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1998–2000

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

NO. 104

FIRST SESSION OF THE FORTY–NINTH PARLIAMENT

TUESDAY, 5 SEPTEMBER 2000
The House met at 9.30am pursuant to adjournment. The Speaker (Honourable R K Hollis) read prayers.

Message No. 1 from the Governor was reported, informing the House that His Excellency had, in the name of Her Majesty, assented to the following Bills on the date indicated—

4 September 2000—
A Bill for an Act to amend the State Housing Act 1945 (State Housing Amendment Act (No. 2) 2000 – Act No. 29 of 2000)
A Bill for an Act authorising the Treasurer to pay certain amounts from the consolidated fund for services of the Legislative Assembly and the Parliamentary Service for the financial years starting 1 July 2000 and 1 July 2001 (Appropriation (Parliament) Act 2000 – Act No. 30 of 2000)
A Bill for an Act authorising the Treasurer to pay certain amounts from the consolidated fund to departments for the financial years starting 1 July 2000 and 1 July 2001 (Appropriation Act 2000 – Act No. 31 of 2000)
A Bill for an Act to amend the Valuation of Land Act 1944 (Valuation of Land Amendment Act 2000 – Act No. 32 of 2000)

Distinguished visitors: Mr Speaker informed the House of the presence in the Gallery of Honourable Members of the House of Commons – Members of the Commonwealth Parliamentary Association (United Kingdom branch) Delegation to Australia, led by the Right Honourable Tom Clark, MBE MP.

Mr Speaker reported that on 4 September 2000, he presented to His Excellency the Governor, the Appropriation (Parliament) Bill and the Appropriation Bill for the Royal Assent and that His Excellency was pleased to subscribe his Assent thereto in the name and on behalf of Her Majesty.

The following petitions, lodged with The Clerk by the Members indicated, were received—
Mr Borbidge from 1,012 petitioners, requesting the House to call on the State Minister for Transport the Honourable Steve Bredhauer MLA to act in accordance with the wishes of the Burdekin District community and abandon the Burdekin by-pass project, all proposed route options on maps and expunge any Department of Main Roads notations on land titles.
Dr Kingston from 210 petitioners, requesting the House to substantially improve the road between Burrum Heads and the Old Bruce Highway before a serious injury or mortality occurs.

The Clerk informed the House that the following paper, received during the recess, was tabled on the date indicated—
25 August 2000—

Mr Speaker made the following statement—
'Honourable Members, I refer to a decision by the Chair of 11 June 1999 where I ruled a motion of dissent out of order. In that instance, I warned a member under Standing Order 124 – no ruling was made.

After reviewing Hansard for 24 August 2000, and specifically the events that lead to the Honourable the Leader of the Opposition giving notice of a motion of dissent from my ruling, once again I find that I did not make a ruling. I warned the Leader of the Opposition under Standing Order 123A for disrupting Question Time.

Therefore, the Notice of Motion of dissent from the Speaker’s ruling of 24 August is out of order.'.

7 Statutory Instruments
The following statutory instruments were tabled by The Clerk—

Apiaries Act 1982—
Apiaries Amendment Regulation (No. 1) 2000, No. 227

Coal Mining Safety and Health Act 1999, Mining and Quarrying Safety and Health Act 1999—
Mining Legislation (Postponement) Regulation 2000, No. 226

Funeral Benefit Business Act 1982—
Funeral Benefit Business Regulation 2000, No. 220

Government Owned Corporations Act 1993—
Government Owned Corporations (Ports) Amendment Regulation (No. 1) 2000, No. 225
Government Owned Corporations (Queensland Investment Corporation) Amendment Regulation (No. 1) 2000, No. 224
Government Owned Corporations (State Water Projects Corporatisation) Amendment Regulation (No. 1) 2000, No. 231

Land Sales Act 1984—
Land Sales Regulation 2000, No. 221

Lotteries Act 1997—
Lotteries Amendment Rule (No. 3) 2000, No. 230

Parliamentary Service Act 1988—
Parliamentary Service Rule 2000, No. 222

Plant Protection Act 1999—
Plant Protection (Banana Pest Quarantine) Amendment Regulation (No. 1) 2000, No. 228

Prostitution Act 1999—
Explanatory Notes and Regulatory Impact Statement for the Prostitution Regulation 2000, No. 176

Sawmills Licensing Act 1936—
Sawmills Licensing Amendment Regulation (No. 1) 2000, No. 229

Statutory Instruments Act 1992—
Statutory Instruments Amendment Regulation (No. 2) 2000, No. 223

8 Ministerial Response to a Parliamentary Committee Report
The following response to a parliamentary committee report, received during the recess, was tabled by The Clerk—

Joint response from the Minister for Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities (Mr Mackenroth), Attorney-General and Minister for Justice and Minister for The Arts (Mr Foley) and the Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women’s Policy and Minister for Fair Trading (Ms Spence) to Report No. 23 of the Legal, Constitutional and Administrative Review Committee entitled Issues of Queensland electoral reform arising from the 1998 State election and amendments to the Commonwealth Electoral Act 1918

9 Ministerial Responses to Petitions
The following responses to petitions, received during the recess, were tabled by The Clerk—
(a) Response from the Premier (Mr Beattie) to a petition presented by Dr Watson from 321 petitioners, regarding the Queensland Fuel Subsidy Scheme

(b) Response from the Premier (Mr Beattie) to a petition presented by Dr Watson from 1,216 petitioners, regarding the proposed expansion of Suncorp–Metway Stadium

(c) Response from the Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford) to a petition presented by Mr Reeves from 2,178 petitioners, regarding State Government owned land located at 305 Mt Gravatt–Capalaba Road

10 MINISTERIAL PAPERS TABLED BY THE CLERK

The Clerk tabled the following ministerial papers received during the recess—

(a) Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford)—

(b) Minister for Primary Industries and Rural Communities (Mr Palaszczuk)—
Approval pursuant to section 137A of the Meat Industry Act 1993, dated 24 August 2000

11 MINISTERIAL STATEMENTS

(a) Premier (Mr Beattie), by leave, made a ministerial statement relating to new native title legislation.

(b) Premier (Mr Beattie), by leave, made a ministerial statement relating to assistance for the sugar industry.

(c) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to a new Queensland plant for Qantas subsidiary, Snap Fresh.

(d) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to biotechnology and information technology.

(e) Attorney–General and Minister for Justice and Minister for The Arts (Mr Foley), by leave, made a ministerial statement relating to the eradication of nepotism in the judiciary and new guidelines for the appointment of Judges’ Associates.

Paper: Mr Foley, during his statement, tabled the following paper—
Protocol Supreme Court Judges’ Associates and Protocol District Court Judges’ Associates

(f) Minister for Police and Corrective Services (Mr Barton), by leave, made a ministerial statement relating to statements in the media concerning access to lawyers under the Police Powers and Responsibilities Act 2000.

(g) Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (Mr McGrady), by leave, made a ministerial statement relating to power outages caused by strong winds and bushfires.

(h) Minister for Education (Mr Wells), by leave, made a ministerial statement relating to the Years 1 to 10 Science Syllabus.

Paper: Mr Wells, during his statement, tabled the following paper—
Years 1 to 10 Science Syllabus – Booklets, disc and CD

(i) Minister for Families, Youth and Community Care and Minister for Disability Services (Ms Bligh), by leave, made a ministerial statement relating to child abuse and Child Protection Week.

(j) Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women’s Policy and Minister for Fair Trading (Ms Spence), by leave, made a ministerial statement relating to the launch of a book entitled “Black Gold : The Aboriginal and Islander Sports Hall of Fame”. 
Leader of the House (Mr Mackenroth), by leave, moved—

(a) That notwithstanding anything contained in the Standing and Sessional Orders, for Thursday 7 September 2000, the House can continue to meet past 7.30pm. Private Members' motions will be debated between 6 and 7pm. The House can then break for dinner and resume its sitting at 8.30pm. Government Business will take precedence for the remainder of the day's sitting; and

(b) that pursuant to Standing Order No. 26, the House can meet for the dispatch of business, in addition to the days agreed to pursuant to the Sessional Order of 30 July 1998, at 9.30am on Friday, 8 September 2000 on which day the routine of business shall be as follows—

9.30am to 10.30am—
Prayers
Messages from the Governor
Matters of Privilege
Speakers Statements
Motions of Condolence
Petitions
Notification and tabling of papers by The Clerk
Ministerial Papers
Ministerial Statements
Ministerial Notices of Motion
Any other Government Business
Personal Explanations
Reports
Question Time

10.30am to Adjournment of the House—
Government Business.

Question put and agreed to.

Leader of the House (Mr Mackenroth), by leave, moved – That so much of the Standing and Sessional Orders be suspended to enable the Chiropractors Registration Bill, the Dental Practitioners Registration Bill, the Dental Technicians and Dental Prosthetists Registration Bill, the Health Practitioners Legislation Amendment Bill, the Medical Practitioners Registration Bill, the Medical Radiation Technologists Registration Bill, the Occupational Therapists Registration Bill, the Optometrists Registration Bill, the Osteopaths Registration Bill, the Pharmacists Registration Bill, the Physiotherapists Registration Bill, the Podiatrists Registration Bill, the Psychologists Registration Bill and the Speech Pathologists Registration Bill to be introduced and passed as cognate Bills for all of their stages—

(a) one question being put “That leave be granted to bring in the Bills”;
(b) one question being put in regard to the first readings;
(c) one question being put in regard to the printing of the Bills;
(d) one question being put in regard to the second readings;
(e) the consideration of the Bills together in Committee of the Whole House;
(f) one question being put for the Committee’s report stage; and
(g) one question being put for the third readings and titles.

Motion seconded by Treasurer (Mr Hamill).

Debate ensued.

Question put.

The House divided.

AYES, 44

Attwood  Barton  Beattie  Beilh  Boyle  Brady  Britokey  Clark  Cunningham, E

Cunningham, J  Edmond  Elster  Fenlon  Foley  Foursa  Hamill  Hayward  Kaiser  Nelson–Carr

Lavarch  Lucas  Mackenroth  McGrady  Mickel  Miller  Mulherin  Mustgrove  Nielson–Carr  Robertson

Nuttall  Palaszczuk  Pearce  Pitt  Purcell*  Reeves  Reynolds  Roberts  Sullivan*  Springborg

Rose  Schwarten  Spence  Struthers  Wells  Welbord  Wilson

NOES, 42

Baumann*  Beanland  Black  Blackmore  Connor  Cooper  Daigleish  Davidson  Elliott

Feldman  Gamin  Goss  Groce  Healy  Hegarty*  Holbs  Horan  Johnson  Knuth

Krauth  Laming  Lester  Lingard  Littleproud  Malone  Mitchell  Nelson  Paff  Pratt

Prattler  Quinn  Rowell  Santoro  Seeney  Sheldon  Simpson  Slack  Springborg

Stephan  Turnor  Veivers  Waterson  Wellington

Pairs – Mr Bredhauer (AYES) and Dr Kingston (NOES)

*Tellers

Question agreed to.

14 PERSONAL EXPLANATION

A personal explanation was made by Mr Paff.

15 SCRUTINY OF LEGISLATION COMMITTEE – PAPER

Chairman of the Scrutiny of Legislation Committee (Mrs Lavarch) tabled the following paper—

Scrutiny of Legislation Committee—

Alert Digest No. 11 of 2000

Ordered to be printed.

16 PUBLIC ACCOUNTS COMMITTEE – PAPER

Chairman of the Public Accounts Committee (Mr Hayward) tabled the following paper—

Public Accounts Committee—


Ordered to be printed.

17 PUBLIC WORKS COMMITTEE – PAPERS

Chairman of the Public Works Committee (Mr Roberts) tabled the following papers—

Public Works Committee—

Annual Report for 1999–2000

Report No. 70 – 3rd Interim Report on the Princess Alexandra Hospital Redevelopment

18 MEMBERS’ ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE – PAPERS

Chairman of the Members’ Ethics and Parliamentary Privileges Committee (Mr Mickel) tabled the following papers—

Members’ Ethics and Parliamentary Privileges Committee—
Report No. 44 – Report on a Code of Ethical Standards for Members of the Queensland Legislative Assembly
Proposed Code of Ethical Standards for Members of the Queensland Legislative Assembly
Ordered to be printed.

19 PAPER
The following paper was tabled—
Mr Rowell—
Report on Investigations in China with regard to Industry and Agriculture and study of Three Gorges Dam on Yangtze River and impact of flooding

20 NOTICE OF MOTION
21 PRIVATE MEMBER’S STATEMENT
A private Member’s statement was made.

Paper: Leader of the Opposition (Mr Borbidge), by leave, during his statement, tabled the following paper—
ALP (Qld Branch) Disputes Tribunal Hearing Thuringowa State Electorate – 20 December 1996

22 QUESTIONS WITHOUT NOTICE
Questions without notice were asked.

Papers: Mr Springborg tabled the following papers—
Correspondence from Roland and Peter Laverack and a statutory declaration from Mr Tony Mooney concerning electoral matters

Questions continued.

Papers: Premier (Mr Beattie) tabled the following papers—
Copies of How-to-vote cards

Questions continued.

Paper: Minister for Employment, Training and Industrial Relations (Mr Braddy) tabled the following paper—
Report issued by the Department of Employment, Training and Industrial Relations entitled “Kaulder Jibbijah – Our working partnership with Aboriginal and Torres Strait Islander Peoples”

Questions continued.
Questions concluded.

23 GENERAL BUSINESS – MATTERS OF PUBLIC INTEREST
Matters of public interest were debated.

24 TRANS-TASMAN MUTUAL RECOGNITION (QUEENSLAND) AUTHORISATION BILL
Premier (Mr Beattie), by leave, moved – That leave be granted to bring in a Bill for an Act to authorise the Governor in Council to make a gazette notice endorsing particular Commonwealth regulations for the Trans-Tasman Mutual Recognition (Queensland) Act 1999.
Question put and agreed to.
Bill and Explanatory Notes presented by Mr Beattie, Bill read a first time and ordered to be printed.
Mr Beattie moved – That the Bill be now read a second time.
Debate ensued.
Leader of the Opposition (Mr Borbidge) moved – That the debate be now adjourned. Question put and agreed to.
Ordered – That the resumption of the debate be made an order of the day for tomorrow.

25 NATIVE TITLE RESOLUTION BILL
Premier (Mr Beattie), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the Mineral Resources Act 1989 and other Acts for purposes related to native title. Question put and agreed to.

Order – That the resumption of the debate be made an order of the day for tomorrow.

26 ELECTORAL AND OTHER ACTS AMENDMENT BILL

27 CHIROPRACTORS REGISTRATION BILL, DENTAL PRACTITIONERS REGISTRATION BILL, DENTAL TECHNICIANS AND DENTAL PROSTHETISTS REGISTRATION BILL, HEALTH PRACTITIONERS LEGISLATION AMENDMENT BILL, MEDICAL PRACTITIONERS REGISTRATION BILL, MEDICAL RADIATION TECHNOLOGISTS REGISTRATION BILL, OCCUPATIONAL THERAPISTS REGISTRATION BILL, OPTOMETRISTS REGISTRATION BILL, OSTEOPATHS REGISTRATION BILL, PHARMACISTS REGISTRATION BILL, PHYSIOTHERAPISTS REGISTRATION BILL, PODIATRISTS REGISTRATION BILL, PSYCHOLOGISTS REGISTRATION BILL AND SPEECH PATHOLOGISTS REGISTRATION BILL
Minister for Health (Mrs Edmond) moved – That leave be granted to bring in a Bill for an Act to provide for the registration of chiropractors, and for other purposes, a Bill for an Act to provide for the registration of dental practitioners, and for other purposes, a Bill for an Act to provide for the registration of dental technicians and dental prosthetists, and for other purposes, a Bill for an Act to amend certain Acts administered by the Minister for Health relating to health practitioners, and for other purposes, a Bill for an Act to provide for the registration of medical imaging technologists, nuclear medicine technologists and radiation therapists, and for other purposes, a Bill for an Act to provide for the registration of occupational therapists, and for other purposes, a Bill for an Act to provide for the registration of optometrists, and for other purposes, a Bill for an Act to provide for the registration of occupational therapists, and for other purposes, a Bill for an Act to provide for the registration of podiatrists, and for other purposes, a Bill for an Act to provide for the registration of psychologists, and for other purposes, a Bill for an Act to provide for the registration of speech pathologists, and for other purposes. Question put and agreed to.
Message: The following message from His Excellency the Governor was received and read—

"MESSAGE

CHIROPRACTORS REGISTRATION BILL 2000
DENTAL PRACTITIONERS REGISTRATION BILL 2000
DENTAL TECHNICIANS AND DENTAL PROSTHETISTS REGISTRATION BILL 2000
MEDICAL PRACTITIONERS REGISTRATION BILL 2000
MEDICAL RADIATION TECHNOLOGISTS REGISTRATION BILL 2000
OCCUPATIONAL THERAPISTS REGISTRATION BILL 2000
OPTOMETRISTS REGISTRATION BILL 2000
OSTEOPATHS REGISTRATION BILL 2000
PHARMACISTS REGISTRATION BILL 2000
PHYSIOTHERAPISTS REGISTRATION BILL 2000
PODIATRISTS REGISTRATION BILL 2000
PSYCHOLOGISTS REGISTRATION BILL 2000
SPEECH PATHOLOGISTS REGISTRATION BILL 2000

Constitution Act 1867, section 18

I, MAJOR GENERAL PETER ARNISON, Governor, recommend to the Legislative Assembly
Bills for the appropriation of the consolidated fund that are intituled—

• A Bill for an Act to provide for the registration of chiropractors, and for other purposes
• A Bill for an Act to provide for the registration of dental practitioners, and for other purposes
• A Bill for an Act to provide for the registration of dental technicians and dental prosthetists, and for other purposes
• A Bill for an Act to provide for the registration of medical practitioners, and for other purposes
• A Bill for an Act to provide for the registration of medical imaging technologists, nuclear medicine technologists and radiation therapists, and for other purposes
• A Bill for an Act to provide for the registration of occupational therapists, and for other purposes
• A Bill for an Act to provide for the registration of optometrists, and for other purposes
• A Bill for an Act to provide for the registration of osteopaths, and for other purposes
• A Bill for an Act to provide for the registration of pharmacists, and for other purposes
• A Bill for an Act to provide for the registration of physiotherapists, and for other purposes
• A Bill for an Act to provide for the registration of podiatrists, and for other purposes
• A Bill for an Act to provide for the registration of psychologists, and for other purposes
• A Bill for an Act to provide for the registration of speech pathologists, and for other purposes.

Peter Arnison
GOVERNOR

4 September 2000"

Bills and Explanatory Notes presented by Mrs Edmond, Bills read a first time and ordered
to be printed.
Mrs Edmond moved – That the Bills be now read a second time.
Debate ensued.
Miss Simpson moved – That the debate be now adjourned.
Question put and agreed to.
Ordered – That the resumption of the debate be made an order of the day for tomorrow.

28 WATER BILL

Order of the day read for the adjourned debate on the motion of the Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford) – That the Bill be now read a second time.
Debate resumed.
Debate adjourned on the motion of Mr Hobbs.
Ordered – That the resumption of the debate be made an order of the day for tomorrow.

29 STATEMENT BY SPEAKER – POINT OF ORDER – SUB JUDICE ISSUE
Mr Speaker made the following statement—

'I refer to the point of order raised earlier in Question Time at which time it was alleged that a matter raised was sub judice.

Inquiries have revealed that the matter is a civil matter.

The relevant sub judice convention currently followed by the House arising out of the 1976 Privileges Committee report is as follows.

(B) Civil cases in courts of law shall not be referred to (in motions, debate or questions) within the period of four (4) weeks preceding the date fixed for the determination of the substantive issues in the case and while those issues are being determined. (NOT from the time a writ is issued.)

Therefore, because it is a civil matter not yet set down for determination of the substantive issues, it is not sub judice according to the practice and procedure of this House.'.

30 NOTICE OF MOTION – ELECTORAL CORRUPTION
Dr Watson, pursuant to notice, moved—

In view of the conviction of three ALP identities for electoral corruption by rorting the electoral rolls for Federal, State and Local Government elections, this House calls on the Queensland Government to amend the Electoral Act to require proof of identity and address from all voters before ballots are cast, and calls upon the Commonwealth to amend the Commonwealth Electoral Act to require proof of identity and address before a person may be registered on the electoral roll.

Debate ensued.

The following amendment was proposed by Attorney–General and Minister for Justice and Minister for The Arts (Mr Foley)—

Insert the following words before 'In view'—

1. The House notes the conclusion in Report No. 19 of March 2000 by the all–party Legal, Constitutional and Administrative Review Committee that the Commonwealth's "new enrolment requirements have the potential to effectively disenfranchise a significant number of voters";
2. The House further notes that on 22 August 2000 it requested the Legal, Constitutional and Administrative Review Committee to "investigate and report back to State Parliament by 14 November 2000 on the best way to minimise electoral fraud at elections, where the Queensland State electoral roll is used."; and
3. The House requests that Committee to include in the said investigation and report consideration of Dr Watson's motion that:

Debate ensued.

Paper: Mr Foley, during his speech, tabled the following paper—


Debate continued.

Question – That Mr Foley's amendment be agreed to – put and agreed to.

Question – That the motion, as amended, be agreed to – put and agreed to.

31 ADJOURNMENT
Leader of the House (Mr Mackenroth) moved – That this House do now adjourn.
Debate ensued.
Papers: Mr Sullivan, by leave, during his speech, tabled the following papers—
Two non-conforming petitions relating to a five-year freeze on genetically engineered food

Debate continued.
Question agreed to.
The House adjourned at 7.24pm.

32 ATTENDANCE
The following Members were present—

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