2001–03

LEGISLATIVE ASSEMBLY OF QUEENSLAND
FIRST SESSION OF THE FIFTIETH PARLIAMENT

VOTES AND PROCEEDINGS
NO. 138
WEDNESDAY, 29 OCTOBER 2003

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MEETING OF THE ASSEMBLY
The Assembly met at 9.30am, pursuant to adjournment. The Speaker (Honourable R. K. Hollis) read prayers.

MATTERS OF PRIVILEGE
(a) Premier and Minister for Trade (Mr Beattie) rose on a matter of privilege.
(b) Mr Flynn rose on a matter of privilege.

AUDITOR–GENERAL – REPORT
Mr Speaker informed the House that he had received the following report from the Auditor–General—

AUDITOR–GENERAL – REPORT
Queensland Audit Office – Annual Report 2002-03

MINISTERIAL PAPERS TABLED BY THE CLERK
The following ministerial papers were tabled by The Clerk—

Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors (Ms Spence)—
Response from the Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors (Ms Spence) to an E-petition sponsored by Ms Bligh from 710 petitioners regarding the Queensland Government’s Indigenous Wages and Savings Reparations Process
Response from the Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors (Ms Spence) to a paper petition presented by Mr Bredhauer from 568 petitioners regarding the Napranum Community Alcohol Management Plan

MINISTERIAL PAPER
The following ministerial paper was tabled—

Minister for Local Government and Planning (Mrs J Cunningham)—

MINISTERIAL STATEMENTS
(a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Schoolies Week 2003.
Papers: Mr Beattie, during his statement, tabled the following papers—
Queensland Government brochures produced to assist those attending Schoolies Week
(b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Department of Families website.
(c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to child health initiatives by Queensland Health.
(d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the commencement of daily flights between Dubai and Brisbane.
(e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Premier's Queensland Exports Awards.
(f) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to La Famiglia Fine Foods.
(g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Queensland’s Indigenous Art Marketing and Export Agency Advisory Board.
(h) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Thai trade agreement.
(i) Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) made a ministerial statement relating to the Lexmark Indy 300.

(j) Minister for Education (Ms Bligh) made a ministerial statement relating to the Cool School program.

(k) Minister for Employment, Training and Youth and Minister for the Arts (Mr M Foley) made a ministerial statement relating to the Young Artists Mentoring program.

(l) Minister for Health and Minister Assisting the Premier on Women’s Policy (Mrs Edmond) made a ministerial statement relating to Breast Cancer day.

(m) Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) made a ministerial statement relating to Schoolies Week 2003.

(n) Minister for Transport and Minister for Main Roads (Mr Bredhauer) made a ministerial statement relating to increasing public transport use.

(o) Minister for Environment (Mr Wells) made a ministerial statement relating to the current fire season.

(p) Minister for Public Works and Minister for Housing (Mr Schwarten) made a ministerial statement relating to crisis and transitional housing.

(q) Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors (Ms Spence) made a ministerial statement relating to financial assistance for those affected by recent storm damage.

(r) Minister for Tourism and Racing and Minister for Fair Trading (Ms Rose) made a ministerial statement relating to Schoolies Week 2003.

(s) Minister for Natural Resources and Minister for Mines (Mr Robertson) made a ministerial statement relating to Native Title.

(t) Minister for Local Government and Planning (Mrs J Cunningham) made a ministerial statement relating to funding for local government security.

7 MOTION WITHOUT NOTICE – HOURS AND ORDER OF BUSINESS FOR TODAY
Leader of the House (Ms Bligh), by leave, moved – That notwithstanding anything contained in the Standing and Sessional Orders, for this day’s sitting, 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.
The Order of Business shall then be Government Business followed by a 30 minute adjournment debate.
Question put and agreed to.

8 NOTICES OF MOTION
(a) Mr Wellington gave notice that he will move – That this House resolves to recommend to the 51st Parliament that—
   1. It establishes a new committee to be known as the Health Committee;
   2. That the Committee, initially, be a select committee with terms of reference to be responsible for monitoring, reviewing and reporting to the House on the operation of the State’s health system, including—
      a) The operation of the State’s hospitals, medical facilities and health programs;
      b) The operation of departments and agencies (State and Local Government) responsible for implementing health policies and funding health initiatives;
      c) The impact of Local, State and Commonwealth government policies and arrangements on the delivery on funding and the delivery of services at the State and Local level;
3. That the Committee membership consist of three government and three non
government members;
4. That the Committee be an authorised Committee within the meaning of the Parliament
of Queensland Act 2001 and be authorised to call for persons, documents and things;
5. That consideration be given to funding the Committee by reducing the number of
members on each statutory and select committee from seven to six (legislative
amendments required) and allocation of modest supplementary funding.

(b) Leader of the Opposition (Mr Springborg) gave notice that he will move – That this
Parliament amend Sessional Orders to prohibit Members of Parliament from naming or
otherwise identifying a person whose identity is protected pursuant to the Whistleblowers

(c) Mr Lingard gave notice that he will move – That the Sessional Orders be amended to
provide that the order of business for each sitting day up to the commencement of Question
Time be as follows—

9.30am – 10.10am—
  Prayers
  Messages from the Governor
  Matters of Privilege
  Speaker's Statements
  Motions of Condolence
  Petitions
  Notification and tabling of papers by the Clerk
  Ministerial Papers
  Ministerial Notices of Motion
  Government Business Notices of Motion
  Ministerial Statements
  Any other Government Business

10.10am – 10.30am—
  Personal Explanations
  Reports
  Notice of Motion for debate from 6pm to 7pm on Wednesday
  Private Members’ Bills
  Debating of Committee Reports on each Thursday
  Private Members’ Statements, during which Members may speak on any subject for 2
  minutes

10.30am – 11.30am—
  Question Time

9  PRIVATE MEMBERS’ STATEMENTS  (Hansard p.4472, 10.23am)
Private Members’ statements were made.

10  QUESTIONS WITHOUT NOTICE  (Hansard p.4474, 10.30am)
Questions without notice were asked.

Paper:  Mr Seeney tabled the following paper—
An invitation from Mr Kerry Shine MP to attend a launch of Future Directions –
Expansion of Youth Justice Conferencing Services for Toowoomba and South West
Region

Questions continued.

Papers:  Mr Quinn tabled the following papers—
An invitation from Mr Kerry Shine MP to attend a special small business
announcement on Wednesday, 5 November 2003
Extract from Gold Coast Bulletin dated 20 October 2003, relating to an invitation from
Mrs Peta-Kaye Croft MP to attend a special small business announcement and
complimentary networking breakfast on Wednesday, 5 November 2003.
Questions continued.

**Paper:** Premier and Minister for Trade (Mr Beattie) tabled the following paper—
Advice from Mr Graham Jones relating to the insurance industry’s response to recent Southern Queensland storm damage

Questions continued.

**Paper:** Minister for Natural Resources and Minister for Mines (Mr Robertson) tabled the following paper—

Questions continued.

Questions concluded.

11 **STATEMENT BY SPEAKER – NOTICE OF MOTION BY LEADER OF THE OPPOSITION**

Mr Speaker made the following statement—

‘I refer to the Notice of Motion given by Mr Springborg earlier today.

The proposed motion seeks to amend Sessional Orders.

The proposed motion does not actually contain words to be omitted, inserted or otherwise amend the Sessional Orders.

The proposed motion is not, strictly speaking out of order. However, if the motion were to be adopted it would not effect the purpose it purportedly seeks to achieve because there is no omission, insertion or other amendment to Standing Orders.

I stress that I am not ruling the motion out of order, but rather bring the House’s attention to the fact that if passed it would not itself effect an amendment to Sessional Orders.

The member may wish to seek leave to withdraw the motion and replace it at a later date with a more effective motion.’

12 **PUBLIC HEALTH (INFECTION CONTROL FOR PERSONAL APPEARANCE SERVICES) BILL**

Order of the day read for the adjourned debate on the motion of the Minister for Health and Minister Assisting the Premier on Women’s Policy (Mrs Edmond) – That the Bill be now read a second time.

Debate resumed.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Mrs Edmond.

In Committee

Clauses 1 to 162, as read, agreed to.

Schedules 1 and 2, as read, agreed to.

Bill to be reported without amendment.

In the House

Bill reported without amendment.

Mrs Edmond, by leave, moved – That the Bill be now read a third time.

Question put and agreed to.

Bill read a third time and passed.

Title agreed to.

13 **LEGAL PROFESSION BILL**

Attorney-General and Minister for Justice (Mr Welford), by leave, moved – That leave be granted to bring in a Bill for an Act to provide for admission to, and the regulation of, the legal profession, and for other purposes.

Question put and agreed to.
MESSAGE
LEGAL PROFESSION BILL

Constitution of Queensland 2001, section 68

I, QUENTIN BRYCE, Governor, recommend to the Legislative Assembly a Bill intituled—
A Bill for an Act to provide for admission to, and the regulation of, the legal profession, and for other purposes.

Quentin Bryce
GOVERNOR

27 October 2003

Bill and Explanatory Notes presented Mr Welford, Bill read a first time and ordered to be printed.
Mr Welford moved – That the Bill be now read a second time.
Debate ensued.
Mr Quinn 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.

14 DISASTER MANAGEMENT BILL (Hansard p.4490, 11.53am)

Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds), by leave, moved – That leave be granted to bring in a Bill for an Act to provide for matters relating to disaster management in the State, and for other purposes.
Question put and agreed to.
Bill and Explanatory Notes presented by Mr Reynolds, Bill read a first time and ordered to be printed.
Mr Reynolds moved – That the Bill be now read a second time.
Debate ensued.
Mr Malone 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.

15 APPROPRIATION BILL (NO. 2) AND APPROPRIATION (PARLIAMENT) BILL (NO. 2) (Hansard p.4495, 12.14pm)

Order of the day read for the adjourned debate on the motion of Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) – That the Bills be now read a second time.
Debate resumed.

Paper: Miss E Roberts, during her speech, tabled the following paper—
Non-conforming petition relating to the proposal to apply to build an aged and palliative care unit in the Mary Valley

Debate continued.

Matter of Privilege: Premier and Minister for Trade (Mr Beattie) rose on a matter of privilege.

Debate resumed.
Question put and agreed to.
Bill read a second time.
Bill committed on the motion of Mr Mackenroth.

In Committee

Appropriation Bill (No. 2)—
Clauses 1 and 2, as read, agreed to.
Schedule, as read, agreed to.
Appropriation (Parliament) Bill (No. 2)—
Clauses 1 and 2, a read, agreed to.

Bills to be reported without amendment.

In the House

Bills reported without amendment.
Mr Mackenroth, by leave, moved – That the Bills be now read a third time.
Question put and agreed to.
Bills read a third time and passed.
Title agreed to.

NOTICE OF MOTION – SESSIONAL ORDERS RELATING TO THE WHISTLEBLOWERS PROTECTION ACT 1994
(Hansard p.4537, 5.57pm)
Leader of the Opposition (Mr Springborg) gave notice that he will move – That this Parliament amend Sessional Orders to prohibit Members of Parliament from naming or otherwise identifying a person whose identity is protected pursuant to the Whistleblowers Protection Act 1994.

Debate ensued.
The following amendment was proposed by the Premier and Minister for Trade (Mr Beattie)—
Omit all the words after ‘Parliament’ and insert the following—
‘acknowledges the fundamental importance of Parliamentary privilege to the workings of the parliament and the democratic freedoms it represents.’.

Debate ensued.
Question put – That Mr Beattie’s amendment be agreed to.
The House divided.

AYES 51—
Barton
Beattie
Bligh
Boyle
Briskey
Choi
Clark, E
Clark, L
Cummins

Cunningham, J
Edmond
Fenlon
Foley, M
Hayward
Jarratt
Lawlor
Lee

Livingstone
Lucas
McGrady
McNamara
Mickel
Miller
Nelson–Carr

Nuttall
Palaszczuk
Pearce
Phillips
Pitt
Purcell *
Mulherin

Robertson
Rodgers
Rose
Scott, C
Shine
Smith
Reynolds

Roberts, N
Robertson
Rodgers
Scott, C
Spence
Stone
Strong

Struthers
Sullivan, C
Sullivan, T *
Welford
Wilson

NOES 18—
Bell
Copeland
Cunningham, E

Flynn
Foley, C
Hobbs
Horan
Johnson
Lee Long

Lester *
Malone
Patt

Lester *
Malone
Patt

Quinn
Robertson, E
See

Sheldon
Springborg
Watson *

* Tellers

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

PRIMARY INDUSTRIES AND OTHER LEGISLATION AMENDMENT BILL
(Hansard p.4548, 8.30pm)
Order of the day read for the adjourned debate on the motion of the Minister for Primary Industries and Rural Communities (Mr Palaszczuk) – That the Bill be now read a second time.
Debate resumed.

Paper: Mr Palaszczuk, during his speech, tabled the following paper—
Letter, dated 27 October 2003, to Mr Palaszczuk from Wesley Judd, President, Dairyfarmers Organisation Ltd

Debate continued.
Question put.
The House divided.
AYES 64—

Barry         English           Lawlor           Mulherin       Roberts, E     Springborg
Barton        Fenlon           Lee              Nelson–Carr    Roberts, N     Stone
Bligh         Foley, M         Lester           Nuttall         Rodgers        Strong
Boyle         Fours            Livingstone      Palaszczuk     Rose           Struthers
Briskey       Hayward          Lucas            Pearce          Schwarten      Sullivan, C
Clark, E      Hobbs           Mackenroth      Phillips        Scott, C       Sullivan, T *
Copeland      Horan            Malone           Pitt            Scott, D       Welford
Clark, L      Jarratt          McGrady          Purcell         Seeney         Wells
Cummins       Johnson          McNamara         Quinn           Shine          Wilson
Cunningham, J Keech            Mickel           Reeves *        Smith          
Edmond        Lavarch          Miller           Reynolds        Spence

NOES 5—

Cunningham, E Foley            Flynn          Foley, C *      Lee Long *      Pratt
*C Tellers

Question agreed to.
Bill read a second time.
Bill committed on the motion of Mr Palaszczuk.

In Committee

Clauses 1 to 40, as read, agreed to.
Clause 41 (Amendment of s 196 (Appeals to tribunal))—
The following amendment was proposed by Mr Palaszczuk—
At page 40, line 19—
omit, insert—
	'insert—'.
Debate ensued.
Question – That Mr Palaszczuk’s amendment be agreed to – put and agreed to.
Clause 41, as amended, agreed to.

Paper: Mr Palaszczuk, during his speech, tabled the following paper—
Explanatory Notes to Amendments in Committee to the Primary Industries and Other Legislation Amendment Bill

Debate continued.
Clauses 42 to 46, as read, agreed to.
Clause 47 (Amendment of s 6 (Exemption from application of Act))—
The following amendment was proposed by Mr Hobbs—
At page 53, line 17—
omit, insert—
	'subsection; or
(c) the primary producer complies with the scientific standards for the removal set by Food Standards Australia New Zealand.'.

Debate ensued.
Question put – That Mr Hobbs’ amendment be agreed to.
The Committee divided.

AYES 16—

Copeland        Foley, C         Horan           Lester *        Quinn          Springborg
Cunningham, E   Hobbs           Johnson         Malone          Roberts, E     
Flynn           Hopper *          Lee Long        Pratt           Seeney

* Tellers
Votes and Proceedings No. 138 – Wednesday, 29 October 2003

NOES 54—

Barry Barton
Barry English
Boyle
Boyle M
Clark, E
Clark, L
Cummins
Cummins J

Lee Livingstone
Lucas
Mackenroth
Male
Jarratt
McGrady
Mackenroth

Mulherin Nelson–Carr
Nuttall
Palaszczuk
Pearce
Palaszczuk

Reynolds
Roberts, N
Rodgers
Rose
Schwarten

Spence
Strong
Struthers
Sullivan, C
Sullivan, T *

* Tellers

Question negatived.
Clause 47, as read, agreed to.
Clauses 48 to 78, as read, agreed to.

Clause 79 (Insertion of new ch 5, pt 8A)—
The following amendment was proposed by Mr Palaszczuk—
At page 71, lines 25 and 26—

omitted, insert—

'(A) for a hatchery for the production of larvae; or'.

Debate ensued.

Question – That Mr Palaszczuk's amendment be agreed to – put and agreed to.
Clause 79, as amended, agreed to.
Clauses 80 to 88, as read, agreed to.
Schedule, as read, agreed to.

Bill to be reported with amendments.

In the House

Bill reported with amendments.

Ordered – That the Bill, as amended, be taken into consideration.
Mr Palaszczuk, by leave, moved – That the Bill be now read a third time.
Question put and agreed to.

Bill read a third time and passed.

Title agreed to.

18 ADJOURNMENT (Hansard p.4548, 8.30pm)

Minister for Primary Industries and Rural Communities (Mr Palaszczuk) moved – That this House
do now adjourn.

Debate ensued.

Papers: Mrs E Cunningham, by leave, during her speech, tabled the following papers—

Reports and documents relating to the Mt Larcom Community Restoration Project

Debate continued.

Paper: Mr Horan, by leave, during his speech, tabled the following paper—

Speech by John Coman at the St Mary's College Presentation Night 2003

And the House having continued to sit till 12 midnight—

THURSDAY, 30 OCTOBER 2003

Debate continued.
Question put and agreed to.
The House adjourned at 12.06am.
19 **ATTENDANCE**

The following members were present—

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