

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 76

THURSDAY, APRIL 11 2002

1. Meeting of Council

The Council assembled at 11.00am pursuant to order.

The President, Hon John Cowdell, took the Chair and read prayers.

2. Message from His Excellency the Governor - Assent to Bill

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bill -

April 9 2002 - Message No. 2	Act No.
Fish Resources Management Amendment Bill 2001	2 of 2002

3. Ministerial Statement - Regional Development Commission Act 1993 - Powers to Grant Money

The Minister for Local Government and Regional Development made a Ministerial Statement with respect to the Regional Development Commissions power to grant money under the *Regional Development Commission Act 1993*.

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

4. Paper

The following Paper was laid on the Table by -

Leader of the House

Reports -

Interstate and Overseas Travel undertaken by Ministers, Members of Parliament and Officers on Official Business for the period from 17 February to 30 June 2001 .. 1361

5. Parliamentary Services Committee - Resignation of Member

The President read the following letter -

Dear Mr Bremner

I wish to inform the Parliamentary Services Committee that I hereby tender my resignation as a member of the Committee and request that the nomination of the Hon Robin Chapple MLC be accepted to replace me.

Thank you for your consideration of this request.

Yours sincerely

Hon Giz Watson

Member for North Metropolitan Region

March 28 2002

6. Parliamentary Services Committee - Appointment of Member

The Leader of the House moved, without notice -

That Hon Robin Chapple be appointed as a member of the Parliamentary Services Committee in place of Hon Giz Watson.

Question - put and passed.

7. Imposition of Corporal Punishment on Convicted Offenders

Hon Frank Hough: To move on the next day of sitting -

That the Government take such action to empower the Courts with the discretion to impose corporal punishment on convicted offenders in certain circumstances.

8. Funding, Management and Provision of Primary Health Services by Aboriginal Health Services - Appointment of Select Committee

Motion No. 26 having been called.

Debate resumed on the motion of Hon Derrick Tomlinson as follows -

That a Select Committee of three Members be appointed to enquire into and report on -

- (1) The funding, management and provision of primary health services by the following Aboriginal Health Services in Western Australia -
 - Bega Gambirringu Health Service;
 - Carnarvon Aboriginal Medical Service;
 - Derbarl Yerrigan Health Service;
 - East Kimberley Aboriginal Medical Service;
 - Geraldton Regional Aboriginal Medical Service;
 - Kimberley Aboriginal Medical Service Council;
 - Mawarnkarra Health Service;
 - Ngaanyatjarra Health Service;
 - Ngangganawili Aboriginal Health Service;
 - Nindilingarri Aboriginal Health Service;
 - Puntunkurnu Aboriginal Medical Service;
 - South West Aboriginal Medical Service; and
 - Wirraka Maya Aboriginal Health Service.
- (2) In particular, the Committee is to enquire into and report upon -
 - (a) the organisational and contractual relationships between the Aboriginal Health Services and the Department of Health;
 - (b) the adequacy of core funding provided from Commonwealth and State sources for primary health services currently being delivered and required to meet future community needs;
 - (c) the effectiveness of the primary health services currently being delivered;

- (d) whether there is duplication, overlap or unmet need in the delivery of primary health services;
 - (e) future directions for the delivery of primary health services to Aboriginal communities; and
 - (f) any further matters relating to Aboriginal Health Services arising from the inquiry.
- (3) The Committee have power to send for persons, papers and records and to travel from place to place.
 - (4) The Committee report to the House not later than September 26 2002 and if the House do then stand adjourned, the Committee to deliver its report to the President who shall cause the same to be printed by authority of this Order.

Interruption of Debate [SO 195].

9. Consideration of Committee Reports

The Order of the Day having been read for the consideration of Committee reports.

The President left the Chair.

In Committee

(Hon George Cash in the Chair)

Standing Committee on Environment and Public Affairs - First Report - Overview of Petitions and Inquiries - August 2001 - December 2001

Hon Christine Sharp moved, That the Report be noted.

Debate ensued.

Want of Quorum

There not being a quorum present, the Chairman of Committees gave instructions for the ringing of the Bells.

A quorum being formed, the debate continued.

Interruption of Debate [SO 61A].

10. Order of Business

Ordered - That Order of the Day No. 84(2) be taken forthwith. (Leader of the House).

11. Standing Committee on Procedure and Privileges - To Alter the Membership and Functions of the Standing Committee on Legislation and Establish a New Standing Committee as a Consequence; To Repeal SO 72 and Substitute a New SO 72

The Order of the Day having been read for the consideration of the Report.

The President left the Chair.

In Committee

(The President in the Chair)

Standing Committee on Procedure and Privileges - Third Report - To Alter the Membership and Functions of the Standing Committee on Legislation and Establish a New Standing Committee as a Consequence; To Repeal SO 72 and Substitute a New SO 72

The Leader of the House moved, without notice -

That -

- (1) The Committee first consider the recommendations made in relation to SO 72 on the motion "That the recommendations made by the Standing Committee on Procedure and Privileges be adopted and agreed to"; and
- (2) The recommendations of the Standing Committee on Procedure and Privileges relating to the reconstitution of the Standing Committee on Legislation and the establishment of the Standing Committee on Uniform Legislation and General Purposes be adopted and agreed to.

On the question, That the recommendations made by the Standing Committee on Procedure and Privileges in relation to SO 72 be adopted and agreed to.

Debate ensued.

Question - put and passed.

On the question, That the recommendations of the Standing Committee on Procedure and Privileges relating to the reconstitution of the Standing Committee on Legislation and the establishment of the Standing Committee on Uniform Legislation and General Purposes be adopted and agreed.

Debate ensued.

Question - put and passed.

The Deputy President resumed the Chair.

The President reported that the Committee of the Whole House had considered the -

- (1) Recommendations made by the Standing Committee on Procedure and Privileges in relation to SO 72 and had agreed they be adopted and agreed to; and
- (2) Recommendations of the Standing Committee on Procedure and Privileges relating to the reconstitution of the Standing Committee on Legislation and the establishment of the Standing Committee on Uniform Legislation and General Purposes and had agreed they be adopted and agreed to.

Report adopted.

12. Standing Committee on Legislation and Standing Committee on Uniform Legislation and General Purposes - Appointment of Members

The Leader of the House moved, without notice -

- (1) That Hon Jon Ford (Chairman), Hon Kate Doust, Hon Giz Watson, Hon Peter Foss and Hon Bill Stretch be appointed as members of the Standing Committee on Legislation; and
- (2) That Hon Adele Farina (Chair), Hon Paddy Embry and Hon Simon O'Brien be appointed as members of the Standing Committee on Uniform Legislation and General Purposes.

Question - put and passed.

13. Standing Committee on Legislation and Standing Committee on Uniform Legislation and General Purposes - Transitional Provisions

The Leader of the House moved, without notice -

That -

- (1) Subject to Clause 2 of this order, any Bills referred to, and not reported from, the Standing Committee on Legislation at the time the Committee was reconstituted in accordance with the recommendations of the Standing Committee on Procedure and Privileges in its Third Report are referred to and are to be dealt with by the Standing

Committee on Legislation, as now constituted, at the stage they had reached immediately before the Committee was reconstituted; and

- (2) Bills subject to SO 230A referred to, and not reported from, the Standing Committee on Legislation at the time that Committee was reconstituted in accordance with the recommendations of the Standing Committee on Procedure and Privileges in its Third Report are referred to the Standing Committee on Uniform Legislation and General Purposes and that Committee is to deal with and report those Bills as if the original reference had been made to the Committee and not the Standing Committee on Legislation.

Question - put and passed.

14. Order of Business

Ordered - That Order of the Day No. 147 be taken forthwith. (Leader of the House).

15. Road Safety Council Bill 2001

The Order of the Day having been read for the adjourned debate on the second reading of this Bill.

Debate resumed.

16. Questions Without Notice

Questions without notice were asked by Hon Norman Moore, Hon Peter Foss, Hon Barry House, Hon Robin Chapple, Hon Murray Criddle, Hon Ray Halligan, Hon Jim Scott, Hon Simon O'Brien, Hon Giz Watson, Hon Barbara Scott, Hon Christine Sharp and Hon Bill Stretch.

The Parliamentary Secretary representing the Minister for State Development tabled a list of contacts in relation to a Committee review of the Project Development Approvals System in response to question on notice No. 475 asked by Hon Jim Scott. (Tabled paper 1362).

The Minister for Housing and Works tabled documents in relation to the Summary of Compliance to the Western Australia's Cleaner Fuels Initiative - *Environmental Protection (Diesel and Petrol) Regulations 1999* in response to question on notice No. 471 asked by Hon Jim Scott. (Tabled paper 1363).

17. Road Safety Council Bill 2001

Debate resumed on the second reading of this Bill (cf item 15 above).

Interruption of Debate [SO 61(b)].

18. Taxation Administration Bill 2001

The President reported the receipt of Message No. 84 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House, on behalf of the Minister for Racing and Gaming, moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House, on behalf of the Minister for Racing and Gaming, moved, That the Bill be now read a second time.

The Leader of the House, on behalf of the Minister for Racing and Gaming, tabled an Explanatory Memorandum relating to the Bill. (Tabled paper 1364).

On the motion of Hon Bruce Donaldson the debate was adjourned to the next sitting.

19. Taxation Administration Bill 2001 - Procedural Statement

The Leader of the House made the following statement -

I advise the House that when the Order of the Day for this Bill that has just been introduced is called next week, Hon Nick Griffiths will move for the discharge of the order to enable him to move for the referral of Clauses 67 and 100 of the Bill to the Standing Committee on Legislation for consideration and report before the House is required to make a final decision on these two clauses.

20. Taxation Administration (Consequential Provisions) (Taxing) Bill 2001

The President reported the receipt of Message No. 81 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House, on behalf of the Minister for Racing and Gaming, moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House, on behalf of the Minister for Racing and Gaming, moved, That the Bill be now read a second time.

The Leader of the House, on behalf of the Minister for Racing and Gaming, tabled an Explanatory Memorandum relating to the Bill. (Tabled paper 1365).

On the motion of Hon Bruce Donaldson the debate was adjourned to the next sitting.

21. Taxation Administration (Consequential Provisions) Bill 2001

The President reported the receipt of Message No. 82 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House, on behalf of the Minister for Racing and Gaming, moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House, on behalf of the Minister for Racing and Gaming, moved, That the Bill be now read a second time.

The Leader of the House, on behalf of the Minister for Racing and Gaming, tabled an Explanatory Memorandum relating to the Bill. (Tabled paper 1366).

On the motion of Hon Bruce Donaldson the debate was adjourned to the next sitting.

22. Acts Amendment (Lesbian and Gay Law Reform) Bill 2001

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 83

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Acts Amendment (Lesbian and Gay Law Reform) Bill 2001*.

K Hodson-Thomas

Acting Speaker

Legislative Assembly Chamber

Perth, 10 April 2002

23. Adjournment

The Leader of the House moved, That the House do now adjourn.

Debate ensued.

Question - put and passed.

The House adjourned at 5.29pm until Tuesday, April 16 2002 at 3.30pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Graham Giffard and Hon Jon Ford.

L B MARQUET
Clerk of the Legislative Council

HON JOHN COWDELL
President of the Legislative Council