

Mr. Reid, Minister of Education, moved:

THAT the National Assembly mark the appointment of Mr. Paul Gérin-Lajoie as "Honorary Minister of Education" for the two-day period of 17 and 18 November and that it acknowledge his outstanding contribution to building Québec's education system.

By leave of the Assembly under Standing Order 84, a debate arose thereon.

The debate being concluded, the motion was carried.

Mr. Marsan (Robert-Baldwin) moved a motion concerning Centres jeunesse Week; this motion could not be debated for want of unanimous consent.

17 November 2004

Mrs. James (Nelligan) moved a motion concerning the 8th edition of the Journées québécoises de la solidarité internationale; this motion could not be debated for want of unanimous consent.

Notices of Proceedings in Committees

Mrs. Lamquin-Éthier, Deputy Government House Leader, convened the following Committees:

- the Committee on Transportation and the Environment, to continue its clause-by-clause consideration of Bill 44, An Act to amend the Act respecting the Ministère de l'Environnement, the Environment Quality Act and other legislative provisions, and of Bill 55, An Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions;
- the Committee on Public Finance, to give clause-by-clause consideration to Bill 60, An Act respecting the Société de financement des infrastructures locales du Québec and amending the Highway Safety Code;
- the Committee on Social Affairs, to continue its public hearings within the framework of a general consultation on Bill 57, Individual and Family Assistance Act.

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

- the Committee on Public Administration shall hold a public hearing to hear the Deputy Minister of Revenue concerning the management of the Québec Sales Tax and of the Goods and Services Tax; it will subsequently hold a deliberative meeting;
- the Committee on Planning and the Public Domain shall hold a deliberative meeting for the purpose of organizing its proceedings with regard to possible orders of surveillance of public agencies.

17 November 2004

Information on the Proceedings of the Assembly

Mr. Gendron, Third Vice-President, informed the Assembly that he had received a request for a debate upon adjournment to be held on Thursday, 18 November 2004, on a question by Mrs. Doyer (Matapédia) to Mr. Hamad, Minister of Natural Resources, Wildlife and Parks, about the policy on the expanded and safe use of chrysotile.

ORDERS OF THE DAY

Government Bills

Passage in Principle

Mrs. Jérôme-Forget, Minister responsible for Government Administration, Chair of the Conseil du trésor, informed the Assembly that Her Excellency the Lieutenant-Governor recommended to its consideration Bill 61, An Act respecting the Agence des partenariats public-privé du Québec, and then moved, —That this Bill do now pass in principle.

And debate arising;

At the request of Mrs. Leblanc, Second Vice-President, Mr. Simard (Richelieu) withdrew certain words deemed unparliamentary.

At the request of Mrs. Leblanc, Second Vice-President, Mr. Turp (Mercier) withdrew certain words deemed unparliamentary.

17 November 2004

At 6.00 o'clock p.m., Mrs. Leblanc, Second Vice-President, adjourned the Assembly until Thursday, 18 November 2004, at 10.00 o'clock a.m.

MICHEL BISSONNET

President

17 November 2004

APPENDIX

Recorded Divisions

On the motion by Mr. Marsan (Robert-Baldwin) to mark World Diabetes Day:

(Division No. 119)

YEAS – 109

Arseneau	Côté	L'Écuyer	Paradis
Auclair	Couillard	Lefebvre	Perreault
Bachand	Courchesne	Légaré	Picard
Beaudoin	Delisle	Legault	Pinard
Béchar	Descoteaux	<i>[Rousseau]</i>	Reid
Bédard	Deslières	Legault	Richard
Bergman	Després	<i>[Chambly]</i>	Rioux
Bernard	Dion	Legendre	Robert
Bernier	Dionne-Marsolais	Léger	Roy
Bertrand	Doyer	Lelièvre	Séguin
Blackburn	Dubuc	Lemieux	Simard
Bordeleau	Dufour	Lessard	Soucy
Bouchard	Dupuis	Létourneau	St-André
<i>[Mégantic-Compton]</i>	Fournier	Loiselle	Théberge
Boucher	Gagnon-Tremblay	MacMillan	Thériault
Boulerice	Gaudet	Maltais	<i>[Anjou]</i>
Boulet	Gauthier	Marcoux	Thériault
Bourdeau	Gautrin	Marois	<i>[Masson]</i>
Chagnon	Girard	Marsan	Tomassi
Champagne	Grondin	Mercier	Turp
Charbonneau	Hamad	Moreau	Vallières
Charest	Hamel	Morin	Valois
<i>[Rimouski]</i>	Harel	<i>[Nicolet-Yamaska]</i>	Vermette
Charest	Houda-Pepin	Morin	Vien
<i>[Matane]</i>	James	<i>[Montmagny-L'Islet]</i>	Whissell
Charlebois	Jérôme-Forget	Mulcair	
Chenail	Jutras	Normandeau	
Cholette	Kelley	Ouimet	
Clermont	Lafrenière	Pagé	
Copeman	Lamquin-Éthier	Papineau	
Corbeil	Landry	Paquet	

17 November 2004

On the motion by Mrs. Lamquin-Éthier, Deputy Government House Leader, concerning the draft regulation on pay equity in enterprises where there are no predominantly male job classes:

(Division No. 120)

YEAS - 109

Arseneau	Côté	L'Écuyer	Paradis
Auclair	Couillard	Lefebvre	Perreault
Bachand	Courchesne	Légaré	Picard
Beaudoin	Delisle	Legault	Pinard
Béchar	Descoteaux	<i>[Rousseau]</i>	Reid
Bédard	Deslières	Legault	Richard
Bergman	Després	<i>[Chambly]</i>	Rioux
Bernard	Dion	Legendre	Robert
Bernier	Dionne-Marsolais	Léger	Roy
Bertrand	Doyer	Lelièvre	Séguin
Blackburn	Dubuc	Lemieux	Simard
Bordeleau	Dufour	Lessard	Soucy
Bouchard	Dupuis	Létourneau	St-André
<i>[Mégantic-Compton]</i>	Fournier	Loiselle	Théberge
Boucher	Gagnon-Tremblay	MacMillan	Thériault
Boulerice	Gaudet	Maltais	<i>[Anjou]</i>
Boulet	Gauthier	Marcoux	Thériault
Bourdeau	Gautrin	Marois	<i>[Masson]</i>
Chagnon	Girard	Marsan	Tomassi
Champagne	Grondin	Mercier	Turp
Charbonneau	Hamad	Moreau	Vallières
Charest	Hamel	Morin	Valois
<i>[Rimouski]</i>	Harel	<i>[Nicolet-Yamaska]</i>	Vermette
Charest	Houda-Pepin	Morin	Vien
<i>[Matane]</i>	James	<i>[Montmagny-L'Islet]</i>	Whissell
Charlebois	Jérôme-Forget	Mulcair	
Chenail	Jutras	Normandeau	
Cholette	Kelley	Ouimet	
Clermont	Lafrenière	Pagé	
Copeman	Lamquin-Éthier	Papineau	
Corbeil	Landry	Paquet	

17 November 2004

On the motion by Mrs. Gauthier, Minister of Agriculture, Fisheries and Food, to amend the main motion by Mr. Arseneau (Îles-de-la-Madeleine) concerning genetically modified organisms, which was moved during Business Standing in the Name of Members in Opposition earlier in today's sitting:

(Division No. 121)

YEAS - 68

Auclair	Corbeil	Kelley	Paquet
Bachand	Couillard	Lafrenière	Paradis
Béchar	Courchesne	Lamquin-Éthier	Perreault
Bergman	Delisle	L'Écuyer	Picard
Bernard	Descoteaux	Légaré	Reid
Bernier	Després	Legault	Rioux
Blackburn	Dubuc	<i>[Chambly]</i>	Roy
Bordeleau	Dupuis	Lessard	Séguin
Bouchard	Fournier	Loiselle	Soucy
<i>[Mégantic-Compton]</i>	Gagnon-Tremblay	MacMillan	Théberge
Boulet	Gaudet	Marcoux	Thériault
Chagnon	Gauthier	Marsan	<i>[Anjou]</i>
Charest	Gautrin	Mercier	Tomassi
<i>[Matane]</i>	Grondin	Moreau	Vallières
Charlebois	Hamad	Morin	Vien
Chenail	Hamel	<i>[Montmagny-L'Islet]</i>	Whissell
Cholette	Houda-Pepin	Mulcair	
Clermont	James	Normandeau	
Copeman	Jérôme-Forget	Ouimet	

NAYS - 41

Arseneau	Deslières	Legendre	Richard
Beaudoin	Dion	Léger	Robert
Bédard	Dionne-Marsolais	Lelièvre	Simard
Bertrand	Doyer	Lemieux	St-André
Boucher	Dufour	Létourneau	Thériault
Boulerice	Girard	Maltais	<i>[Masson]</i>
Bourdeau	Harel	Marois	Turp
Champagne	Jutras	Morin	Valois
Charbonneau	Landry	<i>[Nicolet-Yamaska]</i>	Vermette
Charest	Lefebvre	Pagé	
<i>[Rimouski]</i>	Legault	Papineau	
Côté	<i>[Rousseau]</i>	Pinard	

17 November 2004

On the motion by Mr. Arseneau (Îles-de-la-Madeleine), as amended by the motion moved by Mrs. Gauthier, Minister of Agriculture, Fisheries and Food, during Business Standing in the Name of Members in Opposition, on a policy concerning the mandatory labelling of food containing genetically modified organisms:

(Division No. 122)

YEAS - 68

Auclair	Corbeil	Kelley	Paquet
Bachand	Couillard	Lafrenière	Paradis
Béchar	Courchesne	Lamquin-Éthier	Perreault
Bergman	Delisle	L'Écuyer	Picard
Bernard	Descoteaux	Légaré	Reid
Bernier	Després	Legault	Rioux
Blackburn	Dubuc	<i>[Chambly]</i>	Roy
Bordeleau	Dupuis	Lessard	Séguin
Bouchard	Fournier	Loiselle	Soucy
<i>[Mégantic-Compton]</i>	Gagnon-Tremblay	MacMillan	Théberge
Boulet	Gaudet	Marcoux	Thériault
Chagnon	Gauthier	Marsan	<i>[Anjou]</i>
Charest	Gautrin	Mercier	Tomassi
<i>[Matane]</i>	Grondin	Moreau	Vallières
Charlebois	Hamad	Morin	Vien
Chenail	Hamel	<i>[Montmagny-L'Islet]</i>	Whissell
Cholette	Houda-Pepin	Mulcair	
Clermont	James	Normandeau	
Copeman	Jérôme-Forget	Ouimet	

NAYS - 41

Arseneau	Deslières	Legendre	Richard
Beaudoin	Dion	Léger	Robert
Bédard	Dionne-Marsolais	Lelièvre	Simard
Bertrand	Doyer	Lemieux	St-André
Boucher	Dufour	Létourneau	Thériault
Boulerice	Girard	Maltais	<i>[Masson]</i>
Bourdeau	Harel	Marois	Turp
Champagne	Jutras	Morin	Valois
Charbonneau	Landry	<i>[Nicolet-Yamaska]</i>	Vermette
Charest	Lefebvre	Pagé	
<i>[Rimouski]</i>	Legault	Papineau	
Côté	<i>[Rousseau]</i>	Pinard	