

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 160

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

THURSDAY, 20 AUGUST 2015

1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Papers

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

By the Clerk –

Auditor General, Office of the – Support and Preparedness of Fire and Emergency Services Volunteers, Report 17: August 2015 (3220).

Corruption and Crime Commission – Report on the Investigation of an Incident at the East Perth Watch House on 7 April 2013: 20 August 2015 (3221).

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Women's Interests on the recent initiatives delivered in the Women's Interests portfolio.

The Minister for Transport on his visit to New Zealand and Singapore to gain a comprehensive understanding of their transport operations.

The Parliamentary Secretary to the Minister for Mental Health on the evaluation of the *Alcohol. Think Again* campaign.

4. Grievances

The Speaker called for grievances which were then made.

5. Election of Senators Amendment Bill 2015

The Leader of the House, on behalf of the Premier, pursuant to notice, moved,

That a bill for “An Act to amend the *Election of Senators Act 1903*.” be introduced and read a first time.

Question put and passed.

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

The Leader of the House, on behalf of the Premier moved, That the bill be read a second time.

Ms S. McGurk moved, That the debate be adjourned.

Question put and passed.

6. Western Australian Health Promotion Foundation Bill 2015

The Order of the Day for the further consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clauses 12 and 13 agreed to.

Clause 14.

Suspension of Standing Orders

Mr M. McGowan, 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 calls on the Minister for Health to resign for deliberately misleading the House and discrediting the character of one of his senior doctors over evidence given by the AMA representative at the Education and Health Standing Committee yesterday.

Debate ensued.

The Leader of the House moved, To add to the motion –

“

, subject to the debate being limited to 20 minutes for government members and 20 minutes for non-government members.

”

Amendment put and passed.

On the question, That the motion, as amended, be agreed to,

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

Minister for Health

Mr M. McGowan, pursuant to the foregoing motion, moved,

That this House calls on the Minister for Health to resign for deliberately misleading the House and discrediting the character of one of his senior doctors over evidence given by the AMA representative at the Education and Health Standing Committee yesterday.

Debate ensued.

Question put.

The Assembly divided.

Ayes (17)

Ms L.L. Baker

Dr A.D. Buti

Mr R.H. Cook

Ms J.M. Freeman

Mr W.J. Johnston

Mr D.J. Kelly

Mr F.M. Logan

Mr M. McGowan

Ms S.F. McGurk

Mr M.P. Murray

Mr P. Papalia

Ms M.M. Quirk

Mrs M.H. Roberts

Ms R. Saffioti

Mr C.J. Tallentire

Mr P.C. Tinley

Mr D.A. Templeman (*Teller*)

Noes (32)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr G.M. Castrilli
 Mr V.A. Catania
 Mr M.J. Cowper
 Ms M.J. Davies
 Mr J.H.D. Day
 Ms W.M. Duncan

Ms E. Evangel
 Mr J.M. Francis
 Mrs G.J. Godfrey
 Dr K.D. Hames
 Mrs L.M. Harvey
 Mr C.D. Hatton
 Mr A.P. Jacob
 Mr S.K. L'Estrange
 Mr R.S. Love
 Mr W.R. Marmion
 Mr J.E. McGrath

Mr P.T. Miles
 Ms A.R. Mitchell
 Mr N.W. Morton
 Mr D.C. Nalder
 Mr J. Norberger
 Mr D.T. Redman
 Mr A.J. Simpson
 Mr M.H. Taylor
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Question thus negatived.

Clause 14 agreed to.

Clause 15.

Paper

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

By the Minister for Health –

Healthway – Investigation Report: Summary of Findings and Recommendations (3222).

Clause agreed to.

Clauses 16 and 17 agreed to.

Clause 18.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

7. Members' Statements

The Deputy Speaker called for members' statements which were then made.

8. Questions

Questions without Notice were taken.

Questions on Notice Nos 4442 to 4473 were asked.

No Questions on Notice were answered.

9. Rail Safety National Law (WA) Bill 2014

Message No. 97 dated 20 August 2015 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Rail Safety National Law (WA) Bill 2014* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Rail Safety National Law (WA) Bill 2014

No. 1

Clause 5, page 3, after line 11 — To insert —

(2) Delete section 7(3).

No. 2

Clause 8, page 6, lines 19 to 23 — To delete the lines and insert —

- (1) Except as provided in subsection (2), the *Interpretation Act 1984* does not apply to the *Rail Safety National Law (WA)* or to the instruments made under that Law.

No. 3

Clause 8, page 6, after line 30 — To insert —

- (ca) the *Freedom of Information Act 1992*;

No. 4

Clause 9, page 9, line 6 — To delete “prescribed illicit drugs” and insert —

alcohol

No. 5

Clause 48, page 30, line 19 — To delete “of”

No. 6

Clause 50, page 31, line 8 to page 32, line 6 — To delete the clause.

Ordered, That consideration in detail of Legislative Council Message No. 97 be made an Order of the Day for the next sitting of the Assembly.

10. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

11. Western Australian Health Promotion Foundation Bill 2015

The Order of the Day for the further consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clauses 18 to 26 agreed to.

Clause 27.

The Minister for Health moved,

Page 13, lines 11 and 12 – To delete all words after “committee members”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 28 to 30 agreed to.

Clause 31.

The Minister for Health moved, That the debate be adjourned.

Question put and passed.

12. Conservation and Land Management Amendment Bill 2015

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

Ordered, That the consideration in detail of the bill be made an Order of the Day for the next sitting of the Assembly.

13. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 8 September 2015 at 2.00 p.m.

Question put and passed.

14. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 5.04 p.m. until Tuesday, 8 September 2015 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr B.J. Grylls, Dr G.G. Jacobs, Ms L. Mettam, Dr M.D. Nahan and Mr B.S. Wyatt.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND

Speaker of the Legislative Assembly