

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 127

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

THURSDAY, 1 MARCH 2007

1. Meeting of Assembly

The Assembly met at 9.00 a.m. in the Legislative Council Chamber pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Speaker's Statement - Disorder in the Public Gallery

The Speaker advised members that, as result of an object being thrown over the balcony of the public gallery in the previous day's sitting, a person had been barred from the public gallery until further notice.

3. Speaker's Statement - Authority of the Chair

The Speaker advised members that the proper operation of the House required the Chair to be respected at all times, which included complying with the directions of the Chair, addressing the Chair respectfully and in proper terms, not personalising the Chair, and not drawing the Chair into debate. The Speaker also advised members that, while they were entitled to approach the Chair to discuss matters, they were not to do so in an aggressive or intimidatory manner.

In relation to the actions yesterday, while disrespectful to the Chair, the Speaker did not intend to take any further action in relation to this matter.

4. Petitions

Drummond Cove, Geraldton - Mr G.A. Woodhams presented a petition from 1,034 persons requesting that the leases for houses along the west side of Whitehill Road in Drummond Cove, Geraldton be continued due to their significant heritage value (P. 181).

Southern Yarragadee Aquifer - Mr P.D. Omodei presented a petition from 4,097 persons requesting that no water be taken from the Southern Yarragadee Aquifer until South West water needs are met and guaranteed for the future and the environmental impact of the extraction is assessed by an independent scientific body (P. 182).

5. Papers

The following papers were presented and ordered to lie upon the Table of the House -

By the Speaker -

Inspector of Custodial Services, Office of the - Report of an Announced Inspection of Wooroloo Prison Farm, Report No. 39, January 2007 (Received by the Speaker of the Legislative Assembly on 29 January 2007 and held for a period of thirty days as directed by section (34)(a) of the Inspector of Custodial Services Act 2003) (2329).

By the Clerk -

National Health and Medical Research Council Embryo Research Licensing Committee - Report for the period 1 April 2006 to 30 September 2006 (2330).

6. Notice of Motion

7. Notices of Motion Lapsed

The Speaker advised that Private Members' Notices of Motion Nos 5, 6 and 7 had lapsed and, unless the members indicated otherwise, would be removed from the Notice Paper.

8. Suspension of Standing Orders

The Minister for Health, without notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable the *Surrogacy Bill 2007* to proceed to the stage that the motion for the second reading of the Bill has been moved.

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.

9. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Minister for Police and Emergency Services on the launch of the Western Australian Police Cadet (Traineeship) Program at the Joondalup Police Academy.

The Minister for Women's Interests on International Women's Day, with the theme of "Value All Women's Work", to be held on 8 March 2007.

The Minister for Police and Emergency Services on the Government's response to the recommendations in the Community Development and Justice Standing Committee's report on its inquiry into the fire and emergency services legislation in Western Australia.

The Minister for Tourism on her visit to Singapore from 17 to 19 December 2006 where it was announced that Perth, Western Australia would host the 2007 Lexus Cup, a prestigious ladies' golf tournament.

Paper

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

By the Minister for Tourism -

Official Travel - Minister for Tourism: Singapore Visit, Report on Tourism Activities, 17-19 December 2006 (2331).

The Leader of the House, on behalf of the Attorney General, on the Government's response to recommendation Nos 4 and 6 of the Procedure and Privileges Committee's Report on the Review of the Premier's Statement Temporary Order and Other Matters Relating to Extended Session Parliaments.

10. Surrogacy Bill 2007

The Leader of the House, on behalf of the Minister for Health, pursuant to notice (see paragraph 8), moved,

That a bill for "An Act about arrangements for surrogate births and children born under those arrangements and for related purposes, and to make related amendments to -

- the *Births, Deaths and Marriages Registration Act 1998*; and
- the *Children and Community Services Act 2004*; and
- the *Family Court Act 1997*; and
- the *Guardianship and Administration Act 1990*; and
- the *Human Reproductive Technology Act 1991*; and

the *Interpretation Act 1984*." be introduced and read a first time.

Question put and passed.

The Leader of the House, on behalf of the Minister for Health, presented an explanatory memorandum and bill read a first time.

The Minister for Health moved, That the bill be now read a second time.

Mr T.R. Sprigg moved, That the debate be adjourned.

Question put and passed.

11. 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.

Dr S.C. Thomas was granted leave to continue his remarks at a later stage of the sitting.

12. 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 following motion to be moved forthwith -

That this House censures the Premier for his failure to condemn the Member for Mining and Pastoral, the Hon. Shelley Archer MLC, in light of damning evidence presented at the Corruption and Crime Commission yesterday and calls on the Premier to immediately demand her expulsion from the Labor Party.

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.

13. Censure of Hon. Shelley Archer, MLC

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

That this House censures the Premier for his failure to condemn the Member for Mining and Pastoral, the Hon. Shelley Archer MLC, in light of damning evidence presented at the Corruption and Crime Commission yesterday and calls on to Premier to immediately demand her expulsion from the Labor Party.

Debate ensued.

Debate interrupted by the Chair (Ms S.E. Walker speaking) and adjourned until a later stage of the sitting.

14. Questions

Questions without Notice were taken.

Questions on Notice Nos 1833 to 1837 were asked.

Questions on Notice Nos 1621, 1667 and 1671 were answered.

15. Variation to the Order of Business

Ordered, That debate be resumed on the motion moved by Mr P.D. Omodei relating to the Censure of the Premier.

16. Censure of the Premier

The Order of the Day having been read for the resumption of debate on the motion moved by Mr P.D. Omodei (see paragraph 13.).

Debate resumed.

Question put.

The Assembly divided.

Ayes (23)

Mr C.J. Barnett
Mr D.F. Barron-Sullivan
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 M.W. Trenorden
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 D.J. Guise
 Mrs J. Hughes
 Mr J.N. Hyde
 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

Ms J.A. Radisich
 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.

17. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

18. 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 Attorney General moved, That the debate be adjourned.

Question put and passed.

19. Notice of Motion after the Time Prescribed

Mr M.W. Trenorden was granted leave to present a late notice of motion.

20. Special Adjournment

The Attorney General moved, That the House at its rising adjourn until Tuesday, 20 March 2007 at 2.00 p.m.

Question put and passed.

21. Adjournment

The Attorney General moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly, at 5.05 p.m. until Tuesday, 20 March 2007 at 2.00 p.m.

Members present during any part of the day's proceedings - All the members except Mr J.J.M. Bowler, Dr E. Constable and Mr E.S. Ripper.

PETER J. McHUGH
 Clerk of the Legislative Assembly

HON. FRED RIEBELING
 Speaker of the Legislative Assembly