

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 126

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

WEDNESDAY, 28 FEBRUARY 2007

1. Meeting of Assembly

The Assembly met at 12 noon in the Legislative Council Chamber pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Personal Explanation

Mr J.J.M. Bowler made a personal explanation on his resignation from the Ministry and the Labor Party.

3. Suspension of Standing Orders

Mr R.F. Johnson, without notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith -

- (1) That this House refers to the Procedure and Privileges Committee for inquiry and report the actions of the member for Murchison-Eyre in relation to the Inquiry into Vanadium Resources at Windimurra undertaken by the Economics and Industry Standing Committee and his involvement in releasing a confidential committee draft report and the making of amendments to that report.
- (2) That the committee make both findings and recommendations as to what action should be taken by the House as a result of the actions of the member.

Debate ensued.

Question put.

The Speaker having counted the House, and an absolute majority present and there being no dissentient voice, the motion was declared by the Speaker to be carried with the concurrence of an absolute majority of the whole number of members of the House.

4. Referral of a Matter of Privilege to the Procedure and Privileges Committee

Mr R.F. Johnson, pursuant to the foregoing motion, moved,

- (1) That this House refers to the Procedure and Privileges Committee for inquiry and report the actions of the Member for Murchison-Eyre in relation to the Inquiry into Vanadium Resources at Windimurra undertaken by the Economics and Industry Standing Committee and his involvement in releasing a confidential committee draft report and the making of amendments to that report.
- (2) That the committee make both findings and recommendations as to what action should be taken by the House as a result of the actions of the member.

Debate ensued.

Personal Explanation

Mr M.P. Murray made a personal explanation on his involvement in the Inquiry into Vanadium Resources at Windimurra as a member of the Economics and Industry Standing Committee.

Question put and passed.

5. Speaker's Statement - Media Arrangements

The Speaker advised members that he had approved media organisations taking television file footage of the Chamber between 2.00 p.m. and 3.00 p.m. The Speaker also approved the taking of photographs by *The West Australian* of the Chamber between 2.00 p.m. and 2.15 p.m.

6. Suspension of Standing Orders

Mr P.D. Omodei, without notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable the Assembly to consider the following motion forthwith -

That this House censures the Premier for actively seeking to block the use of key evidence at the Corruption and Crime Commission in relation to the activities of his Ministers.

Debate ensued.

Question put.

The Speaker having counted the House, and an absolute majority present and there being no dissentient voice, the motion was declared by the Speaker to be carried with the concurrence of an absolute majority of the whole number of members of the House.

7. Censure of the Premier

Mr P.D. Omodei, pursuant to the foregoing motion, moved,

That this House censures the Premier for actively seeking to block the use of key evidence at the Corruption and Crime Commission in relation to the activities of his Ministers.

Debate ensued.

Question put.

The Assembly divided.

Ayes (22)

Mr C.J. Barnett
 Mr M.J. Birney
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Mr M.J. Cowper
 Mr J.H.D. Day
 Mr B.J. Grylls
 Dr K.D. Hames

Ms K. Hodson-Thomas
 Dr G.G. Jacobs
 Mr R.F. Johnson
 Mr J.E. McGrath
 Mr P.D. Omodei
 Mr D.T. Redman
 Mr A.J. Simpson
 Mr G. Snook

Dr S.C. Thomas
 Mr T.K. Waldron
 Ms S.E. Walker
 Mr G.A. Woodhams
 Dr J.M. Woollard
 Mr T.R. Sprigg (*Teller*)

Noes (28)

Mr P.W. Andrews
 Mr A.J. Carpenter
 Mr J.B. D'Orazio
 Dr J.M. Edwards
 Mrs J. Hughes
 Mr J.N. Hyde
 Mr J.C. Kobelke
 Mr R.C. Kucera
 Mr F.M. Logan
 Ms A.J.G. MacTiernan

Mr J.A. McGinty
 Mr M. McGowan
 Ms S.M. McHale
 Mr A.D. McRae
 Mrs C.A. Martin
 Mr M.P. Murray
 Mr A.P. O'Gorman
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk

Mr E.S. Ripper
 Mrs M.H. Roberts
 Mr T.G. Stephens
 Mr D.A. Templeman
 Mr P.B. Watson
 Mr M.P. Whitely
 Mr B.S. Wyatt
 Mr S.R. Hill (*Teller*)

Question thus negatived.

8. Questions

Questions without Notice were taken.

Questions on Notice Nos 1829 to 1832 were asked.

Questions on Notice Nos 1637, 1678, 1685, 1719, 1735, 1740 and 1745 were answered.

9. Personal Explanation

Mr C.J. Barnett made a personal explanation on his comments to the Deputy Speaker while she was in the Chair.

10. Petitions

Daylight Saving - Mr G.A. Woodhams presented a petition from 5,140 persons requesting that the Legislative Assembly initiate a referendum to be held before 31 October 2007 so that a democratic decision on daylight saving can be reached (P. 179).

Marine Park in Geographe Bay - Mr M.P. Murray presented a petition from 412 persons requesting that their objection to the establishment of a marine park in Geographe Bay be noted, and that a purely recreational fishery be developed instead (P. 180).

11. Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Acting Speaker -

Auditor General, Office of the [OAG] - Having Your Say: Public Participation in Government Decision-Making (2326).

12. Notice of Motion

13. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Treasurer on the Quarterly Financial Results Report for the six months ended 31 December 2006.

Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Treasurer -

Government of Western Australia, The - Quarterly Financial Results Report 2006-2007, December 2006 (2327).

The Minister for Education and Training on the status of recommendations being implemented as a consequence of the Corruption and Crime Commission's *Sexual Contact with Children by Persons in Authority in the Department of Education and Training Report*.

The Minister for Child Protection on progress with the implementation of the Working with Children Checks by the Working with Children Screening Unit.

The Minister for Tourism on three Western Australian tourism operators which were acknowledged for their excellence at the 2006 Qantas Australian Tourism Awards on 23 February 2007.

The Minister for Small Business on the Small Business Centre Network activity statistics from January to December 2006.

The Minister for Education and Training on the 2006 results of the Monitoring Standards in Education (MSE9) testing for Year 9 students.

Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Minister for Education and Training -

Education and Training, Department of - Performance of Year 9 students in public schools, MSE9 2006 (2328).

14. Speaker's Statement - Non Compliance with Direction to Respond to Recommendations of the Community Development and Justice Standing Committee

The Acting Speaker advised members that in relation to the recommendations contained in the Community Development and Justice Standing Committee's report entitled "Inquiry into Fire and Emergency Services Legislation in Western Australia", no response had been received from the Minister for Police and Emergency Services by the required time.

15. Speaker's Statement - Non Compliance with Direction to Respond to the Recommendations of the Joint Standing Committee on the Corruption and Crime Commission

The Acting Speaker advised members that in relation to the recommendations contained in the Joint Standing Committee on the Corruption and Crime Commission's report entitled "Joint Standing Committee on the Corruption and Crime Commission to Continue After Dissolution of Parliament", no response had been received from the Attorney General by the required time.

16. Daylight Saving Amendment Bill 2007

Mr B.J. Grylls, pursuant to notice, moved,

That a bill for “An Act to amend the *Daylight Saving Act 2006* by providing for a referendum to be held on 20 October 2007.” be introduced and read a first time.

Question put and passed.

Mr B.J. Grylls presented an explanatory memorandum and bill read a first time.

Ordered, That the second reading of the bill be made an Order of the Day for the next sitting of the Assembly.

17. Premier’s Statement

The Order of the Day for the resumption of the debate upon the question, That the Premier’s Statement be noted, was read.

Debate resumed.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

18. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 6.59 p.m. until Thursday, 1 March 2007 at 9.00 a.m.

Members present during any part of the day's proceedings - All the members except Dr E. Constable.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. FRED RIEBELING
Speaker of the Legislative Assembly