

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 19

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

THURSDAY, 20 JUNE 2013

1. Meeting of Assembly

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

The Speaker took the Chair.

Prayers were read.

2. Notice of Motion

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the Browse Gas Precinct land acquisition near James Price Point.

The Minister for Tourism on the ‘Best Jobs in the World’ Campaign and Western Australia’s role as ‘Taste Master’.

The Minister for Mines and Petroleum on the Department of Mines and Petroleum warning about fake licences for high-risk work.

4. Grievances

The Speaker called for grievances which were then made.

5. 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 –

- (1) That a Select Committee be established to investigate –
 - (a) the circumstances surrounding the loss of around \$250 million of taxpayers’ money in the refurbishment of Muja AB power station;
 - (b) the circumstances surrounding the engineering advice and the decision to refurbish the 46 year old power station and further decisions to continue with the project;
 - (c) how taxpayers’ money was placed at risk in the refurbishment process;
 - (d) the extent of the losses to taxpayers and ways to ameliorate any losses; and
 - (e) the commercial arrangements around the refurbishment process and which party bears responsibility for the losses.

- (2) That the Select Committee report on its inquiry to the Legislative Assembly by Thursday, 26 September 2013.

Debate ensued.

The Leader of the House moved, To add after the word “forthwith” –
“

and to debate the motion in accordance with the time limits applying to a Matter of Public Interest

”.

Question put and passed.

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

Question put.

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.

6. Select Committee on Muja Power Station

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

- (1) That a Select Committee be established to investigate –
- (a) the circumstances surrounding the loss of around \$250 million of taxpayers’ money in the refurbishment of Muja AB power station;
 - (b) the circumstances surrounding the engineering advice and the decision to refurbish the 46 year old power station and further decisions to continue with the project;
 - (c) how taxpayers’ money was placed at risk in the refurbishment process;
 - (d) the extent of the losses to taxpayers and ways to ameliorate any losses; and
 - (e) the commercial arrangements around the refurbishment process and which party bears responsibility for the losses.
- (2) That the Select Committee report on its inquiry to the Legislative Assembly by Thursday, 26 September 2013.

Debate ensued.

Question put.

The Assembly divided.

Ayes (20)

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

Mr J.R. Quigley

Ms M.M. Quirk

Mrs M.H. Roberts

Ms R. Saffioti

Mr C.J. Tallentire

Mr P.C. Tinley

Mr P.B. Watson

Mr B.S. Wyatt

Mr D.A. Templeman (*Teller*)

Noes (36)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr T.R. Buswell
 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
 Mr B.J. Grylls
 Dr K.D. Hames
 Mrs L.M. Harvey
 Mr C.D. Hatton
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson
 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
 Dr M.D. Nahan
 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.

7. Joint Standing Committee on the Corruption and Crime Commission

Mr P. Papalia, as Deputy Chairman, presented the following report which was ordered to lie upon the Table of the House –

Corruption and Crime Commission, Joint Standing Committee on the – Proceeds of Crime and Unexplained Wealth: A Role for the Corruption and Crime Commission?, Report No. 1 (395).

8. Joint Standing Committee on the Corruption and Crime Commission

Mr P. Papalia, as Deputy Chairman, presented the following report which was ordered to lie upon the Table of the House –

Corruption and Crime Commission, Joint Standing Committee on the – How the Corruption and Crime Commission Handles Allegations and Notifications of Police Misconduct, Report No. 2 (396).

9. Criminal Investigation (Identifying People) Amendment Bill 2013

The Minister for Police, pursuant to notice, moved,

That a bill for “An Act to amend the *Criminal Investigation (Identifying People) Act 2002* and for related purposes.” be introduced and read a first time.

Question put and passed.

The Minister for Police presented an explanatory memorandum and bill read a first time.

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

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

10. Insurance Commission of Western Australia Amendment Bill 2013

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

Mr B.S. Wyatt, moved,

That the Insurance Commission of Western Australia Amendment Bill 2013 be referred to the Public Accounts Committee, and that the Committee report to the House by 26 September 2013.

Debate ensued.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (34)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr T.R. Buswell
 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
 Mr B.J. Grylls
 Dr K.D. Hames
 Mr C.D. Hatton
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson
 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
 Dr M.D. Nahan
 Mr D.C. Nalder
 Mr J. Norberger
 Mr D.T. Redman
 Mr M.H. Taylor
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Noes (19)

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
 Mr M.P. Murray
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk
 Mrs M.H. Roberts
 Ms R. Saffioti

Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr P.B. Watson
 Mr B.S. Wyatt
 Ms S.F. McGurk (*Teller*)

Question thus passed.

On the question, That the motion be agreed to,

Question put.

The Assembly divided.

Ayes (19)

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
 Mr M.P. Murray
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk
 Mrs M.H. Roberts
 Ms R. Saffioti

Mr C.J. Tallentire
 Mr P.C. Tinley
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 Mr B.S. Wyatt
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 Mr J.H.D. Day
 Ms W.M. Duncan

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 Mr J.M. Francis
 Mrs G.J. Godfrey
 Mr B.J. Grylls
 Dr K.D. Hames
 Mr C.D. Hatton
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson
 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
 Dr M.D. Nahan
 Mr D.C. Nalder
 Mr J. Norberger
 Mr D.T. Redman
 Mr M.H. Taylor
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Question thus negatived.

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

11. Members' Statements

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

12. Questions

Questions without Notice were taken.

Questions on Notice Nos 249 to 252, 254, 257, 258 and 270 were answered.

Paper tabled by the Minister for Housing –

Question on Notice No. 270 – Details of Department of Housing properties sold in the metropolitan area since 2008 (397).

13. Variation to the Order of Business

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

14. Insurance Commission of Western Australia Amendment Bill 2013

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

CONSIDERATION IN DETAIL

Clause 1.

Mr J.R. Quigley moved,

Page 2, line 2 – To delete the words “*Insurance Commission of Western Australia Amendment Act 2013*” and substitute:

“

The Barnett Government's Scandalous Financial Mismanagement Cover Up Act 2013

”.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (32)

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

Ms E. Evangel
Mr J.M. Francis
Mrs G.J. Godfrey
Mr B.J. Grylls
Dr K.D. Hames
Mr C.D. Hatton
Mr A.P. Jacob
Dr G.G. Jacobs
Mr R.F. Johnson
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
Dr M.D. Nahan
Mr D.C. Nalder
Mr J. Norberger
Mr A.J. Simpson
Mr T.K. Waldron
Mr A. Krsticevic (*Teller*)

Noes (15)

Ms L.L. Baker
 Dr A.D. Buti
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr W.J. Johnston

Mr F.M. Logan
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk
 Mrs M.H. Roberts

Ms R. Saffioti
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr B.S. Wyatt
 Ms S.F. McGurk (*Teller*)

Question thus passed.

On the question, That the words to be deleted, be deleted,
 Amendment put.

The Assembly divided.

Ayes (15)

Ms L.L. Baker
 Dr A.D. Buti
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr W.J. Johnston

Mr F.M. Logan
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk
 Mrs M.H. Roberts

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 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr B.S. Wyatt
 Ms S.F. McGurk (*Teller*)

Noes (31)

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 Mr C.D. Hatton
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 Mr R.F. Johnson
 Mr S.K. L'Estrange
 Mr R.S. Love

Mr J.E. McGrath
 Mr P.T. Miles
 Ms A.R. Mitchell
 Dr M.D. Nahan
 Mr D.C. Nalder
 Mr J. Norberger
 Mr A.J. Simpson
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Amendment thus negatived.

On the question, That clause 1 be agreed to,
 Clause put.

The Assembly divided.

Ayes (31)

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

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 Mr R.F. Johnson
 Mr S.K. L'Estrange
 Mr R.S. Love

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Ms M.M. Quirk
Mrs M.H. Roberts

Ms R. Saffioti
Mr C.J. Tallentire
Mr P.C. Tinley
Mr B.S. Wyatt
Ms S.F. McGurk (*Teller*)

Clause thus agreed to.

Clause 2.

Mr B.S. Wyatt moved,

Page 2, line 8 – To delete the words “on the day after that day” and insert:

“ 1 July 2016 ”.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (31)

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

Ms E. Evangel
Mr J.M. Francis
Mrs G.J. Godfrey
Mr B.J. Grylls
Dr K.D. Hames
Mr C.D. Hatton
Mr A.P. Jacob
Dr G.G. Jacobs
Mr R.F. Johnson
Mr S.K. L'Estrange

Mr R.S. Love
Mr J.E. McGrath
Mr P.T. Miles
Ms A.R. Mitchell
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Mr J. Norberger
Mr A.J. Simpson
Mr T.K. Waldron
Mr A. Krsticevic (*Teller*)

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Ms M.M. Quirk
Mrs M.H. Roberts

Ms R. Saffioti
Mr C.J. Tallentire
Mr P.C. Tinley
Mr B.S. Wyatt
Ms S.F. McGurk (*Teller*)

Question thus passed.

On the question, That the words to be deleted, be deleted,

Amendment put.

The Assembly divided.

Ayes (15)

Ms L.L. Baker
Dr A.D. Buti
Mr R.H. Cook
Ms J.M. Freeman
Mr W.J. Johnston

Mr F.M. Logan
Mr P. Papalia
Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts

Ms R. Saffioti
Mr C.J. Tallentire
Mr P.C. Tinley
Mr B.S. Wyatt
Ms S.F. McGurk (*Teller*)

Noes (31)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Mr V.A. Catania
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 Ms W.M. Duncan

Ms E. Evangel
 Mr J.M. Francis
 Mrs G.J. Godfrey
 Mr B.J. Grylls
 Dr K.D. Hames
 Mr C.D. Hatton
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson
 Mr S.K. L'Estrange
 Mr R.S. Love

Mr J.E. McGrath
 Mr P.T. Miles
 Ms A.R. Mitchell
 Dr M.D. Nahan
 Mr D.C. Nalder
 Mr J. Norberger
 Mr A.J. Simpson
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Amendment thus negatived.

On the question, That clause 2 be agreed to,

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (30)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Ms M.J. Davies
 Mr J.H.D. Day
 Ms W.M. Duncan

Ms E. Evangel
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 Mr C.D. Hatton
 Mr A.P. Jacob
 Dr G.G. Jacobs
 Mr R.F. Johnson
 Mr S.K. L'Estrange

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 Mr J.E. McGrath
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 Mr A.J. Simpson
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Noes (15)

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 Dr A.D. Buti
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 Mrs M.H. Roberts

Ms R. Saffioti
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr B.S. Wyatt
 Ms S.F. McGurk (*Teller*)

Question thus passed.

On the question, That clause 2 be agreed to,

Clause put and passed.

Clause 3 agreed to.

Clause 4.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (29)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Mr V.A. Catania
 Ms M.J. Davies
 Mr J.H.D. Day

Ms E. Evangel
 Mr J.M. Francis
 Mrs G.J. Godfrey
 Mr B.J. Grylls
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 Mr C.D. Hatton
 Dr G.G. Jacobs
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 Mr S.K. L'Estrange
 Mr R.S. Love

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 Ms A.R. Mitchell
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 Mr D.C. Nalder
 Mr J. Norberger
 Mr A.J. Simpson
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Noes (15)

Ms L.L. Baker
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 Mr W.J. Johnston
 Mr F.M. Logan

Mr M. McGowan
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk
 Mrs M.H. Roberts

Ms R. Saffioti
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr B.S. Wyatt
 Ms S.F. McGurk (*Teller*)

Question thus passed.

On the question, That clause 4 be agreed to,

Clause put.

The Assembly divided.

Ayes (29)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Mr V.A. Catania
 Ms M.J. Davies
 Mr J.H.D. Day

Ms E. Evangel
 Mr J.M. Francis
 Mrs G.J. Godfrey
 Mr B.J. Grylls
 Dr K.D. Hames
 Mr C.D. Hatton
 Dr G.G. Jacobs
 Mr R.F. Johnson
 Mr S.K. L'Estrange
 Mr R.S. Love

Mr J.E. McGrath
 Mr P.T. Miles
 Ms A.R. Mitchell
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 Mr J. Norberger
 Mr A.J. Simpson
 Mr T.K. Waldron
 Mr A. Krsticevic (*Teller*)

Noes (15)

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 Ms M.M. Quirk
 Mrs M.H. Roberts

Ms R. Saffioti
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr B.S. Wyatt
 Ms S.F. McGurk (*Teller*)

Clause thus agreed to.

On the question, That this be the title of the bill,

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (28)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Mr V.A. Catania
 Ms M.J. Davies
 Mr J.H.D. Day

Ms E. Evangel
 Mr J.M. Francis
 Mrs G.J. Godfrey
 Mr B.J. Grylls
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 Mr R.F. Johnson
 Mr S.K. L'Estrange
 Mr R.S. Love
 Mr J.E. McGrath

Mr P.T. Miles
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 Mr J.R. Quigley
 Mrs M.H. Roberts

Ms R. Saffioti
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr B.S. Wyatt
 Ms S.F. McGurk (*Teller*)

Question thus passed.

On the question, That this be the title of the bill,

Title put and passed.

Consideration in detail concluded.

Leave not granted to proceed forthwith to the third reading.

15. Suspension of Standing Orders

The Leader of the House, without notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable the third reading of the Insurance Commission of Western Australia Amendment Bill 2013 to be moved forthwith, without permitting further debate or amendment.

The Treasurer moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (28)

Mr P. Abetz
 Mr F.A. Alban
 Mr C.J. Barnett
 Mr I.C. Blayney
 Mr I.M. Britza
 Mr T.R. Buswell
 Mr G.M. Castrilli
 Mr V.A. Catania
 Ms M.J. Davies
 Mr J.H.D. Day

Ms E. Evangel
 Mr J.M. Francis
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 Mr R.S. Love
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 Ms A.R. Mitchell
 Dr M.D. Nahan
 Mr D.C. Nalder
 Mr J. Norberger
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Noes (15)

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 Mr R.H. Cook
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 Mr J.R. Quigley
 Mrs M.H. Roberts

Ms R. Saffioti
 Mr C.J. Tallentire
 Mr P.C. Tinley
 Mr B.S. Wyatt
 Ms S.F. McGurk (*Teller*)

Question thus passed.

On the question, That the motion be agreed to,

Question put.

The Assembly divided.

Ayes (28)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr I.M. Britza
Mr T.R. Buswell
Mr G.M. Castrilli
Mr V.A. Catania
Ms M.J. Davies
Mr J.H.D. Day

Ms E. Evangel
Mr J.M. Francis
Mrs G.J. Godfrey
Mr B.J. Grylls
Dr K.D. Hames
Mr C.D. Hatton
Mr R.F. Johnson
Mr S.K. L'Estrange
Mr R.S. Love
Mr J.E. McGrath

Mr P.T. Miles
Ms A.R. Mitchell
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Mr J. Norberger
Mr A.J. Simpson
Mr T.K. Waldron
Mr A. Krsticevic (*Teller*)

Noes (15)

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Mr P. Papalia
Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts

Ms R. Saffioti
Mr C.J. Tallentire
Mr P.C. Tinley
Mr B.S. Wyatt
Ms S.F. McGurk (*Teller*)

As the motion was not carried with an absolute majority, the Speaker declared the motion to be negatived.

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

16. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 4.30 p.m. until Tuesday, 25 June 2013 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr N.W. Morton.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly